

- **MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION MEETING held on February 13, 2020 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 08:59 a.m.

II. ATTENDANCE

BOARD MEMBERS	STAFF MEMBERS
George Sheats, Chairman	George Worley, Planning Manager
Ken Mabarak	Tammy DeWitt, Community Planner
Terry Marshall, Vice Chair	Bryn Stotler, Comm. Development Director
Ted Gambogi	Kaylee Nunez, Recording Secretary
Mel Roop	Matt Podracky, City Attorney
Don Michelman	
George Lee	COUNCIL
	Councilman Steve Sischka (Liaison)
	Councilman Phil Goode
	Councilmember Cathey Rusing

REGULAR AGENDA ITEM

1. Approval of the January 30, 2020 Meeting Minutes.

A motion was made by Commissioner Marshall to approve the January 30, 2020 minutes. The motion was seconded by Commissioner Mabarak and approved unanimously.

- III. PLN19-022, Proposed rezone at 826 Sunset Ave. amending the zoning from Multi-Family Medium Density (MF-M) to Business Regional (BR) to allow for a Veterinary Clinic use. [Property owner: Prescott Senior Daycare Center, Inc. Applicant/Agent: Harmony Holistic Veterinary Care/Denise Raney. APNs: 111-11-110B and 111-11-113, .94 acre]**

Community Planner Tammy Dewitt presented a zoning map, aerial view and perspective photos of the property. Ms. Dewitt explained that renovations will be limited to the interior and that exterior conditions (including parking) are adequate for the proposed use. The project has garnered support from patrons of the business as well as neighbors of the subject property, with several letters received by the Planning Department indicating such.

Commissioner Gambogi asked for clarification on the clinic's hours. Co-Owner of Harmony Holistic Veterinary Clinic, Alistair MacDonald, clarified that hours are 8 AM to 6 PM Monday through Friday. Commissioner Roop asked staff whether surrounding business zonings would allow a veterinary clinic; specifically the Residential Office (RO), Neighborhood Oriented Business (NOB) and Business General (BG) districts. Mr. Roop expressed his opinion that the proposed use is compatible with the surrounding properties but the zoning is not. He also expressed that a BR designation could open the subject property up to opportunities for future development and other uses that may disrupt the neighborhood. Ms. Dewitt clarified that the proposed Business Regional (BR) zoning would allow the use of a veterinary clinic by

right, without the need of an additional Conditional Use Permit (CUP) or Special Use Permit (SUP). The surrounding business zonings (RO, NOB & BG) would require a CUP or SUP. Planning Manager George Worley explained that the proposed rezoning is in line with the General Plan's vision, which aims for a commercial feel for the neighborhood encompassing the subject property.

Commissioner Mabarak expressed that the zoning request seems to be in excess of what a veterinary clinic may need and asked whether NOB zoning would allow such a use with an approved CUP. Ms. Dewitt confirmed that it would. Mr. Mabarak asked City Attorney Matt Podracky whether the designation of the property in question as BR would be considered 'spot zoning'. Mr. Podracky stated that it would not legally be considered spot zoning as it is in conformance with the General Plan. Commissioner Michelman questioned whether they could make a motion with a stipulation to 'tie' the approval to the current site plan. That is, if future owners desired to change the footprint of the building they would have to go back through a public hearing process to amend it. Ms. Dewitt clarified that a motion with a stipulation would be acceptable.

Current owner of the property, Yvonne Napolitano, expressed her support for the veterinary clinic to move into the subject property. She stated she does not believe that traffic or noise will be increased from its prior use as an adult day care center, and that she believes it is a good project for the community.

Mr. MacDonald expressed his and the clinic's commitment to patient care and to being mindful community members, noting they intend to make this property their 'forever home'.

Tammy Pauletto, Veterinarian and co-owner, also expressed her commitment to being a mindful occupant of the property. Elizabeth Harris, a former board member of the previous property tenants (Susan J. Rheem Adult Day Center) stated, 'if we can't be there I want this group to be there.'

Councilman Sischka explained that he does see this proposal as being 'spot zoning', however, he further noted that it is minimally intrusive and that he is in favor of it.

Bob Beyea, former board member of the previous tenants, also expressed his support of the project, citing its conformance to the City's General Plan.

A motion was made by Commissioner Gambogi to approve PLN19-022. The motion was seconded by Commissioner Marshall. Commissioner Don Michelman asked for an amendment to the motion to include 'per the site plan'. Ted Gambogi made an amended motion to approve PLN19-022 'per the submitted site plan'. Commissioner Marshall seconded. The amended motion passed (6-1) with Commissioner Roop voting against. Commissioner Roop explained that he voted no as he believes the proposal creates spot zoning and is an over zone for the proposed use.

IV. STAFF UPDATES:

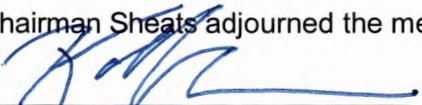
None

V. SUMMARY OF CURRENT OR RECENT EVENTS

None

VI. ADJOURNMENT

Chairman Sheats adjourned the meeting at 9:42 a.m.



Kaylee Nunez, Recorder



Acting Chairman