

**Town of Superior
Planning and Zoning Commission Minutes
Thursday, July 16, 2015 - 6:00 P.M.**

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Superior Planning and Zoning Commission and to the public that the Superior Planning and Zoning Commission held a Regular Meeting open to the public set forth above.

CALL TO ORDER

Chairman Matt Mashaw called meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by all Commission members.

INVOCATION

Commissioner Bruce Armitage led everyone in the Invocation.

ROLL CALL

Chairperson	Matt Mashaw
Vice-Chairperson	Joy Eveland
Commissioner	Bruce Armitage
Commissioner	Sandra Doyle
Commissioner	Gina Lopez

Absent

Commissioner	James Bordenave
Commissioner	Sherry Figdore

STAFF PRESENT

Administrator	Lawrence Tomasello
Town Manager	Margaret Gaston
Town Clerk	Rachelle Sanchez

CONSENT AGENDA

Approval of May 21, 2015, Regular Meeting Minutes.

Motion to approve the May 21, 2015 regular meeting minutes was made by Vice-Chairperson Joy Eveland, seconded by Commissioner Sandra Doyle, motion carried.

NEW BUSINESS:

- 1. Discussion, Nomination and Election of new Chairman and Vice Chairman of the Planning and Zoning Commission.**

Staff Report Letter 2015-01 – Town Manager

Town Manager stated that she felt it was a good idea for the Commission to elect a Chairman and a Vice Chairman. In the two years that she has been here this has not been done. This does not mean that the current Commissioners can't be reappointed. If so, it should be reflected in the minutes. She further stated that if there are other issues to discuss it should be done under Item 3 on the agenda. This is a work session in which those items can be brought up and discussed. A motion was made by Sandra Doyle to reappoint the same Chairman and Vice Chairman, seconded by Commissioner Armitage, motion carried.

2. Design Review of 20 N. Magma Ave.

Mr. Tomasello stated that there is a request to put an awning in front of the building on 20 N Magma Ave. It will be the same as the ones on 18, 16 and 14 N. Magma. Mr. Tomasello said he checked with the Town's Building Official and was told that if an awning is placed in a commercially zoned parcel, it had to be designed by a licensed architect or engineer if placed in the public right-of-way. Commissioner Armitage stated that he was in that area and that the existing awning looked really nice. Vice Chair Eveland, asked if this means she has to get an architect just for this little awning? Tomasello stated that yes that is correct. He stated that the issue is not even a zoning issue. It's not on private property, but in the Town's right-of-way therefore an encroachment permit must be issued. Is it a big project? No, but it still needs an approved encroachment permit. Many companies that sell the awnings provide engineered plans. Pam Rabago stated that Pinal County has already approved what the contractor was doing. Mr. Tomasello stated that the Building Official told him that when you are required to have an encroachment permit in a commercial zone, a licensed architect's or engineer's stamp is required. He understands that things that have been done in the past weren't kosher but we are now following the Town Codes. Vice Chairman Eveland asked how far off the ground it was. Ms. Rabago stated 7 feet. Vice Chairman Eveland motioned to approve the design on 20 N Magma and that Ms. Rabago follow through on what she needs to do, pending approval of an encroachment permit; seconded by Commissioner Armitage, motion carried.

3. Work Session – Zoning Code any Future Suggestions, Ideas of Planning & Zoning Commission Goals.

Mr. Tomasello stated that there are a couple of things that will be coming up that he would like to make the Commissioners aware of. One item is Granny Units (second dwelling units). There are no provisions in the Code for second dwelling units. These are second units on a property sometimes referred to as mother-in-law units. These units can be attached or detached. This item will be considered at in a Public Hearing. The other is motels in a commercial zone. There is no mention of motels in the Code. He will be asking the Commission to add them into commercial zoning as Hotel/Motel. This will also be in a Public Hearing. Vice Chairman Eveland stated that it's under 7.1 number 11 in the Code. Mr. Tomasello verified that this was correct so no further action will be necessary. Vice Chairman Eveland stated that she has been getting questions regarding zoning for the bakery. She stated that she remembered that they voted Pinal Ave. into commercial from residential. Mr. Tomasello stated that this issue will come forward in next month's meeting for rezoning. The building has been abandoned for 3 years so, being residentially zoned, the bakery can't be opened. Vice Chairman Eveland stated that she has brought everything up to code. Commissioner Doyle thought that the rezoning had already been done. Mr. Tomasello stated that records have been searched and they have found no evidence that it was done. If it was done it was never put into the code book or the zoning map. Since it can't be found, it will have to be brought back to the Commission and the Council. Vice Chairman Eveland stated that this happened in 2008, then it was sent to the Council, who then approved it and passed it on to the staff. Margaret stated that there would have to be an Ordinance in place. She has researched it and has not found anything. Since we didn't find anything we are starting a process to move forward to take care of the problem and to make sure it's all legal.

Chairman Mashaw asked if Commissioner James Bordenave was still a P&Z Commissioner?

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Margaret stated that he has not asked to resign so a letter will go out to him. Then we will have to advertise for the open seat.

Mr. Tomasello stated that there is one other subject that will need to be addressed. It is the projections in front yards regarding porches. At this time it's 3 feet as a permitted use, and 5 feet subject to a conditional use permit. He is suggestion that it should simply be 5 feet for the front yard provided it is no closer than 5 feet to the front property line.

Commissioner Doyle stated that C1 and C2 zone districts would be something that the Commission needs to look into. Mr. Tomasello stated that these work sessions are the perfect opportunity to discuss these items. Commissioner Doyle asked if P&Z will have to deal with any issues that arise from the construction on Hwy 60? Margaret stated that ADOT will be handling all that. Vice Chairman Eveland asked if the person that's opening the bakery is going to live on the premises. Mr. Tomasello stated that if they wanted to they could because there is a residence in the back. In the work session next month the Commission will be discussing the C1-C2 issue either before or after the Public Hearing. Mr. Tomasello stated that if the Commissioners have any questions for the workshop it would be a good idea to write them down and turn them into Margaret. This will help move the work session faster.

Motion to close work session was made by Vice Chairman Eveland and second by Commissioner Lopez, motion carried.

CALL TO THE PUBLIC

Boone Johnson stated that he got a visit for a donation for the wall. He is sure that they will have to follow the guidelines of having a contractor. He stated that all the plans for the awnings are the same and he was glad that this was addressed.

Mr. Hank Gutierrez stated that he would like to thank Mr. Tomasello and his group for looking at these issues real close. He stated that he knows the awning that was put up on the building on Magma was put up without a permit. We need to realize that growth is coming and we must set the guidelines and follow them. He thanked the Commissioners for all their effort.

ADJOURNMENT

Motion to adjourn the meeting was made by Vice Chairman Eveland and seconded by Commissioner Doyle, motion carried. Meeting was adjourned at 6:49 p.m.

Chairman Matt Mashaw

Administrator, Lawrence Tomasello

Town Clerk, Rachele Sanchez