

**PLANNING AND ZONING COMMISSION MINUTES  
CITY OF PEORIA, ARIZONA  
COUNCIL CHAMBER  
NOVEMBER 1, 2007**

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 6:30 p.m.

**Members Present:** Chair Greg Loper, Commissioners Veda McFarland, William Louis, Kenneth Compton, John Gerard, Marc Melbo, Michael Worlton, and Anne Wojcik.

**Members Absent:** 0

**Others Present:** William Emerson, Assistant City Attorney, Glen Van Nimwegen, Community Development Director, Chris Jacques, Principal Planner, Karen Flores, Planner, Cody Gleason, Planning Technician, Dave Moody, City Engineer, Jeff Sargent, Park Projects Administrator, Stephen Bontrager, Utilities Director, Brad Hill, Water Resources Manager, Bev Parcels, Planning Assistant, and Cathy Griffin, Executive Assistant.

**Opening Statement:** Read by Chris Jacques, Principal Planner

Final call for speaker request forms.

**Audience:** Approximately 16.

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 an asterisk (\*) are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion. Commissioner Compton moved to approve the Consent Agenda items. The motion was seconded by Commissioner Gerard and upon vote, carried unanimously.

**1C RATIFICATION OF PAST ACTION TAKEN IN VIOLATION OF THE OPEN MEETING LAW:**

In accordance with A.R.S. § 38-431.05, the following actions taken on October 18, 2007 at the Pinnacle Peak Public Safety Facility, 23100 N. Lake Pleasant Parkway, Peoria, Arizona, without correct notice for the purposes of A.R.S. § 38-431.02 (only), are ratified:

The Regular Minutes from the October 4, 2007 Planning and Zoning Commission meeting.

The absences of Commissioners Ken Compton, Marc Melbo, Michael Worlton, and Anne Wojcik from the October 4, 2007 Planning and Zoning Commission Meeting.

**2C** **Minutes**: Approve the minutes of the Regular Meeting, October 18, 2007.

**3C** **Disposition of Absence**: Approve the absence of Commissioner William Louis from the October 18, 2007 meeting.

### **REGULAR AGENDA**

**UNFINISHED BUSINESS**: NONE

### **NEW BUSINESS, PUBLIC HEARINGS and/or ACTION:**

#### **GPA 07-02: CIRCULATION ELEMENT**

The Engineering Department is requesting a major amendment to the Circulation Plan/Map to change the designation of 103<sup>rd</sup> Avenue from Collector to Arterial, from Northern Avenue to Olive Avenue, and to modify Objectives and Policies related to Northern Parkway and Happy Valley Parkway for consistency with regional transportation plans.

**Staff Report:** Presented by Karen Flores, Planner, addressed the proposed application as outlined in the commissions' staff report.

**Public Comment:** none

**Commission Action:** Commissioner Gerard moved to recommend to City Council approval of GPA 07-02, the motion was seconded by Commissioner Louis. Upon vote, the motion carried unanimously.

#### **GPA 07-07: RECREATION & OPEN SPACE ELEMENT**

The Community Services Department is requesting a major amendment to the Recreation & Open Space Element which consists of a re-write of the Element to reflect the *Parks, Recreation, Open Space & Trails Master Plan (PROST)*, adopted in 2006.

**Staff Report:** Presented by Karen Flores, Planner, addressed the proposed application as outlined in the commissions' staff report.

Commissioner Melbo questioned the locations of the HAWK mid-block crossing device. Mr. Moody, City Engineer, explained that the HAWK device would only

be used at trail crossings and why it is safer than no signal at locations where trails are located. A raised median would be built in the middle of the street crossing so that traffic would continue to flow on one side, while the traffic would be stopped for the pedestrian on the other.

Commissioner Louis questioned the arrangement with the Bureau of Land Management and how issues would be resolved. Karen Flores explained the initiative and process to coordinate and resolve issues. William Emerson, Assistant City Attorney stated that any issues would be resolved with the Bureau of Land Management prior to any annexation. The City does not have jurisdiction over the Federal Government.

**Public Comment:** none

**Commission Action:** Commissioner Compton moved to recommend to City Council approval of GPA 07-07, the motion was seconded by Commissioner McFarland. Upon vote, the motion carried unanimously.

#### **GPA 07-09: LAND USE ELEMENT**

The Community Development Department is requesting a major amendment to the Land Use Element to adjust the Plan Area Boundary on the Land Use Map and modify descriptive information for the Office Commercial Land Use designation.

**Staff Report:** Presented by Karen Flores, Planner, addressed the proposed application as outlined in the commissions' staff report.

Commissioner Worlton questioned the exclusion area and Rancho Cabrillo as noted on the Exhibit B2 map. Ms. Flores explained that area is within the City of Surprise planning boundary and the exclusionary areas will be part of Rancho Cabrillo.

**Public Comment:**

**Bill Hafeman**, Planning and Zoning Director for Property Owners Residence Association (PORA), in Sun City West, a community of about 28,000 people, if the area were to be incorporated, PORA would be the quasi-government for Sun City West. Mr. Hafeman stated he was not opposed to Peoria extending the boundary limits of the General Plan area to include the 318 acres. What PORA and the people from the 300 foot zone in Sun City West object to, is a regional commercial classification immediately contiguous to the north east side of ½ mile of Sun City West.

The proposed alignment of El Mirage Road by Maricopa County is to be 600 feet east of the existing El Mirage Road from Bell Road to 3 miles north of where the

present El Mirage Roads terminates and becomes Deer Valley Drive. Our request is that everything west of the proposed realigned El Mirage Road, be zoned as medium density residential. Everything east of El Mirage Road can then be zoned whatever the City wants. Mr. Hafeman stated that he has a petition with 73 signatures of people in the 300 foot zone who are opposed to regional commercial.

Chair Loper asked Mr. Hafeman to indicate on the map the realigned El Mirage Road.

**Dale Hebron**, stated he lives within the 300 foot designation for this issue. Mr. Hebron questions the traffic increase.

**Dawn Ferch**, a Director on the Board of Directors from the Corte Bella Home Owner's Association, stated that she too does not want regional commercial zoning on the property. It would be a wonderful thing if the zoning could be changed from regional commercial to medium density residential along the boundaries that are next to Sun City West and Corte Bella and have the commercial zoning east of that.

Commissioner Melbo asked if there was road access to Corte Bella east onto El Mirage Road. Ms. Flores explained where the entrance is located. Mr. Ferch also explained the road entrances for Corte Bella.

Commissioner Louis asked if staff has any comment regarding the realignment of El Mirage Road. Mr. Van Nimwegen, Community Development Director, stated that Mr. Moody indicated that is according to the Regional Transportation Plan.

Chair Loper asked staff their thoughts on the proposal for the land uses. Mr. Van Nimwegen, stated that the proposal makes sense. The caution would be that this is State Land and we would want to talk to them about it. He continued by stating it might make sense to split the land use on the southern piece.

Chair Loper asked about sewer facilities for this area. Mr. Van Nimwegen stated that this property is not within the City of Peoria's water/sewer area. It's in a private Arizona American service area.

Chair Loper then asked the Assistant City Attorney if it is within the Commissions purview this evening to make the modification as presented by the representative from PORA.

Mr. Emerson explained that if the Commission is going to adopt something different from what staff is recommending, the committee may want to make factual findings, in addition or different to what staff has presented. It is within the Commissions discretion to make a recommendation that is different from the

one staff has presented. Mr. Emerson also discussed the wash that runs though the property will decrease the area available for commercial use.

Mr. Van Nimwegen stated that in concept that staff is in agreement with the proposal made by the citizens present at this meeting.

**Commission Action:** Commissioner Worlton moved to recommend to City Council approval of GPA 07-09, with the amendment to the recommendation that the area to the west of the Maricopa County proposed alignment of El Mirage Road be medium density residential. The motion was seconded by Commissioner Melbo. Upon vote, the motion carried unanimously.

### **GPA 07-10: PLAN ADMINISTRATION ELEMENT**

The Utilities Department is requesting a major amendment to the Plan Administration Element to include consideration of the City's water policy among the criteria for evaluating major and minor amendments to the General Plan.

**Staff Report:** Presented by Karen Flores, Planner, addressed the proposed application as outlined in the commissions' staff report. Brad Hill, Utilities Department, Water Resources Manager, also presented a PowerPoint presentation and explained the elements of land use and water supply as outlined in the document Principals of Sound Water Management.

Commissioner McFarland asked if residential development required more water than a business. Mr. Hill stated that it can, per acre, depending on the business.

Commissioner Worlton stated that a recommendation based on one evaluation point would not preclude a specific decision. Mr. Hill stated that was correct, this is just one of five evaluation criteria.

Commissioner Gerard asked how this compares to other cities in regards to the formula. Mr. Hill responded that there has been a lot of discussion within the water policy arena within Arizona, in particular in Pima County, regarding how do we bring together land use planning and water supply. This is the first ever to attempt to formalize that, this will be the first to quantitatively offer an evaluation. The concept is out of Southern Nevada Water Authority, which provides water to Las Vegas. They use a similar formula, defined differently, to inform their citizens what the economic value the casinos bring.

Commissioner Gerard asked if staff checked with Arizona Department of Water Resources, ADWR, as a resource to see how they felt about this. Mr. Hill stated that formally they have been involved with some of the meetings, but there isn't a regulatory nexus for the department.

Commissioner Worlton complemented Mr. Hill on the forward-thinking and hard work on this project.

Chair Loper asked if this would be instituted for General Plan Amendments, or what items coming before the Planning and Zoning Commission would include this information. Chris Jacques, Principal Planner, explained that it would actually affect all the major amendments to the General Plan.

Chair Loper requested that whatever is in the City of Peoria's planning area, he would like the information contained in the staff report, even if the project is outside the City of Peoria water district. And, state "if the project was within the City of Peoria water district, this is what the finding and recommendation would be". Chair Loper also stated that in the next eleven months he would like to see items that would be considered negative in terms of water and economic value to the city and what items are going to be considered positive.

Commissioner McFarland stated that she was in agreement with this suggestion.

**Public Comment:** none

**Commission Action:** Commissioner Gerard moved to recommend to City Council approval of GPA 07-10, the motion was seconded by Commissioner Compton. 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:** NONE

**ADJOURNMENT:** There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:45 p.m.

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Veda McFarland, Vice Chair

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Date Signed