



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK  
PLANNING AND ZONING COMMISSION**

**Wednesday, July 13, 2011 7:00 P.M.**

**Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85142**

1. **CALL TO ORDER** The meeting was called to order at 7:10 p.m. by Acting Chairman Reyes.
2. **ROLL CALL** (one or more members of the Commission may participate by telephone).

**Present**

Commissioner Alex Matheson  
Commissioner Ryan Nichols  
Commissioner Debbie Reyes  
Commissioner Kyle Robinson

**Absent**

Chairman Steve Sossaman  
Vice-Chairman Steve Ingram  
Commissioner Jason Gad

**Staff**

**Present**

Community Dev. Manager Wayne Balmer  
Senior Planner Dave Williams  
Community Development Assistant Laura Moats

**Absent**

Director of Development Svcs. Tom Condit

3. **PUBLIC COMMENT**

Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of three minutes. Speakers' cards are available at the door, and may be delivered to staff prior to the commencement of the meeting. There were no public comments.

4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Chairman will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Commission and/or staff may remove any item for separate consideration.
  - a. **Consideration and Possible Approval of May 11, 2011 Work Study and Regular Session Minutes;**
  - b. **Consideration and Possible Approval of DR11-031 "Highland Homes at Crismon Heights",** A request by Kendall Baxley of KB Drafting and Design for Design Review approval of two additional floor plans with three elevations each in

the Crismon Heights Subdivision, located at the northeast corner of Crismon and Ocotillo roads;

- c. **Consideration and Possible Approval of DR11-042, “Standard Pacific Homes at Charleston Estates, 1<sup>st</sup> Amendment”**, A request by Sue Mozer of Standard Pacific Homes for approval of one additional floor plan with three elevations to be constructed in the Charleston Estates subdivision, located at the northwest corner of Signal Butte and Ocotillo roads;
- d. **Consideration and Possible Approval of RZ10-102, “Charleston Estates”**, A request by Carol Grumley of Standard Pacific Homes to amend the existing Planned Area Development (PAD) to change the existing R1-12 zoning to R1-7 zoning, with an overall increase of approximately 44 residential lots. The property is located at the northwest corner of Ocotillo and Signal Butte roads.
- e. **Consideration and Possible Approval of CU11-032/SP11-033, “Sprint Collocation”**, A request by Danielle Wachter of Wireless Resources, on behalf of Hadrian Synergy and Sprint for modification of Conditional Use Permit SU01-96 to remove the Condition of Approval #3 limiting the maximum number of cellular and microwave antennas for the cell tower located at 18433 E. Rittenhouse Road, zoned I-1.
- f. **Consideration and Possible Approval of RZ11-030/SP11-015, “Rock Point Church”**, A request by Craig Goldstone of Todd and Associates on behalf of Rock Point Church terminating their existing PAD approval in accordance with the Town’s Zoning Ordinance requirements and approving new PAD requirements and a modified Site Plan for a 24,000 square foot church on approximately 5.4 acres. The project is located near the southeast corner of Power and Cloud roads.

**Motion:** Commissioner Nichols

**To remove itemd D “Charleston Estates”RZ10-102, from Consent Agenda.**

**2<sup>nd</sup>:** Commissioner Matheson

**Vote:** All ayes. Motion carried. 4-0.

**Motion:** Commissioner Robinson

**To recommend approval of the Consent Agenda Items a, b, c, e, and f.**

**Second:** Commissioner Nichols

**Vote:** All ayes. Motion carried 4-0.

- 4d. **Consideration and Possible Approval of RZ10-102, “Charleston Estates”**, A request by Carol Grumley of Standard Pacific Homes to amend the existing Planned Area Development (PAD) to change the existing R1-12 zoning to R1-7 zoning, with an overall increase of approximately 44 residential lots. The property is located at the northwest corner of Ocotillo and Signal Butte roads.

Senior Planner Dave Williams presented the staff report and Power Point. He stated this is a request for a PAD Amendment, Preliminary Plat approval and Subdivision approval for Charleston Estates located at the northwest corner of Ocotillo and Signal Butte roads. The applicant is requesting to rezone only the north portion of the subdivision, removing the R1-12 lots and replacing them with R1-7 lots. He stated the existing infrastructure will remain. This modification will add a total of 44 residential lots.

Mr. Williams stated the north half of the project is divided by the park system in the middle of the site. Phase I is currently under construction, and models will hopefully be ready by the end of year. He noted the density is slightly increasing, with size of lots changing to 65-foot lots from 90-foot lots. Mr. Williams stated the exterior lots along the northern perimeter will still retain R1-15 zoning, which was put in place as a buffer to the larger lots to the north. Staff is recommending approval of the application, subject to the stipulations outlined in the staff report.

Community Development Manager Balmer drew Commission's attention to a letter from Ralph Pew, on behalf of applicant, indicating the applicant fully supports staff's recommendations and stipulations.

#### QUESTIONS FROM THE COMMISSION

Commissioner Nichols asked what the northernmost properties, which are acting as a buffer zone, are zoned. Mr. Williams responded these lots are zoned R1-15.

Commissioner Nichols then asked what the proposed rear setback is for these lots. Mr. Williams responded the rear setback is not changing; it is a 25-foot setback for the R1-15 lots, which is the Zoning Ordinance standard.

Commissioner Nichols asked if there are any stipulations stating that two-story homes cannot be built on these lots, to which Mr. Williams responded there is no stipulation to this effect.

Commissioner Robinson asked what the General Plan designation/density is for this area. Mr. Williams responded it is Medium Density Residential, 2-3 dwelling units/acre. He stated the new application raises the density to 2.46 dwelling units/acre, which is still within the General Plan requirements.

Commissioner Nichols asked if any plot plans or floor plans were being presented. Mr. Williams responded plans are not being submitted with this application. A separate application for the R1-7 zoning district was recently approved. This request is for the north half of the subdivision only. Commissioner Nichols asked if plans for the R1-15 district were approved. Mr. Williams responded there have been no R1-15 plans approved. A separate application for the R1-7 zoning district was recently approved.

Ralph Pew of Pew and Lake, 1744 South Val Vista Drive, Mesa, addressed the Commission on behalf of the applicant, Standard Pacific Homes. He noted Carol Grumley, Vice President of Standard Pacific Homes, was present, as well as the in-house architect, Sue Mozer, and Tom

Cheney who is the Charleston Estates project manager.

Mr. Pew stated the request is to amend the PAD on the northern half of the property. The current request concerns an increase in density on the northern half of property to allow the development of more lots that are configured in size that is in demand in today's market. He stated the unique aspect is the addition of open space in the north half with a creative idea for a park in this location. This park has been added, and it is designed for small children and also gives their parents the ability to exercise and use adult-oriented amenities in combination with the child uses. This avoids the issue presented by separating children from adult park uses. Mr. Pew stated the additional 44 residential lots comply with all setback requirements. The applicant has done an updated traffic study showing no additional impact to the roadway system. This application meets subdivision requirements. The applicant is not changing any road design approved in the Final Plat. Only the civil drawings will change, which will be worked out in the platting process. The resulting increase in density is .35 units over the entire project. Mr. Pew noted it is important to look at density on the basis of the overall project. He stated individual components of a project will frequently exceed General Plan requirements. There will not be an imbalance in densities in this subdivision.

Mr. Pew stated the applicant understands the residents who live to the north of Charleston Estates in the County island are present to address the Commission. He asked to re-address the Commission after public comments are received.

Commissioner Nichols asked if the applicant has initiated the process of designing floor plans for the R1-15 lots. Ms. Carol Grumley of Standard Pacific Homes, 14218 N. 14<sup>th</sup> Street, Phoenix, AZ 85022, addressed the Commission stating home plans for the R1-15 lots have not been initiated. The final plan that will go into the mix of R1-7 lots on the south half will begin model construction in October for sale in January. Standard Pacific is opening one product line the first of the year; therefore, they have only been through Town approval for the product on that home grouping, but nothing yet for the R1-15 lots.

Mr. Balmer clarified the home sizes in the south half of this subdivision will be well above what the typical production type home is.

Commissioner Robinson asked if the roadways planned for Signal Butte and Ocotillo roads are four lanes each. Staff Engineer Marc Palichuk responded there is a four-lane major arterial planned on Signal Butte, as well as Ocotillo Road. Mr. Palichuk stated 220<sup>th</sup> Street is a major collector, which is a two-lane roadway.

Commissioner Robinson asked if there is a road on the north side, to which Mr. Palichuk responded there is no roadway on the north side of the subdivision.

Commissioner Robinson asked if this is a right-of-way or a dirt road. Mr. Williams stated there is a road accessing the subdivision to the north; however, it is an easement located outside the Town's jurisdiction. Commissioner Robinson asked if the Town is responsible for half of that road. Mr. Williams responded the Town is not responsible for half of this, because it is strictly a County easement.

Acting Chairman Reyes opened the Public Hearing at 7:27 p.m.

- 1) Kimberly Mlazgar, 21007 S. 222<sup>nd</sup> Street, Queen Creek, spoke in opposition to the application. She stated she lives five houses north of the Charleston Estates subdivision, and has several concerns. She stated a 44-lot increase may seem insignificant when talking about the entire subdivision; but adding these lots to the north section only and using a formula that defines density in relation to the overall subdivision makes it sound less impactful than she feels it really is. Her second concern is that when Charleston Estates was originally platted, and there were meetings held on how the lots would be platted and laid out, the residents were told the higher density would be towards Ocotillo Road and would graduate to larger lots towards the north end. Just one row of lots as a buffer between her neighborhood and Charleston Estates is not sufficient to provide the rural environment they wanted when they moved in. She stated the platting of Highland Homes (Quail Hollow) is also platted this way. There is higher density closer to Ocotillo, and as you move north the lots get larger. If this is approved, there will be a domino effect of re-platting land to be able to put in higher densities. She stated this will also affect Quail Hollow and the future development on the east side of Signal Butte Road. Ms. Mlazgar stated formulas to measure density have very little to do with property value. Putting smaller lot sized houses will negatively impact the property value of homes. She wants the area to maintain a rural feel.
  
- 2) Anthony Mlazgar, 21007 S. 222<sup>nd</sup> Street, Queen Creek, spoke in opposition to the application. He stated this approval will set precedent and impact other communities. He feels the higher density lots are popular right now, but it will bring change for years to come. He stated Queen Creek is a rural community based on larger lots and a less dense population. He does not see the point of a single row buffer zone. He feels property values will be based on square footage, and larger square footage will maximize asking prices. Mr. Mlazgar stated he is concerned about the grade difference between his neighborhood and Charleston Estates being only two feet. He said there are discrepancies over what he sees and what they're being told, and he wants to make sure those things get clarified before this is changed in the applicant's favor.

Mr. Pew re-addressed Commission to respond to the public comments, speaking about property values, grading differences and density.

Commissioner Robinson asked what the current condition of 220<sup>th</sup> Street is, whether it's single lane and paved or dirt. Mr. Palichuk responded that 220<sup>th</sup> Street is paved up to Rosa Road, a quarter of the way up to the north side of the subdivision. Beyond this is dirt.

Commissioner Robinson asked about the Signal Butte side.

Mr. Palichuk stated in Phase I the applicant is responsible for the half-street improvements all the way up to the half-way point on Signal Butte Road, and where the roadway tapers to its original condition. When completed, the roadway will be four-lane all the way to the top of the development on the north, with required half-street improvements.

Commissioner Robinson asked if there are any plans for paving 220<sup>th</sup> to the north. Mr. Palichuk responded it will be paved just to the end of the development.

Commissioner Matheson asked what will be in between the development and the neighbors to the north. Mr. Pew responded the north boundary is the end of the incorporated Queen Creek boundary, so on the northern side of the R1-15 lots there will be a block wall with landscaping on the other side of the wall within the Town boundaries. Beyond that, access for neighbors to the north is very likely to be private easements as result of how they were done in the County. There will not be a public road there. Commissioner Matheson asked if there will be a six-foot wall. Mr. Pew responded, "Yes".

Commissioner Robinson asked if there will be trees along the whole back section, to which Mr. Pew responded there will be trees and landscaping as indicated on the Landscape Plan.

Commissioner Matheson asked if there were a road on the northern boundary of the development, would the Ordinance indicate only a certain number of two-story homes could be built here. Mr. Williams responded that is correct. There are no stipulations pertaining to two-story homes since this is only an easement as opposed to a public roadway. It is designed as originally approved with a six-foot wall and landscaping on the other side of the wall. It is possible that all lots could potentially have two-story homes on them.

Mr. Balmer informed the Commission that they are free to make any recommendations they wish to Council.

Commissioner Nichols expressed that he feels strongly that density is an important factor. He reviewed and specifically looked at the density of only the homes being replaced from R1-12 to R1-7 zoning. He noted the density of this area is 3.4 dwelling units/acre compared to the General Plan designation of 2-3 dwelling units/acre. He stated he realizes density is considered across the entire subdivision but feels 3.4 du/acre compared to 3 du/acre is not a significant increase. Within past analyses of zoning on other subdivisions and plats, this is consistent with what has been done before. His biggest concern is how to create an appropriate buffer with the property to north. He feels a row of two-story homes would be inappropriate and would take that into consideration in his vote tonight.

Commissioner Robinson stated he supports the General Plan and thinks the density of the entire project is most appropriate to be considered, because it allows for additional green areas, play areas, and landscaped areas that would not normally be available if you had the same density across the whole development. He feels it is good to have variety and diversity, and it is an advantage to people living there. In this case, paved road access into an area that did not previously have access is a significant factor in the purchase of this property in that it would increase the value of property.

Motion: Commissioner Nichols

To approve RZ10-102 Charleston Estates with stipulations recommended by staff and the additional stipulation that lots 6-22 as shown on the amended preliminary plat be single-story homes.

Discussion on the Motion: Commissioner Robinson stated there is nothing restricting this application to single-family homes on an arterial roadway. This would not be appropriate or consistent. He asked that the motion be modified.

Commissioner Nichols stated he needs more than a single row of large lot residences as a buffer. He would also consider increasing the setback on these lots to more than 25 feet. He thinks a 25-foot buffer is insufficient.

Commissioner Robinson asked staff if the landscape buffer is 20 feet, in addition to a 25-foot setback. Mr. Williams responded that is correct, stating there is a landscape buffer plus a building setback, which starts at the property line and goes an additional 25 feet, per Zoning Ordinance requirements.

Commissioner Nichols stated he does not believe any homes will be built that close, as there is depth of 140 feet, but he would like to protect that.

Mr. Pew addressed the Commission, stating Vice-President of Standard Pacific Homes, Carol Grumley, has advised him that the applicant has room on the lots and can accommodate a 35-foot setback, resulting in a 45-foot setback plus the distance to the neighbor's house.

Commissioner Robinson stated his support for a 35-foot setback.

**Commissioner Nichols amended his motion to: to recommend approval of RZ10-102 Charleston Estates with stipulations as recommended by staff and the additional stipulation that lots 6-22 have a rear setback of 35 feet instead of 25 feet.**

**2<sup>nd</sup>: Commissioner Matheson**

**Vote: All ayes. Motion carried 4-0.**

**ADMINISTRATIVE ITEMS** - All administrative items were discussed during Work Study.

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

Mr. Balmer reported on items scheduled for the August 10 P&Z Commission meeting:

- **Tierra Farms/Rodney Owens** (SEC Ocotillo and Sossaman roads), This is an 18-stall barn to raise Arabian horses on residential property.

Mr. Balmer stated Church Farms is now in the Technical Review Committee (TRC) stage. The Town has received a formal submittal. Mr. Balmer stated this project could be the largest in the Town's history in acreage and dwelling units, as there are over 2,000 homes proposed.

Mr. Balmer reported on two applications for solar farms: Siete Solar and Roadrunner Solar – to be located on 160 acres north of Queen Creek Road and east of Ellsworth Road. These solar farms will generate 20 MW each of power. They would both be in competition to be selected by SRP.

Mr. Balmer stated the ASU Capstone Project and ULI study were presented to Council in June. There is no draft report yet. Staff will hold off on bringing the report to the Commission until the August 10 meeting.

6. **Report** on Town Council Action:

Mr. Balmer reported on the following Town Council action:

May 18:

- Approved the Maracay Project.
- Standard Pacific at Charleston Estates
- Fulton Homes at Victoria – west of Hawes and north of Ocotillo roads
- FY2011-12 Budget: Council elected to eliminate 42 positions, plus 6 Part-Time positions, including janitorial, fleet maintenance, park rangers, and parks programs. In Development Services, the layoffs included Principal Planner Mike McCauley, and a reduction in staff by one building inspector and a Development Services Coordinator.

Commissioner Reyes asked what the total percentage of employees laid off was. Mr. Balmer responded there were originally 182 employees and 25 per cent of Town staff was laid off. He stated there was no change to Fire or Utilities.

Mr. Williams asked Commission for clarification on the Charleston Estates motion, asking if the building setback is 35 feet for all homes or just two-story homes. Commissioner Nichols and the Commission responded the motion applies to all homes.

7. **Communication** from members of the Commission and Staff

Mr. Balmer asked Commission its opinion on changing their agenda materials from paper copies to digital copies, and if they would be open to receiving electronic materials. He stated Council receives their materials electronically, but they all have computers. He asked the Commissioners if they all have computers, and asked what staff can do to improve service to the Commission.

Commissioner Robinson stated he likes using his laptop and would like to minimize the volume of paperwork. He requested, however, the staff summary and recommendations be in paper format.

Commissioner Matheson asked if the Town pays for all the papers in the binder. Mr. Balmer responded, "Yes". Community Development Assistant Moats clarified that applicants/developers submit plans, elevations, design review booklets and other project material at the review stage and for P&Z agendas.

Mr. Balmer stated staff would like to do planning case submittals electronically to improve service to the public and for record keeping. Commissioner Reyes stated she would not mind



electronic materials. She stated if they were on her computer, she could review materials away from home.

Commissioner Nichols stated he has no preference.

## 8. Adjournment

**Motion:** Commissioner Robinson  
**To adjourn.**  
**2<sup>nd</sup>:** Commissioner Matheson  
**Vote:** All ayes. Motion carried 4-0.

The meeting adjourned at 8:05 p.m.

## PLANNING AND ZONING COMMISSION

By: \_\_\_\_\_  
Debbie Reyes, Acting Chairman

ATTEST:

\_\_\_\_\_  
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 July 13, 2011 Regular Session Meeting of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 14th day of July, 2011.

Passed and Approved this 14th of September, 2011