



**MINUTES**  
**PLANNING & ZONING COMMISSION**  
*Regular Meeting/Public Hearing*  
*Thursday, June 28, 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  
Dick Rosa  
Len Scamardo  
George Wiant

**MEMBER(S) ABSENT:**

Seymour Petrovsky

**OTHERS PRESENT:**

George Worley, Assistant Community  
Development Director  
Gary Kidd, City Attorney  
Dick Mastin, Development Services Manager  
Mark Nietupski, Engineering Services Director  
Steve Gaber, Community Planner  
Wendell Hardin, Community Planner  
Ryan Smith, Community Planner  
Jim Lamerson, Council Liaison  
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 6-07-07 meeting.

Mr. Gardner, **MOTION: to approve the minutes** of the June 7, 2007 meeting. Mr. Rosa, 2<sup>nd</sup>.  
**Vote: 6-0.**

**2. ANX07-002, Granite Dells Estates.** APNs: 103-04-001B, -001C, -001D, -001E, -001F, -001G, -001H, -002, -003, -004B, -009A, -009B, -009C, -012A, -012B, -012C, and -012D. Request for annexation subject to Proposition 400 and City Resolution #3735, requiring Master Plan. Owner is Granite Dells Estates I & II LLC, Mike Fann. Applicant/agent is Jason Gisi. Community Planner is Steve Gaber.

Mr. Gaber reviewed the staff report and indicated:

- a new, more regional map has been prepared that includes Centerpointe South, Hwy. 89A, and the airport area;
- approximately 1,142 acres are proposed to be annexed and developed by Granite Dells Estates, LLC, by Mike Fann, owner, and Jason Gisi, applicant;
- this is the first annexation proposal to be reviewed by the City under Prop. 400;
- the property was formerly known as Granite Dells and Point of Rocks Ranch;
- the project sets the property boundaries for growth which include Prescott and Prescott Valley;

- an area meeting was held earlier this week;
- City Council received an introduction a few weeks ago; and,
- follow-up information will be presented as the project unfolds.

Commissioners queried and remarked on:

- the Airport Specific Area Plan (ASAP); and,
- commercial and residential development requests in relation to ASAP.

Mr. Jason Gisi, applicant, 3200 Lakeside Village Drive presented the following to the Commission:

- he is the representative of Granite Dells Estates, LLC, in the annexation request;
- the ranch encompasses 15,000 to 16,000 acres;
- approximately 14 or 15 months ago, the property was purchased by Granite Dells Estates, LLC;
- he has been working on several concepts with the intent to annex into the City;
- the project has been scaled back to 550 residential units;
- the uses are consistent with ASAP;
- the Light Industrial (IL) zoning on the northeast corner is to become the future home of Fann Contracting;
- Dells Ranch Road is envisioned to parallel Hwy. 89A and will be approximately two miles in length from the 89A intersection to relieve pressure off the traffic interchange;
- a traffic intersection or traffic interchange will be built;
- there is an open space requirement of 25% under Planned Area Development (PAD) requirements;
- neighborhoods will be plotted and will define the open space;
- water is a "hot button" issue and will be addressed through a Development Agreement (DA);
- forty (40) acre feet per year (AFY) is being requested, and 183 AFY will be needed at total buildout; and,
- construction of property will be phased over time.

Commissioners further queried and discussed:

- the 7 neighborhoods all having PAD zoning;
- Prescott Unified School District (PUSD) building a high school [Mr. Gisi: discussions have been held with the school district and a high school could locate there if PUSD desires];
- if the school project does not materialize, would the area then be designated commercial or industrial [Mr. Gisi: definitely];
- is the area being donated for the school [Mr. Gisi: nothing definite];
- the unidentified, unsigned letter that is included in the packet [Mr. Gaber: proffered that the letter was sent by Mr. Gisi with Mr. Gisi nodding his head in agreement];
- what appears to be an offensive statement in an unsigned letter that states if the annexation does not take place, the developer will go to [Yavapai] County and divide the property into 36 acre parcels [Mr. Gisi: it is our intent to fully disclose an exit strategy];
- a problem with 28' wide streets having decomposed granite shoulders;
- looking at each parcel as an entity because the open space may not be met for a particular parcel [Mr. Gisi: we will come forward with a comprehensive plan for the whole property at one time];
- the residential section following City requirements which call out 28' wide streets with

- paved curb and gutter;
- being hesitant to grant any waivers to the requirements, especially street and grading waivers;
- the developer should consider the increased water allocations for affordable housing [Mr. Gisi: we are not opposed to workforce housing];
- the developer's thoughts on how the project would benefit the City of Prescott [Mr. Gisi: answering personally, a master-planned community instead of split lots with 550 wells and 550 septic tanks, the aesthetic standpoint of not having a "wild cat" subdivision vs. a master planned community, sales tax generation, "property for Prescott", etc.]; and,
- access to property and discussion with owners to get access through their property [Mr. Gisi: the property to the north is owned by Dave Cavan and a previous contract deals with reciprocal access to both parties, [we are] bound to give him access to our section and Mr. Cavan is bound to give us access. Mr. Gisi's client will pay for access and Mr. Cavan will be reimbursed].
- if the high school doesn't materialize, where would workforce housing be placed [Mr. Gisi: on the northeast side of the property; and,
- how was the split between commercial and residential uses worked out because more commercial development would mean more money to the City [Mr. Gisi: Traditionally, commercial will buffer the highway and is constrained by the ASAP border. The owner of the land wanted a place for his business uses. The commercial should front Hwy. 89A].

Chairman Michelman asked for public comment.

Ms. Leslie Hoy, 1880 Coyote Road, member of Prop. 400 Committee stated:

- the committee now exists informally;
- she would hope that this annexation could serve as a model for other annexation requests;
- Prop. 400 requires a master plan;
- the door is left open to have stricter requirements with the developer submitting more detailed plans;
- she would like to see a more diverse mix of residential and commercial so that the project would be more walkable, i.e., shopping, offices, etc;
- strict water conservation measures should be implemented in this area; and,
- a pre-Development Agreement [Mr. Gaber: the project is in a state of flux and will be touching on numerous topics until the project is more thoroughly designed. Until more defined, Planning & Zoning would be charged with looking at the Master Plan in a broad-brush sense. The "nuts and bolts" will fall to City Council].

Mr. Tom Britzman, 5798 Goldenrod Way indicated:

- in 1992 the mayor asked about the availability of water;
- he is concerned with the request for 183 AFY for the 7 neighborhoods and 550 properties;
- he doesn't want to share the City's water resources;
- there is an issue because Planning & Zoning does not look at the traffic usage and water requirements prior to approval; and,
- both water and traffic should come before Commission review prior to the start of the annexation.

Chairman Michelman proffered that there is a Water Advisory Committee that takes action on water allocation after both Planning & Zoning and City Council have made their decisions.

Mr. Worley clarified the review process. Some things are not taken sequentially; consequently, several different groups have input into the review process. Planning & Zoning Commission's expertise is limited to land uses.

Mr. Britzman, for the record, stated he disagrees with the procedure as it stands.

Mr. Gardner indicated that the General Plan allows for 1900 residences on the property; however, the developer is asking for only 550 units. An argument can be made that the 550 house request doesn't include water in the amount of approximately 165 AF if the property were to be developed to the maximum number of allowable units.

Mr. Scamardo responded that Planning and Zoning Commission looks at the following steps:

- a. does the project fit the General Plan;
- b. should an annexation be considered; if so,
- c. a Master Plan should be submitted showing how the 1,000+ acre annexation is being proposed to be used; and,
- d. the correct zoning for the project and the public hearing process.

Mr. Scamardo reviewed the City's water allocation plan; subsequently, affordable housing would be eligible for receiving more water.

Mr. Wiant indicated that the project should be looked at in terms of the property becoming part of the City. Looking at residential lot sizes shouldn't even be looked into at this point in time.

Mr. Gaber indicated that this is the first annexation request under Prop. 400. Provisions require that the annexation be reviewed in conjunction with the Master Plan as part of the initial process under Prop. 400.

City Attorney Kidd stated that [Planning & Zoning Commission] is looking at a different situation by virtue of Prop. 400 which requires looking at the Master Plan.

Commissioners further queried and remarked on:

- who owns the land in between [Mr. Gaber: it is part of the railroad right of way. Kulmer & Schumacher own the railroad right of way and the City is in the process of purchasing the property. This is part of the annexation]; and,
- concern with the 16.6 acre access piece [Mr. Gaber: the piece gives frontage to the project].

Mr. Scamardo stated the project is adequate for how the Commission operated before; however, it is far from a Master Plan because it doesn't show streets, utilities, etc. [Mr. Gaber: the overall Master Plan will still remain a general document. Until the applicant gets use and really starts working the property in terms of design, lot platting, and procedure, it will remain a general document].

Mr. Jim Lamerson, 955 Angelita, speaking as a citizen indicated:

- he appreciates the sensitive comments about the proper course and not doing things prematurely;

- the question is whether we [the City] want another approximately ± 1,150 acre area to manage or not;
- he doesn't believe that there is an implied threat in the [letter in the] packet;
- people demand to live here—do we want to live in Prescott or across the street;
- there is a right under State law for the developer to develop the property;
- there is a possibility that the development would put a strain on roads, sewers, etc.;
- he is concerned with water consumption; and,
- the question is whether we [the City] leave it out or embrace the project by the City.

Mr. Menser indicated that if the City annexes the land, in the future will there be a water conservation issue. The plan submitted is a Master Plan. There is no need to see internal streets to make a decision about annexation. To go into more detail doesn't make sense at this time.

Chairman Michelman stated that he would rather err on the side of having too much information. Does the project work for infrastructure or does the City have to upgrade the structure.

Mr. Wiant indicated that the purpose of annexation is so there is some say. If it does not fit in the City and does fit in the County, we will lose say over what happens.

Ms. Hoy stated she attended last week's City Council meeting. Mr. [Councilman] Roecker asked what would happen if it [the annexation] did or did not take place. She understands that someone will be hired to do the analysis. When the analysis happens, does it go to P&Z? [Mr. Worley: the annexation can happen at either the Planning & Zoning review or directly at City Council. The overall impacts on other developments in the area will be examined].

Mr. Gisi stated two studies have already been performed. If a third-party study will be performed it will be paid 50% each by Granite Dells Estates, LLC and the City of Prescott. Staff is considering proposals for an additional third-party analysis. He further indicated he understands the desire to see more information; however, it is a two-stage process starting with a global look and then going down to a local analysis.

City Attorney Kidd indicated that the City is proceeding with a Development Agreement (DA) negotiation. The City is careful when developing a DA so that it does not take away discretionary decisions. The Master Plan will look at the level of detail requiring different types of zoning and what is appropriate for the Planning & Zoning Commission to decide which criteria and/or what will be included. Contract zoning is when state law sets up a zoning process. City Council has the discretion to approve it. Contract zoning takes away public hearing and procedural aspects of the Planning & Zoning Commission and City Council. The DA can contract for certain types of zoning. Arizona allows some latitude; however, if the contract zoning is bypassed by the DA, a case of illegal zoning may occur.

*No action taken.*

#### **IV. PUBLIC HEARING ITEMS**

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

3. **SUP07-003, 3741 Karicio Lane.** APN: 103-20-595C and totaling ± 0.78 acre. Zoning is Business General (BG). Request special use permit for a commercial telecommunications site (cellsite), including the replacement of a parking lot light pole. Owner is Grand Canyon Broadcasters. Applicant is Alltel Communications. Agent is Campbell A + Z, LLC. Community Planner is Steve Gaber (928) 777-1206. *(May be voted on July 12, 2007).*

Mr. Gaber reviewed the staff report and indicated:

- the orientation of the property;
- the cell site request by Alltel which owns several sites including two on City property;
- the request is to remount a light at 25' and going up to 50' with an antennae array;
- while larger than the existing parking lot light, the project will not have a significant impact at this location;
- this is the type of cell site deployment that the City is looking for;
- notices were sent to the properties within 300' and no objections occurred;
- Alltel representatives have been talking with the owner to the north, Sanford Cohen, who did not have objections to the project;
- the request is ± 700' to the nearest residential unit in The Ranch;
- staff is recommending approval.

Commissioners queried and remarked on:

- satellites occurring when the radio station was approved [Mr. Gaber: yes, on the back toward Mingus Mountain; and, on the property to the west there is a stealth site by Verizon];
- the steep slope behind the property;
- the replacement not having an affect on visibility [Mr. Gaber: it won't be seen from the highway];
- the property is zoned Business General (BG) and buildings under that zoning could be 50' high; and,
- who owns the land to the east and south [Mr. Gaber: Bureau of Land Management and Forest Services].

Chairman Michelman asked if anyone from the public wished to speak. (No one came forward to speak). Mr. Michelman indicated that the hearing would continue to the July 12, 2007 meeting at 9:00 AM and that the request could be voted on that date.

*No action taken.*

## V. CITY UPDATES

*None.*

## VI. SUMMARY OF CURRENT OR RECENT EVENTS

*None.*

## VII. ADJOURNMENT

The meeting was adjourned at 10:20 AM.

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Don Michelman, Chairman