

**MEETING MINUTES  
OF THE  
CITY OF ELOY  
PLANNING AND ZONING COMMISSION  
Regular Meeting  
Wednesday, March 19, 2008  
7:00 P.M.**

**I. CALL TO ORDER**

Vice-Chairperson Glinda Weddle called the meeting to order at 7:05 p.m.

**II. ROLL CALL**

**Members Present:** Vice-Chairperson Glinda Weddle  
Commissioner Marlo Schuh  
Commissioner Jose Garcia

**Members Absent:** Chairperson Larry Brown  
Commissioner Manuel Medina  
Alternate Commissioner Richard Horton  
Ex-Officio Member Joel Belloc

**Staff Present:** Joseph Blanton, Community Development Director  
Belinda Cota, Planner  
Christina Leon, Clerical Assistant

**III. INVOCATION**

The Invocation was given by Vice-Chairperson Weddle.

**IV. PLEDGE OF ALLEGIANCE**

Commissioner Garcia led the Pledge of Allegiance.

**V. MOTION TO APPROVE THE FEBRUARY 20, 2008 MEETING MINUTES OF THE CITY OF ELOY PLANNING AND ZONING COMMISSION**

Commissioner Garcia made a motion to approve the February 20, 2008 meeting minutes of the Planning and Zoning Commission. Commissioner Schuh seconded the motion. Motion was approved unanimously. The vote was 3-0.

**VI. COMMUNICATIONS**

Mr. Blanton gave everyone a status report on the General Plan Update stating that the consultant is moving forward in drafting the new elements, another General Plan Advisory Committee (GPAC) meeting is scheduled for Thursday, April 17, 2008 and mentioned that Commissioner Garcia sits on the committee. Mr. Blanton also said that he and Ms. Cota are putting a list together of approximately twenty-five (25) stake holders that will be interviewed in a period of two (2) days some time in April at City Hall.

Mr. Blanton mentioned that the deadline for submitting Major General Plan Amendment requests is Monday, March 31, 2008 and so far one submittal has been received from the Schuck Company for a 1,600-acre rail served industrial park east of Corrections Corporation of America (CCA) but at least two others are expected.

Mr. Blanton also introduced Ms. Christina Leon and told members of the Commission that she has been working with the City for approximately four months in the Public Works/Community Development Departments helping out with special projects. He mentioned that the next Economic Development Group of Eloy (EDGE) meeting is scheduled for Friday, March 21, 2008 at 10:00 AM and that it will be held at the Eloy Hosing Authority located right behind City Hall and that all are welcomed to attend.

Mr. Blanton mentioned that there will be several cases presented at the next regularly scheduled meeting. He stated that Helton's Antiques will be requesting a rezoning from single-family residential to neighborhood commercial. The owner of Helton's Antiques is trying to sell the building but unfortunately it is considered a nonconforming use, which creates issues when trying to sell it as a commercial business, which it is. He stated that one of the other cases that will be presented next month is a request by Verizon Wireless for a conditional use permit to install a wireless antenna camouflaged as a saguaro cactus to be located at the top of one of hills at Robson Ranch.

Mr. Blanton stated that this concludes staff's communications.

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

**A. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: RZ06-94: APPLICATION BY SHANE M. KOBIALKA WITH SVK ENGINEERING ON BEHALF OF MADISON DIVERSIFIED 882 CORP. PROPOSES TO REZONE APPROXIMATELY 540.20 ± ACRES OF LAND FROM ("GR" COUNTY ZONING) TO 104 ACRES OF SF-LOW (MINIMUM LOT AREA 7,475), 192 ACRES OF SF-MEDIUM (MINIMUM LOT AREA 6,325), 244 ACRES OF SF-HIGH (MINIMUM LOT AREA 5,500) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY. SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LA PALMA ROAD AND SHAY ROAD (ASSESSOR'S PARCEL NUMBERS: 411-28-001, -002, -003B, 004A, AND 003C,-007, -005B AND -005C) IN SECTION 29, T8S, R8E OF THE G&SRB&M, PINAL COUNTY, ARIZONA. (PROJECT NAME: SUNSHINE 539).**

Vice-Chairperson Weddle opened the public hearing.

Mr. Blanton stated that it was the applicant's request to continue this case to the next regularly scheduled meeting in April. Mr. Blanton stated that the applicant is completing the citizen participation efforts required for this project. Mr. Blanton recommended to the Commission that they continue this hearing to the next regularly scheduled meeting of Wednesday, April 16<sup>th</sup>, 2008.

Hearing no other comments Vice-Chairperson Weddle closed the Public Hearing.

**B. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ06-94.**

Commissioner Garcia made a motion to continue Case No.: RZ06-94 to the next regularly scheduled Planning and Zoning meeting. Motion was seconded by Commissioner Schuh. The motion was passed unanimously 3-0.

**C. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: RZ/PAD07-91: APPLICATION BY DAVID EVANS AND ASSOCIATES ON BEHALF OF PEDCO PROPOSES TO REZONE APPROXIMATELY 967 ACRES OF LAND FROM RR-20 (RURAL RESIDENTIAL ZONING DISTRICT) TO 161.88 ACRES OF R1-8 (LOW DENSITY RESIDENTIAL), 496.98 ACRES OF R1-6 (MEDIUM DENSITY RESIDENTIAL), 107.20 ACRES OF R-3 (MEDIUM-HIGH DENSITY RESIDENTIAL), 90.50 ACRES OF R-4 (HIGH DENSITY RESIDENTIAL) AND 110.92 ACRES OF C-2 (COMMUNITY COMMERCIAL) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY. SUBJECT PROPERTY IS BOUNDED BY CORNMAN ROAD TO THE NORTH, ELEVEN MILE CORNER ROAD TO THE EAST, HANNA ROAD TO THE SOUTH AND ESTRELLA ROAD TO THE WEST ON ASSESSOR'S PARCEL NUMBERS: 402-12-001, 402-12-002, 402-25-001, 402-25-002 AND 402-25-003 IN PORTIONS OF SECTION 11 AND 12, T7S, R7E OF THE G&SRB&M, PINAL COUNTY, ARIZONA (PROJECT NAME: THE VILLAGES OF ELOY).**

Vice-Chair person Weddle opened the public hearing.

Mr. Blanton introduced Carolyn Oberholtzer representing the applicant/owner and explained that staff is recommending approval of the rezoning request with nine (9) stipulations and that it is in conformance with the General Plan that was approved about a year and a half ago. He also mentioned that the day before this meeting he received two letters, one from Mr. Tom Wilson and one from his attorney. Both letters state an objection to the rezoning because it is in "direct violation of the flight overlay pattern surrounding the Eloy Municipal Airport." Mr. Blanton stated that he is not sure what the letters are referring to and that phone calls to Mr. Wilson and his attorney went unanswered. Mr. Blanton stated that the City did amend the non-residential buffer zone based on a study completed by David Evans and Associates and that none of the residentially zoned parcels are within the zone. He further explained that the amendment went to the airport advisory committee, the Planning and Zoning Commission, and City Council for approval. Mr. Blanton does not believe that this case is in direct violation of the flight overlay pattern. At this point, Mr. Blanton turned it over to Ms. Oberholtzer.

Ms. Oberholtzer introduced herself again and her project team: Penny Newton-Samer with David Evans and Associates does all the planning work; Bill Roberts

with David Evans and Associates is the expert on all water and sewer matters; Benjamin Maresca with Rose Law Group who works with Ms. Oberholtzer; and Rod Morris, the owner who could not be present due to another engagement. Ms. Oberholtzer gave a brief power point presentation.

Ms. Oberholtzer told the Commissioners that she is willing to talk with Mr. Wilson and his attorney, Tomi Farr, to discuss further the concerns they have with this project.

Vice-Chairperson Weddle asked if there was anyone in the audience who had questions.

James Coldwell with the Desert Rose Baha'i Institute asked about the time frame of this project. Ms. Oberholtzer responded that, realistically, construction is probably four to five years from now. Mr. Coldwell asked about the drainage and sewage. Ms. Oberholtzer responded that the City has planned for a new wastewater treatment plant somewhere in this area that will be constructed by the development community.

Hearing no other comments, Vice-Chairperson Weddle closed the Public Hearing.

**D. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: RZ/PAD07-91.**

Commissioner Garcia made a motion to approve Case No.: RZ/PAD07-91 with the nine (9) stipulations recommended by Staff. Motion was seconded by Commissioner Schuh. The motion was passed unanimously 3-0 with the following stipulations:

1. That the development of The Villages of Eloy master planned community shall be in conformance with the Preliminary Development Plan/Narrative Report dated February 2008;
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 prior to development on the subject property, the site will be maintained in a natural, debris-free, and weed-free condition;
6. 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;
7. That at the time of site plan or preliminary plat submittal, the developer shall submit a full traffic impact 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;
8. 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; and
9. That any major changes or modifications to The Villages of Eloy 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.

**E. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON CASE NO.: TA08-09 (ZONING TEXT AMENDMENT) SUBMITTED BY ROBERT GUERRERO WITH THE RLG MANAGEMENT TEAM LLC WHO IS PROPOSING AN AMENDMENT TO THE TEXT OF THE ELOY ZONING ORDINANCE THAT CLARIFIES, UPDATES, SPECIFIES, CHANGES AND/OR ELIMINATES INFORMATION IN CHAPTER 21: ARTICLE VIII:21-78.B.26., WHICH WOULD ALLOW SEMITRUCK SERVICING BUSINESSES ON PARCELS NOT ANCILLARY TO TRAVEL PLAZAS IN THE C-2 ZONING DISTRICT UPON MEETING CERTAIN CONDITIONS.**

Vice-Chair person Weddle opened the public hearing.

Mr. Blanton explained the differences between the current and proposed language that is the subject of this case and introduced the applicant, Robert Guerrero.

Mr. Robert Guerrero explained his future plans with the semi-truck servicing business at the "old" McDonalds' site, including a small lounge for the truckers.

Commissioner Garcia stated that he is concerned of the potential traffic that will occur with this new business.

Mr. Blanton explained that Houser Road is going to be realigned and reconstructed once the new traffic interchange is constructed at Toltec Road and Interstate 10.

**F. CONSIDERATION, DISCUSSION, AND RECOMMENDATION TO THE ELOY CITY COUNCIL FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON CASE NO.: TA08-09.**

Commissioner Garcia made a motion to recommend approval to the Eloy City Council on Case No.: TA08-09 with the text amendment language proposed by Staff. The motion was seconded by Commissioner Schuh. The motion was passed unanimously 3-0. The text amendment language is as follows:


26. *Semi-truck washes and/or semi-truck polishing, semi-truck servicing, and/or semi-truck tires subject to the following:*
- a. *That the subject parcel shall not be located more than one-quarter mile (1,320 feet) from the right-of-way limits of an interstate or state highway traffic interchange.*
  - b. *That all commercial vehicle truck traffic shall access the subject parcel via an arterial roadway as designated by the City of Eloy.*
  - c. *That the minimum lot sizes the subject parcel shall be 1 acre (43,560 square feet).*
  - d. *That the minimum distance from the subject parcel to any residentially zoned parcel shall be at least two hundred and fifty (250) feet, measured from property line to property line.*

**VIII. MOTION TO ADJOURN.**

Vice-Chairperson Weddle asked for a motion to adjourn. Motion was moved by Commissioner Garcia and seconded by Commissioner Schuh. The meeting was adjourned at 7:35 P.M.

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Interim City Manager/  
Community Development Director

  
\_\_\_\_\_  
Vice-Chairperson Glinda Weddle