

**CITY OF EL MIRAGE  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
February 17, 2010**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Doug Doede called the meeting to order at 6:00 p.m. and led the Pledge.

**II. ROLL CALL**

Doug Doede welcomed new members Mary Koestner and Beth Simek. Members present were Doug Doede, Brandon Forrey, Mary Koestner, Bill Morrison, and Beth Simek. Staff present were Community Development Director George Flores, Management Assistant Sharon Antes, Senior Planner Mark Smith, and Information Technician Margarete Aranda.

**III. APPROVAL OF THE MINUTES – JANUARY 20, 2010**

Brandon Forrey made a motion for approval of the minutes as prepared, seconded by Bill Morrison. The motion passed 3 to 0 with the two new members [Mary Koestner and Beth Simek] abstaining.

**IV. CONTINUANCES [NONE]**

**V. NEW BUSINESS**

**1. Initiation of initial zoning of I-3 Mining Industrial on Salt River-Pima-Maricopa Indian Community property located between Olive Avenue and the Peoria Avenue alignment east of the city limits**

George Flores introduced the item as a request for the Commission to initiate the initial city zoning of I-3 on the property. It will be brought back to the Commission at a future meeting in approximately 90 to 120 days for the Commission to make a recommendation to City Council on the zoning. Council would then consider zoning along with annexation of the property. Brandon Forrey made a motion to initiate the I-3 zoning. The motion was seconded by Bill Morrison. The Chair then called for public comments.

Michael LeVault spoke as the Mayor of Youngtown and resident at 11647 W. Cinnabar Ave. in Agua Fria Ranch in Youngtown east of the property. He read a prepared statement that the proposed zoning being adjacent to thousands of homes on both sides of the river and the rezoning from R-43 to I-3 allowed full-fledged mining operations which Youngtown believes is not compatible and would destroy the wildlife and vegetation on the river. Youngtown would like to collaborate with El Mirage to find a suitable use

for the property and is ready to partner with the City and SRPMIC. They attempted to meet with the mayor and city manager prior to the meeting but were rebuffed and told that the meeting was not necessary. LeVault then spoke as a citizen. He said it was like seeing a man acting crazy; if it is in a field you can ignore it, but if it is in your living room you cannot ignore it. The property is 125 feet from his back yard in Agua Fria Ranch. It will cause fugitive dust, noise, and lights. It makes no sense. He is fiscally conservative, but must balance between economic development and this. Mrs. LeVault also spoke briefly, echoing the same concerns.

Dr. Kathryn French of 11647 W Cinnabar Avenue with the Agua Fria Ranch Homeowners Association said that the property was 175 to 1000 feet from their 783 homes and 3000 residents. She urged the Commission to refrain from rezoning it. Mining would have negative effects like fugitive dust and increased incidence of Valley Fever. They have no buffer. They were told it was tribal land and protected from development. Mining on the far side does not affect them.

Susan MacKay of 11574 W. Brown Street spoke as treasurer of the Agua Fria Homeowners Association and a Town Council member. She thanked the residents of Youngtown and El Mirage and then said the property was just steps from homes. Youngtown had tried to annex the area to manage it but decided not to allow it within the town limits. They had been working for 5 years for it to be something other than a mine next to residences. She urged El Mirage residents to let their officials know with their vote how they feel about it. She could not vote in El Mirage, but she can choose where to shop and boycott El Mirage businesses. Their property values are already lower. This would lower them even more. They did not want to live next to a mine. There is a place for mining, but not near high-density housing.

Dorena Mello of 20053 N. Oglesby Avenue and a Town Council member said she had spent 20 years in the sign industry and had never seen R-1 next to Industrial. You don't put it next to residential but near commercial. You do it as Maricopa County is doing it.

June Miller of 11124 Nebraska Avenue in the old upper part of Youngtown said she developed COPD soon after moving there. Dust rises and they are going to get a lot of dust. Youngtown just paved the alleys. She appreciated that because she is on oxygen 24/7. She asked if they could put it farther out in the desert rather than near a residential area.

Joe Ramirez of 12902 W. Peoria Avenue said he was an El Mirage citizen for 50 years. This was the first step for possible zoning which would be a detriment to our community and its neighbors. The proposed mining area should be a pristine area for recreation, walking, biking, riding, and such.

He understands it belongs to the Native Americans. He wondered how many mines and zoning approvals for mines were done in the last year. He had pictures of the Vulcan plant. The City would never control mining. He did not want to live next door to something that looked like that. It was a detriment to the City and its neighbors who are struggling just like us. There was no economic benefit to the City or its citizens from it.

Toby Brown of 11630 W. Lee Lane in Youngtown reiterated strongly that his wife and he were opposed to mining. He works in a hospital and has seen the effects of dust and debris in bronchial trouble and Valley Fever. He spends a lot of time in El Mirage.

Kevin Blocketer of 10228 N. 116<sup>th</sup> Lane said his back door looks to the river bottom and he enjoys the jets flying up the river. There is a huge pit mine to the south. His dog died of Valley Fever and he was concerned for his 8-year-old daughter. Property values were already low; his neighbor's home sold for \$50,000 less than he had paid for his own.

The Chair thanked those who spoke. He said the Commission was at the beginning of a process where they would study the issues and their voices would be heard. Brandon Forrey said they were voting not to recommend the change but to review it. Bill Morrison said that however he may feel about it he owed it to his position to look at the issue. Brandon Forrey clarified that the Commission would review and then recommend action to the Council and then Council would decide. George Flores said that was correct; they had heard one side tonight and that was fine, but they needed to look at other positions. They cannot formally consider the potential annexation without rezoning appropriately.

The Chair called for the vote to initiate which passed by a vote of 4 to 0 with Mary Koestner abstaining. Bill Morrison said they had many people there tonight who had the opportunity to have a voice, but they needed to consider the issue. Several people began to call out from the audience. George Flores called a point of order. The Chair gavelled for control and said the next meeting would be advertised on the City website. Members of the public asked about a larger meeting place. The Chair said that this was the Commission's meeting place as well as the City Council's.

## **2. Presentation and discussion on the General Plan Update**

George Flores did an overview of the new General Plan Update which outlined the layout, legal basis, process, elements, and planning areas. A General Plan is legally required to comply with state and federal laws. Staff's goal is to bring it to the voters this year. The plan has a detailed action section for implementation. A significant amount of time and community involvement went into the plan and resulting vision statement.

Staff selected The Planning Center to prepare the plan after considering nine proposals from national firms. They then conducted an analysis of existing conditions and then received input through Theatre Simple's "Park Bench" approach to interviewing citizens' at various locations and events. The unique approach won an award for Citizen Participation from the Arizona Chapter of the American Planning Association. The week-long charrette included stakeholders from state and federal agencies, major land owners, homeowners' association presidents, officials and residents. Post cards were sent to every City residence, and a total of 370 people participated. The result was a long-term plan for the future. Key themes include community development, place-making, and economic vitality. He read the 'Oasis Vision' agreed upon by the charrette stakeholders.

The plan consists of 4 volumes with information repeated in the start of each volume so that each can stand alone. The first volume is the Executive Summary designed as a marketing tool for distribution to people coming to the office or looking on-line for an electronic format document. The second volume is the Policy Plan including the plan elements and planning area elements. The City opted to exceed the required elements and also to add elements for each of the 5 planning areas: the Downtown Business District north of Grand; the Downtown Arts District in the 'Golden Triangle' between Grand, Thunderbird, and El Mirage Road; the Agua Fria Gateway on the northeast; the Commerce/Industry Park on the south; and the Neighborhoods encompassing existing residential areas of the City. The third volume is the Implementation Plan and Funding Strategies. The Plan is driven by opportunities and resources as they come along, but there are some things that need to be adopted this year. The fourth volume is the Background and Current Conditions to meet requirements.

In summary, the General Plan is a guide for the evaluation of proposed developments as well as background and current conditions. It is the framework for implementation tools like zoning and subdivision regulation. It is a roadmap for development of the City as 'Gateway of the NW Valley'. The Plan is on the City website and will come to the Commission in March and April, to Council in May, and to the voters in August of this year. Flores then recommended that the Commission discuss planning areas at their next meeting and then decide how they wanted to proceed. He said that staff was willing to meet with them as many times as they wanted.

The Chair said that after tonight's discussion they may want to start with the Commerce/Industry Park. Flores recommended reviewing the Friends of Agua Fria Master Plan and how it ties in to the General Plan so they could understand reclamation of mining areas. He had lived through this in Phoenix and Tempe where these areas have now become amenities.

Once they have the information in front of them, they can make informed decisions on items like the one tonight. Mary Koestner said she was very interested in that.

**COMMENTS FROM COMMISSION MEMBERS**

Mary Koestner had some questions on the 2006 International Codes. George Flores apologized that staff had not had time to orient the new members before tonight's meeting. He said staff would do that within the next week and answer any questions that she may have at that time.

**VII. ADJOURNMENT**

There being no other business, the meeting adjourned at about 7:06 p.m.

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Mark L. Smith, Senior Planner

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Doug Doede, Commission Chair

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George Flores, CD Director

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Rick Flaaen, City Attorney