



**MINUTES OF THE WORK STUDY MEETING OF THE QUEEN CREEK  
PLANNING AND ZONING COMMISSION**

**Wednesday, September 9, 2009 6:30 P.M.**

**Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85242**

1. **CALL TO ORDER** The meeting was called to order at 6:00 p.m.

2. **ROLL CALL**

**Present**

Chairman Trapp-Jackson  
Commissioner Moore  
Commissioner Ingram  
Commissioner Sossaman  
Commissioner Perry

**Absent**

Commissioner Atkinson

**Staff Present**

Community Dev. Director Tom Condit  
Planning Manager Wayne Balmer  
Principal Planner McCauley  
Senior Planner Dave Williams  
Community Development Assistant Moats

**Others Present**

Tyler Wright  
Robin Benning

3. **Discussion on Text Amendment to Zoning Ordinance for Establishing New Zoning Districts and Standards/TA09-074**

Planning Manager Balmer briefly explained the proposed text amendment, listing the new zoning designations being proposed, and the proposed permitted uses under each designation.

Principal Planner McCauley provided historical information to support the proposed text amendment, which will add the following zoning designations: R1-4, R1-5, Mixed Use, and C-3. He stated staff will bring this item to Town Council with the Planning & Zoning Commissions' recommendation on October 7.

Mr. Balmer raised the issue of including the Assisted Living Facility in the R1-4 and R1-5 zoning districts. Mr. Pew of Pew and Lake has requested this item be included with the text amendment, rather than waiting until completion of the Zoning Ordinance Update. As proposed by staff, this will be permitted by Conditional Use. Commissioner Ingram asked if there would be a time limit on the Conditional Use. Mr. Balmer said that would have to be addressed at a later time.

There was discussion about differences between assisted living facilities and group care homes, and the placement of them in residential and commercial areas respectively. Commissioner Perry stated there is an entire category for elderly living situations that would not simply fit in with assisted living facilities, as it is a continuum of care. He feels the issue of this type of facility only being permitted in a commercial district needs to be reconsidered. He noted skilled nursing care facilities are not addressed in current Zoning Ordinance.

Mr. Balmer referred to Table 4.6-1 on page 4-13 of the attachment, noting the Commission may wish to consider changing "P" (permitted) to "C" (conditional) for the Assisted Living Facility in the R1-5 and R1-4 districts. Secondly, Mr. Pew has requested the wording on page 4-13 for *Assisted Living Center* be changed to match the wording shown on page 4-17, which is *Assisted Living Facility*. Mr. Balmer noted the reference on page 4-17 to an Assisted Living Facility would most likely be a hospital-type setting.

Mr. Balmer informed the Commission it is necessary for them to make a recommendation on the proposed zoning districts tonight; however, they can decide to include the changes relating specifically to the Assisted Living Center/Facility tonight or hold off on it and include it with the overall Zoning Ordinance Update.

Chairman Trapp-Jackson suggested Mr. Balmer look at the State's definition to maintain consistency. Commissioner Perry questioned what the timeline is for the Zoning Ordinance Update. Mr. Balmer responded staff is currently working on the update; however it was necessary to bring the text amendment on zoning districts and possible sign ordinance modifications to the Commission for action as a first priority. It may be the beginning of next year when the Zoning Ordinance Update proceeds.

Commissioner Moore stated he feels the Commission needs to further discuss a specific definition and decide what it really means. Community Development Director Condit suggested obtaining Ralph Pew's comments on the urgency of this item, and setting a timeline for bringing this back to the Commission.

Commissioner Perry stated the methodology of how this will be done through the State needs to be thought through, as well as looking at the entire continuum of elderly care. Commissioner Sossaman stated he favors permitting group care homes and assisted living facilities in Queen Creek and would like to make it easier for those types of facilities to apply for what they want.

There was no further discussion on this item.

**4. Discussion Text Amendment to Zoning Ordinance, Article 6.16 Sign Regulations/TA09-075**

Mr. Balmer provided brief background on this issue. He noted some existing items have been reorganized and grouped into other categories where they fit. Staff is not making a formal recommendation to the Commission, however would like the Commission to forward a recommendation to Town Council.

Discussion took place on A-frame signs and the proposed allowable number of one per business, in shopping center locations. Mr. Balmer illustrated the current sign permit application, stating it is geared towards permanent signs. Mr. Balmer noted the proposal would include new applications with a sticker and case number.

Commissioner Perry referred to the language in the staff report which states, “...many of the proposed changes parallel the sign regulations for the Town of Gilbert.” He stated he is in favor of helping out the business community, but he is not in favor of allowing a sign for every business located within one shopping center. He would be in favor of further review.

Mr. Balmer pointed out the specific areas of the ordinance which would be proposed for revision, as follow:

- Location and Placement of Signs (1a)
- Temporary Signs – Permit Required (including the following):
  - Number
  - Display
  - Location
  - Prohibited Locations
  - Construction and Maintenance
  - Prohibited Element
- Sign Walkers
- Grand Opening Banners
- Special Event Banners – Permit Required (*new*)

Commissioner Sossaman asked if there is a time limit specified for the word “temporary” under 6.16 Sign Regulations, B.2 **Temporary Signs – Permit Required**. Mr. Balmer responded these signs refer to portable A-frames, and there is no time limit. Mr. Condit added the definition of “temporary” is found on page 21 of the Draft Ordinance text.

Commissioner Moore stated he sees the benefit for businesses to be able to put up temporary banners on a temporary basis, but not for an extended period of time. If the banner or even an A-frame sign are out for a long period of time, they do not have the desired impact on business. Allowing too many businesses in the same shopping center would cause too much clutter, and the message business owners are trying to get out would be unseen by the public. Commissioner Moore asked if the Town currently regulates parking lot signs, to which Mr. Balmer responded no. If the signs are not adjacent to a street, the Town does not regulate them. Mr. Balmer clarified the Chamber is more interested in having the ability to put out temporary signs for a longer period of time because they are concerned with the cost of directory panels (signs) that landlords charge on the large monument signs in shopping centers.

Mr. Balmer stated Principal Planner McCauley will go through the specific sign ordinance changes during his Regular Session presentation.

5. **Discussion on Barney Park Estates Phasing Amendment/SD09-012**

Principal Planner McCauley informed the Commission this project had preliminary plat approval approximately two years ago. The Final Plat has not yet been approved. The applicant is now requesting phasing for this residential subdivision; therefore, the preliminary plat must be revised. Mr. McCauley stated each phase will stand on its own. The zoning will not change. A fence detail plan is included in the request. Staff supports the proposed fencing which meets design standards.

Commissioner Perry questioned Stipulation #3 on page 4 of the staff report, which reads: *“If it becomes necessary for the Town to construct an interim roadway connection on 220<sup>th</sup> Street prior to completion of the Barney Park Estates Phase 2 roadway improvements, the Developer shall be responsible for dedicating the remaining portion of 220<sup>th</sup> Street at the Town’s request. If an interim connection is necessary prior to Phase 2 construction, the Developer shall be responsible for removal of any temporary pavement and/or improvements prior to completing the final street improvements.”* Mr. Condit responded he had not been involved in this step of the process but is assuming the Town needs this dedication if there is a possibility of making the street a through-street.

**ADMINISTRATIVE ITEMS**

6. **Review** of next month’s agenda items.

Planning Manager Balmer reported on the following items, which are scheduled for the October 14 Planning & Zoning Commission Meeting:

- Rock Point Church, RZ09-039/SP09-040/CU09-041

Mr. McCauley stated Barney 20, RZ07-099/SD07-100, will be on the Commission’s November agenda.

7. **Report** on Town Council Action

Director of Community Development Condit reported the minutes have been provided in the agenda packets.

8. **Summary of Current Events** from members of the Commission.

Planning Manager Balmer distributed a letter of resignation from Vice-Chairman Karen Fehlan, stating he will also present this letter to Council.

Planning Manager Balmer distributed the Arizona Planning Association’s Annual Conference brochure, noting this year’s conference will take place in Prescott, October 14-16. He asked the Commission to notify staff if they would like to attend so that staff may make the necessary arrangements. Commissioners Perry and Sossaman stated they would not be in town during this time.

9. **Adjournment**

**Motion:**            **Commissioner Ingram**  
**To adjourn.**  
**Second:**           **Commissioner Sossaman**

**The Work Study Session adjourned at 6:47 p.m.**

**PLANNING AND ZONING COMMISSION**

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Kathy Trapp-Jackson, Chairman

ATTEST:

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Laura Moats, Community Development Assistant

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I, Laura Moats, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the September 9, 2009 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 10th day of September, 2009

Passed and Approved this day of October, 2009.

**These minutes have not yet been approved.**