

Planning and Zoning Commission Minutes
Regular Meeting
June 8, 2009

6:01 pm Call to Order	A regular meeting of the City of Maricopa Planning and Zoning Commission was held Monday, June 8 2009 at the Global Water Center (22590 N. Powers Parkway – Maricopa, AZ 85238). The meeting was called to order at 6:01 pm.
Invocation	Commissioner Wade delivered the invocation.
Pledge of Allegiance	Commissioner Jones led meeting attendees in the Pledge of Allegiance.
Roll Call	Commissioners present were: Vice Chairman Bruce Houghton, Commissioners Dale Jones, Mike Robertson, Courtney Tyler and Henry Wade. City representatives present were: Planning Manager Kazi Haque and Planner II Eric Fitzer.
Agenda Item 3.0: Call to the Public	No one from the public came forward.
Agenda Item 4.0: Approval of Minutes	Commissioner Jones made a motion to approve agenda item 4.1, approval of the May 26, 2009 Planning and Zoning Commission Meeting Minutes with amendment to include thank you letters for staff laid off recently (Julia Gusse and Victor Castillo), and commended staff and the consultant for job well done with the RDA Plan. Commissioner Robertson seconded. Motion passed unanimously, 5-0
Agenda Item 5.1:	<p>Public Hearing: (TXT) 09-02_ A request for a Text Amendment to Article 22. – “Sign Provisions” Section 2207 Community Kiosk Signs, to allow commercial developments, local businesses, and not-for-profit agencies to be included in the existing City of Maricopa Kiosk Program. Discussion and Action</p> <p>Planning Manager Kazi Haque presented Agenda Item 5.1.</p> <p>Vice Chairman Houghton opened the public hearing. No one came forward and the public hearing portion was closed.</p> <p>Commissioner Tyler stated that Danielle Casey indicated this would be a short-term thing and asked if this would require an additional change once the homebuilders come back in force.</p> <p>Planning Manager Kazi Haque stated that as a planner, feel that we need to look long-term, and we would recommend this as a permanent amendment.</p> <p>Commissioner Tyler stated that we need to sign a 12 month contract.</p> <p>Planning Manager Kazi Haque agreed that this is a valid point, but indicated that there is a need for residential and non-residential, and Economic Development has some play in the text amendment because it can be a catalyst for bringing new business.</p> <p>Commissioner Tyler indicated that she would like to see this be a permanent amendment.</p> <p>Planning Manager Kazi Haque advised that this will be noted.</p> <p>Vice Chairman Houghton stated that there is nothing in the document that limits the time that someone can be a part of it, so if adopted, no reason that they cannot continue as long as they want.</p>

	<p>Commissioner Tyler indicated that she would like to ensure that signage locations are advantageous to businesses.</p> <p>Planning Manager Kazi Haque stated that once approved by Council, we have 30 days to act upon it, and can work with Economic Development, Public Works, and Brent Billingsley to work this out.</p> <p>Vice Chairman Houghton asked how Commercial Development is defined.</p> <p>Planner II Eric Fitzer replied that Commercial Development included business centers and individual businesses.</p> <p>Commissioner Robertson stated that his recollection was that the kiosks were installed to minimize the number of builders' signs, not to create a long term source of revenue for the city.</p> <p>Planner II Eric Fitzer responded that the kiosk program was intended to be a long-term program, with some signs staying up longer than others.</p> <p>Commissioner Robertson asked if it was intended to be a commercial use system, or informational. Has not seen any other city with a commercial sign system. Asked what the city's objective was.</p> <p>Planner II Eric Fitzer responded that many small businesses have requested additional signage to direct people to their locations "off the beaten path" and staff was looking at ways to help the small businesses in the community as well as our Code Compliance office, by decreasing sign code violations.</p> <p>Vice Chairman Houghton stated that the kiosks would be in place for some time, home developments will be built for some time. Would hope that different sign scheme for informational signs be put in place at some point.</p> <p>Planning Manager Kazi Haque added that signs on SR-347 were also a public safety concern in the past. The kiosk program is a great start to organizing the sign issues during the downturn, which will help us the businesses, and the builders in the long term..</p> <p>Commissioner Robertson indicated concern that if we allow commercial business to advertise on these signs now and if they have the option to renew their contracts after 12 months, they will renew; when the building – and associated advertising – returns, there may be no room on the kiosks for the builders signs. Will additional kiosks be installed, of what is the solution? The kiosk program was put in place for the builders. Since original intent of program was to remove eyesore signs from builders, should be prioritization and suggested that language should be included stating if, after 12 months, there is homebuilder interest in signs, builders have first dibs, otherwise local businesses will be holding onto those sites indefinitely.</p> <p>Vice Chairman Houghton stated that as far as the Commission is concerned, this is not an issue.</p> <p>Commissioner Robertson indicated that this is an issue, because the amendment does not put any stipulations on the duration. If City has contract and we get paid for it, what's to say that they ever have to leave?</p> <p>Vice Chairman Houghton stated that this is part of a larger sign code which does not have that language in it, this is an administrative detail for the City Manager and City Staff to deal with. Commission is just looking at the question of whether we want commercial businesses to be a part of this.</p>
--	--

Planning Manager Kazi Haque indicated that page 3, item 2 of staff report states “One remaining concern for staff regarding this change is the importance of preserving the primary and original purpose of the kiosk signage, which was to eliminate various offsite directional signages around the city used to direct potential buyers to homebuilder sales offices. This will be managed through the utilization of 30-day term contracts for non-homebuilder users, so that if homebuilders need to use the panels they will have first priority for placement.” Staff will take concerns to Economic Development and ALB Sign Company, who is responsible for administration and maintenance of kiosks, to find a solution that works for everyone. P&Z Commission is not looking at contract amendments; any contract amendments will be worked on by Council and Staff. Commission is charged with determining whether the text amendment is a good thing to allow businesses and not-for-profit organizations to share the panels while there is room available for them.

Commissioner Wade stated a concern about the lease.

Planning Manager Kazi Haque indicated that in his opinion this would not be a problem, and the Commission is looking at the text amendment.

Commissioner Wade asked if the City pays ALB for use of the signs.

Planning Manager Kazi Haque stated that the City does not pay ALB for use of the signs.

Commissioner Wade requested a copy of the contract with ALB.

Planning Manager Kazi Haque indicated that he will try to obtain a copy of the contract. If there is an imbalance or disparity, P&Z and Council will look into it and work on a solution. Kiosk program has had good results.

Commissioner Wade asked if the funds paid for use of the signs go to ALB or to the City

Vice Chairman Houghton stated that the discussion was getting off-track; Commission is supposed to be looking at the text amendment.

Commissioner Robertson stated that in order to vote on the amendment, knowledge of the working framework of the amendment is needed. Although the Commission is not voting on logistical and administrative portions, would like to know terms of implementation. This is a very simple text amendment, but understanding the framework of the text amendment is needed to vote on the text amendment.

Commissioner Tyler indicated that on page 3 item 2 of the staff report which states that homebuilders have priority.

Vice Chairman Houghton asked how much of the language would be incorporated.

Planning Manager Kazi Haque responded that the language will be as it currently is. This amendment will be going before Council on June 16 ; Commissioners are encouraged to attend Council meeting and write to Council to address these questions and concerns. Council will be able to take appropriate actions.

Planner II Eric Fitzer added that there will be two opportunities to address issues in the text amendment; the sign ordinance will be coming before the Commission and before Council.

Vice Chairman Houghton asked how changes can be made to this amendment if Council approves the amendment.

	<p>Planning Manager Kazi Haque responded that there will be 30 days to review and recommend changes. 120 responses were received in response to a request for citizen input regarding the sign code, and 60% of the suggestions were included. Staff recommends approval of the amendment. since it is a win-win for the citizens and the panels. Staff recommends that the Commission review this and send comments so they may be incorporated.</p> <p>Commissioner Jones expressed that he is satisfied with the language and believes the questions are more relevant to the City Council, and added that the contract may contain answers to some of the questions asked; is satisfied with the language and verified that this will be back before the Commission in July.</p> <p>Planning Manager Kazi Haque indicated that the Commission will have another 30 days after the Council takes action to recommend additional changes, giving the Commission until September or October, and strongly recommended that Commissioners submit any comments to Staff to ensure incorporation.</p> <p>Commissioner Jones indicated that home building activity seems to be increasing in his neighborhood.</p> <p>Planning Manager Kazi Haque stated that 47 permits were issued last month.</p> <p>Commissioner Wade asked if the signs are directional or if they are advertising. The two contracts are different; one has a provision for builders to have advertising signs, while the other contract does not have that provision for commercial.</p> <p>Planning Manager Kazi Haque advised that he was not aware of that; contracts are handled by City Manager's office, Planning is not involved in the contracts. Will investigate this if Commission would like him to.</p> <p>Motion Commissioner Jones moved to approve Agenda Item 5.1; Commissioner Tyler seconded the motion. AYES: Vice Chairman Bruce Houghton, Commissioner Dale Jones, Commissioner Mike Robertson, and Commissioner Courtney Tyler. NAYES: Commissioner Henry Wade.</p> <p>Motion passes, 4-1.</p>
<p>Agenda Item 5.2:</p>	<p>TXT 09-01 – Text Amendment to Article 22. Sign Provision. Public comments-opening of second public review. Discussion Only</p> <p>Planning Manager Kazi Haque presented Agenda Item 5.2. Public comments have been added to website in table format. Kazi commended Rudy Lopez for his hard work in compiling the information.</p> <p>Planner II Eric Fitzer explained the color coding for changes in the document: red indicates original changes proposed by Staff, and blue indicates changes made as a result of public comments.</p> <p>Vice Chairman Houghton asked if HOAs and developers are satisfied.</p> <p>Planning Manager Kazi Haque advised that approximately 60% of public comments were incorporated, and Staff is still working with HOAs and developers. Some questions received were bit relevant to the sign code, and Planning did not have the answers. Consistency in the sign code was the main goal.</p>

<p><u>Agenda Item 6.0:</u> <u>Report from</u> <u>Commission</u> <u>and/or Staff</u></p>	<p>Planning Manager Kazi Haque advised that Planner II Eric Fitzer continues working on a draft Board of Adjustment ordinance, which is expected to be ready in a couple of months. Annexation area zoning changes from County to Municipal zoning are also coming at the next meeting. State requires that zoning in annexed areas must remain unchanged for six months after annexation has been approved; after six months, city zoning becomes effective. Public Hearing Notices have been published in Spanish and English in the Maricopa Monitor and the Casa Grande Dispatch. Public Hearings will take place at the June 22 P&Z meeting and at the July 7 City Council meeting. Staff is also working on the zoning ordinance.</p> <p>Vice Chairman Houghton asked for status of Planning and Zoning activity in the City.</p> <p>Planner II Eric Fitzer advised that pre-app activity has been increasing somewhat – have had 30 pre-apps this year so far – there has been more commercial activity than residential activity so far this year.</p> <p>Planning Manager Kazi Haque advised that there have been home builders that had plats approved, then went through bankruptcy, now land owned by banks. The banks have been contacting City Hall to see what can be done for them. Other similar situations have been occurring; sometimes Planning is called in, other times issues have no relevance to Planning, but there is some activity there. Also, just received pre-application for a car wash.</p> <p>Vice Chairman Houghton asked for the location of the car wash, as the Commission approved one by Fry's.</p> <p>Planning Manager Kazi Haque did not know the location of the car wash.</p> <p>Vice Chairman Houghton asked if there is a statutory time limit for site plan reviews.</p> <p>Planner II Eric Fitzer advised that there is no time limit, site plan reviews do not expire.</p> <p>Vice Chairman Houghton asked if a site plan had ever been received for the Shea/Fulton property across from the Ak-Chin Casino.</p> <p>Planner II Eric Fitzer stated that site plan has not been received for that property. Preliminary plat has been done for residential portion. No site plan has been received for commercial or transitional portion.</p> <p>Vice Chairman Houghton asked for status of Shea property.</p> <p>Planning Manager Kazi Haque advised that Walgreens is likely breaking ground; Jack in the Box will also be coming. All part of Phase I.</p> <p>Commissioner Tyler asked for update on new Charter School.</p> <p>Planning Manager Kazi Haque replied that they have gone through the pre-application process and are on track, just need to return with a site plan. When ownership changes, they need to obtain a new TUP. Will be meeting with them tomorrow afternoon to discuss requirements. Have had preliminary discussions and expect everything to work out.</p> <p>Commissioner Jones asked about development on Smith-Enke north of SR-347.</p> <p>Planning Manager Kazi Haque replied that the development has changed hands, we do not know what the current status is.</p> <p>Commissioner Jones asked about property south of Fry's.</p>
--	--

	<p>Planner II Eric Fitzer indicated that Staff is waiting for a third review.</p> <p>Kazi Haque stated that for Big-O Tire, from City's perspective everything was good. They had some issues with ADOT with Phase II, which was a major setback for them. Staff believes that they are close to getting Phase II done, and we hope they will be breaking ground soon.</p> <p>Commissioner Wade asked what happened with Redevelopment Plan.</p> <p>Planning Manager Kazi Haque advised that Ak-Chin sent a letter stating that they did not have a chance to review the final copy, which was posted on the City's website. There was apparent miscommunication. They requested two weeks to review, Council agreed, so Plan will go before Council on July 7.</p> <p>Commissioner Wade asked if the City still has the Tribal Liaison, and stated that this should have been taken care of.</p> <p>Planning Manager Kazi Haque advised that we do have the liaison, and reiterated the miscommunication. The Ak-Chin community is very important to us, and Council was happy to give them the time to review.</p> <p>Commissioner Jones thanked Public Works for pulling the weeds around City Hall.</p>
<p><u>Agenda Item 7.0:</u> <u>Executive Session</u></p>	<p>There was no executive session.</p>
<p><u>Agenda Item 8.0:</u> <u>Adjournment</u></p>	<p>Commissioner Wade made a motion to adjourn the meeting at 7:15 pm. Commissioner Tyler seconded.</p> <p>AYES: Vice Chairman Bruce Houghton, Commissioner Dale Jones, Commissioner Mike Robertson, Commissioner Courtney Tyler, and Commissioner Henry Wade.</p> <p>NAYES: None.</p> <p>Motion passed unanimously, 5-0.</p>

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Planning and Zoning Commission held on the 8th day of June, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of June, 2009.

Kazi Haque, Planning Manager, Planning and Zoning Commission