

**PLANNING & ZONING COMMISSION  
REGULAR/PUBLIC MEETING  
MAY 8, 2008  
PRESCOTT, ARIZONA**

Minutes of the **PLANNING & ZONING COMMISSION** held on **MAY 8, 2008** in the **COUNCIL CHAMBERS in CITY HALL** located at **201 S. CORTEZ STREET**, Prescott, Arizona.

**I. CALL TO ORDER**

Chairman Gardner called the public hearing to order at 9:00 AM.

**II. ATTENDANCE**

<b>Members Present</b>	<b>Others Present</b>
Joe Gardner, Chairman	George Worely, Assistant Community Development Director
Tom Menser, Vice Chairman	Matt Podracky, Senior Assistant City Attorney
Don Michelman	Steve Gaber, Community Planner
Richard Rosa	Wendell Hardin, Community Planner
Seymour Petrovsky	Dick Mastin, Development Services Manager
Len Scamardo	Mark Nietupski, Engineering Services
George Wiant	Kelly Sammeli, Recording Secretary
<b>Council Members Present</b>	
Jim Lamerson, Council Liaison	
Bob Luzius	

**III. REGULAR ACTION ITEMS**

1. **Approve the minutes** of April 24, 2008 meeting.

Mr. Rosa, **MOTION: to approve the minutes** of the April 24, 2008 Meeting.

Mr. Michelman, 2<sup>nd</sup>. **Vote: 7-0.**

**IV. PUBLIC HEARING ITEMS**

(May be voted on May 8, 2008 unless otherwise noted).

2. **GP08-001, Hwy. 89 Commercial Park.** Generally located on the southwest side of the intersection of Hwy. 89 and Prescott Lakes Parkway. APNs: 105-09-295A, 105-09-003D, 105-09-004H and totaling ± 16.57 acres. Request General Plan Amendment for a commercial subdivision. Owner/applicant is Fann Contracting. Design Professional is Dava & Associates, Inc. Community Planner is Wendell Hardin (928) 777-1259.

Mr. Hardin reviewed the staff report and indicated:

- the General Plan amendment was discussed two weeks ago;
- the 2003 General Plan (GP) and the specific changes requested was reviewed;

- the GP changes call for a re-aligning of commercial to abut commercial; and,
- residential is to abut residential without a gap in between.

There were no questions from the Commissioners.

Mr. Rosa, **MOTION:** to approve an amendment to the 2003 General Plan Land Use Map to indicate the new “commercial/ employment” and “Low-Medium Density Residential” areas as proposed. Mr. Scamardo, 2<sup>nd</sup>. **Vote: 7-0.**

– associated with –

- 3. RZ08-003, Hwy. 89 Commercial Park.** Generally located on the southwest side of the intersection of Hwy. 89 and Prescott Lakes Parkway. APNs: 105-09-295A, 105-09-003D, 105-09-004H and totaling ± 16.57 acres. Request rezoning from Single-Family 9 (PAD) [(SF-9PAD)] and Multi-Family Medium (MF-M) to Business General (BG) for a commercial subdivision; and, request an additional 4-lot subdivision, Single-Family 9(SF-9) zoning district at the end of Rycosa Lane. Owner/applicant is Fann Contracting Design Professional is Dava & Associates, Inc. Community Planner is Wendell Hardin (928) 777-1259.

Mr. Hardin reviewed the staff report and noted:

- the request is to rezone (a) SF-9 to BG, (b) MF-M to BG;
- the conceptual plan contains three tracts, A, B, and C;
- the proposal includes a four lot subdivision at Rycosa Lane;
- Boardwalk Avenue will abut the tracts;
- both locations will have steep drop offs so no views will be lost;
- the packet addendum includes a copy of the Prescott Lakes and the Fann Development Agreement which includes;
  - the grading and drainage, retaining walls, landscaping and streetscape designs;
  - the building design guidelines of Prescott Lakes.

Commissioners queried:

- if the four lots are staying residential;
- if the RV storage will go away;
- the Development Agreement between Fann and Prescott Lakes Community states a disassociation; however, Fann will follow the guidelines of Prescott Lakes;
- the Development Agreement mentions maintenance of grading, retaining walls, street scraping, etc; but, mentions nothing about the streets [Mr. Hardin: The new street will be dedicated]; and,
- the vagueness of the “design” standards.

There were no comments from the applicant.

There were no comments from the general public.

Mr. Rosa, **MOTION:** to approve the rezoning of the identified APN’s: 105-09-295A, 105-04-005C, and 105-04-003D with their new zoning classifications. Business-General (BG) and Single Family-9 (SF-9) PAD. Mr. Scamardo, 2<sup>nd</sup>. **Vote: 7-0.**

- 4. RZ08-002, Granite Dells Estates,** located generally south of SR 89A, east of the Peavine Trail. APNs: 103-03-002A, 103-04-001E, 103-04-001K, 103-04-001L, 103-04-

001M, 103-04-001P, 103-04-003B, 103-04-004B, 103-04-009B, 103-04-009C and totaling ± 1,117.9 acres. Request rezoning from Rural Estate, 2 acre (RE-2ac) to the following seven specifications: 1) ± 189.8 acres to Single-Family 35 (SF-35); 2) ± 92.20 acres to Single-Family 9 (SF-9); 3) ± 34.1 acres to Multi-Family Medium (MF-M); 4) ± 155.3 acres to Business General (BG); 5) ± 72.8 acres to Industrial General (IG); 6) ± 10.1 acres to Industrial Light (IL); and, 7) ± 563 acres will retain current zoning of Rural Estate, 2 acre (RE-2ac). Owner(s) are; Granite Dells Estates Properties, Inc.; Granite Dells Estates Properties II, Inc.; and, Michael Fann. Applicants/agents are Prescor Management/Cazador Consulting, Inc.; Rick Radavich; and, Jason Gisi. Community Planner is Steve Gaber (928)777-1206.

Mr. Gaber reviewed the staff report and indicated:

- the zoning and the preliminary plat will be presented concurrently;
- the annexation concluded last year and, included a Development Agreement;
- there are ten parts to the proposal;
- the proposal includes two waivers;
- seven parts are zoning related and one part is the preliminary plat;
- current zoning is Rural Estate 2-acres (RE2-ac);
- rezone 189.9 acres from RE-2ac to Single-Family 35 (SF-35);
- rezone 34.1 acres from RE-2ac to Multi-Family-Med (MF-M);
- rezone 92.90 acres from RE-2ac to Single-Family 9 (SF-9);
- rezone 155.3 acres from RE-2ac to Business General (BG);
- rezone 72.8 acres from RE-2ac to Industrial General (IG);
- rezone 10.1 acres from RE-2ac to Industrial Light (IL);
- the preliminary plat application proposes for an overall layout of 550 residential lots;
- there are multiple tracks of commercial;
- residential development will occur in eleven phases over a number of years;
- the first request is to waive the requirement for final plat being submitted within a one year time period;
- the project also includes 275 acres of Open Space;
- there were four areas of concern discussed at the study session;
  - a) the road standards in the SF35 and SF9 areas [Mr. Gaber, there is a suggested motion to make changes to the rural street standards];
  - b) the rural street standards within the plat [Mr. Gaber, these were specified in the Development Agreement between Fann and the City, both parties agreeing that the standard may be utilized];
  - c) the Open Space zoning questions;
  - d) the utilities department has identified four areas where they would like utility easements; one being a location for a water storage tank on high ground south of the development, a well site location, a location that would allow access for a straight line installment of a large water main that would follow the old Highway 89A alignment, and the last easement being located in the Open Space;
- the Open Space Committee concerns are with cross-connection between the Open Space tracts;
- the Open Space areas noted were from the current Iron King trail route to follow the tree line and having cross connections to the different tracts located with in the development; and,
- Mr. Gaber suggests that the Commission move forward in discussion on those subjects, and if other issues come up they can be discussed in order.

Commissioners queried about the streets;

- will the substandard streets be private or public [Mr. Gaber: all the residential streets

are to be private within a gated location. The backbone arterial streets will be public and will be built to City standards];

Mr. Rosa stated that he had heartburn over the fact that the streets would be put in sub-standard to the City's requirements because they are private. He also stated that in the future when people figure out that those streets aren't City streets they will want the City to take them over. The reason why street requirements were put in the Code was for the future; if the City has to take the streets in, then they will have to be brought up to the City standards.

Mr. Scamardo stated that the LDC calls for public, dedicated, or private streets in subdivisions within the City to be up to the City standards that the Public Works Department has specified. He also stated that the Commission does not have a problem with the main arterial roads. A problem is seen to exist where the roads that are going to service the SF-9 areas and the areas below the one acre parcels. Mr. Scamardo further stated that there is approximately 50,000 lineal feet of roads within this major subdivision. With about nine and a half miles of road, curb, gutter, and sidewalks that would total about \$75.00 or \$80.00 dollars per foot not having to go in under City standards. He stated that this was a tremendous amount of money, and may be the Council's intention but, on the other hand, will the Commission be setting a precedent by letting a major subdivision come in with roads servicing SF-9 and one-acre lots with sub-standard roads. There is not a problem with larger lots, but, there is a problem in the single-family and multi-family areas where there is more traffic.

The Commissioners further queried:

- the proposal is to allow all roads other than the arterial roads to be built to a standard less than the City allows;
- in areas like Inscription Canyon and the Granite Oaks development with areas of an acre or more, the rural road idea with no curbs or gutters fit;
- there is a concern with the single-family and multi family lot areas not being built to the City standards;
- does the Development Agreement defines the streets that are rural [Mr. Gaber: No];
- what does the rural road design consist of [Mr. Nietupski: Rural roads have paving with a thickened asphalt edge. The edge is finished with crushed gravel and open ditches to allow for the drainage, no curb and gutter];

Mark Nietupski, Director of Engineering Services, stated that:

- owners will maintain the roads at their expense;
- the City is obligated to allow the rural roads by the Development Agreement;
- the roads built to the City standards will be maintained by the City; and,
- the rural roads will have crushed gravel along the sides of the paved street;

Commissioners queried again:

- in the development of Centerpointe South, the streets were required to meet the City standards. Are we allowing this development to not follow the guidelines that others have had to follow;
- information regarding the rural roads needs to be passed on to the City Council;
- Engineering Services needs to come up with an amendment to the *Land Development Code* to address this type of project; and,
- the developer has the right for the rural road design but, a recommendation to upgrade the roads in the single family areas should be passed on to Council.

Mr. Jason Gisi, 3200 Lakeside Village Drive stated:

- in phases one, two, and three it will be SF-9, the workforce housing areas;
- they understand that in a higher density area nuisance water needs to be controlled;
- the intent of the Development Agreement was that anything larger than 35,000 SF would be at a rural standard;
- if curb and gutters are installed per the Development Agreement, then roads are required to meet the City standards of the *Land Development Code* (LDC);
- this is a preliminary plat, and this project will come back many times in the final plat stage with exact detail; and,
- the waterline easements include the north to south location that abuts a straight line of the Open Space tract, and the east to west the waterline will cut through an Open Space area where the topography is difficult and will leave a scar.

Commissioners queried again;

- the problem is with the standard of the streets and the existing agreement;
- the possibility of changes to the street standards in the future [Mr. Gisi: in phases one, two, and three we do anticipate changes that those streets they will become dedicated to the City and will meet the *Land Development Code* (LDC) requirements];
- with the reviews in the future, all the details can be discussed.

Councilman Lamerson stated that he questioned the word “standards”. Standards are different for the different types of development within the City and could be flexible depending on how they are used. He stated that this case appears to be that way. The standards are different for arterial roads than they are for rural roads and the Development Agreement is a binding legal contract with the City.

Mr. Kirby Knoy, 2580 Heckathorn Road, stated that he represented the people along Side Road and they are concerned with the connectivity to the commercial/industrial areas around the area.

Mr. Gaber reminded the Commission that they needed to discuss the concerns for the public utility easements, the zoning as it relates to the Open Space tracts, and the grading for the commercial sites within the plan.

Mr. Niegel Reynolds, 795 Sunrise, Yavapai Hills stated he was there as the representative for the Yavapai Trails Association (YTA) and they have the following comments:

- YTA is pleased to see the large tracts of Open Space and trails within the development;
- the developers are experts in planning the residential community as well as the equestrian facility where as YTA are experts in planning trails;
- there are a number of suggestions that YTA would like to propose for this development;
- YTA would like to see connectivity for the Peavine and the Iron King trails;
- loop trails are preferred;
- all greenway areas should have trails installed; and,
- access to the existing trails would be beneficial to everyone.

Mr. Jim Lawrence, 345 High Chapparel Loop, stated that he had concerns about the roadway going through the Open Space area along the old Hwy 89A especially if the area was realigned to a high speed flow of traffic. He also stated that he had concerns that there is a possibility that the City is required to do the grading for the full five lanes going through the Open Space area and the effects of the drainage if that is done.

Commissioners queried the Open Space:

- what is the status of the public using the project land for hiking? [Jason Gisi: the property is locked with a gate due to the grazing rights on the land. People do access this area from the Iron King and the Peavine trails. I do not see an opportunity to open the property at this time. Although we favor trails and we will take the recommendation of the trail system into consideration, we object to the requirements of the trail system];
- that the Open Space Committee is making recommendations not requirements; and,
- the Open Space Committee will have many opportunities to review the connectivity of the trails in the various plats that come in.

The Public Hearing was closed.

Mr. Menser, **MOTION:** to approve the lands that are associated with Granite Dells Estates. Mr. Rosa, 2<sup>nd</sup>. **Vote: 7-0.**

-- associated with --

5. **PP08-002, Granite Dells Estates**, located generally south of SR 89A, east of the Peavine Trail. APNs: 103-03-002A, 103-04-001E, 103-04-001K, 103-04-001L, 103-04-001M, 103-04-001P, 103-04-003B, 103-04-004B, 103-04-009B, 103-04-009C and totaling ± 1,117.9 acres. Request preliminary plat approval for Granite Dells Estates, a Planned Area Development (PAD), with 11 phases of residential development along with commercial and industrial units. Owner(s) are; Granite Dells Estates Properties, Inc.; Granite Dells Estates Properties II, Inc.; and, Michael Fann. Applicants/agents are Prescor Management/Cazador Consulting, Inc.; Rick Radavich; and, Jason Gisi. Community Planner is Steve Gaber (928)777-1206. *(May be voted on today after the rezoning).*

Mr. Menser, **MOTION:** to approve the Preliminary Plat for Granite Dells Estates with the following recommendations: (A) That the R-9 and Multi-family areas streets are built to City standards. (B) All staff recommended easements or the equivalent be incorporated in to the Preliminary Plat. (C) That the Yavapai Trails Associations suggestions be incorporated in to the Preliminary Plat. In Addition, that roads 1-7 serving the Single Family 9 area and roads 9-12 serving the SF-35 area meet City Standards. Mr. Scamardo, 2<sup>nd</sup>. **Vote: 7-0.**

Mr. Menser, **MOTION:** to approve Wavier to LDC Section 9.10.9.a.7.b requiring final plat submittal within one year. Mr. Scamardo, 2<sup>nd</sup>. **Vote: 7-0**

Mr. Menser, **MOTION:** to approve Wavier to the LDC Section 6.7 and 9.6.3 allowing for grading and site disturbance on the Commercial and Industrial Tracts, Tracts A, B, C, D, E, the Well and Tank Sites, Tracts G and H without full site plan approval. Mr. Scamardo. 2<sup>nd</sup>. **Vote: 7-0**

Mr. Scamardo, **MOTION:** that the final plats come before Planning and Zoning Commission before they go the City Council. Mr. Michelman, 2<sup>nd</sup>. **Vote: 7-0**

Mr. Scamardo stated that he would like to make a recommendation for the record that the rural road requirements should be looked at in the future by the Unified Development Code (UDC) Committee and an added provision to the *Land Development Code (LDC)* to define the standards of rural roads.

## V. CITY UPDATES

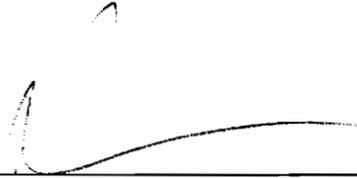
None.

## VI. SUMMARY OF CURRENT OR RECENT EVENTS

Mr. Worley stated that there were no items scheduled for the May 29<sup>th</sup> meeting to come before the Planning and Zoning Commission therefore, it will be canceled. However, there will be some UDC items coming up in June.

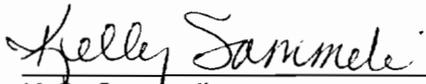
## VII. ADJOURNMENT

Chairman Gardner adjourned the meeting at 10:36 AM.



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Joe Gardner, Chairman



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Kelly Sammeli,  
Boards and Commissions Administrative Specialist  
Community Development Department