

**MINUTES
OF THE
CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, April 18, 2007
7:00 P.M.**

I. CALL TO ORDER

Chairperson Larry Brown called the meeting to order at 7:08 p.m.

II. ROLL CALL

Members Present: Chairperson Larry Brown
Vice-Chairperson Manuel Medina
Commissioner Marlo Schuh
Commissioner Jose Garcia
Commissioner Glinda Weddle
Ex-Officio Member Joel Belloc, Council Member

Members Absent: Alternate Commissioner Richard Horton

Staff Present: Joseph Blanton, Interim City Manager/Community
Development Director
Belinda Cota, Planner I

III. INVOCATION

Invocation given by Commissioner Weddle.

IV. PLEDGE OF ALLEGIANCE

Chairperson Brown led the Pledge of Allegiance.

V. MOTION TO APPROVE THE APRIL 18, 2007 MEETING MINUTES OF THE CITY OF ELOY PLANNING AND ZONING COMMISSION

Commissioner Garcia made a motion to approve the March 21, 2007 meeting minutes of the Planning and Zoning Commission. Commissioner Schuh seconded the motion. Motion was approved unanimously.

VI. COMMUNICATIONS

Mr. Blanton informed the Commissioners about two items regarding the withdrawal of a Zoning Text Amendment and a rezoning (Case No. TA07-25) dealing with Horsepower Ranch. (Case No.: RZ07-24). He clarified that items I through L have been withdrawn.

He also mentioned that the Request for Proposal (RFP) for the General Plan Update deadline was on Friday, April 27, 2007 and that his hopes were to interview the top 3 or 5 depending on how many submittals were received. The interviews will be schedule in the month of May and hopefully have one professional firm start in June of 2007. He mentioned it is a comprehensive update of the entire General Plan document that includes eleven elements and the City of Eloy is looking into adding two additional elements which would be the downtown revitalization element as well as a neighborhood preservation element. He stated that the Eloy City Council had set aside two-hundred thousand (200,000) dollars and the city also received ten thousand (10,000) dollars matching grant from the Department of Commerce to be use on the public participation process. This will be an eighteen to twenty-four (18-24) month schedule and that the intent is to use this General Plan update to take to the voters and get the General Plan re-adopted. The General Plan has to be ratified by the voters every ten (10) years and the last update was in 2001 and by the time this General Plan is completed it will be much closer to the ten year mark. The goal is to update the General Plan and get it re-adopted. He asked if any of the Planning and Zoning Commissioners would be interested to sit on the interview panel and if so to let him know.

VII. NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

- A. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: RZ/PAD07-107, APPLICATION BY COE & VAN LOO CONSULTANTS, INC. ON BEHALF OF BT ELOY, LLC TO REZONE APPROXIMATELY 656 ACRES OF LAND FROM PINAL COUNTY DESIGNATION TO 570 ACRES OF R1-6 AND R1-8 (MEDIUM DENSITY RESIDENTIAL), 71 ACRES OF R1-12 (LOW DENSITY RESIDENTIAL) AND 15 ACRES OF C-2 (COMMUNITY COMMERCIAL) WITH A PLANNED AREA DEVELOPMENT OVERLAY. SUBJECT PROPERTY IS BOUNDED BY HARMON ROAD TO THE NORTH, ELEVEN MILE CORNER ROAD TO THE EAST, HOTT'S ROAD TO THE SOUTH AND TWEEDY ROAD TO THE WEST (ASSESSOR'S PARCEL NUMBERS: 408-11-001A, 408-11-001C AND 408-11-001D) IN A PORTION OF SECTION 1, T9S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: STEVEN FARMS).**

Chairperson Brown opened the Public Hearing.

Hearing no other comments, Chairperson Brown closed the public hearing.

- B. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ/PAD06-107:**

Commissioner Garcia made a motion to approved Case No.: RZ/PAD06-107 with the ten (10) stipulations stated in the staff report. Commissioner Garcia seconded the motion. The motion was approved unanimously. Voted 5-0.

C. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. TA07-17: (GENERAL PLAN TEXT AMENDMENT): THE ROSE LAW GROUP PC IS PROPOSING AN AMENDMENT TO THE TEXT OF THE ELOY GENERAL PLAN –THAT WOULD ADD A MIXED USE LAND USE DESIGNATION WITHIN SECTION 2.0 LAND USE ELEMENT.

Chairperson Brown opened the Public Hearing.

Mr. Blanton gave a brief overview and commented that it was talked about at previous meetings to allow residential uses within commercial, especially in large master planned communities. It is not uncommon to try to recreate the old downtown where the stores were on the bottom and apartments would be above. He mentioned that as of now, the Zoning Ordinance does not allow it, even with a Planned Area Development (PAD) overlay. The mixed used category that would be introduced to the General Plan would still have underlying zoning but it would allow a mix of Neighborhood Commercial, Community Commercial, Medium-High Density Residential and Light Industrial and it would also accommodate residential within commercial. He added that under the definition they are looking at a minimum of twenty-five acres or more in size. He introduced Carolyn Oberholtzer as the applicant.

Ms. Carolyn Oberholtzer with the Rose Law Group introduced herself. She stated that Mr. Blanton and she have been working on this text amendment and explained that they were also working on a text amendment to the Zoning Ordinance. She added that it would be a great category in the areas of the City of Eloy between the railroad tracks and the freeway where there would be a lot of opportunity for a mixed of uses.

He mentioned that in the packets that the Planning and Zoning Commission members received with the four General Plan Amendment applications, one of them is for a project called Bool 2180 and it has some mixed use designations between Highway 87 and the Railroad tracks.

Hearing no other comments, Chairperson Brown closed the public hearing.

D. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: TA07-17:

Vice Chairperson Medina made a motion to approve Case No.: TA07-17 as presented by staff. Commissioner Garcia seconded the motion. The motion was approved unanimously. Voted 5-0.

E. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. RZ/PAD07-19: APPLICATION BY THE WLB GROUP, INC. ON BEHALF OF TEZAK INVESTMENTS CORP. TO REZONE APPROXIMATELY 120 ± ACRES OF LAND FROM R1-43 (ESTATE DENSITY RESIDENTIAL) TO 40 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL), 40 ACRES OF R-2 (MEDIUM HIGH DENSITY RESIDENTIAL) AND 40 ACRES OF C-2 (COMMUNITY

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COMMERCIAL). SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TOLTEC HIGHWAY AND ALSDORF ROAD (ASSESSOR'S PARCEL NUMBERS: 408-26-030) IN A PORTION OF SECTION 10, T8S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: ELOY 120).

Chairperson Brown opened the Public Hearing.

Mr. Blanton gave a brief overview and commented that agenda item E and the next item G are two projects located at the southeast corner of Alsdorf Road and Toltec Highway and the next item for 160 acres is located at the southwest corner of Alsdorf Road and Toltec Highway. Both cases were brought before the Commissioners for a minor General Plan Amendment; he added that the proposed rezoning is in conformance with the General Plan Amendment. The subject request proposes a 40 acre commercial corner with some R-2 and R1-6 residential. He introduced Mr. John Lang with the WLB Group on behalf of Tezak Investments and stated that he is present to answer any questions and stated staff recommends approval with five stipulations.

Hearing no other comments, Chairperson Brown closed the public hearing.

F. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ/PAD07-19:

Commissioner Garcia made a motion to approve Case No.: RZ/PAD07-19 with the five (5) stipulations stated in the staff report. Commissioner Medina seconded the motion. The motion was approved unanimously. Voted 5-0.

G. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. RZ/PAD07-20: APPLICATION BY THE WLB GROUP, INC. ON BEHALF OF TEZAK INVESTMENTS CORP. TO REZONE APPROXIMATELY 160 ± ACRES OF LAND FROM R1-43 (ESTATE DENSITY RESIDENTIAL) TO 80 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL), 40 ACRES OF R-2 (MEDIUM HIGH DENSITY RESIDENTIAL) AND 40 ACRES OF C-2 (COMMUNITY COMMERCIAL). SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TOLTEC HIGHWAY AND ALSDORF ROAD (ASSESSOR'S PARCEL NUMBERS: 401-01-014) IN THE NORTHEAST ¼ OF SECTION 9, T8S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA. (PROJECT NAME: ELOY 160).

Chairperson Brown opened the Public Hearing.

Mr. Blanton gave a brief overview. He commented it is in conformance to the General Plan and stated staff is recommending approval with five (5) stipulations.

Hearing no other comments, Chairperson Brown closed the public hearing.

H. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. RZ/PAD07-20:

Commissioner Garcia made a motion to approve Case No.: RZ/PAD07-20 as with the five (5) stipulations stated in the staff report. Commissioner Medina seconded the motion. The motion was approved unanimously. Voted 5-0.

I. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. TA07-25: (ZONING ORDINANCE TEXT AMENDMENT): THE ROSE LAW GROUP PC IS PROPOSING AN AMENDMENT TO THE TEXT OF THE ELOY ZONING ORDINANCE –THAT WOULD ADD A THE FOLLOWING TO THE PERMITTED USES IN THE I-2 (GENERAL INDUSTRIAL) ZONING DISTRICT: “PRIVATE AUTOMOTIVE RACING CLUB AND ACCESSORY USES, INCLUDING, BUT NOT LIMITED TO, A CLUB HOUSE WITH A BAR AND RESTAURANT, AND AUTOMOTIVE STORAGE FACILITIES.”

Case No.: TA07-25 was *WIDTHRAWN* by the Applicant.

J. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. TA07-25:

Case No.: TA07-25 was *WITHDRAWN* by the Applicant.

K. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. RZ07-24: APPLICATION BY THE ROSE LAW GROUP PC TO REZONE APPROXIMATELY 280.25 ± ACRES OF LAND FROM R1-12 (LOW DENSITY RESIDENTIAL) TO I-2 (GENERAL INDUSTRIAL) WITH AN AIRPORT OVERLAY. SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TUMBLEWEED ROAD AND SHEDD ROAD (ASSESSOR’S PARCEL NUMBER: 404-05-009B) IN A PORTION OF SECTION 23, T7S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA. (PROJECT NAME: HORSEPOWER RANCH).

Case No.: R207-24 was *WITHDRAWN* by the Applicant.

L. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. RZ07-24:

Case No.: R207-24 was *WITHDRAWN* by the Applicant.

M. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. GPA07-30: APPLICATION BY GAMMAGE & BURNHAM PLC FOR A MINOR GENERAL PLAN AMENDMENT ON 10 ± ACRES FROM LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. SUBJECT PROPERTY

IS LOCATED AT THE NORTHWEST CORNER OF SUNLAND GIN ROAD AND SHEDD ROAD (A PORTION OF ASSESSOR'S PARCEL NUMBER: 511-37-006E) IN THE SE ¼ OF SECTION 24, T7S, R6E OF THE G&SRB&M, PINAL COUNTY, ARIZONA. (PROJECT NAME: SUNLAND GIN 160).

Chairperson Brown opened the Public Hearing.

Mr. Blanton gave an overview of the request. He explained that the case being presented is for a minor General Plan Amendment to request for ten acres located at the northwest corner of Sunland Gin Road and Shedd Road from Low Density Residential to Community Commercial. He added that this piece of property will be on two future arterial roadways. He introduced Kay Bigelow with Burnham and Gammage representing the applicant on behalf of Kimball Rogers who is the owner and who is also present. He added that the applicant also owns Mountain Vista formerly known as "Sierra Vista" that has approximately 200 acres of commercial zoning along Sunland Gin Road. He added that staff was recommending approval as submitted.

Commissioner Schuh asked if the fissures in that area would impact this area at all.

Mr. Blanton replied not on this site but there is a small fissure issue that clips the southwest corner of the Sunland Gin 160 project.

Mr. Rogers commented that he had attended a meeting earlier in the morning before this meeting where he found out that on average since 1960 the whole valley has dropped approximately four feet and interestingly right where the Wastewater Plant is located there is a point that has not dropped.

Hearing no other comments, Chairperson Brown closed the public hearing.

N. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. GPA07-30:

Commissioner Medina made a motion to approve Case No.: GPA07-30 as presented. Commissioner Schuh seconded the motion. The motion was approved unanimously. Voted 5-0.

O. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. RZ07-27: APPLICATION BY GAMMAGE & BURNHAM PLC TO REZONE APPROXIMATELY 160 ± ACRES FROM R1-12 (LOW DENSITY RESIDENTIAL) TO 150 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL) AND 10 ACRES OF C-2 (COMMUNITY COMMERCIAL). SUBJECT PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SUNLAND GIN ROAD AND SHEDD ROAD (ASSESSOR'S PARCEL NUMBERS: 511-37-005A, -005B, -005C -006 D, AND -006E) IN THE SE ¼ OF SECTION 24, T7S, R6E OF THE G&SRB&M, PINAL COUNTY, ARIZONA. (PROJECT NAME: SUNLAND GIN 160).

Chairperson Brown opened the Public Hearing.

Mr. Blanton gave an overview of the request. He explained that the request is to rezone 160 acres from R1-12 to 150 acres of R1-6 and 10 acres of C-2 that were general planned to Community Commercial on the previous agenda item. Mr. Blanton commented that the General Plan for the entire project is Low Density Residential that provides for one to four (1.0 to 4.0 du/ac) dwelling units per acre and the rezoning to R1-6 would not exceed four dwelling units per acre. He added staff is comfortable with the proposal because the applicant is not exceeding the four dwelling units per acre and recommends approval of the request subject to the eight (8) stipulations.

Commissioner Schuh asked how far north or west the one and half acre parcels from the proposed project were located.

Mr. Blanton replied that it is just west of John Jacob Astor Avenue.

Mr. Kimball Rogers introduced himself and replied that John Jacob Astor is the western boundary.

Mr. Blanton mentioned that John Lang who is a separate applicant on two of the previous agenda items is working on an annexation near Mr. Rogers that would take some of the area mentioned as well as vacant land north of the subject property and south of Arica Road. He asked if Mr. Rogers could show the Commissioners and the public their proposed annexation.

Ms. Kay Bigelow with Gamage & Burnham introduced herself and mentioned that the proposed annexation is for thirty-five (35) acres north of the subject property composed of seven 5 acre parcels that are controlled by Sahara. She also explained how the proposed project relates to the two hundred acres zoned C-2 west of Sunland Gin Road, she added that both projects are coming together as part of the Mountain Vista project except they are going as two separate cases and that it was a matter of timing and stated that the applicant agreed to all the stipulations.

Ms. Schuh expressed that she would like to see Eloy have more as it is being built out in the County, with larger lots. She asked what a better opportunity to work off on what is already existing and already selling in the area. She expressed her concerns and would like to see some larger lots proposed.

Mr. Blanton commented that in the Sawtooth Vistas project the lots are being proposed at one dwelling unit per acre and that Isom Farms is doing a good transitional project with Low Density Residential. He mentioned Sunland Gin Road will be a major arterial roadway and the pattern has already been set by approving a 200 acre shopping center.

Ms. Bigelow stated that the project has a variety of different lot sizes ranging from half acre and so forth.

Mr. Blanton asked if they would consider locating the larger lots closer to John Jacob Astor.

Mr. Blanton proposed the following stipulation: That the Community Development Department shall encourage the applicant and/or developer through the preliminary plat approval process to locate larger lots west of the north-south greenbelt identified on the conceptual plan accompanying this rezoning request.

Ms. Schuh asked what does encourage mean.

Mr. Blanton explained that the commission will have a look at it during the preliminary plat approval.

Hearing no other comments, Chairperson Brown closed the public hearing.

P. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO. RZ07-27:

Commissioner Medina made a motion to approve Case No.: RZ07-27 with eight (8) stipulations stated in the staff report and that the 9th stipulation would read: "That the Community Development Department shall encourage the applicant and/or developer through the preliminary plat approval process to locate larger lots west of the north-south greenbelt identified on the conceptual plan accompanying this rezoning request." Commissioner Schuh seconded the motion. The motion was approved unanimously. Voted 5-0.

VIII. ADJOURNMENT

Commissioner Garcia moved to adjourn the meeting. Commissioner Schuh seconded the motion. Motion carried unanimously and the meeting adjourned at 8:25 p.m.

ATTEST:


Community Development Director

APPROVED:


Chair