

**MEETING MINUTES
OF THE
CITY OF ELOY
PLANNING AND ZONING COMMISSION
Regular Meeting
Wednesday, December 12, 2007
7:00 P.M.**

I. CALL TO ORDER

Chairperson Larry Brown called the meeting to order at 7:02 p.m.

II. ROLL CALL

Members Present: Chairperson Larry Brown
Commissioner Glinda Weddle
Commissioner Marlo Schuh
Vice-Chair Manuel Medina
Commissioner Jose Garcia
Alternate Commissioner Richard Horton (Observer)

Members Absent: Ex-Officio Member Joel Belloc
Mary Montijo, Clerical Assistant

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

III. INVOCATION

The Invocation was given by Commissioner Weddle.

IV. PLEDGE OF ALLEGIANCE

Chairperson Larry Brown led the Pledge of Allegiance.

V. MOTION TO APPROVE THE OCTOBER 17, 2007 MEETING MINUTES OF THE CITY OF ELOY PLANNING AND ZONING COMMISSION

Vice-Chairperson Manuel Medina made a motion to approve the October 17, 2007 meeting minutes of the Planning and Zoning Commission. Commissioner Schuh seconded the motion. Motion was approved unanimously. The vote was 5-0.

VI. COMMUNICATIONS

Joseph Blanton noted there was a full Board in attendance and the Alternate Commissioner Horton did not need to vote. Mr. Blanton noted there were ninety-seven cases heard this year as compared to one hundred and ten heard last year. The big announcement which was made in this year was the Decades Theme Park. This will take

some major changes to have this become a reality. Legislative changes will have to be made and a major general plan amendment will have to be brought forth. There will also have to be a zoning district created for a theme park. Another project in the works is a 1,600-acre rail-served Industrial park east of Corrections Corporation of America, purchased by the Schuck Company and they also will be processing a Major General Plan Amendment.

Mr. Blanton asked if there was any feedback from anyone attending the Department of Commerce Boards and Commissioner's Workshop.

Commissioner Garcia responded that he attended the workshop as well as Belinda Cota, Luis Barahona, Stephanie Blanco and Rudy Escalante and stated it was very informative and that he enjoyed it, especially with information dealing with Proposition 207 and Downtown Revitalization.

Mr. Blanton stated that Maralan Hutchins, Downtown Revitalization Coordinator is preparing a report on her findings and stated that he is contemplating on hiring Ms. Hutchins for the remaining of the fiscal year with funds available through the Community Development Department.

The Economic Development Group of Eloy (EDGE) will be meeting on Friday, December 14, 2007 to approve the incorporation paperwork and to schedule the Annual Membership meeting in mid-January of 2008.

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

A CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: SP07-96. REQUEST BY KLONTZ BUILDERS, INC. TO INCREASE THE MAXIMUM HEIGHT OF WALLS WITHIN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT FROM EIGHT FEET (8') TO TEN FEET (10'). PROPOSED WALL WILL BE A SOUND-DEADENING SOLID CONCRETE WALL MADE OF POLYSTEEL FORMS FILLED WITH A SOLID SIX INCH (6'') CONCRETE CORE, WITH STUCCO ON BOTH SIDES FOR THE PURPOSES OF DEADENING THE NOISE FROM THE TRAINS, FOR SECURITY OF EXPENSIVE EQUIPMENT AND FOR VISUALLY SCREENING CONSTRUCTION TRAILERS AND BACKHOES PARKED INSIDE THE YARD. WALLS GREATER THAN EIGHT FEET (8') MAY BE ALLOWED AS SPECIFIED BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL DURING THE PRELIMINARY PLAT, FINAL PLAT, SITE PLAN AND/OR DEVELOPMENT PLAN REVIEW PROCESS. SUBJECT PROPERTY IS LOCATED AT 4420 W. COURT DRIVE ON ASSESSOR'S PARCEL NUMBER: 403-05-001.

Mr. Blanton stated that he made it very clear to Mr. Klontz that eight (8') feet was the maximum height for a wall. On a submittal turned in by Mr. Klontz the walls were indicated as being all ten (10') feet high. Mr. Blanton stated the only allowance there has been for anything over 8' has been CCA, for obvious reasons.

Mr. Blanton stated that he would concede to a 10' wall only along the back up against the railroad tracks, and then lower to 8'. Mr. Blanton stated the Police Department does not like to see a 10' wall surrounding a building for security reasons.

Ms. Schuh asked why the 10' would be allowed along the railroad tracks.

Mr. Blanton replied this was because of a noise and screening issue. Mr. Blanton stated Mr. Klontz is holding off on construction waiting for a decision.

Ms. Weddle made a motion to approve Case No.: SP07-96 with Mr. Blanton's recommendations. This was seconded by Commissioner Garcia. The motion was passed (vote 4-1).

B. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: CASE NO.: RZ/PAD07-50: APPLICATION BY ROSE LAW GROUP, PC ON BEHALF OF THE ORCHARDS AT PICACHO LLC TO REZONE APPROXIMATELY 930 ± ACRES OF LAND, FROM ("GR" COUNTY ZONING) TO 390 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL), 188 ACRES OF R-2 (MEDIUM HIGH DENSITY RESIDENTIAL), 209 ACRES OF R-3 (HIGH DENSITY RESIDENTIAL), 40 ACRES OF R-4 (HIGH DENSITY RESIDENTIAL) AND 74 ACRES OF C-2 (COMMUNITY COMMERCIAL) WITH A PLANNED AREA DEVELOPMENT OVERLAY. SUBJECT PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALSDORF ROAD AND WHEELER ROAD (ASSESSOR'S PARCEL NUMBERS: 400-20-001A; -001B; -001C; -001D; -001E; -001F; 008; -009A; AND -009B) ON SECTION 7 AND THE NORTH ½ OF SECTION 18, T8S, R9E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: THE ORCHARDS AT PICACHO).

Chairperson Larry Brown opened the Public Hearing.

Mr. Blanton introduced Ms. Carolyn Oberholtzer, representing the Rose Law Group and Harold Chris, the property owner.

Ms. Oberholtzer gave a brief overview of the proposed project and commented that the Gold Canyon Resort was developed by the developers proposing the Orchards at Picacho and asked if anyone had any questions.

Hearing no other comments, Chairperson Brown moved and closed the Public Hearing.

C. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ/PAD07-50.

Commissioner Weddle made a motion to approve Case No.: RZ/PAD07-50 with eleven (11) stipulations (ten recommended by Staff and one at the request of Penny Malone). This was seconded by Vice-Chairperson Medina. The motion was passed unanimously 5-0 with the following stipulations:

1. That the development of the Orchards at Picacho master planned community shall be in conformance with the Preliminary Development Plan/Narrative Report dated September 10, 2007;
2. That all conceptual engineering plans/reports submitted as part of the PAD application package shall be reviewed and approved by the City Engineer and/or Community Development Director prior to submittal of any future preliminary plats or improvement plans. Any major changes to the PAD as a result of the review and approval of the engineering plans/reports shall cause the PAD to be placed on a Planning and Zoning Commission and City Council agenda for ratification of the changes. The City Manager, or designee, may administratively approve minor changes and will determine the difference between major and minor changes to the PAD;
3. That final development plans and reports as outlined in Sec. 21.123.B of the Eloy Zoning Ordinance shall be submitted to the City Manager, or designee, for review and approval within one (1) year or prior to approval of any preliminary plat or development site plan. The City Manager, or designee, shall review the final development plans and reports for completeness and compliance with the preliminary development plans and reports;
4. That a homeowners' association shall maintain all landscaping, including that within the adjacent rights-of-way;
5. That the developer shall submit a copy of the CC&Rs, which shall be reviewed for approval by the Community Development Director prior to the issuance of a building permit;
6. That at the time of site plan or preliminary plat submittal, the developer shall submit a traffic study, prepared by a Registered Professional Traffic Engineer or Civil Engineer, that at a minimum addresses on-site and off-site traffic flows, project impacts and mitigation measures, anticipated trip generations, and level of service;
7. That compliance with the Design Guidelines and Standards of the Eloy Zoning Ordinance and the Eloy Subdivision Ordinance, as may be amended from time to time, shall be required;
8. That any major changes or modifications to the Orchards at Picacho Planned Area Development shall be reviewed and processed in accordance with those procedures outlined for rezoning in the Eloy Zoning Ordinance. The City Manager, or designee, may administratively

approve minor changes and will determine the difference between major and minor changes to the Development Plan;

9. That *Guest Ranch* shall not be permitted in the Resort Mixed Use District (delete (h) on p.27 of the PAD);
10. That the proposed Maximum Building Height in Table 4, 5, 6, 7, 9, and 10 currently exceed the maximum allowable heights; said deviations shall require the developer to submit (under separate application) either a Zoning Text Amendment or Variance; and
11. That at the time of final plat approval for the phase of the project adjacent to the Malone Property (APN 400-20-010E), Ms. Malone still owns the property and her property is still being treated with spray pesticides as part of the onsite agricultural production, the own agrees to provide a 75 foot landscape buffer from the property line in which no residential lots will be constructed.

VIII. MOTION TO ADJOURN.

The motion to Adjourn was moved by Vice-Chairperson Medina. The motion was seconded by Commissioner Weddle. The meeting was adjourned at 8:16 P.M.

ATTEST:

APPROVED:

Interim City Manager/
Community Development Director

Chair