

**MEETING MINUTES
OF THE
CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, August 15, 2007
7:00 P.M.**

I. CALL TO ORDER

Chairperson Larry Brown called the meeting to order at 7:03 p.m.

II. ROLL CALL

Members Present: Chairperson Larry Brown
Commissioner Jose Garcia
Commissioner Marlo Schuh
Commissioner Manuel Medina
Commissioner Glinda Weddle
Alternate Commissioner Richard Horton
Ex-Officio Member Joel Belloc

Members Absent: All members were present

Staff Present: Joseph Blanton, Interim City Manager/Community
Development Director
Belinda Cota, Planner
Luis F. Barahona, Planner
Mary Montijo, Clerical Assistant

III. INVOCATION

Invocation given by Commissioner Weddle.

IV. PLEDGE OF ALLEGIANCE

Chairperson Larry Brown led the Pledge of Allegiance.

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

Commissioner Schuh made a motion to approve the July 18, 2007 meeting minutes of the Planning and Zoning Commission. Commissioner Garcia seconded the motion. Motion was approved unanimously. The vote was 5-0.

VI. COMMUNICATIONS

Mr. Blanton stated that there will be a community meeting scheduled for September 20 at 6:00 PM at the Eloy Housing Authority regarding downtown revitalization. Marilyn

Hutchins has been selected to head up a project that would create a blueprint for a successful revitalization program for downtown Eloy.

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

A. CONSIDERATION, DISCUSSION AND RECOMMENDATIONS TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: PPO6-69: REQUEST BY B & R ENGINEERING, INC. FOR A TWO-YEAR EXTENSION TO THE APPROVED PRELIMINARY PLAT FOR ROBSON RANCH UNITS 24 AND 26 PLATS SET TO EXPIRE 10/09/2007.

Chairperson Brown asked for staff's recommendation. Mr. Blanton stated that a letter had been submitted by B & R Engineering requesting a two-year extension for a preliminary plat at Robson Ranch due to the current market conditions. Under section 4.4 of the City of Eloy Subdivision Ordinance, Preliminary Plats are valid for a period of twelve (12) months from the date of City Council approval. The twelve month period of time for this particular preliminary plat would be up October 9, 2007. Ken Marks, a representative of Robson Ranch reiterated that there has been a slow down with sales, but he has hopes of sales increasing within this two year extension.

Commissioner Weddle made a motion to approve the time extension for Case No.PPO6-69. The motion was seconded by Commissioner Medina. The motion was approved unanimously.

B. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO: RZ/PADO7-16: APPLICATION BY THE ROSE LAW GROUP, PC ON BEHALF OF ROBERT & GAYLA COX TO REZONE APPROXIMATELY 296 (NET) ACRES FROM "PINAL COUNTY" ZONING DESIGNATION TO 279 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL) AND 17 ACRES OF C-2 (COMMUNITY COMMERCIAL) WITH A PLANNED AREA DEVELOPMENT OVERLAY. SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MILLIGAN ROAD AND TWEEDY ROAD IN THE EAST ½ OF SECTION 14, T8S, R7E, OF THE G&SRB&M, PINAL COUNTY, ARIZONA ON ASSESSOR'S PARCEL NUMBER 408-01-023A (PROJECT NAME: TIERRA DEL SOL).

Chairperson Brown opened the public hearing.

Ryan Hurley, representing The Rose Law Group gave a brief introduction to Case No.: RZ/PADO7-16. Mr. Hurley stated that this project is compatible with surrounding developments, has 3 distinct lot types, 4 separate floor plans, neighborhood parks, and much of their landscaping will be low-water usage. The City of Eloy will be the water and wastewater provider, electrical service will be provided by Electrical District #4, and gas service will be provided by Southwest Gas. Mr. Hurley stated that this project is in conformance with the General Plan.

Chairperson Brown asked if Mr. Hurley had been approached by any of the school districts. Mr. Hurley replied that he had not. Commissioner Garcia stated that he believed this project was in the Eloy Elementary school district, and not in the Toltec district as Mr. Hurley had previously stated. Mr. Hurley stated that he would verify the information.

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

C. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ/PAD07-16.

Commissioner Garcia made a motion to approve Case No.: RZ/PAD07-16. The motion was seconded by Commissioner Weddle. The motion was approved unanimously.

D. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: PP07-34. APPLICATION BY MORRISON-MAIERLE, INC. ON BEHALF OF JAMES AARON YOUNGER III TR FOR A PRELIMINARY PLAT OF SEVENTEEN (17) MASTER PARCELS RANGING IN SIZE FROM 1 ACRE TO 40 ACRES. SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF HOUSER ROAD AND ESTRELLA (CURRY) ROAD IN A PORTION OF SECTION 35, T7S, R7E OF THE G&SRB&M, PINAL COUNTY ARIZONA ON ASSESSOR'S PARCEL NUMBER: 404-23-002 C (PROJECT NAME: HOUSER ROAD BUSINESS PARK).

Chairperson Brown opened the public hearing.

Mr. Blanton stated that Younger Bros. is a truss manufacturing company that would occupy the 40-acre parcel in the business park. The project manager has had preliminary discussions with Union Pacific Railroad about providing a railroad spur for their use, as well as, the potential of serving other parcel within the business park. Mr. Blanton recommended block fencing on the northern boundaries, also anywhere that there could possibly be outside storage. Commissioner Schuh questioned the requirement of a block wall along the railroad track and if there couldn't be chain link fence with desert landscaping, since this would be more soothing to the eye. Mr. Blanton stated that the railroad parallels Highway 84 and that the landscaping would not adequately screen outdoor storage and it could be problematic to the railroad.

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

E. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: PP07-34.

Commissioner Garcia made a motion to approve Case No.: PP07-34 as presented by staff. Commissioner Weddle seconded the motion. The motion was passed. Voted 3-2. (With Commissioners Schuh and Medina voting No)

- F. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: CUP07-54 APPLICATION BY T-MOBILE FOR A CONDITIONAL USE PERMIT FOR THREE SECTORS WITH THREE ANTENNAS PER SECTOR (FOR A TOTAL OF NINE ANTENNAS) TO BE PLACED ON THE EXISTING 114'-4" HIGH WATER TOWER LOCATED AT THE SOUTHEAST CORNER OF MAIN STREET AND FRONTIER STREET (HIGHWAY 84) SOUTH OF THE RAILROAD TRACKS (PROPERTY OF THE CITY OF ELOY - OLD PUBLIC WORKS FACILITY) IN A PORTION OF SECTION 6, T8S, R&E OF THE G&SRB&M, PINAL COUNTY, ARIZONA ON ASSESSOR'S NUMBER: 405-02-272-A (PROJECT NAME: T-MOBILE).**

Chairperson Brown opened the public hearing.

A brief presentation was given by Rulan Anderson, a representative for T-Mobile with information having to do with the leasing of 600 square feet adjacent to the base of the tower. The antennas would all be lower than the tank, which is 110'. The highest antenna is 85,' this would be placed in the center of the tower. Commissioner Medina asked if having T-Mobile here would prohibit anyone else from placing antennas here. Alternate Commissioner Horton commented having T-Mobile here would probably bring in other carriers.

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

- G. CONSIDERATION, DISCUSSION, AND RECOMMENDATIONS TO THE CITY OF ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO: CUP07-54.**

Commissioner Medina moved to approve Case No.: CUP07-54 with stipulations as noted by staff. This was seconded by Commissioner Schuh. The motion was passed 5-0.

- H. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: TA07-56 (ZONING TEXT AMENDMENTS): THE COMMUNITY DEVELOPMENT DEPARTMENT IS PROPOSING AMENDMENTS TO THE TEXT OF THE ELOY ZONING ORDINANCE THAT CLARIFY, UPDATE, SPECIFY, CHANGE AND/OR ELIMINATE INFORMATION IN CHAPTER 21:**

ARTICLE XL, DIVISION 2 (21-120) - Modify Planned Area Development (PAD) Overlay Zoning District to include "Mixed Use Development" as a permitted use, as well as other affected areas of the Zoning Ordinance.

ARTICLE XII (21-163.H) - Add language that sea containers and semi-trailers may be allowed in residential and commercial zoning districts as an accessory building and/or use, provided that they are sided or sheeted to match the primary structure and are anchored to a concrete footing. Elevations shall be reviewed by the Community Development Director for conformance.

ARTICLE XII (21-164) - Restrict the use of chain link fencing material to residential and industrial districts only. Eliminate the use of chain link fencing in all commercial districts.

ARTICLE XII - Remove conflict on the height of fences in commercial and industrial districts. Section 21-164.D states a maximum height of 8 feet, whereas; Section 5-12.4 states 10 feet. The maximum height shall be 8 feet.

ARTICLE XIII, DIVISION 1 (21-182) - Architectural Requirements (Single Family Residential):

D All new single-family residences shall include a minimum two-car garage. Carports shall only be permitted in subdivisions with a Manufactured Home Overlay.

J Delete this section in its entirety, which requires the second floor to be offset four feet from the ground floor.

ARTICLE XIII, DIVISION 3 (21-197) - Prohibit the use of pre-manufactured metal buildings in all commercial districts.

Add (M) Buildings detached from the main commercial development within the same commercial center (pad buildings) shall be designed in a compatible architectural style, and incorporate the same materials, colors and landscaping as the host development.

ARTICLE XIV (21-211) Table 7 - Required Parking Spaces- Indicate that motorcycle parking spaces shall be optional and not a requirement.

ARTICLE XVI (21-234,B,7)- Remove discrepancy regarding Menu Boards: they shall not be included in calculating the total aggregate area for signage. Remove conflicting language in Chapter 2A, Article 11, Division 2.2A-35 B (4).

ARTICLE XVIII - Add language that non-conforming residential structures within nonresidential zoning districts may be reconstructed and used as before if they have been damaged (more than 50%) by fire, windstorm, flood, or some similar abnormal and identifiable event or decay as outlined in Section 21.

Chairperson Brown opened the public meeting.

One item brought up by Council Member Belloc was ARTICLE XIII, DIVISION 1 (21-182)-Architectural Requirements (Single-Family Residential); D. All new single-family residences shall include a minimum two-car garage. Council

Member Belloc asked if Self-Help Homes (CAHRA) might be made exempt from this article. He stressed the purpose of these programs is to keep costs down for the participants, and having to put in an extra garage would only be an expenditure that they could use elsewhere. Mr. Blanton stated that these amendments would only apply to new subdivisions and that all existing platted subdivisions would be exempt.

Mr. Eddie Key stated that he supported ARTICLE XVIII - Which reads, Add language that non-conforming residential structures within nonresidential zoning districts may be reconstructed and used as before if they have been damaged (more than 50%) by fire, windstorm, flood, or some similar abnormal and identifiable event or decay as out-lined in Section 21.

Mr. Blanton stated that Mr. Key is one of many property owners who reside in areas designated as industrial or commercial, which were clearly platted as residential lots. Mr. Blanton stated that the city really needs to look closely at these areas and that this amendment is just a band-aid to a much larger issue.

I. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: TA07-56.

Alternate Commissioner Horton made a motion to approve Case No. TA07-56. The motion was seconded by Commissioner Garcia. The motion passed 5-0.

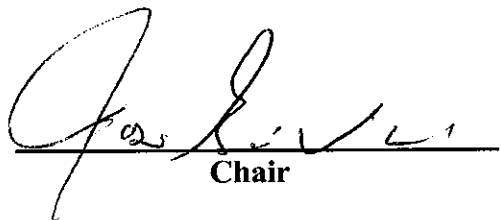
VII. MOTION TO ADJOURN.

Commissioner Weddle made a motion to adjourn the meeting. This was seconded by Commissioner Garcia. Motion carried unanimously and the meeting was adjourned at 8:45 p.m.

ATTEST:


Community Development Director

APPROVED:


Chair