



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

Wednesday, December 8, 2010 6:00 P.M.

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

1. **CALL TO ORDER** The meeting was called to order at 6:03 p.m. by Vice-Chairman Ingram.

2. **ROLL CALL**

Present

Vice-Chairman Steve Ingram
Commissioner Jason Gad
Commissioner Alex Matheson
Commissioner Ryan Nichols
Commissioner Kyle Robinson

Absent

Chairman Steve Sossaman
Commissioner Debbie Reyes

Staff Present

Director of Development Services Condit
Community Development Manager Balmer
Principal Planner McCauley
Community Development Assistant Moats

Absent

3. **Discussion on RZ10-081/SD10-082, “Emperor Estates, Phase IV West”**, A request by Lennar Communities Development, Inc. for approval of a Preliminary Plat and Planned Area Development for a 109-lot residential subdivision located on approximately 34 acres at the northeast corner of Queen Creek and Sossaman roads.

Principal Planner McCauley presented the staff report, and outlined the applicant’s requests. He explained the property is a PAD with an underlying R1-6 zoning designation, and is designated as Medium Density Residential on the General Plan Land Use Map. This project is part of the overall 292-acre Emperor Estates subdivision, and is one of four phases approved for the entire subdivision on November 1, 2000. The applicant is requesting relief from the original PAD, which required at least one parcel in the R1-6 and R1-8 zoning districts to have an “alley access option” design. Since this is the last remaining R1-6 parcel, this project would be required to have the alley access product. The applicant is requesting a PAD amendment to Ordinance 228-02 to:

- Remove the requirement for an alley design – *staff supports this request.*
- Allow a solid six-foot wall along the western perimeter abutting Sossaman Road in lieu of a partial-view fence (four foot solid/2 foot view)– *staff does not support this request.*
- Remove the stipulation that garages be setback five feet behind the principal building – *staff supports this request.*
- Modify staff’s stipulation as part of the Conditions of Approval that limits the number of two-story dwelling units along Sossaman Road to one out of three units; the applicant would like this to be changed to two out of three units. – *staff does not support this request.*

In response to a question by Commissioner Gad, Mr. McCauley provided an explanation, and examples of, alley-loaded products. Vice-Chairman Ingram clarified alley-loaded homes are similar to Townhomes, but with the entrances in the back. Access is through the back. Community Development Manager Balmer provided background information on the concept of having alley-loaded garages on smaller parcels. Development Services Director Condit added that the original Emperor Estates approval stated a certain percentage of the homes in this subdivision would be alley-loaded products. As submittals in this subdivision were processed, the developer of each phase indicated they did not want to have alley-loaded options. Mr. McCauley stated there are two remaining undeveloped parcels zoned R1-8 (Emperor Estates, Phase IV East, and a parcel at the southwest corner of Queen Creek and Hawes roads, formerly known as Cielo Noche).

Mr. McCauley added that staff is recommending the removal of all alley-loaded products in this entire subdivision. He stated if staff were not to make this recommendation, it is likely one of the developers on the remaining parcels would submit an application for relief on this item.

Commissioner Nichols stated he agrees these lots are too big for an alley-loaded product, and explained his understanding of the trade-off being increased open space in exchange for removal of the alley-loaded products.

Commissioner Robinson asked what the material would be on the 12-foot wide multi-use trail. Mr. McCauley responded it would be decomposed granite. Commissioner Robinson asked if the trail would tie-into any other plan. Mr. McCauley responded the PTOS Master Plan shows a link to continue further south and north. Commissioner Gad asked for clarification that the zoning requirement for a partial view fence is a result of the multi-use trail. Mr. McCauley responded that is correct. Commissioner Gad asked for examples of other locations where this exists. Mr. McCauley responded he does not recall exactly what the PTOS plan shows, as far as trails in other locations. Vice-Chairman Ingram noted there are trails, with partial view fences abutting arterial roadways in Montelena. Commissioner Robinson noted this also exists in the Cortina subdivision. Commissioner Gad voiced his opinion that he does not think many people would want to have their homes/yards back up to major arterials where there is a partial view fence abutting their property. Mr. McCauley pointed out areas where there are solid fences abutting major arterials, such as the east side of the subdivision abutting Hawes Road, because there is no trail system in that location.

Commissioner Nichols pointed out 182nd Place, as shown on the preliminary plat, is an exceptionally long, straight road, and asked if there are any standards in place for maximum length of road, and whether or not this road meets or exceeds those standards. Mr. McCauley responded some sort of traffic mitigation would be put in place. Commissioner Nichols asked if on-street parking would be permitted, since the alley-loaded product is being removed. Mr. McCauley responded that is not part of the zoning and would be an HOA/CC&Rs-related issue. Commissioner Nichols then asked if there is a proposed phasing plan. Mr. McCauley responded there is no phasing plan proposed with this subdivision. Mr. McCauley stated staff is recommending that if the Commission makes a recommendation for approval of this request, the Engineering stipulations he just distributed also be approved.

There was discussion on the elimination of the required five-foot garage setback from the rest of the home, and the required front yard setback of 20 feet. Mr. McCauley stated if there is a front porch, the required front yard setback is 15 feet. Mr. McCauley stated the applicant believes they can achieve variation in elevations without that requirement being in place. Mr. Condit asked if this case were approved, would the applicant be able to come back with a design showing the garage set forward from the home. Mr. McCauley responded it would need to meet the Architectural Design Standards.

Commissioner Nichols stated the narrative mentions on-site drainage, and a retention basin with a four-foot ponding depth. He stated he believes the Town's standard is three feet. Mr. McCauley stated the Town's Engineering department reviewed the application, and is allowing four feet for this case. Commissioner Nichols then asked if there were any additional stipulations put in place for side slopes on the retention basin. Mr. McCauley responded he did not see any Engineering stipulations to that effect.

There were no further questions from the Commission.

4. **Discussion on Proposed Update to the Zoning Ordinance**, A proposal by staff at the direction of the Town Council to update the Zoning Ordinance to reflect changes as a response to the 2008 General Plan Update.

Principal Planner McCauley briefly outlined the proposed changes, noting this is the first ever comprehensive Zoning Ordinance Update. He noted there have been formatting changes, and some items from Article 5 have been removed, and made part of the companion document: *The Design Standards and Procedures Manual*. He noted chapter-by-chapter changes have been outlined in the Staff Report.

Mr. McCauley stated the draft update has been sent to the development community for review and comment. Town staff will conduct follow-up meetings with those who have submitted their comments and suggestions. The final Ordinance and Design Standards Procedures Manual will be presented to the Commission for action following these one-on-one meetings.

Commissioner Gad asked for further explanation regarding the proposed changes to the Conditional Use items, the change in voting requirements, etc. Mr. McCauley clarified the 'super majority' has been changed from six to five to be more consistent with other voting

requirements, and to mitigate any problems in the event not all six members are available. Mr. Balmer added the type of vote depends on the conditions being presented.

Commissioner Gad asked for further clarification of the following statement, listed on page 3 of 5 on the Staff Report: *Reduces the number of uses that require a conditional use permit and adds new uses to reflect current land use patterns and the new zoning districts.* Mr. McCauley stated there is usually a pattern of uses that emerges, and these indicate to staff where there may not be a need for a Conditional Use. Commissioner Gad stated he would like to see a side-by-side comparison of which uses changed, and what they changed from and to. Mr. McCauley explained why the draft update is not being shown in Legislative format, due to the Zoning Ordinance being repealed in full and replaced with a new updated ordinance.

There were no further questions from the Commission.

ADMINISTRATIVE ITEMS

5. **Review** of next month's agenda items.

Mr. Balmer reported on the following two cases, tentatively scheduled for the January 12, 2011 meeting:

- Tire Works, CU10-083/SP10-084, located at the southeast corner of Power and Rittenhouse roads;
- Scalloped Streets Ordinance

Mr. Balmer stated there may not be a February meeting.

Development Services Director Condit provided background information on the Scalloped Streets ordinance, stating the Ellsworth Road Town Center project, between Ocotillo and Rittenhouse roads includes a handful of undeveloped land for future projects. The Scalloped Streets Ordinance allows for contributions for half-street improvements to be made by future development so the Town can recapture these costs. There are approximately four to five properties still undeveloped in this area.

Vice-Chairman Ingram requested an hour-long training session in February.

6. **Report** on Town Council Action

Town Council minutes from the November 3 meeting were included in the agenda binders.

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

8. **Adjournment**

Motion by:

Commissioner Gad

To adjourn.

Seconded by:

Commissioner Matheson

Vote:

All ayes. Motion carried 5-0.

The meeting adjourned at 6:55 p.m.

PLANNING AND ZONING COMMISSION

Chairman Sossaman

ATTEST:

Laura Moats, Community Development Assistant

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 December 8, 2010 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 8th day of December, 2010

Passed and Approved this 12th day of January, 2011.