



**MINUTES**  
**PLANNING & ZONING COMMISSION**  
*Regular Meeting/Public Hearing*  
*Thursday, October 12, 2006 - 9:00 AM*  
**City Council Chambers, Prescott, Arizona**

**I. CALL TO ORDER**

**II. ATTENDANCE**

**MEMBERS PRESENT**

Don Michelman, Chairman  
Joe Gardner, Vice-Chairman  
Tom Menser  
Seymour Petrovsky  
Dick Rosa  
Len Scamardo

**MEMBERS ABSENT**

George Wiant

**OTHERS PRESENT**

George Worley, Asst. Community Development Director  
Gary Kidd, City Attorney  
Dick Mastin, Development Services Manager  
Steve Gaber, Community Planner  
Ryan Smith, Community Planner  
Jim Lamerson, Council Liaison  
Steve Blair, Councilman  
Bob Luzius, Councilman  
Kathy Dudek, Recording Secretary

**III. REGULAR/ACTION ITEMS**

(May be voted on contingent upon any related public hearing item below also being acted on unless otherwise noted).

1. **Approve the minutes** of the 09-14-06 meeting. | *ADDENDUM*

Mr. Rosa, **MOTION: to approve the minutes** of the September 14, 2006 meeting.  
Mr. Petrovsky, 2<sup>nd</sup>. **Vote: 6-0.**

2. **SP05-019, Boulders Office Park, 1455 Willow Creek Road.** A portion of APN: 116-17-270B and totaling ± 2.6 acres. Request preliminary plat approval for 2 commercial buildings. Owner is First Assembly of God of Prescott. Applicant/Agent is Stan Hitson, Michael Taylor Architects. Community Planner is Ryan Smith. **(Associated with GP05-004, Item #8, and RZ05-013, Item #9).** (May be voted on October 26, 2006).

Mr. Smith reviewed the staff report for the preliminary plat, general plan amendment and the rezoning concurrently and indicated:

- the rezoning will now include approximately 325' from Willow Creek Road centerline to include the equivalent depth of four parcels;
- the revised site plan includes two buildings totaling 12,000 SF;
- the remaining portion of the property will remain zoned Single-Family 9 (SF-9);

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- the applicant will have to come back with a preliminary plat for the remainder of the property zoned SF-9 when that portion is scheduled to be developed; and,
- considerable opposition to the project still exists.

Commissioners queried and remarked on:

- the alley access and the access to Willow Creek Road;
- solid waste removal;
- the removal of the previously proposed condominiums;
- the project having no connectivity to the residential property; and,
- landscaping requirements between the residential and commercial areas.

Mr. Bob Wilson, 805 Flora Street, is opposed to the project and indicated he did not receive a new site plan. Mr. Wilson also asked that a stipulation be made for the hours of operation allowed for the project. Mr. Wilson added that the neighborhood has not wavered from being in opposition.

Mr. Smith indicated he had only one person that came to the Community Development office to review the site plan. Mr. Smith stated that hours of operation could be addressed via a development agreement, but could not be made a condition of rezoning.

When Commissioner Menser asked about legal access, Mr. Mastin indicated that there will be legal access to the north side.

Commissioner Petrovsky stated he had no quarrel with the design of the project; however, he did have a problem with the amount of opposition to the project and indicated that the opposition of the homeowners should not be ignored.

Commissioner Rosa concurs with Commissioner Petrovsky and indicated that if the project is approved a precedent will be set.

Commissioner Menser cited the Willow Creek Corridor Overlay (WCCO) and stressed that, with the reality of the future, the area will become commercial. The applicant did exactly what Commission requested, and this is a reasonable compromise with the residential component.

Mr. Bill McCutcheon, 826 Flora Street, is opposed to the project and cited the General Plan, Section 4.4.

Mr. Harold Ritchey, 1455 Willow Creek Road, representing the church, indicated that the he is aware of the opposition from the neighborhood. The church has a desire to create a buffer from the noise and wishes to protect the residents' health and safety by widening the buffer and setting the buildings back into the property.

Ms. Iris Wolfe, 822 Prescott [Heights], is not opposed to the project and would rather see medical buildings instead of a dry cleaners, cabaret, etc.

Ms. Sue Marsh, 805 Flora Street, indicated that as developers, architects, etc., it is easier to take a position from that point of view rather than see the position of the neighborhood owners.

Commissioner Menser clarified that a 2-story building is permissible. He indicated that this is a good project from the planning perspective.

This item will be continued at the October 26, 2006 public hearing/voting session.

3. **SP06-008, Arbor Place Condominiums, 905 Gail Gardner Way.** APN: 115-08-071G, 115-08-034C, 115-08-034D and totaling ± 1.22 acres. Zoning is Neighborhood Oriented Business (NOB). Request preliminary plat approval for a 20-unit condominium complex. Owner is B & R Commercial Group, LLC. Applicant/Agent is Brian Wirick. Community Planner is Steve Gaber. **(Associated with RZ06-005, Item #5).** (May be voted on October 26, 2006).

Mr. Gaber reviewed the staff report for the preliminary plat and rezoning concurrently and indicated:

- the project is located on Gail Gardner Way approximately 1,000 feet south of Iron Springs Road;
- the application requests a rezoning of approximately 1.22 acres from the current NOB zoning to MF-M zoning;
- the preliminary plat includes a 20-unit condominium complex;
- the proposed project meets codes in relation to setbacks and parking;
- to meet the requirements of the landscaping code, a masonry wall and landscaping must be added to both sides and the rear of the property; and,
- the existing wood fence does not meet code.

Commissioners queried and remarked on:

- curb cuts in relation to Gail Gardner Way;
- preserving the neighborhood to the south as residential; and,
- the neighborhood to the north having a mixed-use designation.

Chairman Michelman asked if any members of the public wished to speak. [No one present spoke]. Mr. Gaber indicated one person, located across the street from the proposed project, called with questions but did not express opposition.

Commissioners further questioned and remarked on:

- the appropriateness of the project to the neighborhood;
- the buildings previously removed from the site;
- the preliminary plat showing 10 top-floor, 2-bedroom units; and,
- future requests to add additional bedroom space should not be allowed.

Mr. Rob Arnold, B & R Commercial Group, LLC, 682 Woodridge, applicant, stated that the preliminary site plan prepared by the architect contemplates a balcony on the second floor. There will be two bedrooms and each unit also has a den/office which will not have a closet. Mr. Arnold indicated that the balcony space will be addressed in a development agreement so that the balcony cannot be converted [into a bedroom].

Commissioners further queried and remarked on:

- there never is enough parking, even though Code requirements are met; and,
- the need for projects like this exists in the city.

This item will be continued at the October 26, 2006 public hearing/voting session.

4. **SP06-010 Centerpointe South.** Location is south of Hwy. 89A and east of Hwy. 89. APN: 106-01-003S and totaling ± 109.81 acres. Request preliminary plat approval for 7 commercial tracts and 27 residential lots. Owner is James Family Trust. Applicant/Agent is Ty Myers, Centerpointe South Development, LLC. Community Planner is Steve Gaber. **(Associated with GP06-002, Item #6, and RZ06-009, Item #7).** (May be voted on October 26, 2006).

Mr. Gaber reviewed the staff report for the preliminary plat, general plan amendment and rezoning concurrently and indicated:

- this is property recently annexed by Council into the City near the Phippen Museum on September 12, 2006 (Ordinance #4554);
- the preliminary plat request is for 7 commercial tracts and 27 residential lots; and,
- a Traffic Impact Analysis (TIA) is in progress and a meeting has been scheduled with ADOT, and an update will occur at the public hearing on October 26, 2006).

Commissioners queried and remarked on:

- the southwest corner of the property being developed as a hotel;
- the “minor” instead of “major” plan amendment; and,
- the zoning designation Rural Estate-2acre.

No one was present to speak from the audience.

This item will be continued at the October 26, 2006 public hearing/voting session.

#### IV. PUBLIC HEARING ITEMS

*(May be voted on October 26, 2006 unless otherwise noted)*

5. **RZ06-005, Arbor Place Condominiums, 905 Gail Gardner Way.** APN: 115-08-071G, 115-08-034C, 115-08-034D and totaling ± 1.22 acres. Request rezoning from Neighborhood Oriented Business (NOB) to Multi-Family Medium (MF-M). Owner is B & R Commercial Group, LLC. Applicant/Agent is Brian Wirick. Community Planner is Steve Gaber. **(Associated with SP06-008, Item #3).** (May be voted on October 26, 2006).

(Refer to Item #3 above).

6. **GP06-002, Centerpointe South at Hwy. 89.** Located 0.5 miles south of Hwy. 89A and east of Hwy. 89. APN: 106-01-003S and totaling ± 109.81 acres. Request General Plan Amendment to the Land Use Map to change existing designations of Commercial Employment, Commercial Recreational and Recreational Open Space to Mixed Use. To amend the Airport Specific Area Land Use Map to change the existing designations of Commercial and Recreational Use to Commercial and Residential Use and to remove the reference to density uses for the Deepwell Ranch at 1 unit per 5 acres. Owner is James Family Trust. Applicant/Agent is Ty Myers, Centerpointe South Development, LLC. Community Planner is Steve Gaber. **(Associated with SP06-010, Item #4, and GP06-002, Item #7).** (May be voted on October 26, 2006)

(Refer to Item #4 above).

7. **RZ06-009, Centerpointe South at Hwy. 89.** Located south of Hwy. 89A and east of Hwy. 89. APN: 106-01-003S and totaling ± 109.81 acres. Request rezoning from Single-Family 18 (SF-18) to Rural Estate 2-acre (RE-2) minimum ± 56.20 acres; and, from Single-Family 18 (SF-18) to Business Regional (BR) ± 39.15 acres. (Excluded is the right-of-way calculation of ± 14.56 acres). Owner is James Family Trust. Applicant/Agent is Ty Myers, Centerpointe South Development, LLC. Community Planner is Steve Gaber. **(Associated with SP06-010, Item #4, and GP06-002, Item #6. (May be voted on October 26, 2006))**

(Refer to Item #4 above).

8. **GP05-004, Boulders Office Park, 1455 Willow Creek Road.** A portion of APN: 116-17-270B and totaling ± 2.6 acres. Request General Plan Amendment from Single-Family Low-Medium Density to Commercial. Owner is First Assembly of God of Prescott. Applicant/Agent is Stan Hitson, Michael Taylor Architects. Community Planner is Ryan Smith. **Associated with Item #2, SP05-019, and Item #9, RZ05-013. (May be voted on October 26, 2006).**

(Refer to Item #2 above).

9. **RZ05-013, Boulders Office Park, 1455 Willow Creek Road.** A portion of APN: 116-17-270B and totaling ± 2.6 acres. Zoning is Single-Family 9 (SF-9). Request rezoning extending to a depth of 4 of the adjacent lots, or approximately 325', from the centerline of Willow Creek Road in an easterly direction from Single Family 9 (SF-9) zoning district to Neighborhood Oriented Business (NOB) zoning district for a commercial office park. Owner is First Assembly of God of Prescott. Applicant/Agent is Stan Hitson, Michael Taylor Architects. Community Planner is Ryan Smith. **(May be voted on October 26, 2006). (Associated with Item #2, SP05-019 and Item #8, GP05-004).**

(Refer to Item #2 above).

10. **GP06-001, 2069 Willow Creek Road.** APN: 116-15-011A and totaling ± 0.26 acres. Request General Plan Amendment from Low-Medium Residential to Commercial. Owners/Applicants are William & Kathleen Hepburn. Community Planner is Steve Gaber. **(Associated with Item #11, RZ06-006). (May be voted on October 26, 2006).**

Mr. Gaber reviewed the staff report for GP06-001 and RZ06-006 concurrently and indicated:

- the property is located at the southeast corner of Willow Creek Road and Pulliam Drive;
- the application requests converting a residence on the property into a financial services office;
- the rezoning is supported by the Willow Creek Corridor land use plan which recommends residential/office zoning; and,
- one phone call was received, and the person supports light office zoning but is opposed to commercial zoning.

Commissioners queried and remarked on:

- only one entrance off Pulliam;
- a new access easement as a condition of rezoning; and,
- plans for the future in relation to the property to the south.

Mr. Will Hepburn, 1450 Terrace View Drive, owner/applicant, stated that the parking on the top level meets Code; however, he wants to provide parking on the lower level. [Mr. Gaber indicated that this would, most likely, not be possible]. Mr. Hepburn suggested a right-out egress on Willow Creek Road.

Councilman Steve Blair, 403 Roma Avenue, questioned if there were any road improvements scheduled for Pulliam Drive. Mr. Mastin stated that he knew of no scheduled improvements.

This item will be continued at the October 26, 2006 public hearing/voting session.

- 11. RZ06-006, 2069 Willow Creek Road.** APN: 116-15-011A and totaling ± 0.26 acres. Request zoning change from Single-Family 9 (SF-9) to Residential Office (RO). Owners/Applicants are William & Kathleen Hepburn. Community Planner is Steve Gaber. ***(Associated with Item #10, GP06-001). (May be voted on October 26, 2006).***

(Refer to Item #11 above).

## V. CITY UPDATES

## VI. SUMMARY OF CURRENT OR RECENT EVENTS

## VII. ADJOURNMENT

Chairman Michelman adjourned the meeting at 10:17 AM.

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Donald Michelman, Chairman