

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
CITY HALL, PINE ROOM
JANUARY 3, 2008**

A **Regular Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe Street, Peoria, AZ in open and public session at 6:32 p.m.

Members Present: Chair Greg Loper, Vice Chair Veda McFarland, Commissioners, Kenneth Compton, William Louis, Marc Melbo, and Michael Worlton.

Members Absent: Commissioners John Gerard and Anne Wojcik.

Others Present: Steve Kemp, City Attorney, Glen Van Nimwegen, Community Development Director, Chad Daines, Planning Manager, Melissa Zechiel, Planning Technician, Cody Gleason, Planning Technician, and Cathy Griffin, Executive Assistant.

Opening Statement: read by Chad Daines.

Final call for speaker request forms.

Audience: Approximately 3.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a “**C**” are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion. Commissioner Gerard moved to approve the Consent Agenda items. The motion was seconded by Commissioner Worlton and upon vote, carried unanimously.

1C DISPOSITION OF ABSENCE: Discussion and possible action to approve/excuse the absences of Commissioners Anne Wojcik, Marc Melbo, and Bill Louis from the December 20, 2007 meeting.

2C MINUTES: Minutes of the Regular Meeting held December 20, 2007.

Commission Action: Commissioner Compton moved to approve the Consent Agenda. The motion was seconded by Commissioner Worlton. Upon vote, the motion carried unanimously.

REGULAR AGENDA

NEW BUSINESS, PUBLIC HEARINGS and/or ACTION:

Items 3R and 4R were presented together and were voted upon separately.

3R ACOMA DRIVE CHARACTER AREA PLAN: This area plan provides the proposed character guidelines for the Acoma Drive County Island, an area generally located between 83rd and 67th Avenue, north of Thunderbird Road centered on Acoma Drive. The planning area is currently under Maricopa County jurisdiction, surrounded by the City of Peoria. The proposed character guidelines include development policies related to land uses, buildings, rural street and utility policies and other general policies which reflect the rural character of the planning area.

Staff Report: Chad Daines, Planning Manager, addressed both agenda items as outlined in the commissioners' staff report. The Plans were also explained by using a PowerPoint presentation (see attached). Staff is recommending approval of both Character Area Plans.

Commissioner McFarland asked if there is an annexation, and if they decide to change their waste provider, they have to change to the City, approximately how much would that cost and they get both the re-cycle and the trash pickup? Mr. Daines explained that costs have been compared between the private sanitation services and the cost very comparable. He explained that the citizen has the choice after annexation of continuing with their current private sanitation service or utilize city service.

Commissioner McFarland asked if annexation happened, would all the streets would have to be paved. Mr. Daines stated that the documents being presented tonight have no effect on annexation. He explained about a "threshold study" performed when annexing any area. Each operational department would analyze the area on the cost in terms of servicing the area, operation and maintenance. The information would be presented to the City Council. Mr. Daines further explained the PM10 program.

Commissioner McFarland asked if Rural Metro Fire relocation in Litchfield Park effecting these areas? Mr. Daines stated that not according to the information he has reviewed.

Commissioner Melbo asked if there was a change of ownership and the new owner wanted to improve the property, would they follow the county or city guidelines with regard to permitting. Mr. Daines explained that if the property were ultimately annexed into the City of Peoria, it would follow the City's guidelines. What is being suggested tonight is zoning guidelines that would apply to the property and that's the attachment to the Character Area Plan is essentially patterned or tailored after what Maricopa County provides in terms of land uses, setbacks, building heights, allowable uses.

Commissioner Melbo asked about the land use zoning dwelling units per acre. Mr. Daines explained the land use designation on the General Plan, 0-2 dwelling units to the acre with a target density of one dwelling unit to the acre.

Chair Loper wanted to reinforce that the Character Area Plans are guiding character documents, these are not annexation documents. Mr. Daines stated that was correct

and basically these are draft documents that the citizens can have input for the next several months prior to being formalized into the Zoning Ordinance or the General Plan reference.

Chair Loper asked if staff has involved Maricopa County staff in this process. Mr. Daines explained that one of the Senior Planners used to work at Maricopa County, but have not met directly with the Maricopa County staff.

Further discussion ensued regarding current violations and special use permits in the County.

Public Comment:

Nancy Paganelli stated that she was happy to hear what the city is trying to address. Ms. Paganelli has lived in the Pinnacle Peak area for close to 40 years and doesn't want any more "progress". She moved to this area with a dream to live in the country. If the City of Peoria takes over the area, will this rural life-style be able to be maintained?

Mr. Daines explained how the annexation process is driven by the property owners. There must be 51 percent of property owners or value in the area before the area can be considered for annexation. The goal is not to force annexation; the goal is to provide the tools for those areas that do desire annexation.

Mr. J.D. Campbell stated his concern that the information has not reached all the citizens that may be affected by this action. Mr. Campbell asked about property being sold and the new owners being required to bring "things" up to city code. Mr. Daines explained that the rights run with the land. If a building is re-built, it would have to be built in accordance with whatever the standards are. Mr. Daines stated that the goal is to mirror, as closely as possible, the existing County entitlements.

Mr. Campbell asked if the new addition have to comply with the City code. Mr. Daines explained that it would have to comply with that zoning district. Mr. Daines further clarified that what is being proposed is zoning district standards only, not any other "codes".

Mr. Campbell asked if a septic tank failed, would the property have to connect to the city or could they repair or replace the tank? Mr. Daines stated that would be a question for the Utilities Department, which are not present this evening.

Mr. Daines wanted to illustrate that on the Pinnacle Peak Character Area Plan, on page 5 there is an error to be corrected. In the first sentence of the description, under background it states the areas generally located between 83rd and 91st Avenues. It is actually generally located between 83rd and Lake Pleasant Parkway.

Ms. Paganelli asked if a person would have to pay City taxes on services if they had a septic system. She also asked that when there are going to be meetings, that notification not be limited to the web-site. Please send notices to the homes.

Mr. Kemp, City Attorney, explained that the City's utilities are financed off rates; the customer pays taxes for the utilities they use.

Chair Loper stated that staff went to great length to identify some of the unique characteristics and went above and beyond to accommodate those in the area. Chair Loper wanted to clarify the purpose of the Character Area Plans versus annexation.

Commission Action: Commissioner Compton moved to recommend to City Council approval of the Acoma Drive Character Area Plan. The motion was seconded by Commissioner McFarland. Upon vote, the motion carried unanimously.

- 4R PINNACLE PEAK CHARACTER AREA PLAN:** This area plan provides the proposed character guidelines for the Pinnacle Peak County Island, an area generally located between 83rd Avenue and Lake Pleasant Parkway, from Deer Valley north to Via Lindo Road centered on Pinnacle Peak Road. The planning area is currently under Maricopa County jurisdiction, surrounded by the City of Peoria. The proposed character guidelines include development policies related to land uses, buildings, rural street and utility policies and other general policies which reflect the rural character of the planning area.

Staff Report: presented by Chad Daines, Planning Manager.

Commission Action: Commissioner Compton moved to recommend to City Council approval of the Pinnacle Peak Character Area Plan. The motion was seconded by Commissioner Melbo and upon vote, the motion carried unanimously.

Mr. Daines stated that the City Council meeting for these plans will be January 15, 2008.

- 5R ELECTION OF OFFICERS:** Discussion and possible action to elect officers for 2008 including Chairman, Vice-Chairman, and Secretary.

Mr. Kemp, City Attorney, gave a brief explanation on the process.

Commission Action: Commissioner Compton moved to re-elect Michael Worlton as Secretary, and upon vote, the motion carried unanimously. Commissioner Louis moved to re-elect Veda McFarland as Vice Chair, and upon vote, the motion carried unanimously. Commissioner Melbo moved to re-elect Greg Loper as Chair, and upon vote, the motion carried unanimously.

CALL TO THE PUBLIC FOR NON-AGENDA ITEMS: NONE

REPORT FROM STAFF: NONE

REPORT FROM THE PLANNING AND ZONING COMMISSION:

Chair Loper asked that the contact information to the Planning and Zoning Commissioners be provided to each Commissioner.

Chair Loper asked the Planning and Zoning meeting agenda is attached to the email requesting attendance notification.

Chair Loper asked about closing a road for a special event. Mr. Daines and Mr. Kemp explained the special event process.

Chair Loper asked if the City of Peoria had meetings with neighboring jurisdictions. Mr. Daines explained what there is a variety of meetings with neighboring cities.

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:40 p.m.

Greg Loper, Chair

Date Signed