



# PLANNING & ZONING COMMISSION DECISIONS

**PLANNING & ZONING COMMISSION  
PUBLIC HEARING  
THURSDAY, JULY 30, 2009  
9:00 AM**

**COUNCIL CHAMBERS / CITY HALL  
201 S. CORTEZ STREET  
PRESCOTT, ARIZONA  
(928) 777-1207**

The following Agenda was considered by the **PLANNING & ZONING COMMISSION** at its **REGULAR MEETING / PUBLIC HEARING** held on **THURSDAY, JULY 30, 2009**, in **COUNCIL CHAMBERS** in **CITY HALL**, located at **201 S. CORTEZ STREET**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

## I. CALL TO ORDER

Chairman Wiant called the meeting to order at 9:00 AM.

## II. ATTENDANCE

### *Members Present*

George Wiant, Chairman  
Don Michelman  
Tom Menser  
Seymour Petrovsky  
Richard Rosa  
Len Scamardo

### *Members Absent*

Joe Gardner

### *Others Present*

Tom Guice, Community Development Director  
George Worley, Asst. Community Development Director  
Mark Nietupski, Engineering Services Director  
Richard Mastin, Development Services Manager  
Ian Mattingly, City Traffic Engineer  
Scott Tkach, City Engineer  
Mike Bacon, Community Planner  
Wendell Hardin, Community Planner  
Steve Gaber, Community Planner  
Ryan Smith, Community Planner  
Kelly Sammeli, Recording Secretary

### *Council Present*

Councilman Bell  
Councilman Luzius

## III. REGULAR ACTION ITEMS

1. **Approve the minutes** of the July 9, 2009 meeting.

Mr. Rosa, **MOTION: to approve** the minutes of the July 9, 2009 meeting.

Mr. Michelman, **2<sup>nd</sup>. VOTE: 6-0.**

2. **MP09-001, Master Plan Amendment, Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** Master Plan Amendment for consideration of parsing out 11 new tracts for the development of a Business/Technology Park. The parcels affected are APNs: 106-02-001J, 106-02-003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006. Owner/applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

Mr. Rosa, **MOTION: to approve MP09-001** as presented with the understanding that all requested Planned Area Development (PAD) waivers will need to be granted by Prescott City Council.

Mr. Menser, **2<sup>nd</sup>. VOTE: 6-0.**

3. **PP09-003, Preliminary Plat for Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** A Planned Area Development for developing a Business/Technology Park associated with the revised Master Plan Amendment MP09-001 to create 11 new tracts. APNs: 106-02-001J, 106-02-003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006 and totaling ± 430 acres. Owner/Applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

Mr. Menser, **MOTION: to approve Preliminary Plat (PP09-003)** for platting Eleven (11) new Tracts with only Tract 1 being approved for development at this time and with the knowledge each succeeding Tract/s will be required to return before the City's Planning and Zoning Commission and City Council for future development with the following Conditions: 1) All Legends be corrected with submittal of Preliminary Plat to City Council; 2) final design of deceleration lanes to be shown on Preliminary Plat with submittal to City Council; 3) Drainage design be approved by City Engineering department during final plat design review; 4) Full Loop Road, capacity level of service to be agreed upon in the Development Agreement (DA); 5) All easements to be agreed upon within the Map of Dedication as outlined in DA; and, 6) Sewer line upgrades to be agreed upon in final DA. Within paragraph three.

Mr. Rosa, **2<sup>nd</sup>. VOTE: 6-0.**

4. **MP08-002 & RZ09-006, United Christian Youth Camp.** 1400 Paradise Valley Lane. APNs: 108-08-003, 108-20-181E, 108-20-181F, 108-08-002K, 108-09-089, 108-08-001T, 108-20-002Y, 108-20-012Q, 108-09-091B, and 108-08-001W. Current zoning is Multi-Family High Density (MF-H) and Single-Family 9 (SF-9). Request is to rezone from Multi-Family High Density (MF-H) and Single-Family 9 (SF-9) to Specially Planned Community (SPC) with a Master Plan for Site Development. Applicant is Headwaters Architect. Owner is United Christian Youth Camp. Contact Person: Mike Bacon, Community Planner (928) 777-1360.

**No Action Taken.**

5. **RZ09-005, Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** APNS: 106-02-001J, 106-02 003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006 and totaling ± 430 acres. Zoning is Industrial Light (IL) and Business General (PAD) [BG (PAD)]. Request is to reduce current Industrial Light (IL) zoning from 155 acres to ± 20.8 acres and increase the Business General (PAD) zoning by an additional 127 acres. In addition to this request, the applicant proposes

that the City remove the existing Commercial Corridor Overlay District (CCO) along the property frontage from the most southern property point to the most northern property point adjacent to Willow Creek Road and extending to the centerline of Willow Creek Road; and, in addition, requests a text modification for *Land Development Code*, Article 9, Section 9.5.10, Exceptions to PAD Development Standards. Owner/Applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

Mr. Scamardo, **MOTION: to approve Rezoning Request (RZ09-005)** and all associated APN's whereby the Industrial Light zoning goes from 155 acres within the revised Embry Riddle Aeronautical University (ERAU) Master Land Use Plan to 28 acres while increasing the Business General (BG-PAD) zone increases by 127 acres, including the request to remove the Commercial Corridor Overlay along ERAU frontage to the centerline of Willow Creek Road.

Mr. Rosa, 2<sup>nd</sup>. **VOTE: 6-0.**

6. **LDC09-002, LDC Text Amendment.** Amending Section 9.5.10, Exceptions to PAD Development Standards by adding language to permit additional flexibility for the City Council in their consideration and approval of Planned Area Developments.

Mr. Rosa, MOTION: to approve LDC09-002 the amendment of *Land Development Code*, Article 9, Section 9.5.10/Exceptions accepting the proposed modification.

Mr. Scamardo, 2<sup>nd</sup>. **VOTE: 6-0.**

**Chairman Wiant called for a break at 10:00AM. The meeting reconvened at 10:10 AM.**

7. **RZ09-006 & MP08-002, United Christian Youth Camp.** 1400 Paradise Valley Lane. APNs: 108-08-003, 108-20-181E, 108-20-181F, 108-08-002K, 108-09-089, 108-08-001T, 108-20-002Y, 108-20-012Q, 108-09-091B, and 108-08-001W. Current zoning is Multi-Family High Density (MF-H) and Single-Family 9 (SF-9). Request is to rezone from Multi-Family High Density (MF-H) and Single-Family 9 (SF-9) to Specially Planned Community (SPC) with a Master Plan for Site Development. Applicant is Headwaters Architect. Owner is United Christian Youth Camp. Contact Person: Mike Bacon, Community Planner (928) 777-1360.

**No Action Taken.**

8. **RZ09-002, 102 West Merritt Street.** APNS: 113-02-025B, 113-02-026A, 113-02-030A, 113-02-032A, 113-02-034A and, 113-02-035B and totaling ± 0.96 acres. Zoning is Multi-Family Medium (MF-M). Request rezone from Multi-Family Medium (MF-M) to Neighborhood Orientated Business (NOB) for office/retail suites. Owner is Bill Resnick, Resnick Family Limited Partnership. Agent is Tom Terry, Architect. Ryan Smith, Community Planner.

**Mr. Menser, MOTION: to recommend approval** of RZ09-002 for the development of an Office/Retail center located at the southwest corner of Whipple and Merritt Avenue, with the following condition: 1) The Development shall be in general conformance with the site plan dated 7-8-09 with the pork chop (access off of Whipple Street).

Mr. Petrovsky, 2<sup>nd</sup>. **VOTE: 2-4. MOTION FAILED.**

Mr. Michelman, new **MOTION: to approve RZ09-002 proposed site** plan with the following condition: 2) The Development shall be in general conformance of the site plan without the pork chop (access off of Whipple).

Mr. Petrovsky, 2<sup>nd</sup>. **VOTE: 4-2. MOTION PASSED.**

9. **SUP09-002, 221 West Willis Street.** APN: 113-15-074 and totaling ± 0.75 acre. *Land Development Code* Section 10.2.3 and Use Table 2.3. Zoning is Downtown Business (DTB). Request for a Special Use Permit to increase the size of an existing auto repair business. Owner is Marie T. Smith, Living Trust. Applicant is Headwaters Architects, for Auto Max. Community Planner is Steve Gaber (928) 777-1206. Interested parties are invited to appear at the public hearing.

Mr. Menser, **MOTION: to approve SUP09-002**, including a wavier to parking lot set back requirements; and a wavier to parking lot perimeter landscape requirements; allowing an expansion of Auto Max, auto repair business located at 221 W. Willis Street. And in addition, suggestion that additional landscaping be installed where possible, along the south side between the sidewalk and the property line.

Mr. Rosa, 2<sup>nd</sup>. **VOTE: 6-0.**

## V. CITY UPDATES

Mr. Worley informed the Commission that there will another business with similar circumstances as Auto Max that will require a SUP that will be coming before the Commission next month and it will have waiver requirements also. Mr. Worley further informed the Commission that after several months of discussion the Cavan property annexation along both sides of 89A and east of the Airport was approved by City Council this week. In closing Mr. Worley also noted that the Animal Control facility has been removed out of Community Development and Yavapai Human Society will now be running the facility.

## VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

## VII. Adjournment

Chairman Wiant adjourned the meeting at 12:15 PM.