

Planning and Zoning Commission Actions

Regular Meeting

February 14, 2022

Call to Order	Meeting was called to order at 6:04 pm by Chair Huggins
Invocation	Commissioner Irving
Pledge of Allegiance	Commissioner Sharpe
Roll Call	Present: Yocum/Sharpe/ Huggins /Irving / Frank/Robertson Phone in: Lefall
Call to the Public	No one spoke at the call to public
Minutes	Minutes will be approved at the next meeting
Agenda Item 5.1:	<p>5.1 GPA 22-01 PUBLIC HEARING: A request by the City of Maricopa on behalf of Pinal Feeding Company, Pinal Energy, AZ Grains, and Electrical District #3 to amend the City's General Plan Land Use Map, approximately 154 acres from Master Planned Community (MPC) to Employment (E). The site is generally located just southeast from the southeast corner of N. White and Parker Rd and W. Maricopa Casa-Grande Hwy. Discussion and Action. Presented by Rudy Lopez Director of Development Services. Public Hearing opened at 6:11 pm. Closed Public Hearing at 6:12pm. LEFALL: Could the rezoning result in the same situation where land was zoned commercial has been rezoned residential, example Tortosa now we only have one corner of commercial. Will this industrial change leave us with the same thing? Lopez clarification this is an amendment to the general plan, the general plan is not hard zoning. If someone came in today for a master planned community we would have to honor it. By doing this general plan amendment we are allowing employment and specific direction for latitude towards rezoning away residential uses. Lefall expressed concern that if the land sits there non-developed over time the only interest is residential. We want to have use. Chair Huggins also clarified this will give planners leeway to say the plan is for commercial development, were adding commercial back into the mix. If someone wanted to develop residential they would have to re-do the general plan and rezone again. ROBERTSON: Is there any interest from commercial developers for that area? Lopez stated, Yes, we are cannot speak to it yet but yes. Robertson is in support. Frank also in support. Irving in support, good idea to put commercial back in. SHARPE: Good step in the right direction to get away from Pinal County Zoning and being proactive. YOCUM: In favor and agrees to add commercial back in. Commissioner Sharpe motioned to approve as stated. Yocum seconded. All in favor. Passed unanimously.</p>
Agenda Item 5.2:	<p>5.2 DISCUSSION & ACTION ZON 21-06 (2) Rezoning Conversion: A request by the City of Maricopa on behalf of Pinal Feeding Company, Pinal Energy, AZ Grains, and Electrical District #3 to rezone approximately 300 acres from existing Pinal County Zoning District, CI-2 (Industrial Zone), CR-3 (Single Family Residence), TR (Transitional), and PAD (Planned Area Development) to GI (General Industrial). The site is generally located just southeast from the southeast corner of White and Parker Rd and W. Maricopa Casa-Grande Hwy. Discussion and Action. Presented by Rudy Lopez Director of Development Services. Lefall: No questions. Yocum: This will add financial and economic growth to the City. In favor. Sharpe: According to the presentation it looks like they have dual zoning. Lopez clarified yes, it has Pinal county old zoning. Huggins: Is the original preliminary plat expired? Lopez: Clarification, there is no preliminary plat out there now only an approved PAD zoning map from 2005. No additional comments from the commissioners</p>

	Commissioner Yocum made a motion to approve Agenda Item 5.2. Commissioner Sharpe seconded the motion. All in favor. Passed unanimously.
Agenda Item 5.3:	<p>5-3 DISCUSSION & ACTION</p> <p>SUB 21-32 Subdivision Preliminary Plat: CVL Consultants, on behalf of Pulte Homes, requests approval of the El Rancho Santa Rosa subdivision preliminary-plat. The property is generally located at the northwest corner of Farrell Road and the N. Smith Road alignment. Discussion and Action. Planning & Zoning Manager for the City of Maricopa, Rick Williams presented. On behalf of applicant, Andrew Y. 4343 E Camelback Rd. Phoenix. present and presented.</p> <p>LEFALL: Appreciates consistency and open space, recognizing the wash and incorporating that.</p> <p>YOCUM: Concern with ingress and egress during Phasing. Will there be enough ins and outs? Williams clarified that there is a stipulation in conditions of approval states when the low water crossing comes in, it has to be constructed prior to the sale of any homes. Andrew explained the first phase will be parcel south of the wash on the west. Phase II will be parcel south of the wash along the east. Phase III will be north of the wash. Low flow will be constructed along with parcel 2. The collector road will be built in the first phase to allow for connectivity throughout the phasing process.</p> <p>Yocum stated also concerned regarding the flood issues. Andrew said there is a CLOMR in process with the county in process and a final graining and drainage report will be presented.</p> <p>SHARPE: Clarification regarding the wash, the entirety of the wash is counted towards your open space, yet the wash will not be developed. Does not agree that this should be counted towards usable space, this is a little disingenuous. Appreciates the connectivity and north and south end are connected no separation. Shared community feel is great.</p> <p>HUGGINS: In agreeance with Sharpe, would like City staff to take this into consideration moving forward when calculating open space.</p> <p>IRVING: Traffic report is not projecting out. This is only an isolated group not a number of miles. Would like to see a projection and impact based on all the added homes to the area and the safety.</p> <p>Andrew clarified this is in line with the general plan that was planned for 20 years.</p> <p>Huggins in agreeance with Irving. Rudy Lopez, Director of Development Services. The TIA does take account for all land uses approved, to general plan, to zoning and takes account of projection to built out. Takes account for trip generation on a yearly basis not in a silo but all areas. Example we have CIP projects in process that acknowledge future population include Sonoran Desert Parkway and a bridge on Porter rd. side that goes over the Santa Rosa wash. These will address the population as it comes about and for future built out years to come. Huggins expressed concern about phased project with the east side being developed first while developing the second phase traffic will start to go around and transverse thru. Concern about 2 cars per 800 residents or 1600 vehicles going in and out. Lopez stated the traffic engineers work with this and the TIA plans for this. Huggins stated not during construction. Andrew stated the collector will go out to Porter rd. there will be separate construction plan that will be approved along the way. Huggins asked who will stand and monitor construction traffic and correct uses? Vetted on paper and reality are different.</p> <p>YOCUM: Lives in Desert Cedar and adjacent to Santa Rosa he is experiencing heavy trucks driving thru as well. Andrew clarified the traffic plan is not part of this process, the concerns are heard and will be addressed in the appropriate phase.</p> <p>Nick Cook, City attorney stated if traffic plans are not being followed this is a City issues and we will address it thru code enforcement.</p> <p>Williams stated he hears the concerns and they will be addressed. Irving wants to make sure the traffic issue is on record.</p> <p>FRANK: The open space of the wash is also his concern. Other communities used the wash as open space in the calculations and then the HOA would take over the maintenance of the wash. If this counted in your open space there needs to be a dialog with Flood control district and they should be listed on the preliminary plat. The design flow as stated goes back to an old flood insurance study not sure that this is the best information anymore. The area is part of the Santa Cruz regional solution. This may not work now. Would like to see a stipulation that the design flow thru this reach is the higher of the FIS flow or the regional flow. For the low water crossing, other municipalities require dry access for fire access. On google maps this takes 7-9 minutes not sure this is acceptable when the wash is flowing.</p> <p>ROBERTSON: Concern with the low water crossing, can you elaborate on the design of it does it include a box culvert the full width of the wash or 50' of the wash? Is it an overflow culvert that will allow excess flow over the top, without destroying it or taking out the wash?</p>

	<p>Andrew stated there will be box culverts in the low flow crossing designed consistent to the one to the east Santa Rosa. I do believe the regional solution is looking to lower the channel and culvert will be designed to accommodate that when it occurs. In regards to access there are to local street access points one off the roundabout from the south and one off the north coming out of parcel 2. The drainage report and study and type of flow it's my understanding with certain flows that have to be in these reports, we will have to do a final report. We would like to avoid a certain stipulation tonight as to which criteria as we have not had a chance to work that out as of yet.</p> <p>Frank stated that is why he said to use the higher of the two so were covered in either case. In regards to access does not buy it there is still only one access into the subdivision or one net entrance. Andrew stated from fires prospective they reviewed it and there are 2 access points. Frank agrees that it meets the letter of the law, but does it really work.</p> <p>ROBERTSON: The box culvert will not be the full width it will only be partial at the low point?</p> <p>Andrew introduced Justin McCarty engineer with CVL to answer. He stated they are working with Wood Patel on a design for the box culvert. Currently there are 5 - 10x5 box culverts in the existing wash condition there's about 4' of the box is buried. The CLOMR is using the existing flows we cannot use future or additional flows until it is fully constructed. Robertson asked if the current design can and handle the current seasonal flow? When the 100 year comes thru what will happen? It will go over the top. Will it be submerged? Justin stated working with Wood Patel on designs and later they will excavate and when the wash is lowered it will match. The bottom elevation will match. Robertson asked how will pedestrian cross? Currently it is sidewalk during larger storm events they will not be able to cross if there is water over the bridge. Will there be gates to restrict access when the wash is flowing? Justin explained, the access restriction details have not been determined as of yet. Frank similar to future traffic and future submittals like the design and future Wood Patel design could be included in future submittals on the drainage reports.</p> <p>Huggins stated who is going to bear the costs when including the wash in the open space not fare to the homeowners or the HOA to be responsible. Concerned with the stipulation request from Frank, would like it to be a stipulation for staff not hold this up. Frank says as long as its addressed in the future drainage report that's fine.</p> <p>Rick Williams assured this will be addressed we are still at preliminary stages, we have time to make sure we look at all of this.</p> <p>Huggins stated accessibility of the area on the north side wall at Casa Grande Hwy, sees potential damage from people using it to get to Walmart. Would like to see access so it is not a burden to the HOA to pay later.</p> <p>SHARPE: Would like to see at final plat the wash taken out completely of open space and re see the calculations.</p> <p>Rick stated getting into the conversation of open space it can be seen different ways, it is amenity from a certain stand point. Maybe not a programmed open space, moving forward we can show what's useable vs programmed.</p> <p>Huggins asked who legally owns this? Does the association own it? Frank states Maricopa flood control district has an easement.</p> <p>Nick Cook addressed that currently the code states it is open space. This stage is preliminary plat and is not the time to discuss this. There is a stipulation that any open space is the responsibility of the HOA.</p> <p>Irving motioned to approve. Commissioner Robertson seconded. All in favor. Passed unanimously.</p>
Agenda Item 5.4:	<p>TXT 21-02 (2) PUBLIC HEARING: A request by the City of Maricopa for review and approval of minor text amendments to the City of Maricopa Subdivision and Zoning Code. Discussion and Action.</p> <p>Director of Development Services Rodolfo Lopez presented. Public Hearing opened at 7:31 pm. Closed the Public Hearing at 7:31 pm.</p> <p>LEFFALL: Clarification the deletion of RS-2 medium low-density classification still exists, it is just being deleted from this document? Lopez explained RS-2 will be removed it will be RS-1 and will meet large lot zoning of 12,000 sq. ft. base. Leffall asked It will go to RS-1 to RS-3? Lopez says no we will have RS-1, Rs-3, Rs-4, & Rs-5. It will not be sequenced.</p> <p>YOCUM: Reviewing section 18.80.080 height restrictions nothing can be built over 100' could that determined later or requested? Lopez sated as of now nothing can be built or approved higher than 100' in the City of Maricopa. Agrees with the allowing the zoning administrator city staff to approve the signage.</p> <p>SHARPE: Appreciates the annual review of the city code. Shows a welcome to developers and stake holders. Agrees with consolidating residential zoning districts. Mixed use definition is great and gives clarification.</p>

	<p>IRVING: Appreciates spelling out the letter of the law. FRANK: Noticed that page 27 the yard sale sign was stricken. Lopez stated this is making it more content neutrality. Discussing with legal we are trying to be content neutral. Frank feels that the new footnote does not adequately cover the original text. Nick Cook stated we can leave in “yard sales” we are signaling out just “yard sales this moves into temporary signs. We are not targeting one group. Lefall asked can you change the verbiage. Cook clarified that they are all moving to temporary signs. Frank says this is really restrictive. Lopez page 18 we still allow single family residential signs up to 6 signs offsite for realty estate sale, garage sale. This is the best way to present content neutrality. Frank says this is really restrictive. Lopez states nothing is changing this is the way the code reads today. Just putting it in a content neutral table. Huggins states wanted to address a comment regarding streamlining the permit process, council and commissioners need to be careful on what we allow staff to do without giving approval. Has an issue with streamlining and making things easier, does not want to be viewed as a city that rubber stamps everything, or a city that staff is running everything and not that the constituents elected or appointed. We run into issues like Dutch Bros that happened on an administrative decision and the parking lot issues that didn’t come before council or commission. Sharpe agrees that there is a number of items that have been conceded to staff. It would be nice to see what should the board be addressing what does city staff want from the board primarily. Huggins states perhaps having a consent agenda does not need to be a lengthy discussion. Vice Chair Sharpe motioned to approve 5.4 as outlined. Irving seconded. Passed unanimously.</p>
Agenda Item 5.5:	<p>TXT 21-03 (2) Incorrect item description on agenda. Yocum motioned to table item 5.5. Irving seconded. Item Tabled</p>
Agenda Item 6.0 Update from Staff	<p>6.0 Rick Williams, Planning & Zoning Manager quick update no meeting for the end of February. Irving asked about having a joint meeting with City Council. Rudy stated we are working towards this.</p>
Agenda Item 7.0: <u>Executive Session</u>	<p>There was no executive session.</p>
Agenda Item 8.0: <u>Adjournment</u>	<p>Commissioner Irving motioned to adjourn the meeting at 7:56 p.m. Commissioner Frank seconded the motion. All approved. The meeting was adjourned.</p>

I hereby certify to the best of my knowledge, that the foregoing Actions are a true and correct copy of the Actions of the regular meeting of the Planning and Zoning Commission held on the 14th day of February 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22th day of February, 2022