



PLANNING & ZONING COMMISSION A G E N D A

**PLANNING & ZONING COMMISSION
REGULAR MEETING
THURSDAY, OCTOBER 11, 2018
9:00 AM**

**COUNCIL CHAMBERS
CITY HALL
201 S. CORTEZ STREET
PRESCOTT, ARIZONA**

The following agenda will be considered by the **PLANNING & ZONING COMMISSION** at its Regular Meeting to be held on **THURSDAY, OCTOBER 11, 2018 STREET**. Notice of this meeting is given pursuant to *Arizona Revised Statutes*, Section 38-431.02.

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS	
George Sheats, Chairman	Ted Gambogi
Ken Mabarak, Vice-Chairman	Mel Roop
Terry Marshall	George Lee
Jared Nanke	

III. REGULAR AGENDA ITEM

1. Approval of the May 31, 2018 and July 26, 2018 Meeting Minutes
2. PLN18-00015, Site Plan Review in association with a requested Water Service Agreement for the Blooming Hills Apartments project, a proposed 40-unit apartment complex. Location: 1979 Blooming Hills Drive. Zoning: Business General (BG); Property owner: PL Commercial Investors, LLC. Site APN 105-04-174F
3. Temporary Sign Land Development Code Regulation Review and Discussion

IV. STAFF UPDATES

V. SUMMARY OF CURRENT OR RECENT EVENTS

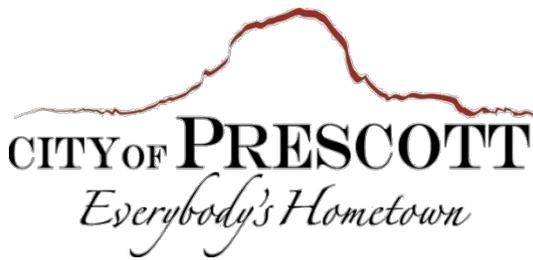
VI. ADJOURNMENT

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall and on the City's website on October 4, 2018 at 5:00 p.m. in accordance with the statement filed with the City Clerk's Office.

Maureen Scott, City Clerk

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org.



**PLANNING & ZONING COMMISSION
PUBLIC HEARING
MAY 31, 2018
PRESCOTT, ARIZONA**

MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION MEETING held on MAY 31, 2018 at 9:00 AM in COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.

I. CALL TO ORDER

Chairman George Sheats called the meeting to order at 9:00 a.m. He thanked Council Lamerson, Wilcox and Goode for attending.

II. ATTENDANCE

BOARD MEMBERS	STAFF MEMBERS
George Sheats	George Worley, Planning Manager
Ken Mabarak, Vice Chairman	Darla Eastman, Recorder
Terry Marshall	Katie Peterson, Community Planner
Jared Nanke	
Ted Gambogi	COUNCIL
Mel Roop	Councilman Lamerson
George Lee	Councilman Goode

III. REGULAR AGENDA ITEM

1. Approval of the May 10, 2018, Meeting Minutes.

Mr. Lee, MOTION to approve the Meeting Minutes May 10, 2018. 2nd, Mr. Marshall. Motion passes 7-0.

IV. PUBLIC HEARING ITEMS

1. GNP18-00001, Prescott View General Plan amendment to amend 10.89 acres of residential single-family development at Bradshaw Drive and Benjamin Drive; Zoning is Business General (BG); APN's 110-04-031C and 110-04-141J.

2. PLN18-00008, Prescott View Rezoning to rezone 10.89 acres to permit a residential single-family development at Bradshaw Drive and Benjamin Drive; Zoning is Business General (BG); APN's 110-04-031C and 110-04-141J.

George Worley gave an update to the Prescott View General Plan and Rezoning projects. He said that the proposed rezoning is to permit the development of a single-family residential subdivision with 37 single-family lots. The majority of the property is currently zoned BG with restrictions that prohibit residential development and the remainder is zoned SF-9. The rezoning request is for SF-6 over the entire site. Mr. Worley stated that the applicant has provided a modified conceptual lot layout for the site. It has been the usual practice of the Planning and Zoning Commission to consider conceptual lot layouts or site plans in association with requests for rezoning of property. Planning and Zoning Commission action on this request is limited to the General Plan Amendment and the rezoning request. While the lot layout can be considered in the decision-making process, the Commission is not tasked with approval of the layout at this time. A future application and review of a preliminary plat is required. Mr. Worley went into the specific changes to the

layout, to include the following: the removal of the Phase 2 townhome lots that reduces the units per acre density, enlargement of the northern lots to reduce grading into the steep slope, reduction of the number of lots from 40 to 37, and a proposal to make the internal loop road one-way to reduce the impact of multiple access points on Bradshaw Drive.

Earl Kepler, 274 Jacob Lane, stated that he would like to see the City to obtain the property and turn it into a park.

Connie Barnett, lives across from Manzanita Village, asked how did they come up with single-family 9. The ratio of undeveloped land in Manzanita Village to the developed land is approximately 50/50. When people buy into Manzanita Village, they buy with the understanding that they own the lot and have partial ownership in the common lot, also the garden, plaza, and the trails. She said that she encourages nothing less than single-family 12 so it fits into the terrain.

Dan Buchege, 209 Jacob Lane, said that he has concerns with storm drains and the mud that accumulates when there is a lot of rain. He said that he also has concerns with parking and that there will not be enough parking and people will have to park on the streets.

Mary Kelley, 594 Sycamore Canyon, said that she is concerned with the water issues. She asked how the project will comply with the proposed water policy. Mr. Worley answered the question stating that there will be a subdivision plat and City Council will consider the plat with all the information available on the water issue.

Gary Palmer, 280 Point of View, provided a comparison of the homes in the area versus the proposed homes on the projector. He asked if single-family 6 is the right fit in this community. Mr. Palmer said that Mr. Benner stated in our first meeting that he is sensitive to the neighbor's views. He said when he heard that, he was encouraged. However, the new plans do not show that he is considering our viewsheds.

Jeffery Zucker, 292 Jacob Lane, stated that he happy to see the townhomes eliminated on the curve of the plans. He asked if they will permanently be removed from the plans and be open space or will there be townhomes there in the future. He also asked if there is any thought to having a stop sign the exit of that [Benjamin Road] road that has no guard rail. He said that he liked the one-way road idea. Mr. Zucker asked if this project will be mass-graded and how does it relate to the houses on the right-hand side. He also asked if there has been consideration to an emergency crash gate off of Point of View.

Davin Benner stated that he would answer a few of the comments. He said that he would like to remind everyone that this is a rezoning request and we are not too far into the details yet. The homes will have a maximum building height of 35 feet, they are single-level ground homes, and will be a modest 1600-2200 square feet in size. Mr. Benner said in regards to the area where the townhomes are removed, the owner will decide what he wants to do with that area whether it be the townhomes or open space. Mr. Benner commented on Mr. Zucker's questions. He said regarding mass-grading, we are limited to 12% grade and only go so high within the limits of the City standards. He said on the east side, the base will be cut down 8 to 12 feet and will be below the line of sight. He said regarding the emergency access, the owner would need to allow for that. Mr. Brenner said that we did pull the townhomes from the plans due to the public's concern. Mr. Brenner discussed the curve on Bradshaw Drive. He said that he feels the one-way traffic will fix that issue and that he doesn't feel it is the owner's sole responsibility. He said that he welcomes anyone to review the plans.

The Commissioners discussed the comments that were made. They felt that even though it is a rezoning request, it is also a potential site plan that will help determine what that zoning might look like. Most of the commissioners felt that the area should be a lot less dense and to be able to enjoy the views.

Davin Benner asked the Commissioners to look at the map and he said it is mostly multi-family medium zoning surrounding the area. He said that the request is consistent with the surrounding areas and the view will not be different if the zoning is single-family 6 or single family 18. He said that if it is zoned single-family 18, the project should be dropped and a resort put in because the price point will not “pencil out.” People are not willing to pay a 1,000,000 for a lot.

Luther Karaxberger, 1555 Rycosa Drive, Phoenix, asked the Commissioners how it is zoned currently, how many units could there be. He asked could you put a 300 unit hotel or rehab facility there. George Worley and the Commissioners agreed, yes, a hotel is an allowable use, subject to all requirements. Mr. Luther stated that in his opinion, single-family 6 is a downward direction in density. He said that he is sure none of you want a 300 unit facility in that location.

Gary Palmer stated that what Mr. Luther just said is all hypothetical. He said there has been discussion of other uses in the area.

Mr. Mabarak, MOTION to deny PLN18-00008, Prescott View Rezoning to rezone 10.89 acres to permit a residential single-family development at Bradshaw Drive and Benjamin Drive and suggest the applicant consider single-family 18. 2nd, Mr. Marshall.

Mr. Roop stated that we should not leave the determination of zoning up to the applicant. We should be clear of the zoning district we want to see. Mr. Roop asked if Mr. Mabarak could amend his motion to read, motion to deny PLN18-00008, and request that the Council recommend a lower density zoning to the applicant appropriate to single-family 18.

Mr. Lee said that he is not in a position today to make a zoning recommendation, but clearly against single-family 6. We need to request the applicant to a resubmit with a new zoning request. Mr. Mabarak said that he would be willing to redact the portion of single-family 18 from the motion.

MOTION passes 6-1. Mr. Roop opposes.

The Commissioners were unclear as to why they needed to vote on the General Plan amendment. Mr. Worley stated that General Plan designation that was requested will allow for the single family zoning allows for all the single family (low to moderate density) district zonings that we have. Therefore the density is for the single family 6 to the largest lot. The Commissioners felt that the zoning district should be identified as residential rather than commercial. Mr. Worley clarified that the Commissioners could vote that the General Plan amendment be residential and that the zoning designation not be identified.

Mr. Gambogi, MOTION to approve GNP18-00001, Prescott View General Plan amendment to change the land use from commercial to residential single-family development at Bradshaw Drive and Benjamin Drive, as requested by the applicant. 2nd. Mr. Sheats. 6-1. Motion passes. Mr. Mabarak opposes.

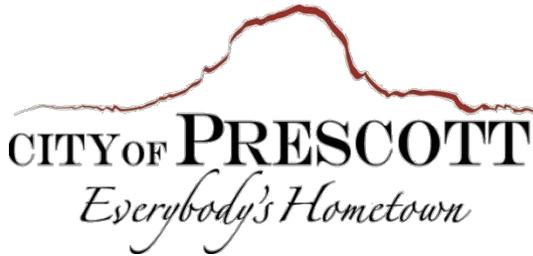
III. ADJOURNMENT

Chairman adjourned the meeting at 10:20 a.m.



Darla Eastman,
Recording Secretary

George Sheats, Chairman



**PLANNING & ZONING COMMISSION
PUBLIC HEARING
JULY 26, 2018
PRESCOTT, ARIZONA**

MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION MEETING held on JULY 26, 2018 at 9:00 AM in COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.

I. CALL TO ORDER

Chairman George Sheats called the meeting to order at 9:00 a.m.

II. ATTENDANCE

BOARD MEMBERS	STAFF MEMBERS
George Sheats	George Worley, Planning Manager
Ken Mabarak, Vice Chairman	Darla Eastman, Recorder
Terry Marshall	Katie Peterson, Community Planner
Jared Nanke	
Ted Gambogi	COUNCIL
Mel Roop	Councilman Lamerson
George Lee	Councilman Goode

III. REGULAR AGENDA ITEM

1. Approval of the May 31, 2018, Meeting Minutes.

There was a concern about the wording in the motion for the General Plan amendment so this item was tabled to the next meeting.

2. RVP18-016, Revision of Plat of Willow Creek Heights to divide the parcel into two lots. Zoning: Single-family 35 (SF-35); APN: 106-20-026; Property Owner: Grimmatt Family Revocable Trust: Location: 715 N Lakeview Drive

George Worley presented the project and stated that this request is to split a parcel within a subdivision and requires a Revision of Plat to do so. He said that the purpose of this Revision of Plat is to divide Lot 16 into two new lots of the south eastern portion of the Willow Creek Heights subdivision. He said Lot 16R2 will include a new 27 foot wide flagpole connection to Lakeview Drive with an ingress/egress and utility easement. Future development activity will be subject to the zoning district standards in which it is located. No portion of this revision of plat falls within a designated flood plain. Both of the lots exceed the minimum lot size requirements for the SF-35 zoning district.

The Commissioners discussed the easement that is on the property. Mr. Worley stated that the easement is only there to provide shared access and that, normally, an easement is not create for a single lot. The maintenance of the easement is between the two property owners and does not involve the City in anyway. It is a private easement that guarentees access for two property owners.

Jon Palidini, City Attorney, stated that this is a permanent, private easement between two parties, that is recorded and forever, just like owning a property and fee. In this case the rear property owner grants access to the front property owner to use the flag lot for driveway access. The private easement is not revocable and there is no City obligation.

Mr. Gambogi, MOTION to approve RVP18-016, Revision of Plat of Willow Creek Heights to divide the parcel into two lots. Zoning: Single-family 35 (SF-35); APN: 106-20-026; Property Owner: Grimmatt Family Revocable Trust; Location: 715 N Lakeview Drive. 2nd. Mr. Roop. 7-0. Motion passes.

3. SIG18-001, Comprehensive Sign Plan for Yavapai Regional Medical Center. Zoning: Business General (BG); APNs: 116-19-004F, 116-19-006Z, 116-19-004G, and 116-19-003E; Location: 1003 Willow Creek Road

Katie Peterson presented the project and stated that the Yavapai Regional Medical Center has requested a proposed comprehensive sign plan that includes upgrading existing wall and freestanding signs and a total square footage allowance for future signs. She said that the monument sign upgrade proposal includes replacement of 5 existing monument signs, with new signs in the same locations as the existing signs. Each of the monument signs is limited to 12 feet in height, which is the maximum allowed by the Land Development Code. The freestanding signs include monument signs and other ground-mounted signs with varied sizes, with a maximum of 50 square feet each.

Ms. Peterson said that the proposed Sign Plan for existing buildings and parking areas includes a total of 13 building, directional, and service identification wall signs, and 11 identification and directional monument signs. The total wall sign area proposed is 957.83 square feet for existing wall signs and 349.92 for monument/freestanding signs. She included that the proposal includes 600 square feet of sign area for future wall and monument signs. The total square footage proposed for existing, proposed, and future signs on this site is 1,907.75. The number and sizes of signs proposed exceed what would be allowed by the LDC, with multiple monument signs on each parcel and on each frontage, as well as on the site interior, and with multiple wall signs. She also said that the intention of this proposed Comprehensive Sign Plan is to ensure a generally consistent appearance of all signs associated with the medical center as signs are upgraded and as future signs are installed. As a medical service use, clearly visible directional and location signs are crucial. Per Land Development Code, Section 9.7.4F, Comprehensive Plan Review Criteria, the objective is “an improved design in exchange for a greater number of signs or larger sign face area than otherwise permitted by Sec. 6.12, Signs.”

Dale Johnson, Signs Plus, 9200 Valley Road, Prescott Valley, confirmed the square footage of the signs. He said that the new signs are will have an opaque background with internal illumination and all-aluminum construction with aluminum faces consisting of cut-out letter backed up with acrylic with letter, illuminated only at night. He said that the proposed sign plan meets the existing and future needs of the site and complements the design and scale of the medical center. All internally illuminated sign panels and individual letters are subject to the dark sky lighting provisions, including no white or bright background panels.

Mr. Gambogi , SIG18-001, Comprehensive Sign Plan for Yavapai Regional Medical Center. Zoning: Business General (BG); APNs: 116-19-004F, 116-19-006Z, 116-19-004G, and 116-19-003E; Location: 1003 Willow Creek Road Mr. Nanke. 7-0. Motion passes.

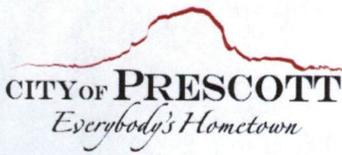
III. ADJOURNMENT

Chairman adjourned the meeting at 10:15 a.m.



Darla Eastman,
Recording Secretary

George Sheats, Chairman



PLANNING & ZONING COMMISSION MEMO

MEETING DATE: October 11, 2018

DEPARTMENT: Community Development

AGENDA ITEM: PLN18-00015, Site Plan Review in association with a requested Water Service Agreement for the Blooming Hills Apartments project, a proposed 40-unit apartment complex. Location: 1979 Blooming Hills Drive. Zoning: Business General (BG); Property owner: PL Commercial Investors, LLC. Site APN 105-04-174F.

Approved By:

Date:

Director:	Bryn Stotler	<i>BES</i>	10/2/18
Planning Manager:	George Worley	<i>GW</i>	10/2/18
Community Planner:			

Item Summary

The site is located on the south side of Blooming Hills Drive, west of the intersection of Blooming Hills Drive and Prescott Lakes Parkway. The site is 2.12 acres of mostly flat land. The site is zoned Business General (BG), which allows multi-family apartments at up to 32 units per acre (up to 67 dwelling units).

Background

The site is roughly triangular with the proposed single building placed in the southeast portion of the parcel. The parking occupies most of the remainder of the site. The building is proposed to be three stories, with no separate recreation facilities.

Access to the site is via a shared driveway with the existing senior apartments to the east, with a secondary driveway for Fire Department access at the west end. All of the parking spaces are accessed from the central driveway through the site.

The proposed site plan indicates a total of forty (40) apartment units. Parking is provided per the Land Development Code (LDC) at 1 space per bedroom, plus 0.5 guest space per unit. The total required parking is 81 spaces and the total provided is 81 spaces.

More detailed architectural, construction and landscaping plans will be required at the building permit review stage. However, the plan indicates sufficient room for all required landscaping.

AGENDA ITEM: PLN18-00015, Site Plan Review in association with a requested Water Service Agreement for the Blooming Hills Apartments project, a proposed 40-unit apartment complex. Location: 1979 Blooming Hills Drive. Zoning: Business General (BG); Property owner: PL Commercial Investors, LLC. Site APN 105-04-174F.

Site Plan Review Criteria

Per LDC section 9.8.5/Site Plan Review Criteria; the following criteria are applicable to the proposed project.

9.8.5.B. Building lot and setback requirements

The proposed new apartment building meets the minimum building setbacks of fifteen (15) feet in the front, ten (10) feet in the rear, and seven (7) feet on the sides. The proposed lot coverage on the site is 20%, well within the 50% maximum allowed by the BG zoning. The BG zone allows up to 67 dwelling units via Planned Area Development (PAD) on this 2.12 acre site. The proposed number of dwelling units is 40. The proposed eighty-one (81) parking spaces, including four Americans with Disabilities Act (ADA) accessible spaces, meet the LDC requirement for off-street parking at one space per bedroom, plus half a space per unit.

The maximum building height allowed in the BG zone is 50 feet. The building height for the proposed 3-story building is indicated at 35 feet.

9.8.5.C. Grading and bank stabilization/erosion controls, drainage, runoff and flood control
Grading, bank stabilization and erosion controls, drainage and flood control details will be required and reviewed by staff at the time of building permit application submittal.

9.8.5.D. Efficient and economic public utility and sanitation access

Public utility and sanitation access details will be required and reviewed by staff at the time of building permit application submittal. The site plan indicates dumpster location and screening enclosure.

9.8.5.F. Internal Circulation, public, private or emergency

The proposed main access driveway is 26 feet wide, allowing for two-way traffic, while the secondary Fire access driveway is 23 feet wide.

9.8.5.G. Landscaping, screening and buffering

The proposed project has designed the building layout to incorporate landscaping along the Blooming Hills Drive road frontage as well as adjacent to the building. A detailed landscape plan will be required at the time of building permit application.

9.8.5.J. Outdoor lighting standards of Sec. 6.11

The site plan does not depict site lighting fixtures. Details are required at the time of building permit application.

9.8.5.K. Parking and maneuvering areas

The proposed project includes a total of 81 parking spaces, including ADA accessible parking spaces. The proposed parking meets the requirements of the LDC. Driveway width and parking space dimensions meet the requirements of the LDC.

AGENDA ITEM: PLN18-00015, Site Plan Review in association with a requested Water Service Agreement for the Blooming Hills Apartments project, a proposed 40-unit apartment complex. Location: 1979 Blooming Hills Drive. Zoning: Business General (BG); Property owner: PL Commercial Investors, LLC. Site APN 105-04-174F.

9.8.5.L. Parking lot screening from public rights-of-way

A landscape plan will be required at the time of permit application showing landscaping requirements that comply with LDC landscaping regulations. The site plan indicates sufficient space for such landscaping on the site, adjacent to the street frontage.

9.8.5.M. Public road or street access with proposed street grades

Site access is proposed from Blooming Hills Drive. The roadway has very little grade adjacent to the site.

All other site design criteria meet the LDC requirements for Site Plan Review.

Attachments

1. Aerial Location Map
2. Zoning Map
3. Site Plan

Recommended Action: **MOVE** to recommend approval of Site Plan, **PLN18-00015**, for the Blooming Hills Apartments Site Plan.

Parcel Report for APN: 105-04-174F

Site Address: 1979 BLOOMING HILLS DR

Owner:
 PL COMMERCIAL INVESTORS LLC
 1620 WILLOW CREEK RD
 PRESCOTT AZ 863011108

Subdivision Name: PRESCOTT LAKES SENIOR CAMPUS

Max. Lot Coverage: -
 Max. Bldg Height: -
 Setbacks

Front: -
 Side: -
 Rear: -
 Corner: -

Acre: 2.1 acres
 Square Ft. sq. ft.

TRS: T14 R2 S23

DOR Usage Code: Com Vacant Land
 Description: 0021-VACANT COMMERCIAL

Zoning Information

Zoning: BG (PAD)

Flood Zone: X:

FIRM Panel: 04025C2055G, 04025C2060G

Overlay District Information

HPD District: Outside
 NR District: Outside
 Willow Creek District: -
 Whipple-Zuma District: -
 Hwy 69 District: -
 Prescott East Area Plan: -
 Prescott Enterprise: Outside
 Airport Noise District: -
 Wildlife Urban Interface: Outside

Planner's Actions:

- DA-02-008: Development Agreements
- Prescott lakes roadway landscape maintenance
- DA-94-128: Development Agreements
- Res 2738
- DA-02-165: Development Agreements
- prescott lakes senior cmps commercial
- DA-96-012A: Development Agreements
- Res 2958
- DA-96-012: Development Agreements
- Res 2854
- DA-94-034: Development Agreements
- Res 2682
- DA-01-157: Development Agreements



Subject Site

Legend

- Current Features
- Streets Annotation 6900
- Streets
- Parcels

This map is a product of The City of Prescott

1" = 128'

1979 BLOOMING HILLS DR



CITY OF PRESCOTT
 Empowering the Heart of the Valley

This document is a graphic representation only of land suitable sources. The City of Prescott assumes no responsibility for any errors.

Parcel Report for APN: **105-04-174F**
 Site Address: **1979 BLOOMING HILLS DR**

Owner:
PL COMMERCIAL INVESTORS LLC
1620 WILLOW CREEK RD
PRESCOTT AZ 863011108

Subdivision Name: **PRESCOTT LAKES SENIOR CAMPUS**

Max. Lot Coverage: -
 Max. Bldg Height: -
 Setbacks

Front: -
 Side: -
 Rear: -
 Corner: -

Acre: **2.1 acres**
 Square Ft. **sq. ft.**
 TRS: **T14 R2 S23**

DOR Usage Code: **Com Vacant Land**
 Description: **0021-VACANT COMMERCIAL**

Zoning Information

Zoning: **BG (PAD)**

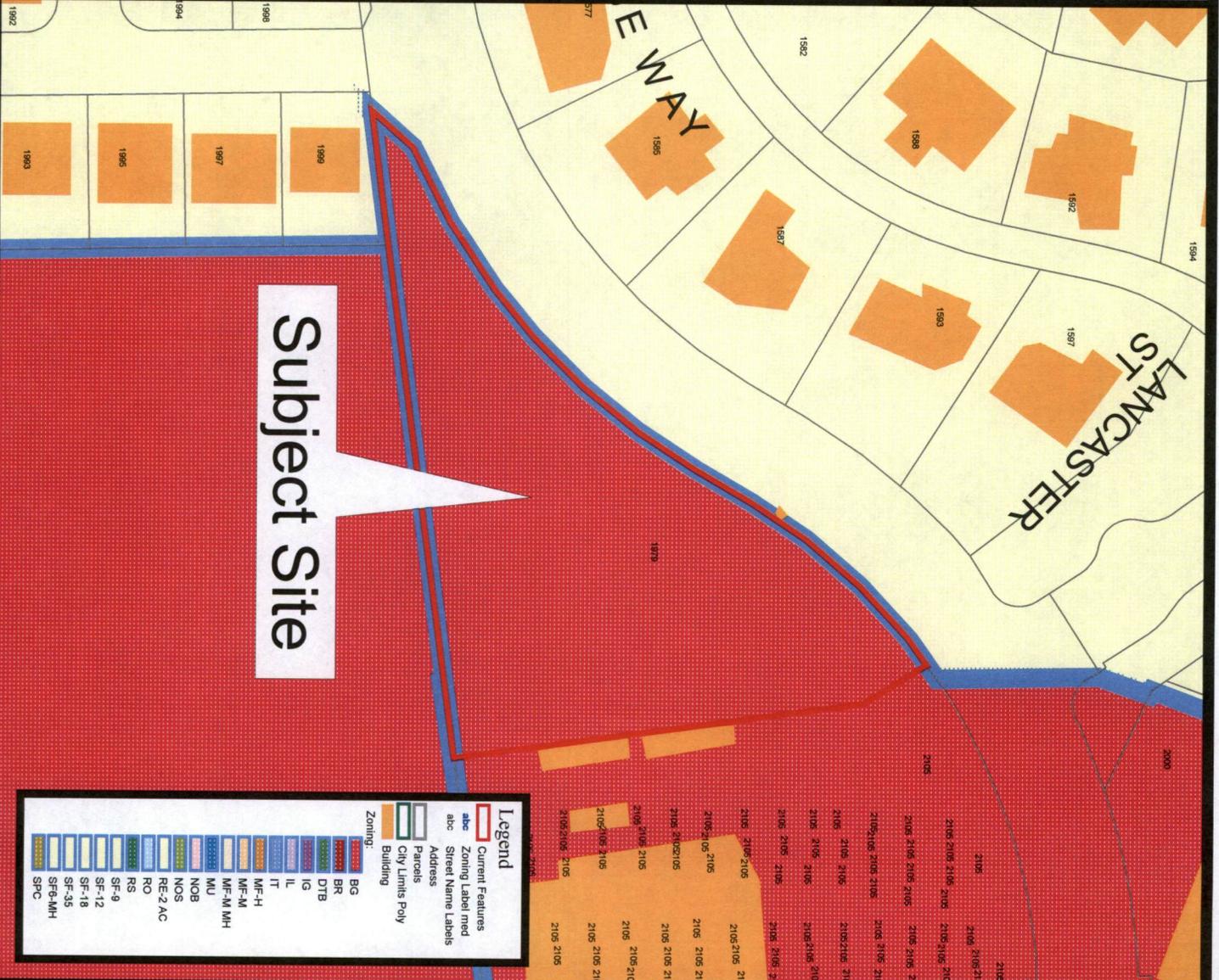
Flood Zone: **X:**
 FIRM Panel: **04025C2055G, 04025C2060G**

Overlay District Information

HPD District: **Outside**
 NR District: **Outside**
 Willow Creek District: **Outside**
 Whipple-Zuma District: **-**
 Hwy 69 District: **-**
 Prescott East Area Plan: **-**
 Prescott Enterprise: **Outside**
 Airport Noise District: **-**
 Wildlife Urban Interface: **Outside**

Planner's Actions:

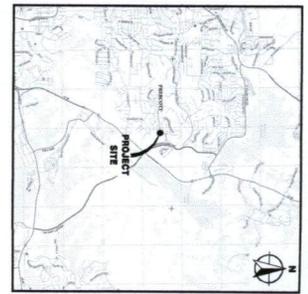
- DA-02-165: Development Agreements
- prescott lakes senior crmps commercial
- DA-96-012A: Development Agreements
- Res 2958
- DA-96-012: Development Agreements
- Res 2854
- DA-94-034: Development Agreements
- Res 2882
- DA-04-157: Development Agreements
- prescott lakes amended
- DA-02-208: Development Agreements
- prescott lakes effluent agreement
- DA-02-008: Development Agreements



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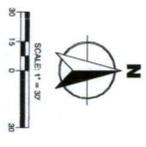
SITE CONTROL:
 THE CITY OF PRESCOTT GPS CONTROL NETWORK, THE VERTICAL CONTROL SYSTEM.

DISCLAIMER NOTE:
 EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE BY THE ENGINEER AS TO THE ACCURACY OF THE SHOWN UTILITY LOCATIONS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF UTILITIES.



PROJECT INFORMATION	
OWNER:	PRESCOTT AZ 8601
PROJECT LOCATION:	1979 BLOOMING HILLS DRIVE PRESCOTT, AZ 86001
PARCEL NUMBER:	105-04-174F
SITE AREA:	2.12 ACRES
ZONING:	R0
BUILDING CODE:	INTERNATIONAL BUILDING CODE 2012
OCCUPANCY:	GROUP R2 RESIDENTIAL OCCUPANCY - APARTMENTS
TYPE OF CONSTRUCTION:	VA 8.0.0
LOT COVERAGE:	26%
NUMBER OF STORIES:	APARTMENT BUILDING - THREE STORY - 42 UNITS MAYNORTH - 8-971
BUILDING FLOOR AREA:	APARTMENT BUILDING - THREE STORY SECOND LEVEL = 14,000 SF TOTAL AREA = 44,000 SF
PARKING REQUIREMENTS:	15 UNITS @ 1.80 = 27.0 SPACES 6 UNITS @ 2.80 = 16.8 SPACES 8 UNITS @ 2.25 = 18.0 SPACES TOTAL SPACES PROVIDED = 61.8 SPACES

LEGEND	
—	PROPERTY LINE
—	RIGHT-OF-WAY
—	CENTRELINE
—	EQUIPMENT
—	SETBACK
—	FLOWLINE
—	MAJOR CONTROL LINE
—	MINOR CONTROL LINE
—	EAST WAGON CONTROL LINE
—	WEST WAGON CONTROL LINE
—	WATER SERVICE LINE
—	UNDERGROUND POWER
—	RETAINING WALL



Contact Arizona 811 at least two full working days before you begin excavation.
ARIZONA 811
 Call 811 or click Arizona811.com

S1 SHEET 1 OF 1	DATE: 5/23/2018 DRAWN BY: DSS CHECKED BY: MRL SCALE: 1" = 30' SHEET	REVISIONS REV DATE	MRL CONSULTING, LLC P.O. BOX 642 CHINO VALLEY, AZ 86323 928.925.7543 MICHAEL.LOPEZ.PE@GMAIL.COM	mrl CONSULTING
	SITE PLAN BLOOMING HILLS APARTMENTS 1979 BLOOMING HILLS DRIVE PRESCOTT, ARIZONA APN 105-04-174F			



PLANNING & ZONING COMMISSION MEMO

MEETING DATE: October 11, 2018

DEPARTMENT: Community Development

AGENDA ITEM: Temporary sign Land Development Code regulation review.

Approved By:

Director:	Bryn Stotler	<i>BS</i> 10.3.18
Planning Manager:	George Worley	<i>GW</i> 10/4/18
Community Planner:	Katie Peterson	<i>KP</i> 10/3/18

Introduction

As a result of a Supreme Court decision in 2015 relating to municipal regulation of signs, City Council adopted Prescott's current sign regulations in 2016 to ensure that the City's Land Development Code (LDC) conformed to Constitutional protections of free speech. This was a revision to the 2003 LDC sign regulations, and was the result of staff research and Unified Development Code committee and Planning and Zoning Commission meetings.

Subsequently, City Council raised concerns about the revised regulations, including the size restrictions of individual temporary signs and permits and sign sizes for temporary commercial signs, which have resulted in a Council Motion for a moratorium on enforcement of the existing LDC regulations for temporary signs.

Background

Regulation of signs, as with other forms of speech, must be based upon criteria other than the content of the message. A long history of court decisions have limited the scope of speech regulations to time, place and manner components. Courts determine the validity of government restrictions on commercial signs based on whether the regulations:

1. Seek to implement a substantial governmental interest,
2. Directly advance that interest, and
3. Reach no further than necessary to accomplish the given objective.

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The current LDC sign regulations are similar to many cities' regulations in limiting sign size or placement, depending upon the type of sign. The previous LDC regulations treated campaign signs differently than other types of signs, such as garage sale signs and signs on commercial buildings. The differentiation in regulation, therefore, was based on the message of the sign and, therefore, the content of the speech.

Changing Prescott's sign regulations to address the accepted time, place and manner for sign criteria resulted in consideration of a basic change in the way the LDC regulates signs. There was concern about simplifying the code, as well. Staff researched model sign codes, which informed the revised, adopted regulations, based on logical criteria, and without consideration of the content of the sign messages.

Adopted regulations for temporary non-residential signs allow a commercial use to inform the public of intermittent or individual events or occurrences such as sales, grand openings or to display other messages that are relevant for a limited time period. The number of signs is limited to one per business, up to 24 square feet in size. A time limitation of 180 days is applied because the signs are temporary, not intended to replace permanent signs, and are limited in size. The sign may be mounted to a wall or freestanding and the proposed location, materials and means of support or attachment specified in the permit application. A permit is required to assure compliance with the size and time limitations. As with permanent signs, the message or speech conveyed by the sign is not regulated. A temporary commercial sign could convey messages related to products, sales, events, social issues, political support, or religious beliefs.

Adopted regulations for temporary residential signs allow property owners the ability to display signs in residential areas with limited controls to prevent clutter and dilapidated or dangerous displays. Individual sign size is limited to 6 square feet, with a maximum height of 5 feet. No time limit is imposed, and no permit is required; however, the sign must be maintained for safety. Enforcement of the size limitation is contemplated to be complaint-based and handled by simple measurement of area. Establishment of a maximum aggregate square foot for residential property, as opposed to individual sign size, was a concept discussed during the review by staff and the UDC.

Options

Staff suggest a range of options to consider, based on research of other jurisdictions' regulations and on previous discussions, to consider in determining regulations for temporary signs:

- 1) Retain the existing LDC regulations (adopted in 2016) regarding temporary signs. Otherwise, the options to revise include:
- 2) Allow larger individual temporary signs, with an increase from the currently allowable 24 square feet to 36 square feet for non-residential signs, with no aggregate maximum square footage.

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- 3) Allow an increase in size from 6 square feet to 16 square feet for residential signs, with no aggregate maximum square footage.
- 4) Implement a maximum aggregate square footage of signs on a lot for non-residential and/or residential signs, such as 36 square feet.
- 5) Require a permit and fee for certain types of temporary signs, for example, banners over a certain size (which would also apply frequently to temporary business signs).

Direction from the Planning and Zoning Commission will help guide a specific proposal, and, if determined, a proposed Code revision for Council's consideration.

Attachments

1. Current adopted LDC Section 6.12
2. Temporary sign examples

Recommended Action: No motion.

Attachment 1

Sec. 6.12 / Signs

6.12.5.B. Temporary Signs

Temporary signs are permitted on private property in all zoning districts, subject to the following.

1. Temporary signs on private property for nonresidential uses:
 - a. One temporary sign, of up to 24 square feet, may be permitted per business.
 - b. A permit shall be required for all temporary signs.
 - c. Temporary sign permits shall be good for 180 days. A copy of the permit must be maintained on the premises and be readily available upon demand for verification by City inspectors.
 - d. A temporary sign may be attached to a building wall or may be freestanding. The proposed location, materials and means of attachment or support shall be specified in the permit application.
 - e. A temporary sign shall be subject to City inspection to assure that the installation is accomplished in a safe manner and location.
 - f. Damaged or dangerous conditions caused by a temporary sign must be immediately remedied or may result in the revocation of the permit.
 - g. Failure to obtain a permit for a temporary sign or failure to remove a temporary sign upon expiration of a permit shall constitute a blighting condition upon the property and shall be subject to enforcement and penalties as provided in City Code Chapter 1-3 and/or City Code Section 7-5-20.
2. Temporary signs on private property for residential uses are exempt from permitting, but subject to the following:
 - a. Each temporary sign shall be limited to not more than 6 square feet.

- b. Each temporary sign must be freestanding and installed in a safe and secure manner.
- c. Each temporary sign shall be limited to a maximum height of 5 feet.
- d. Damaged or dangerous conditions caused by a temporary sign must be immediately remedied or may result in enforcement action by the City.
- e. Failure to maintain a temporary sign shall constitute a blighting condition upon the property and shall be subject to enforcement and penalties as provided in City Code Chapter 1-3 and/or City Code Chapter 7-5.

C. Signs in the Public Right-of-Way

See City Code Title VIII.

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