



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting/Public Hearing
Thursday, March 29, 2007 - 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
George Wiant

OTHERS PRESENT

Tom Guice, Community Development Director
George Worley, Asst. Community Development Director
Matt Podracky, Sr. Assistant City Attorney
Dick Mastin, Development Services Manager
Ian Mattingly, Traffic Engineer
Steve Gaber, Community Planner
Ryan Smith, Community Planner
Mary Ann Suttles, Councilwoman
Jim Lamerson, 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 2-22-07 meeting.

Mr. Rosa, **MOTION: to approve the minutes** of the March 22, 2007 meeting. Mr. Scamardo, 2nd. **Vote: 6-0.**

2. SP06-006, Tuscan Village, located at the southeast corner of 1st Street and Navajo Drive. APN: 113-03-015A and totaling ± 1.41 acres. Zoning is Multi-Family Medium (MF-M). Request preliminary plat, planned area development (PAD), approval for 12 lots. Owner is Area Homes, LLC. Applicant/Agent is Ralph Burleson. Community Planner is Steve Gaber.

Mr. Gaber reviewed the staff report and indicated:

- the proposed 12-lot project is located at Navajo and 1st Street;
- the property was previously owned the Prescott Unified School District and was sold in the 1980s;
- the property has significant slopes [up to 14-15%] with rock outcroppings;
- the Hillside Development regulations apply and 40% of the site has been set aside as open space;
- the standard right of way is 50' with streets being 28' wide;

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- Public Works wants the street to meet full requirements of a 50' right-of-way as well as a 28' wide street; and,
- the street has been looked at by the Fire Department and Sanitation Department while the Fire Department is agreeable to the 28' street width, the Sanitation Department will have to have designated pick-up area(s) for waste collection.

Commissioners queried and commented on:

- being firm in not granting waivers to street width, sidewalks, curbs and gutters; and,
- an increased amount of grading and not setting a precedent in granting waivers.

Mr. Mastin noted that the street design must comply with *Land Development Code (LDC)* requirements. If the street is to be private, then 28' of paving and a 36' right of way would be acceptable. Public Works would not support what is shown today. City Council does have the right to grant waivers.

Further queries and comments from Commissioners included:

- the retaining wall and slope lead to less-than-optimal driving conditions; and,
- guest parking, with lack thereof.

Mr. Gardner indicated that this is a nice infill project and he worked on it before he retired; consequently, he has no personal interest in it at this time.

Mr. Jan Hogenhout, 2375 Cyclorama Drive, and Mr. Ralph Burleson, Area Homes, 11652 Appaloosa Lane, Dewey, applicant/owners were present to answer questions.

Mr. Hogenhout stated:

- the project has been reduced to 12 units; and,
- the project has been ongoing for approximately 15 months.

Commissioners further queried and remarked on:

- no parking being allowed on the street;
- the additional need for parking spaces at the front of the units;
- lot #6 having 20' extra space in the front area of the home for extra parking;
- 3-story homes meeting the height requirements of the *LDC*.

Mr. Hogenhout indicated that he wanted to create a "village" effect with no home being over 35'.

Mr. Burleson indicated one of the challenges is the issue with the 15% grade. Under Planned Area Development (PAD), there is allowance for some deviation from requirements.

Further questions and remarks by Commissioners included:

- the applicant should try to work out the problems with staff, the Fire Department, Public Works, etc.;
- the site plan should show where utilities, sidewalks, etc., are to be accommodated;
- where will run off take place [Jan Hogenhout: we haven't gotten in depth at this point];
- explore the possibility of putting parking spaces between lot #5 and driveway

- [Jan Hogenhout: while technically possible, it is not aesthetically possible]; and,
- the staff's support in view of the obstacles [Mr. Gaber: the right of way issues and Public Works not supporting a waiver only came to staff yesterday].

Mr. Scamardo remarked that he is in favor of getting more infill projects like this. He opposes developers asking for waivers because that sets a bad precedent. Mr. Scamardo indicated he is looking for a compromise and would rather see a waiver granted for the open space rather than a waiver for the street width.

Both Mr. Rosa and Mr. Menser concurred with Mr. Scamardo regarding a preferable waiver being granted to the open space requirement.

Mr. Menser reiterated that there is never enough parking provided in these types of projects.

Mr. Petrovsky pointed out the refuse areas, in conjunction with the slopes, could be problematic for persons hauling their refuse.

Mr. Hogenhout indicated that removing one unit makes the project financially impossible. He is looking for suggestions from Commission to make the project work.

Commissioners suggested that 28' wide streets, guest parking, 36' improvements, access to Navajo, looking at the Hillside Ordinance should be explored by the developer.

Mr. Mastin indicated that sidewalks must maintain a minimum 4' width.

Mr. Wiant, **MOTION: to continue SP06-006**, Tuscan Village, to the April 12, 2006 meeting at 9:00 AM. Mr. Petrovsky, 2nd. **Vote 5-0-1** (Mr. Rosa was not in Chambers when vote was taken).

- 3. ANX06-005, Granite Gate Assisted Living Facility**, 3850 N. Hwy. 89. APN: 106-10-014H and totaling ± 21 acres. Introduction and recommendation on appropriate zoning. Owner/applicant Granite Dells Report, LLC. Architect representative Tom Reilly. Community Planner is Steve Gaber.

Mr. Gaber reviewed the staff report and indicated:

- the property consists of approximately 21 acres and has appropriate zoning for 121 units;
- a 2-phase expansion of the project increasing it by 75 units in the first phase and an additional 50 rehabbed units and apartments will occur in the second phase;
- initially, Granite Gate Resort became an assisted living facility;
- Granite Gate became site and use specific to the retirement community;
- after talking to Tom Reilly, various uses and residential occupancy were discussed, Business General zoning with a Development Agreement (DA) seem to be appropriate;
- the DA would call out uses related to the retirement community;
- the site plan review would come back before Planning & Zoning before going on to Council;
- there is a potential for expansion of open space along Hwy. 89 to the east that

- totals approximately 10 acres; and,
- the Open Space Committee reviewed the project on March 28 although no recommendation was made, response appeared to be positive.

Commissioners further queried and remarked on:

- City water for the current facility with no expansion;
- the City's annexing the property in an attempt to control what goes in there;
- the revenue doesn't affect the City;
- the Business General zoning to limit the project to assisted living; and,
- a Development Agreement to call out open space.

Mr. Tom Reilly, representative, 142 S. Alarcon, stated:

- there is an easement that has been granted by the owners in exchange for water;
- the City has wanted open space in the Granite Dells.

Commissioners further queried and discussed:

- will there be enough parking;
- if all 21 acres are annexed, would the balance of outcroppings be potentially buildable [Mr. Gaber: yes, with enough dynamite]; and,
- sewer connections [Mr. Reilly: already hooked into sewer].

Mr. Reilly further indicated:

- in the health care facility, one of the questions asked by the State Department of Health Services is whether zoning is appropriate for the type of use;
- having a business zoning is appropriate for those kinds of uses, i.e., memory care and rehabilitation.

Mr. Wiant, **MOTION: to recommend that City Council proceed** with the annexation of the 21+ acres associated with the Granite Gate Assisted Living Facility and that the property be rezoned Business General (BG) with a Development Agreement limiting uses to an assisted living facility. Mr. Rosa, 2nd. **Vote: 7-0.**

(A recess was taken from 10:18 AM to 10:23 AM)

IV. PUBLIC HEARING ITEMS

(May be voted on April 12, 2007 unless otherwise noted)

- 4. RZ06-010, Park West Commercial Park.** Located at the southeast corner of Pioneer Parkway and Willow Creek Road. APN: 106-02-001N and totaling ± 42.34 acres. Request zoning change from Rural Estate-2 acre (RE-2ac) to Business Regional (BR). Owner is Diamond E Partnership. Applicant/agent is Park West Development Company. Community Planner is Ryan Smith. *(May be voted on April 12, 2007).*

Mr. Smith reviewed the staff report and indicated:

- the request is to rezone ± 42.34 acres with Business Regional (BR) zoning;
- the property falls within the Airport Influence Area and Airport Specific Area Plan;
- residential development is restricted within one mile around the airport runways;
- an area meeting was held and the residents expressed concern with the traffic situation in the area;

- the applicant indicated that he would locate the traffic signal wherever he is directed to do so;
- under the TIA, the entrance at Pinon Oak Drive would prohibit left-hand turns out of the development;
- the project is appropriate and falls within the Willow Creek Corridor Overlay (WCCO), General Plan (GP) and Airport Specific Area Plan (ASAP).

Commissioners queried and commented on:

- distance from Pinon Oak to Pioneer Parkway; and,
- is the distance considerably shorter than other areas in the City.

Mr. Ian Mattingly, Traffic Engineer, indicated CLA of Tucson conducted the traffic study. The technical engineering does not recommend a traffic signal at Pinon Oak Drive, and Mr. Mattingly concurred with the technical engineering report.

Mr. Mattingly indicated:

- both Public Works and Transportation Services concur that there is the potential for major, significant traffic increases over the next few years with a growth rate projected at 2% to 4% per year;
- in 2080, 80,000 trips per day are anticipated in the area and will cause significant traffic problems; and,
- it is not good planning to place traffic signals too close to each other.

Commissioners commented on and queried:

- restricting the left-hand turn at Pinon Oak Drive;
- will the developer pay for the improvements and upgrades [Mr. Mattingly: yes, all];
- the potential for outsiders to use Pinon Oak subdivision for a cut through;
- site plan review [Mr. Smith: City Council will approve the site plan per the Development Agreement];
- staff's knowledge of any proposals to develop the north side [Mr. Smith: as far as he knows, no proposals have been submitted to date]; and,
- Hwy. 89A and Pioneer Parkway having a future overpass.

Mr. Guy Donahue, Park West Development Company, 7077 E. Bell Road, Scottsdale, indicated:

- his company originally looked at the site and zoning and felt the project would be a good location for commercial development;
- this area will become the hub of the tri-cities;
- the plan presented is preliminary, and there is a lot of work to be done;
- to get zoning, the total amount of acreage must be taken into account;
- there is potential for two "big box" stores, supermarket, drycleaners, restaurants;
- there is also the potential for offices or regional headquarters;
- Park West will not buy the land unless appropriate zoning is received;
- he understands the Pinon Oak residents' concerns about traffic;
- Lyon Engineering is working on sewer and water; and,
- he is agreeable to put in a stoplight.

Commissioners further commented on and queried:

- site access drawing, "Exhibit 1";
- what is proposed "PAAL"?

- flexibility to “cut out” sites depending on what amount of space is needed by various businesses; and,
- landscape plan title including “Prescott Valley” needs to be removed from plan as it is inaccurate and confusing.

Chairman Michelman opened the hearing to the public.

Mr. Tom Britzman, 5798 Goldenrod Way, stated:

- he is part of Pinon Oak’s 377 lots which have 371 homes;
- he is not opposed to the rezoning;
- he has concerns with the entrance and exits for the homes onto Willow Creek Road;
- Pinon Oak was to have the east-west streets connect to Willow Creek Road;
- a reference to old maps having a “College Way” connecting Pinon Oak Drive to Embry-Riddle which would give the homes two exits at Willow Creek Road;
- College Way was abandoned for Pioneer Parkway, a 4-lane connector at Hwy. 89;
- 371 homes need and request reasonable traffic access to Willow Creek Road;
- the traffic expert had no interest in Pinon Oak homes, but only interest for the most economical end for the developer;
- the various distances between traffic signals from:
Pinon Oak Drive to Pioneer Parkway, 825’
Smoketree to College Heights, 1038’
Rosser to Gail Gail Gardner at Willow Creek, 1026’
Whipple from Division to Ruth Street, 585’;
- a potential signal at Foxglove in the development; and,
- the developer needs to pay the bill to allow the homeowners access to Willow Creek Road.

Mr. Smith noted that the Development Agreement does not require the preliminary plat to come back to Planning & Zoning.

Mr. Menser indicated that Mr. Britzman is not premature in his requests because it gives a forum to discuss the concerns related to the project.

Mr. Donahue indicated it will be a while before final plat as various tenants will determine how final plat is called out.

Mr. Bernie Petsche, 732 Pinon Oak Drive, stated:

- he represents a different faction that objects totally to the proposed shopping center;
- within the last year or two, there was a proposal that people wanted less expansion;
- the drought as cited in *The Courier* on March 21 and the proposed project’s use of water;
- there will be more noise, light pollution and traffic for the residents.

Mr. Martin Markowitz, 1137 Sun Flower Way, indicated:

- a modification to the existing Development Agreement is needed and guidance to the developer should be provided in regards to the site plan; and,
- sensitivity to the type of lighting, type of buildings, terrain, hours of operation, as

well as restricting uses, are necessary.

Mr. Scamardo explained that all conditions of the *Land Development Code* must be taken into effect.

Mrs. Mary Petsche [name appears on attendance roster as "Lee"], 732 Pinon Oak Drive, attended the meeting referenced by Ryan [Smith] and the builder. Both left after the presentation was made. She has spoken with homeowners who are opposed as the builders do not have to live there.

Mr. Bob Murdock, 5640 Lemon Mint Lane, questioned the noticing process and stated it appears that the matter has already been decided and the vote will be taken on April 12, 2007. As a retired police officer, Mr. Murdock indicated that crime will increase with the development of the proposed project.

Chairman Michelman indicated that the required notice includes standard wording that is sent out in every public hearing notice. There is no "done deal" and Commission *may* vote on that date.

Mr. Patrick Beatty, 1167 Morning Glory Lane, stated his opposition especially with the increased traffic. The object should be to slow the traffic down, which can be done better between stoplights.

Ms. Mary Ann Suttles, 5633 Thistle Drive, speaking as a resident of Pinon Oaks, realizes that the piece of property has been designated as commercial for the last eight or nine years. Ms. Suttles cited the growth in Prescott, i.e., Gateway Mall, and the growth in Pinon Oaks. Ms. Suttles requested the developer's sensitivity in the project's planning as the residents of Pinon Oaks will be the shoppers ultimately supporting the stores in the development.

No decision. This item may be voted on April 12, 2007.

V. CITY UPDATES

Mr. Worley indicated that the last changes to the Land Development Code were approved by City Council.

Hartin Suites has also recently been approved by City Council.

City Council granted an extension to the Canterbury Development Agreement.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Michelman adjourned the meeting at 11:41 AM.

Don Michelman, Chairman