

BOARD OF ADJUSTMENT AGENDA

**BOARD OF ADJUSTMENT
PUBLIC HEARING
THURSDAY, May 21, 2020
9:00 AM**

**Virtual Zoom Meeting
201 S. CORTEZ STREET
PRESCOTT, ARIZONA
(928) 777-1207**

The following agenda will be considered by the BOARD OF ADJUSTMENT at its PUBLIC HEARING to be held at 9:00 AM on May 21, 2020 via Zoom Virtual Meeting. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

City of Prescott is inviting you to a scheduled Zoom meeting.

Topic: City of Prescott Board of Adjustment
Time: May 21st, 2020 9:00 AM Arizona

Join Zoom Meeting
<https://us02web.zoom.us/j/84155671637>

Dial by your location
1 346 248 7799 or
1 669 900 6833

Meeting ID: 841 5567 1637

- I. **CALL TO ORDER – Housekeeping – Please keep your phone or PC microphone on mute unless you are speaking to minimize background noise.**

Please identify yourself each time you speak so that we can record your comments in the minutes and properly count motions and votes.

CALL TO ORDER

- I. **ATTENDANCE**
Members

Stephen Silvernale	Raymond Everett
Mary Frederickson	Tony Teeters, Chair
Johnnie Forquer	Jerry Kaufman
Larry Meads, Vice Chair	

- II. **MINUTES**
Approve the minutes of the February 20, 2020 meeting.

- III. **PUBLIC HEARING ITEMS**

- 1. **CUP20-001**, Request for a Conditional Use Permit for a Self Storage Facility. Land Development Code (LDC) Sections 4.7 and 9.3. Site Zoning: Business General (BG); Location: 1527 W Gurley Street Prescott, AZ 86305; APN: 111-08-038C; Applicant:

Matthew Nebeker. Property Owners: Giuseppe Pasquale 2001 Trust UI & Joseph P D'Amore Trustee

2. **CUP20-002**, Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Site Zoning: Neighborhood Oriented Business (NOB).; Location: 3128 Willow Creek Road Prescott, AZ 86301; APN: 106-20-423; Applicant: Stroh Architecture Inc.

Property Owner: Hojat Askari

3. **V20-002**, Variance to Article 2, Section 2.5.2.B. (Accessory Uses and Structures/General) of the Land Development Code (LDC) to allow an increase in the allowed total gross floor area off all accessory buildings of 1,878 square feet by 1,354 square feet for a total of 3,232 square feet of accessory structures to allow for a new 1,200 square foot storage building on a 1.52 acre parcel. Site Zoning: Single Family 25 (SF-35); Location: 3303 Pleasant Valley Drive, Prescott, AZ 86305; APN 106-21-014Y; Applicant: Chris Robinson- Sentry Builders LLC.

Property Owners: Gregory A & Donevon S Murrell

IV. 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 November _____ at _____ in accordance with the statement filed with the City Clerk's Office.

Sarah Siep, City Clerk

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 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.



BOARD OF ADJUSTMENT MINUTES

**BOARD OF ADJUSTMENT
PUBLIC HEARING
THURSDAY, February 20th 2020
9:00 AM**

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

CALL TO ORDER – Chair Teeters called the meeting to order at 9:00am.

I. ATTENDANCE

Members	
Jerry Kaufman	Ray Everett (Absent)
Paddie Braden	Stephen Silvernale (Absent)
Johnnie Forquer	Tony Teeters, Chair
Larry Meads, Vice Chair	
Staff	
Bryn Stotler, Community Development Director	Tammy Dewitt, Community Planner
George Worley, Planning Manager	
Kaylee Nunez, Recording Secretary	
Council	
Steve Sischka, Liaison	

II. MINUTES

Approve the minutes of the December 19, 2019.

Member Kaufman made a motion to approve the December 19, 2019 minutes. The motion was seconded by Member Braden and the motion passed unanimously.

III. PUBLIC HEARING ITEM

V20-001: Variance to Article 3, Section 3.6.3. (Single Family-9/Minimum Setbacks) of the Land Development Code (LDC) to allow a reduction in the required 25' front yard setback by 22.5', to allow for a front setback of 2.5', to accommodate the construction of a detached carport. [Zoning: SF-9; Property Owner: Cat & Lance Moody; APN: 109-07-042B; .21 Acres]. Location: 414 Perry St. Prescott, AZ 86303.

Community Planner Tammy Dewitt presented a site plan of the subject parcel and an aerial of the neighborhood. Ms. Dewitt explained that there are other structures along Perry Street that have had variances in order to encroach upon front setbacks. Ms. Dewitt also presented perspective photos of the site which delineated building hardships due to sloping topography and a sizable fire turnaround on the northeast side of the property.

Vice Chair Meads asked for clarification as to why Perry Street is not maintained by the City. Ms. Dewitt explained that it is because it has not been developed to City standards and that the City cannot require it to be developed at this time [by residents].

Mr. Meads questioned the owner, Cat Moody, about whether the finishes of the proposed carport would complement the existing surroundings. Ms. Moody clarified that the carport would match the house and nearby fencing and that the metal roof would be 'rusted' in finish as to reduce glare. Neighbors Rulon Smith and Randa Ward presented a few concerns regarding the variance request. Ms. Ward and Mr. Smith are located to the North of the Moody's property and believe the carport would increase the area's fire hazard due to its close proximity to their property line and their garage (approximately 10'). They are opposed to the proposal as a result.

Ms. Dewitt explained that the fire truck turnaround that was recently constructed meets code. She also explained that the proposal does not impact the right-of way nor the 10 foot minimum separation [between structures] required by fire code. Mr. Smith expressed additional concern that Perry Street needs extensive maintenance in order to meet the 20 foot road width criteria for the Fire Department. Mr. Smith also believes that the current turnaround would likely 'erode' if they were to extinguish a fire with large quantities of water. Ms. Dewitt clarified that Moodys are not responsible for clearing debris on Perry Street and that their turnaround was built to meet fire code requirements.

Ms. Moody clarified that her home was built and inspected to meet all fire codes. The Moodys also had vegetation management and fuels mitigation inspections performed. Ms. Moody explained how they made many homes nearby on Country Club Dr. safer by constructing the vehicle turnaround as well as extending utilities up the alley, to where there was no access to water for the Fire Department previously. Mr. Meads expressed that he has no concerns about fire safety and that the reviews for the building permit will cover any additional requirements. Chair Teeters clarified with Ms. Dewitt that there are no issues of ingress/egress for the Fire Department; she stated the home was finalized, indicating all code criteria were met.

Member Meads made a motion to approve V20-001. This motion was seconded by Member Kaufman. The motion passed unanimously.

IV. ADJOURNMENT

Meeting adjourned at 9:28 am

Kaylee Nunez, Recorder

Tony Teeters, Chairman

MEETING DATE: 5/21/2020

DEPARTMENT: Community Development

AGENDA ITEM: CUP20-001, 1527 W Gurley Street, APN: 111-08-038C. Land Development Code (LDC) Sections 4.7 and 9.3. Zoning is Business General (BG). Request for a Conditional Use Permit for a Self Storage Facility. Owner: Pasquale Giuseppe 2001 Trust UI and D Amore Joseph P Ttee. Applicant: Matthew Nebeker. Community Planner, Tammy DeWitt.

Approved By:

Date:

Director:	Bryn Stotler	<i>B. Stotler</i>	<i>5.14.2020</i>
Planning Manager:	George Worley	<i>Ge Worley</i>	<i>5/14/20</i>
Community Planner:	Tammy DeWitt	<i>T. DeWitt</i>	<i>5-14-2020</i>

REQUEST:

This request seeks a Conditional Use Permit (CUP) for a self storage facility in an existing building. Per Land Development Code (LDC) Section 2.3/Land Use Table, self storage facilities are allowed in the Business General (BG) zoning district by CUP.

In compliance with LDC Section 9.1.2/Common Procedure - Pre-Application Conference, and Section 9.3.3/Conditional Use Permits - Conditional Use Application Process, the applicant completed a meeting with staff prior to submitting the CUP application for the proposed use at this site and has met all other requirements of Section 9.1/Common Procedure.

SITE INFORMATION:

The proposed self storage facility is located in a portion of an existing 65,353 square foot building. The applicant does not propose any changes to the existing site or building, other than the change to approximately 4,090 square feet of the interior space.

PROPOSED USE:

The applicant proposes a self storage facility in an existing building that is open 7 days a week. There is little traffic with these types of uses.

AGENDA ITEM: CUP20-001, 1527 W Gurley Street, APN: 111-08-038C. Land Development Code (LDC) Sections 4.7 and 9.3. Zoning is Business General (BG). Request for a Conditional Use Permit for a Self Storage Facility. Owner: Pasquale Giuseppe 2001 Trust UI and D Amore Joseph P Ttee. Applicant: Matthew Nebeker. Community Planner, Tammy DeWitt.

CONDITIONAL USE REVIEW CRITERIA:

Conditional Uses require special consideration regarding the effect on surrounding properties and the use in relation to the objectives of the ordinance. A conditional use permit may be granted only when the Board of Adjustment finds the proposal meets the general criteria, as detailed in LDC Section 9.3.5/Conditional Use Review Criteria.

Section 9.3.5.A. Effect on Environment

“The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.”

The proposed self storage facility will be accessible seven days a week. A condition limiting hours of operation to 7:00 am to 9:00 pm would mitigate any impacts from noise or activity associated with customers visiting the storage units.

Section 9.3.5.B. Compatible with Surrounding Area

“The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the like.”

The proposed storage units are within an existing building and no exterior or site changes are proposed.

Section 9.3.5.C. External Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation response to these impacts.”

Noises from customers arriving/departing and parking are the only potential impacts on neighbors. Imposing limited hours through a condition could mitigate any potential parking and noise impacts.

AGENDA ITEM: CUP20-001, 1527 W Gurley Street, APN: 111-08-038C. Land Development Code (LDC) Sections 4.7 and 9.3. Zoning is Business General (BG). Request for a Conditional Use Permit for a Self Storage Facility. Owner: Pasquale Giuseppe 2001 Trust UI and D Amore Joseph P Ttee. Applicant: Matthew Nebeker. Community Planner, Tammy DeWitt.

Section 9.3.5.D. Infrastructure Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.”

As a self storage facility in an existing building, there would be no negative impacts to infrastructure.

Section 9.3.5.E. Consistent with General Plan and Code

“The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.”

The proposed use, with Conditional Use Permit, is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans. Self storage facilities are allowed by right in the Industrial Transitional (IT), Industrial Light (IL), and Industrial General (IG) zoning districts.

Section 9.3.5.F. Parcel Size

“The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.”

This proposed use will not have impacts requiring additional land area.

Section 9.3.5.G. Site Plan

“The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.”

The proposed use is in an existing retail strip building with adequate parking for the proposed use.

AGENDA ITEM: CUP20-001, 1527 W Gurley Street, APN: 111-08-038C. Land Development Code (LDC) Sections 4.7 and 9.3. Zoning is Business General (BG). Request for a Conditional Use Permit for a Self Storage Facility. Owner: Pasquale Giuseppe 2001 Trust UI and D Amore Joseph P Ttee. Applicant: Matthew Nebeker. Community Planner, Tammy DeWitt.

Section 9.3.6. Additional Conditions

“The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use.”

The Board may impose hours of operation to limit the availability of the building to customers arriving/leaving the building. Otherwise, there are no other impacts.

Section 9.3.7.C. Expiration/Revocation of Approval

“The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an ongoing condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8.A.”

Section 9.3.8. Appeal

“An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.”

Appeals must be filed within 30 days of Board of Adjustment decision.

HISTORIC PRESERVATION:

The site is not located within a Prescott Preservation or National Register district.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for a self storage facility per the site plan and floor plan submitted with application, with the condition limiting the hours of operation of 7:00 am to 9:00 pm.

NEIGHBORHOOD COMMENTS:

Staff has not received any public comments regarding this variance request.

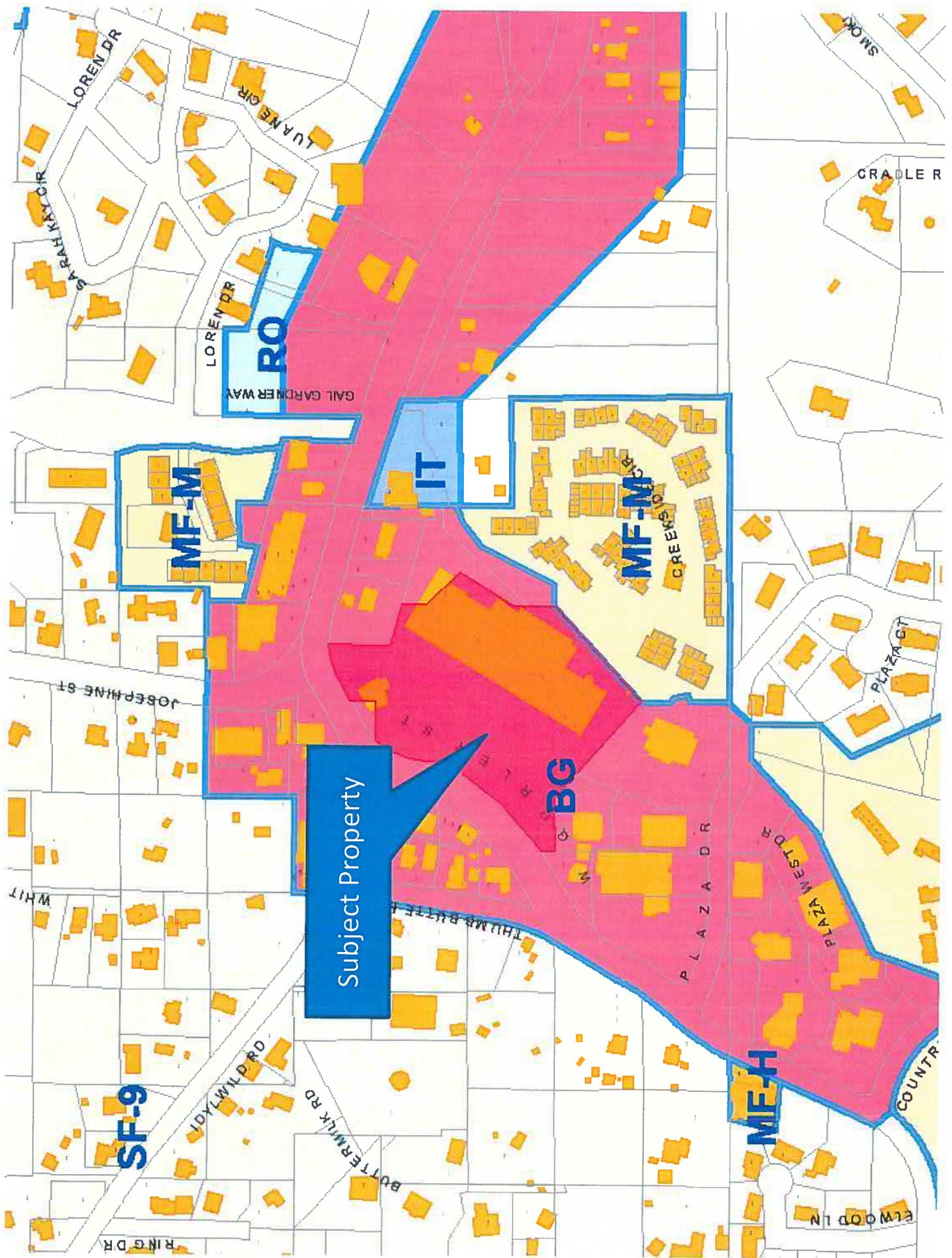
Attachments:

1. Location Map
2. Aerial
3. Applicant application
4. Staff Pictures

AGENDA ITEM: CUP20-001, 1527 W Gurley Street, APN: 111-08-038C. Land Development Code (LDC) Sections 4.7 and 9.3. Zoning is Business General (BG). Request for a Conditional Use Permit for a Self Storage Facility. Owner: Pasquale Giuseppe 2001 Trust UI and D Amore Joseph P Ttee. Applicant: Matthew Nebeker. Community Planner, Tammy DeWitt.

SUGGESTED MOTION:

Move to Approve/Deny CUP20-001, to approve a self storage facility in a Business General (BG) zoning district located at 1527 W Gurley Street.



Subject Property



Subject Property

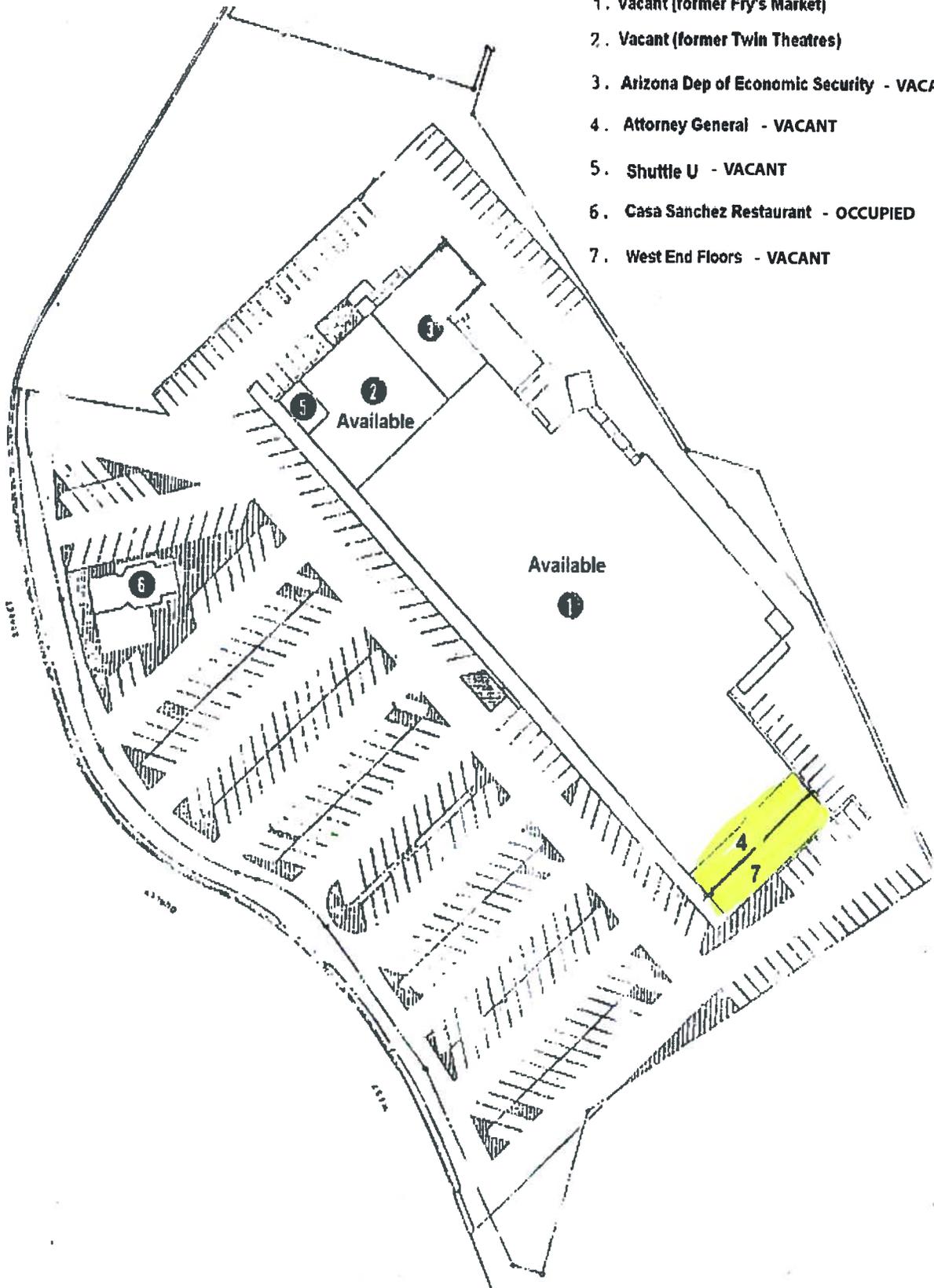
To The PAC,

Plaza West Shopping Center has been vacant for the last five years. As a lessee only I'm proposing using the current vacant space (4,090 sf) to create self-storage. This would start in the two southern most spaces on the site plan where Attorney General and West End Floors once were. We would build prefabricated metal lockers to be built inside the suites. Hopefully the PAC finds that there wouldn't be any impacts to emergency services, access to the property, health and safety issues such as noise or hazardous materials. There shouldn't be any of these items. The plan is to only be a lessee within the two suites.

Sincerely,

Matthew Nebeker

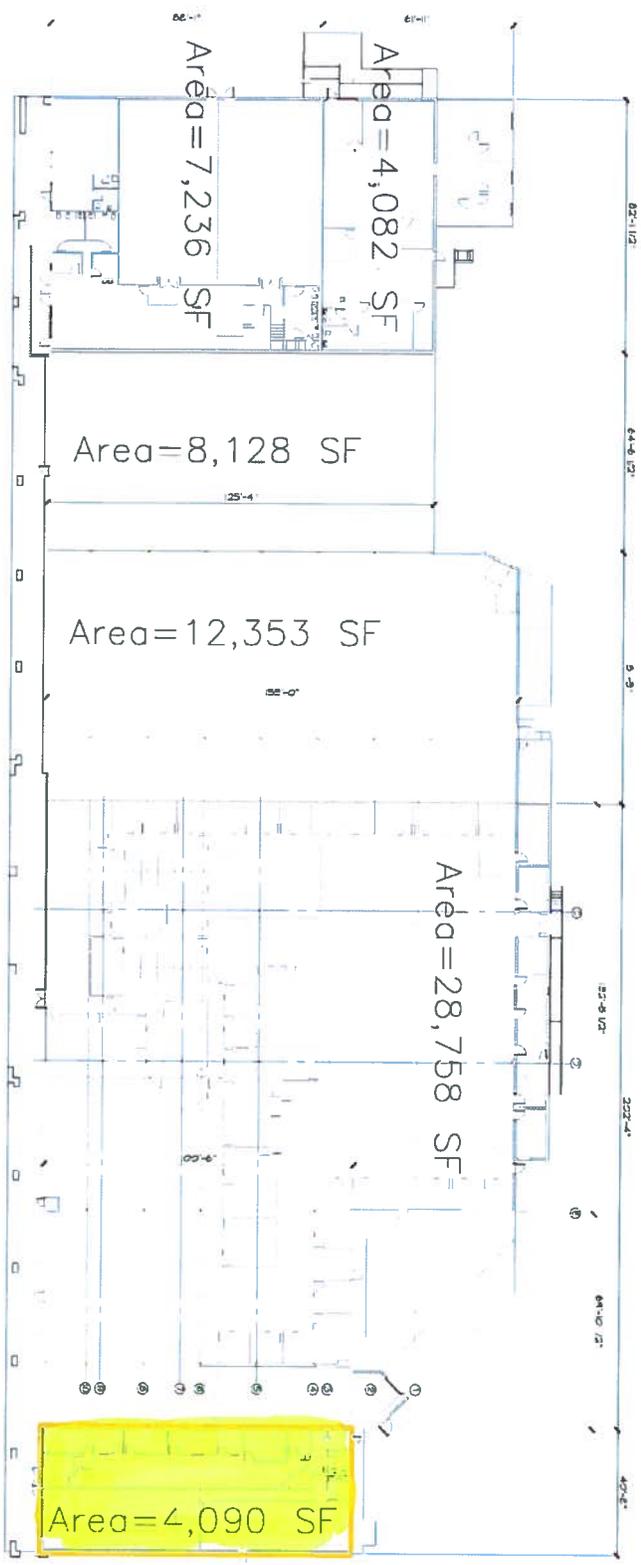
1. Vacant (former Fry's Market)
2. Vacant (former Twin Theatres)
3. Arizona Dep of Economic Security - VACANT
4. Attorney General - VACANT
5. Shuttle U - VACANT
6. Casa Sanchez Restaurant - OCCUPIED
7. West End Floors - VACANT



FLOOR PLAN

1/200 0:16 A' 20

Co-Memoranda and San Diego (in Aerial) (P) (2000) Projects (A) (2000) Michael Taylor Architects floor plans



PROJECT SUITE



Michael Taylor Architects, Inc.

PROJECT NO.	DATE	DESCRIPTION

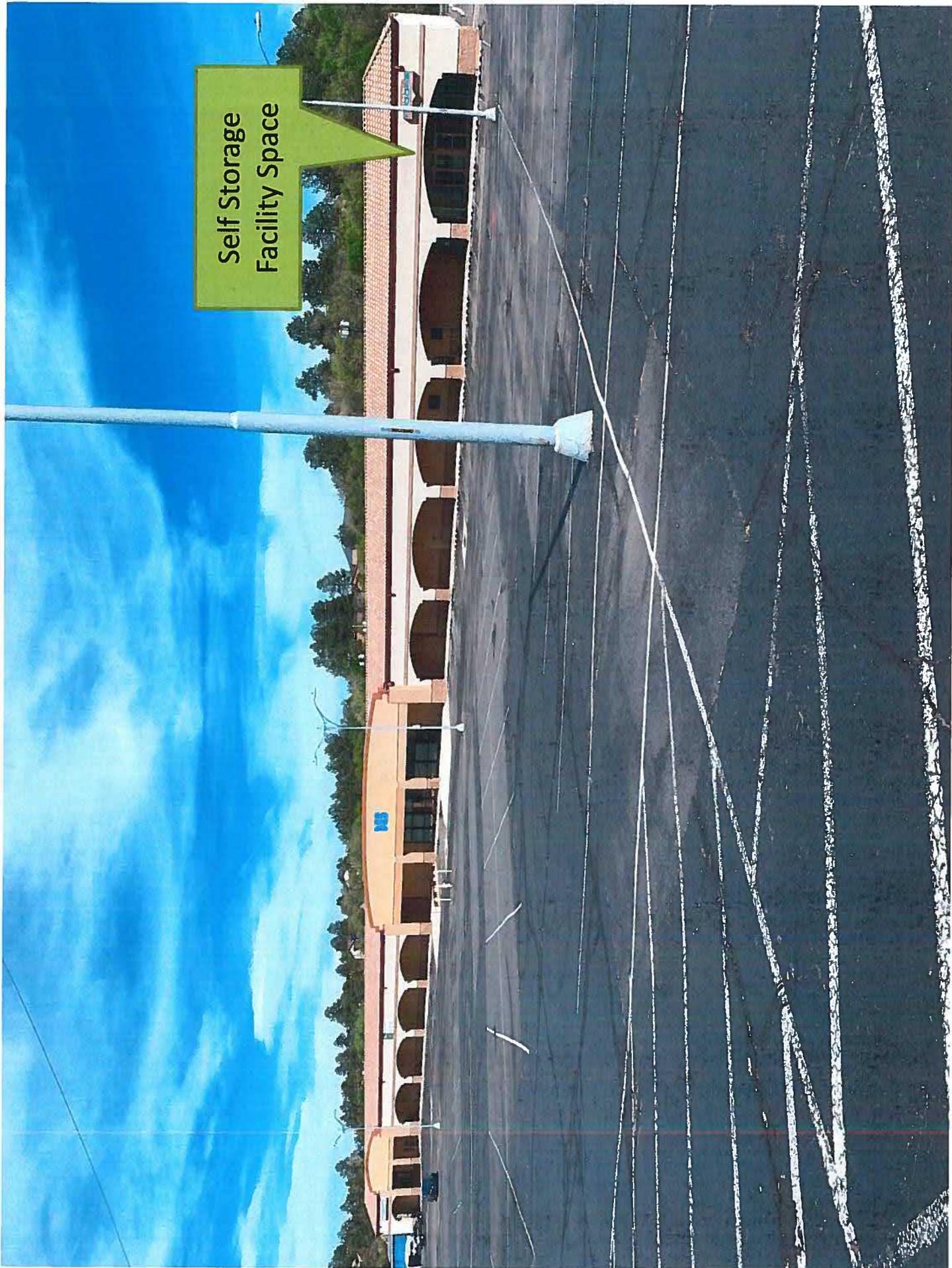
ARIZONA

PRELIMINARY DESIGN
CONSTRUCTION



MICHAEL TAYLOR ARCHITECTS, INC.
 1000 North Central Expressway, Suite 1000
 Phoenix, Arizona 85004-4000
 Phone: 602-955-4000 Fax: 602-955-4001

Self Storage
Facility Space







MEETING DATE: 5/21/2020

DEPARTMENT: Community Development

AGENDA ITEM: CUP20-002, 3128 Willow Creek Road, APN: 106-20-423. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Zoning is Neighborhood Oriented Business (NOB). Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Owner: Dr. Hojat Askari. Applicant: Stroh Architecture Inc. Community Planner, Tammy DeWitt.

Approved By:

Date:

Director:	Bryn Stotler	<i>B. Stotler</i>	<i>5.14.2020</i>
Planning Manager:	George Worley	<i>G. Worley</i>	<i>5/14/20</i>
Community Planner:	Tammy DeWitt	<i>T. DeWitt</i>	<i>5.14.2020</i>

REQUEST:

This request seeks a Conditional Use Permit (CUP) for a 24,000 square foot building for a new surgery center. Per Land Development Code (LDC) Section 4.6.4.A. District Standards, maximum building size allowed is 12,000 square feet per structure in a Neighborhood Oriented Business (NOB) zoning district, but larger structures may be allowed subject to approval by CUP.

In compliance with LDC Section 9.1.2/Common Procedure - Pre-Application Conference, and Section 9.3.3/Conditional Use Permits - Conditional Use Application Process, the applicant completed a meeting with staff prior to submitting the CUP application for the proposed use at this site and has met all other requirements of Section 9.1/Common Procedure.

SITE INFORMATION:

The proposed surgery center is located in a portion of the Marketplace at the Crossings planned development on a 9,000 square foot lot. The applicant has demonstrated that there is enough room for the required parking spaces for the proposed use.

PROPOSED USE:

The applicant proposes a new 3 story, 24,000 square feet, outpatient surgery facility.

AGENDA ITEM: CUP20-002, 3128 Willow Creek Road, APN: 106-20-423. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Zoning is Neighborhood Oriented Business (NOB). Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Owner: Dr. Hojat Askari. Applicant: Stroh Architecture Inc. Community Planner, Tammy DeWitt.

CONDITIONAL USE REVIEW CRITERIA:

Conditional Uses require special consideration regarding the effect on surrounding properties and the use in relation to the objectives of the ordinance. A conditional use permit may be granted only when the Board of Adjustment finds the proposal meets the general criteria, as detailed in LDC Section 9.3.5/Conditional Use Review Criteria.

Section 9.3.5.A. Effect on Environment

“The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.”

The proposed surgery center has been designed to take full advantage of the unusual lot. One of the building pads within the development is being developed for additional parking spaces instead of an additional building. The proposed density of the two existing building pads is being combined into one building pad to allow one 24,000 square foot building instead of two 12,000 square foot buildings over the development.

Section 9.3.5.B. Compatible with Surrounding Area

“The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the like.”

The applicant states that the building has been designed on the lower portion of the development, allowing it to blend into the lower rise adjacent development. Mature trees will help soften the visual impact from neighboring properties and Willow Creek Road.

Section 9.3.5.C. External Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation response to these impacts.”

The proposed surgery center will not impose any negative impacts to the surrounding uses.

AGENDA ITEM: CUP20-002, 3128 Willow Creek Road, APN: 106-20-423. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Zoning is Neighborhood Oriented Business (NOB). Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Owner: Dr. Hojat Askari. Applicant: Stroh Architecture Inc. Community Planner, Tammy DeWitt.

Section 9.3.5.D. Infrastructure Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.”

The property is part of a platted commercial area and the infrastructure has been developed. One of the platted building pads is being converted to additional parking.

Section 9.3.5.E. Consistent with General Plan and Code

“The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.”

The proposed use, with Conditional Use Permit, is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans. The maximum building size allowed in the NOB Zoning district is 12,000 square feet, unless a CUP is approved to allow a larger building.

Section 9.3.5.F. Parcel Size

“The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.”

This proposed use will not have impacts requiring additional land area.

Section 9.3.5.G. Site Plan

“The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.”

The proposed use has been reviewed and meets all code requirements.

AGENDA ITEM: CUP20-002, 3128 Willow Creek Road, APN: 106-20-423. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Zoning is Neighborhood Oriented Business (NOB). Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Owner: Dr. Hojat Askari. Applicant: Stroh Architecture Inc. Community Planner, Tammy DeWitt.

Section 9.3.6. Additional Conditions

“The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use.”

No additional conditions are being recommended for this application.

Section 9.3.7.C. Expiration/Revocation of Approval

“The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an ongoing condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8.A.”

Section 9.3.8. Appeal

“An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.”

Appeals must be filed within 30 days of Board of Adjustment decision.

HISTORIC PRESERVATION:

The site is not located within a Prescott Preservation or National Register district.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for a 24,000 square foot building per the site plan and renderings submitted with application.

NEIGHBORHOOD COMMENTS:

Staff has not received any public comments regarding this Conditional Use Permit request.

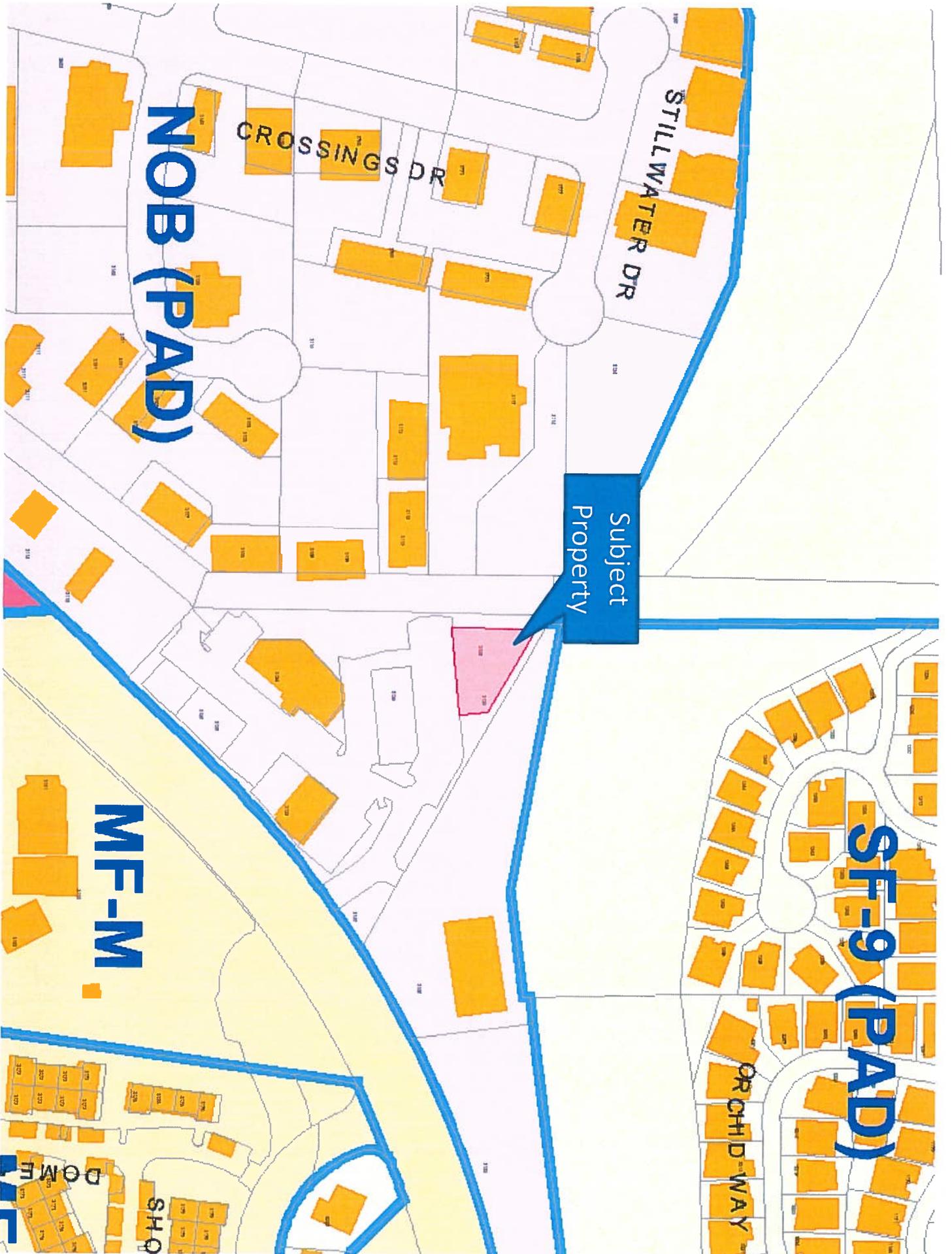
Attachments:

1. **Location Map**
2. **Aerial Close-up**
3. **Applicant application and drawings**
4. **Staff Pictures**

AGENDA ITEM: CUP20-002, 3128 Willow Creek Road, APN: 106-20-423. Land Development Code (LDC) Sections 4.6.4.A and 9.3. Zoning is Neighborhood Oriented Business (NOB). Request for a Conditional Use Permit for a 24,000 square foot building for a new surgery center. Owner: Dr. Hojat Askari. Applicant: Stroh Architecture Inc. Community Planner, Tammy DeWitt.

SUGGESTED MOTION:

Move to Approve/Deny CUP20-002, to approve a 24,000 square foot building in a Neighborhood Oriented Business (NOB) zoning district located at 3128 Willow Creek Road.



NOB (PAD)

CROSSINGS DR

STILLWATER DR

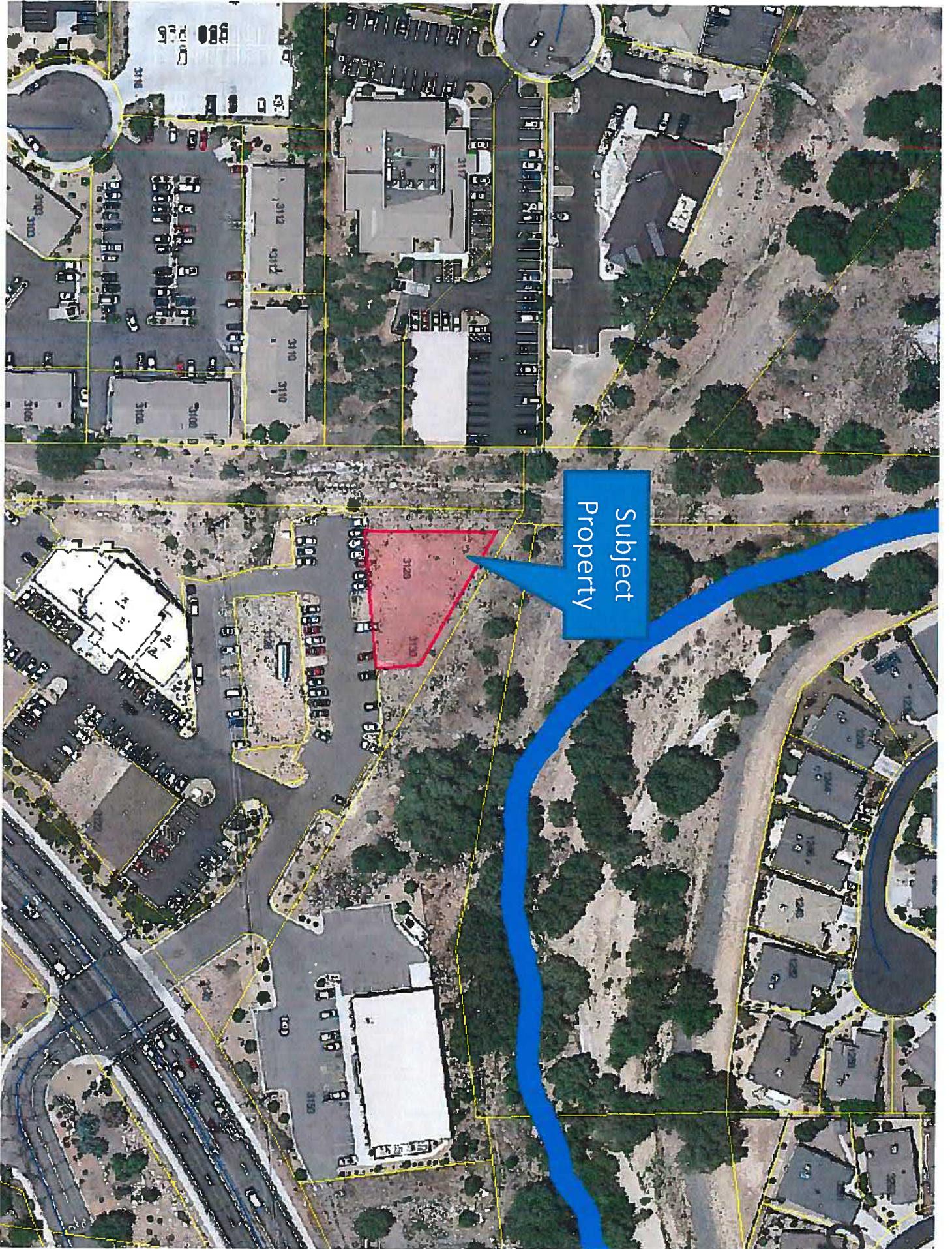
Subject Property

SF-9 (PAD)

ORCHID WAY

MF-M

DOME
SHQ



Subject
Property



STROH ARCHITECTURE INC.

April 2, 2020

Askari Surgery Center

The Askari Surgery Center is proposed as a new 3 story, 24,000 sf, outpatient surgery facility in the Marketplace at the Crossing development. With three operating rooms and a cardiac catheterization suite on the first floor and two stories of medical office space above, this building will serve as a nexus for advanced surgical procedures and provides additional cardiac care capacity to serve the Prescott community. This arrangement of offices and surgery spaces helps to leverage the efficiencies of modern medical practice, removing the need for patients to incur costly overnight stays at hospitals, while providing increasingly sophisticated procedures necessary to keep us all healthy.

Site

Sited on Lot 1, at the northern most edge of the Marketplace at the Crossing development, the Surgery Center rests on the lower portion of the development, overlooking the Willow Creek wash. The multistory massing of the building will be well served by this siting, helping it to better blend into the lower rise adjacent development. Existing, mature, 60' tall stands of trees will further help soften the visual impact of this building from neighboring properties and Willow Creek Road. The building footprint has been maximized to take full advantage of the buildable pad. While this results in an unusual building footprint, the design of the interior spaces is efficient and satisfies the programmatic requirements of the facility. In anticipation of the increased parking needs, Lot 2 of the development will be developed as parking for 19 patients and 56 additional parking spaces will be established directly west of the development. The site design satisfies requirements for accessible parking, and a covered drive aisle at the building entry is provided for patient drop-off and pick-up, as required for this type of facility.

Building

The building design blends pragmatic construction techniques with high energy efficiency aspirations. High performance HVAC equipment and LED lighting, coupled with a highly insulated building envelope, will provide a comfortable space that reduces energy usage with building materials that reduce environmental impact. Low maintenance split faced CMU, fiber cement siding, and moisture drainage EIFS system over continuous insulation has been designed to reflect the existing buildings in the development, while providing durable finishes. The continuity of materials, colors and textures helps to establish a "campus like feel" to the development, and selected materials are compatible with Prescott's unique architectural aesthetic. High performance insulated and thermally broken storefront and window assemblies will allow views and natural light with a minimum of performance loss at the envelope. Mechanical units will be located at grade behind the building to provide a clean and uncluttered roofline.

Douglas Stroh, NCARB, AIA



2 VIEW FROM SOUTH WEST
SCALE: N.T.S.



1 VIEW FROM SOUTH EAST
SCALE: N.T.S.

50% PROGRESS SET

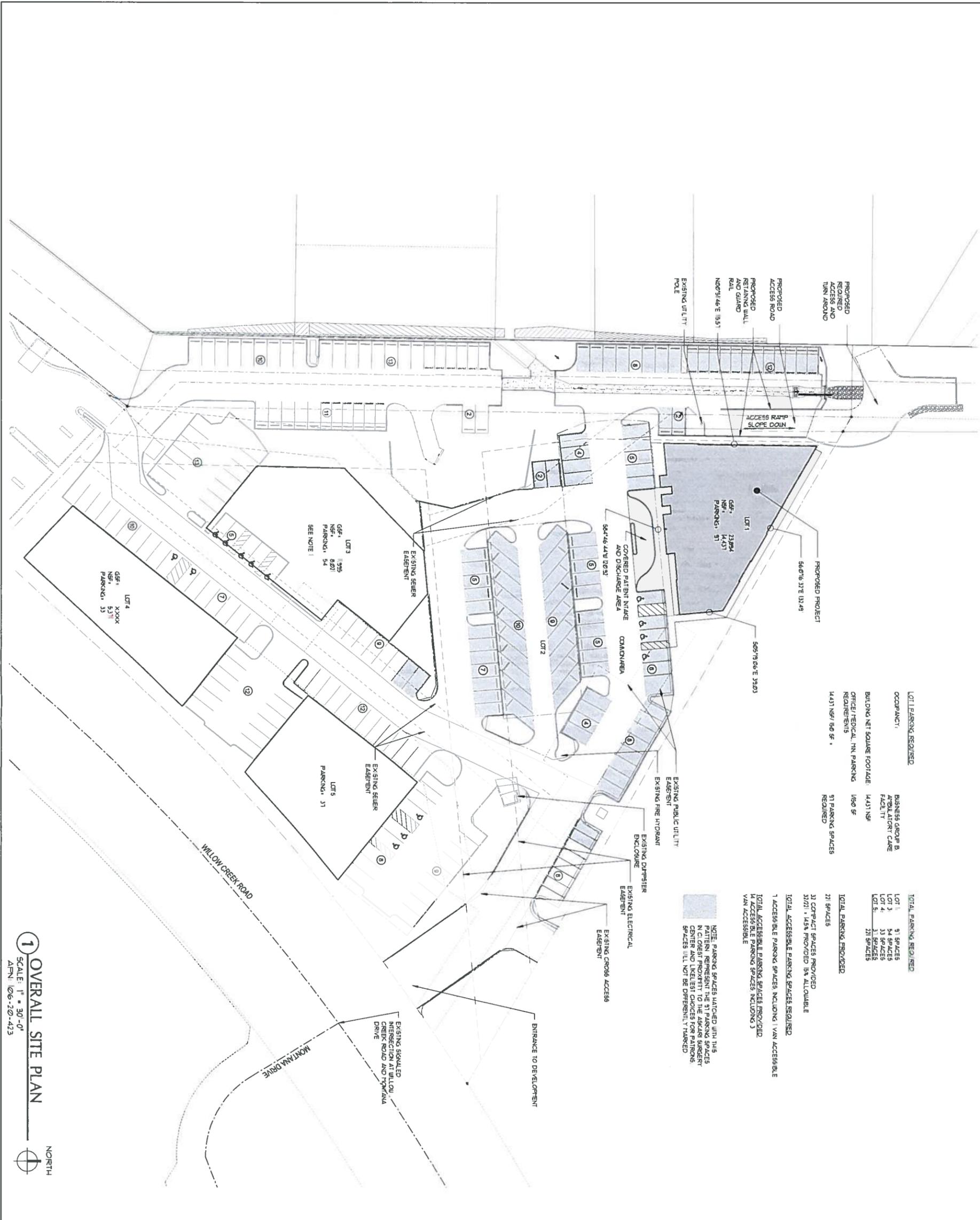
ASKARI SURGERY CENTER
3128 WILLOW CREEK ROAD
PRESCOTT, ARIZONA

STROH ARCHITECTURE, INC.
1577 Plaza West Drive, Suite B
Prescott, AZ 86303
(928) 771-0548

PRELIMINARY
NOT FOR
CONSTRUCTION

SHEET
BUILDING REFERENCES
A0.1
DRAWN BY: RSR
CHECKED BY: RSR/DJS
DATE: APRIL 15, 2020
JOB NO.: 20001

REVISION



LOT 1 PARKING REQUIRED	
OCCUPANT:	BUSINESS GROUP B
BUILDING NET SQUARE FOOTAGE:	14,371 NSF
OFFICE/MEDICAL, TN. PARKING REQUIREMENTS:	1/60 SF
14,371 NSF / 160 SF =	91 PARKING SPACES

TOTAL PARKING REQUIRED	
LOT 1:	91 SPACES
LOT 3:	54 SPACES
LOT 4:	33 SPACES
LOT 5:	31 SPACES
TOTAL:	211 SPACES

TOTAL PARKING PROVIDED	
211 SPACES	211 SPACES PROVIDED
31/211 = 14.5%	14.5% PROVIDED (5% ALLOWABLE)

NOTE: PARKING SPACES WITHIN THIS PATTERNS REPRESENT THE 31 PARKING SPACES CENTER AND LIKELY CHOICES FOR PATRONS SPACES WILL NOT BE DIFFERENTIALLY MARKED

1 OVERALL SITE PLAN
 SCALE: 1" = 30'-0"
 APRIL 15 2020
 APRN: 06-20-423

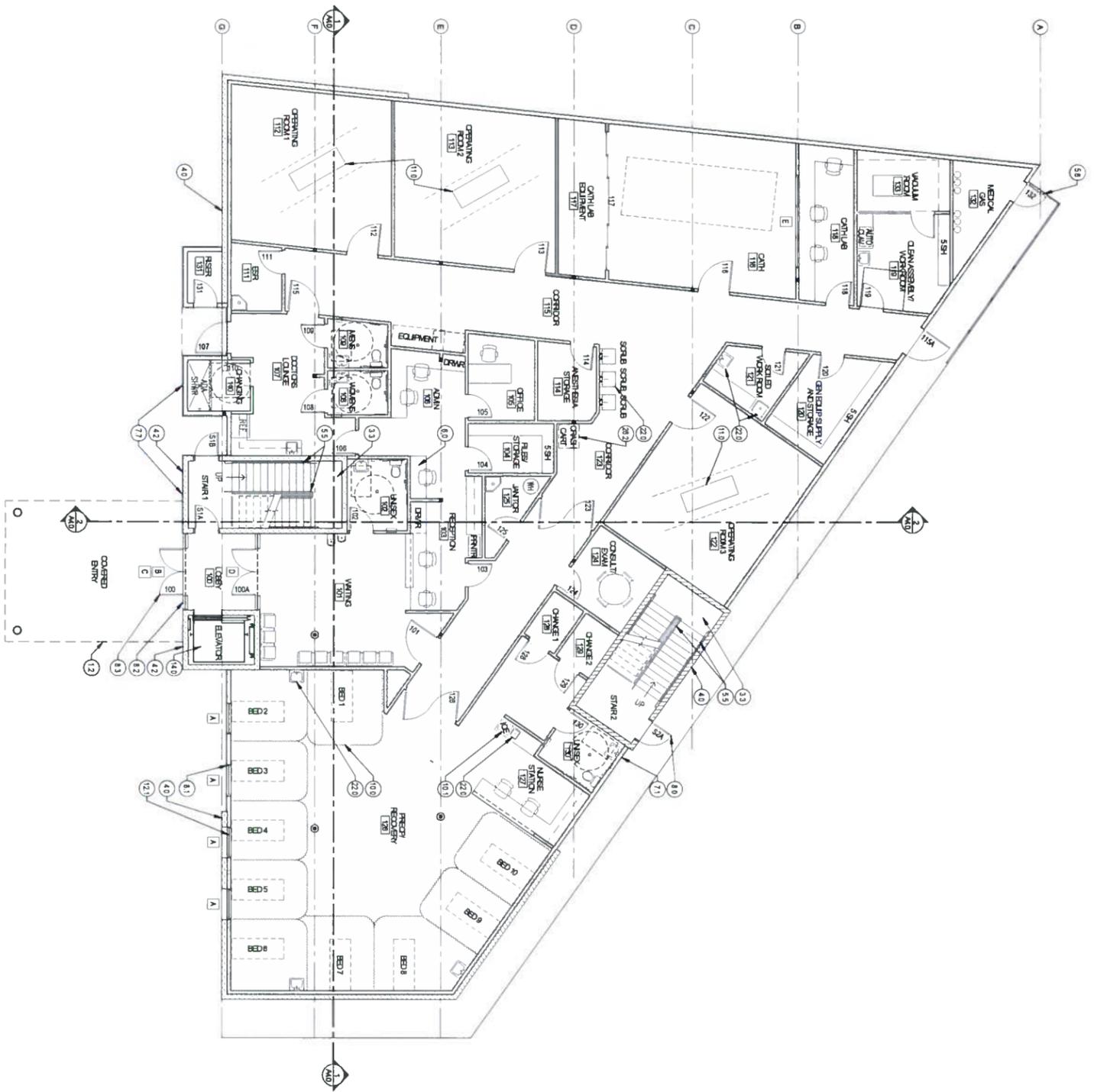
50% PROGRESS SET

ASKARI SURGERY CENTER
 3128 WILLOW CREEK ROAD
 PRESCOTT, ARIZONA

STROH ARCHITECTURE, INC.
 1577 Plaza West Drive, Suite B
 Prescott, AZ 86303
 (928) 771-0548

PRELIMINARY
 NOT FOR
 CONSTRUCTION

SHEET
 OVERALL
 SITE PLAN
A10
 DRAWN BY: RSR/DO5
 CHECKED BY: RSR/DO5
 DATE: APRIL 15 2020
 JOB NO.: 20001



- FLOOR FINISHES:**
 1. SEE 303 FOR ALL WORK
 2. CONTIGUOUS FLOOR FINISHES WITH LOWER LEVELS
 3. FURNITURE SHOWS FOR REFERENCE ONLY AND PROVIDED AND INSTALLED BY OWNER

1ST FLOOR PLAN



SCALE: 1/8" = 1'-0"

KEYNOTES

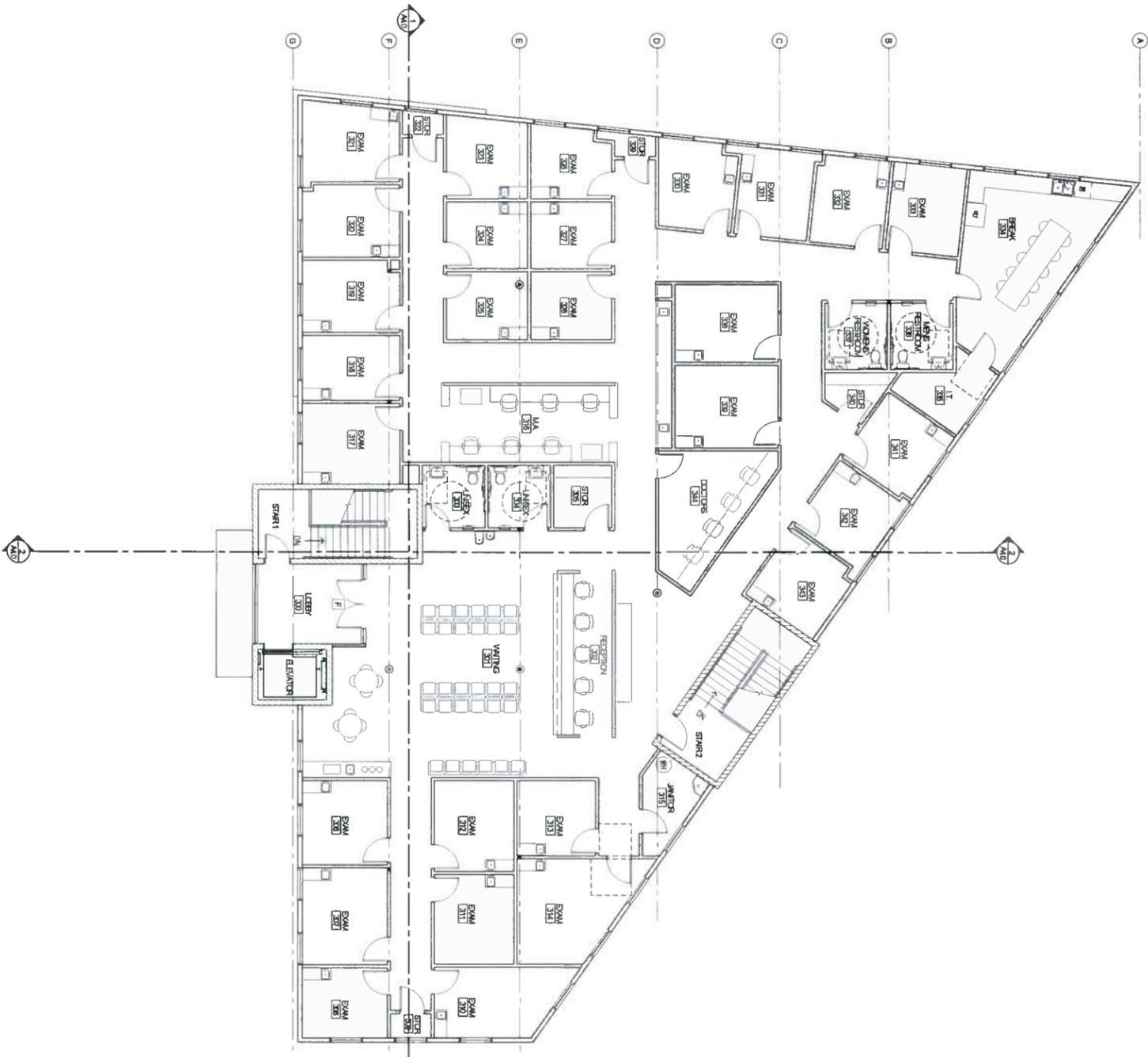
- 00 GENERAL
- 01 FINISHES AND MATERIALS
- 02 LIMITS OF WORK
- 03 ROOF ABOVE
- 04 SITE
- 05 GROUND CONDITIONS
- 06 PROPOSED SEE CIVIL
- 07 LINE OF FINISHES SEE CIVIL
- 08 CONCRETE FINISH AT POINTS CO-ORDINATE SEE CIVIL
- 09 FINISHES SEE CIVIL
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PRELIMINARY
NOT FOR
CONSTRUCTION

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 Prescott, AZ 86303
 (928) 771-0548

ASKARI SURGERY CENTER
 3128 WILLOW CREEK ROAD
 PRESCOTT, ARIZONA

SHEET
 1ST FLOOR
 PLAN
A2.0
 DRAWN BY: RSP/ROS
 CHECKED BY: RSP/ROS
 DATE: APRIL 15, 2003
 JOB NO.: 20001



1 3RD FLOOR PLAN



SCALE: 1/8" = 1'-0"

- FLOOR FINISHES:**
1. SEE 2ND AND 4TH FLOOR PLANS
 2. CONCRETE FLOOR MILLWORK AND FINISHES
 3. WINDOW SILL FINISHES REFER TO 2ND AND 4TH FLOOR PLANS

KEYNOTES

- 100 GENERAL
- 101 EXISTING CONDITIONS
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DETAILS

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ASKARI SURGERY CENTER
 3128 WILLOW CREEK ROAD
 PRESCOTT, ARIZONA

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 1577 Plaza West Drive, Suite B
 Prescott, AZ 86303
 (928) 771-0548

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

SHEET
 3RD FLOOR
 PLAN
A2.3
 DRAWN BY: RSM/005
 CHECKED BY: RSM/005
 DATE: APRIL 15, 2020
 JOB NO.: 20001

**PRELIMINARY
NOT FOR
CONSTRUCTION**

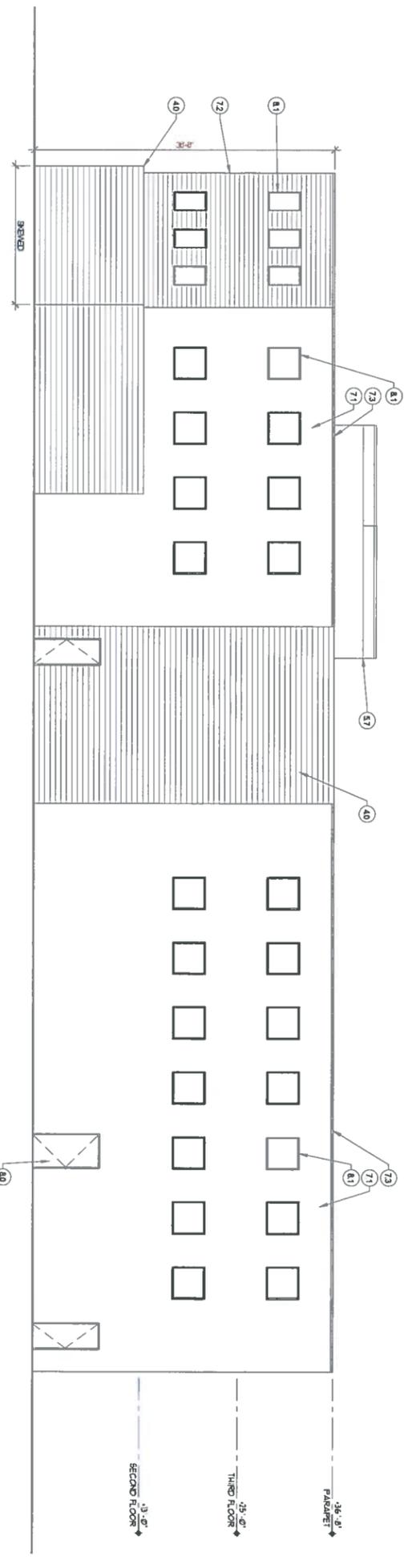
STROH ARCHITECTURE, INC.
1577 Plaza West Drive, Suite B
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(928) 771-0548

ASKARI SURGERY CENTER
3128 WILLOW CREEK ROAD
PRESCOTT, ARIZONA

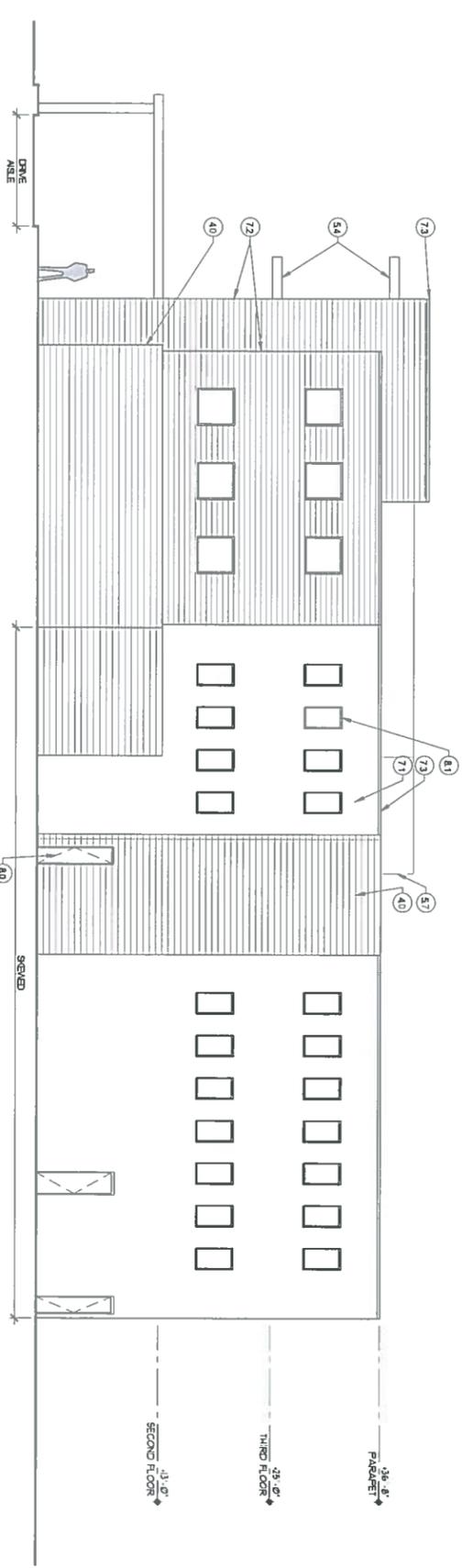
SHEET
EXTENSION
ELEVATIONS
A3.1
DRAWN BY: RSR
CHECKED BY: RSR/POS
DATE: APRIL 15 2020
JOB NO.: 20001

KEYNOTES

- 00 GENERAL CONTRACTOR WORK
- 01 LAMPS ON JOCK
- 12 ROOF MOBE
- 13 SEE 300 LUMINA AREA APPROX (SEE O&A)
- 14 LINE OF FINISHING FLOOR
- 21 CONCRETE FINISH FLOOR CO-SEE SEE O&A
- 22 CONCRETE FINISH FLOOR CO-SEE SEE O&A
- 23 TAVERED O&A SEE O&A
- 24 CONCRETE SCHEDULE AND O&A DIMS
- 25 NEW FINISHING WALL, SEE O&A
- 26 NEW FINISHING WALL, SEE O&A
- 27 ACCESSIBLE FINISHING
- 28 NEW FINISHING WALL, SEE O&A
- 29 NEW FINISHING WALL, SEE O&A
- 30 CONCRETE FLOORING SEE STRUCTURAL
- 31 FLOORING SEE STRUCTURAL
- 32 FLOORING SEE STRUCTURAL
- 33 CONCRETE FLOORING, FINISHING TRUCKS AND DIMS SEE O&A
- 40 INTERIOR COLUMN, WITH INTERIOR WATER REPLENT, BALANCED COLOR SMOOTH FACE
- 41 FINISH WALL, SEE STRUCTURAL
- 42 FLOORING SEE STRUCTURAL
- 43 FLOORING SEE STRUCTURAL
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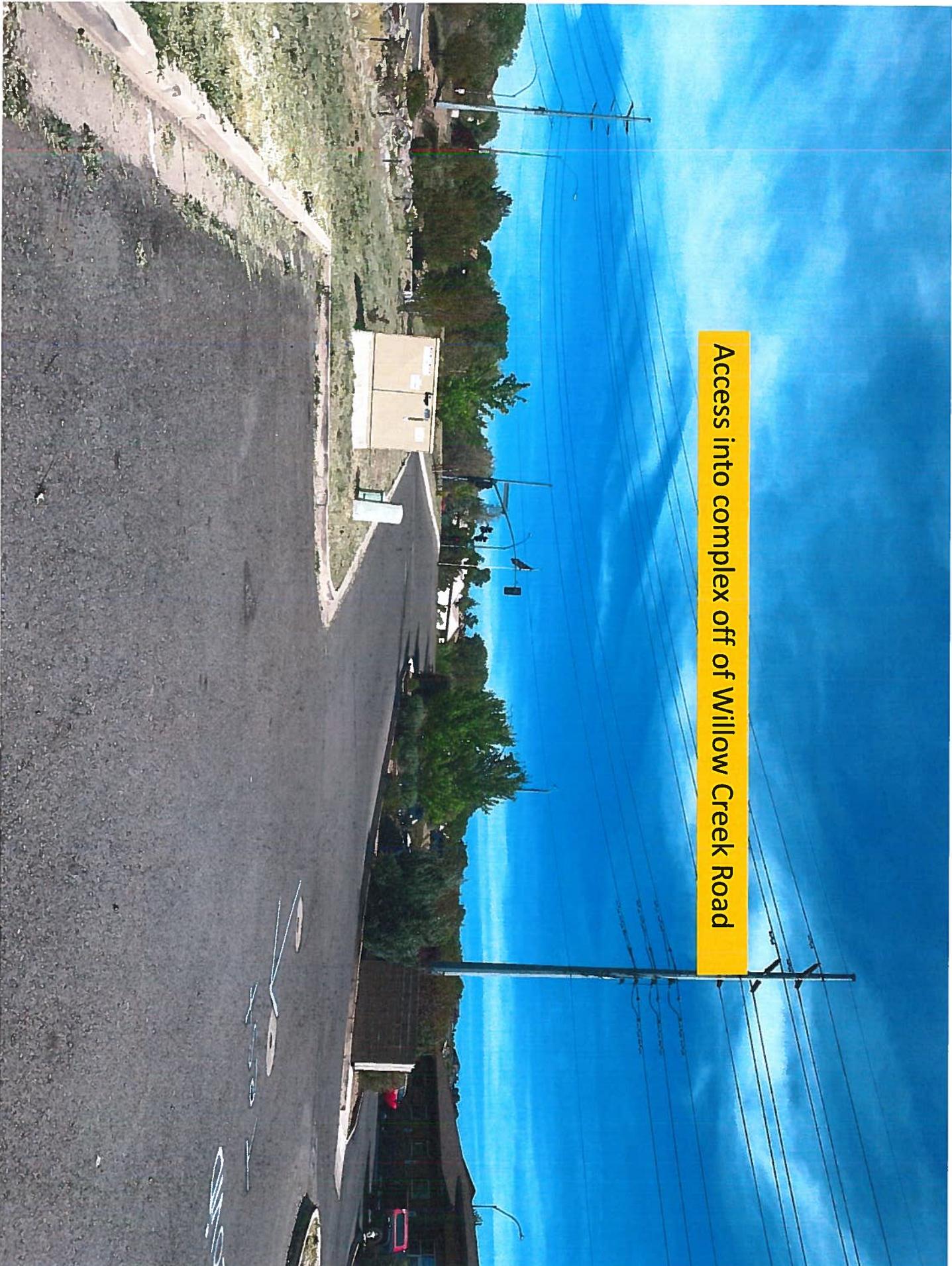


2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

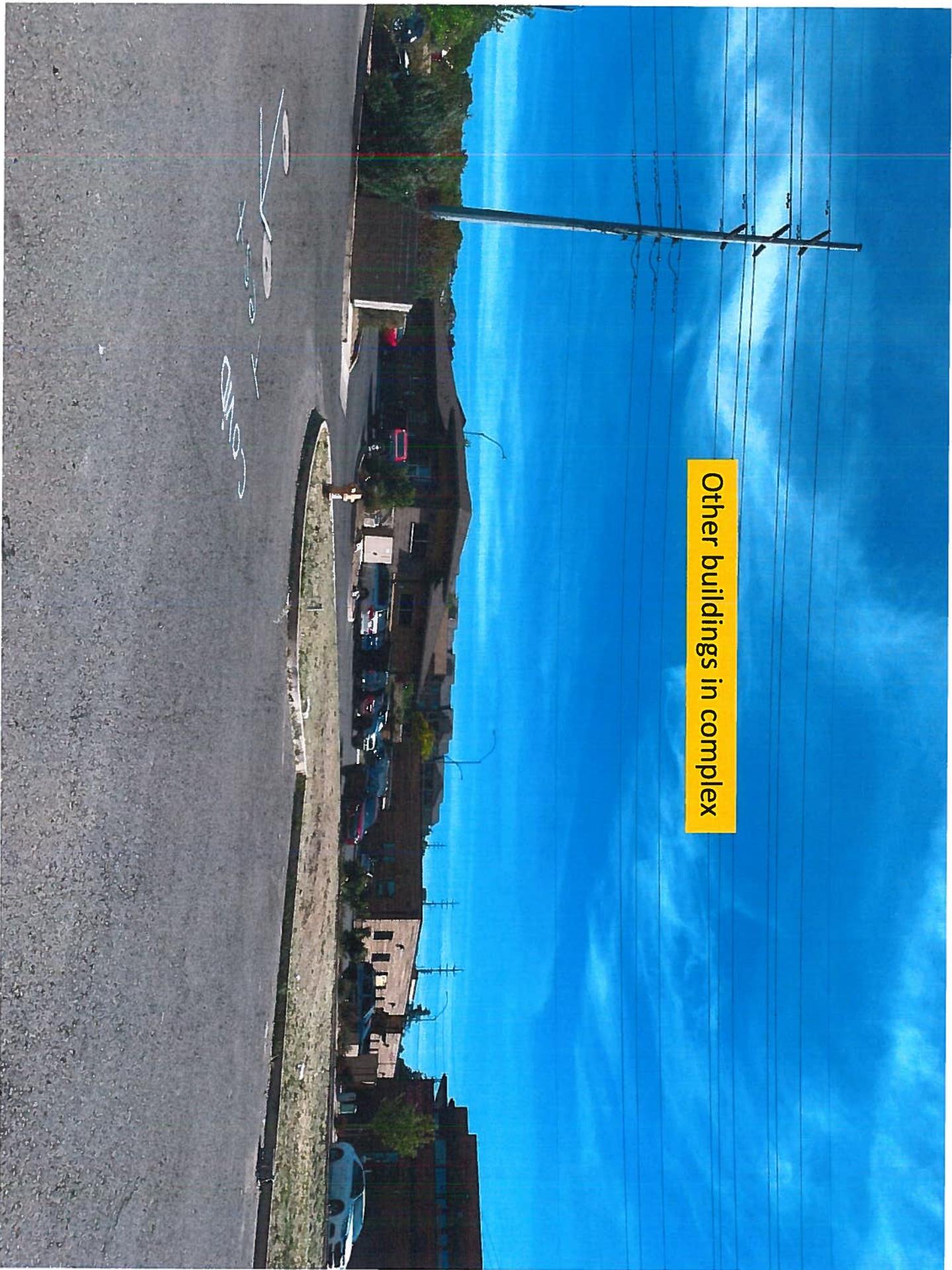


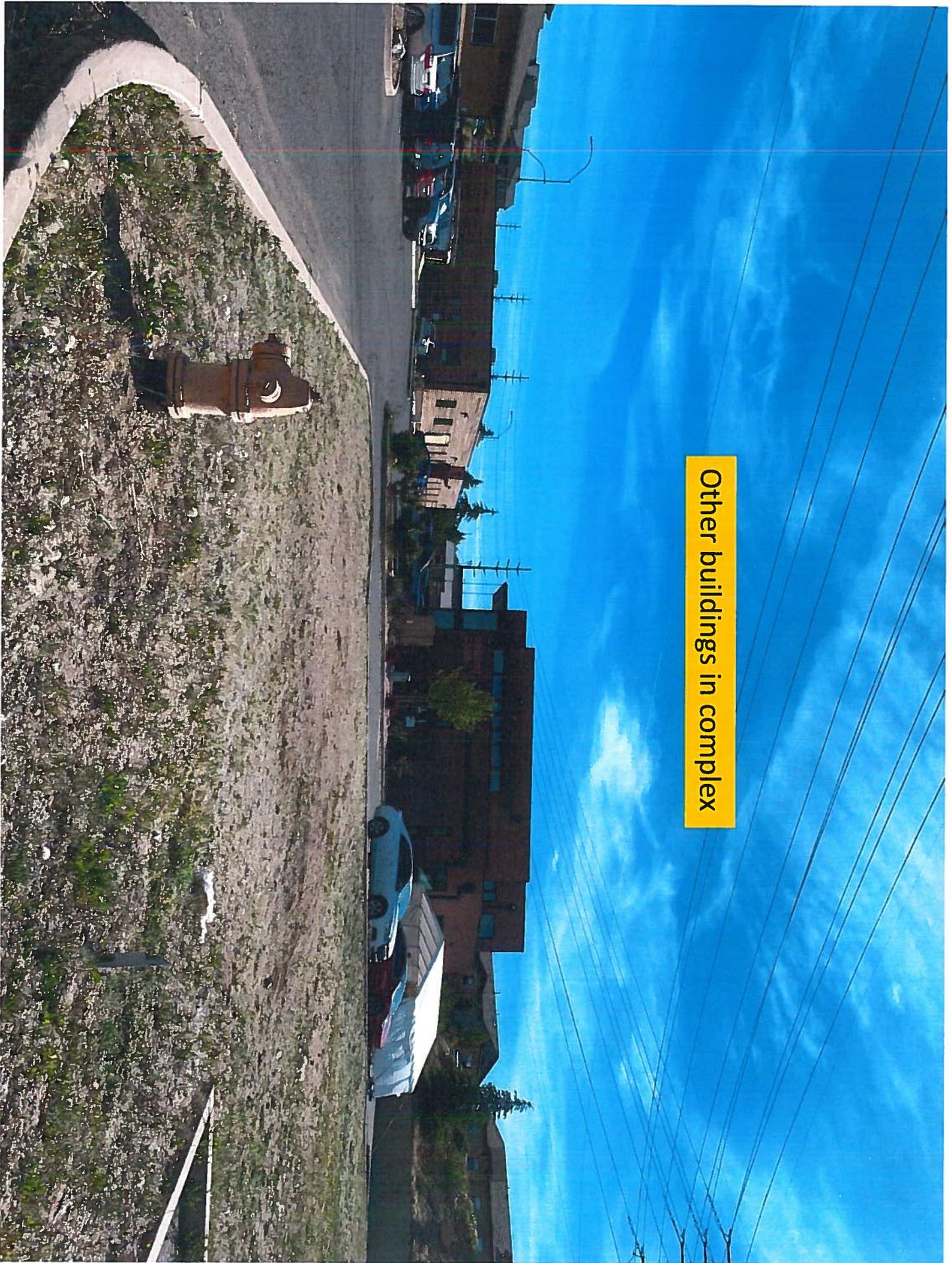
1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

Access into complex off of Willow Creek Road



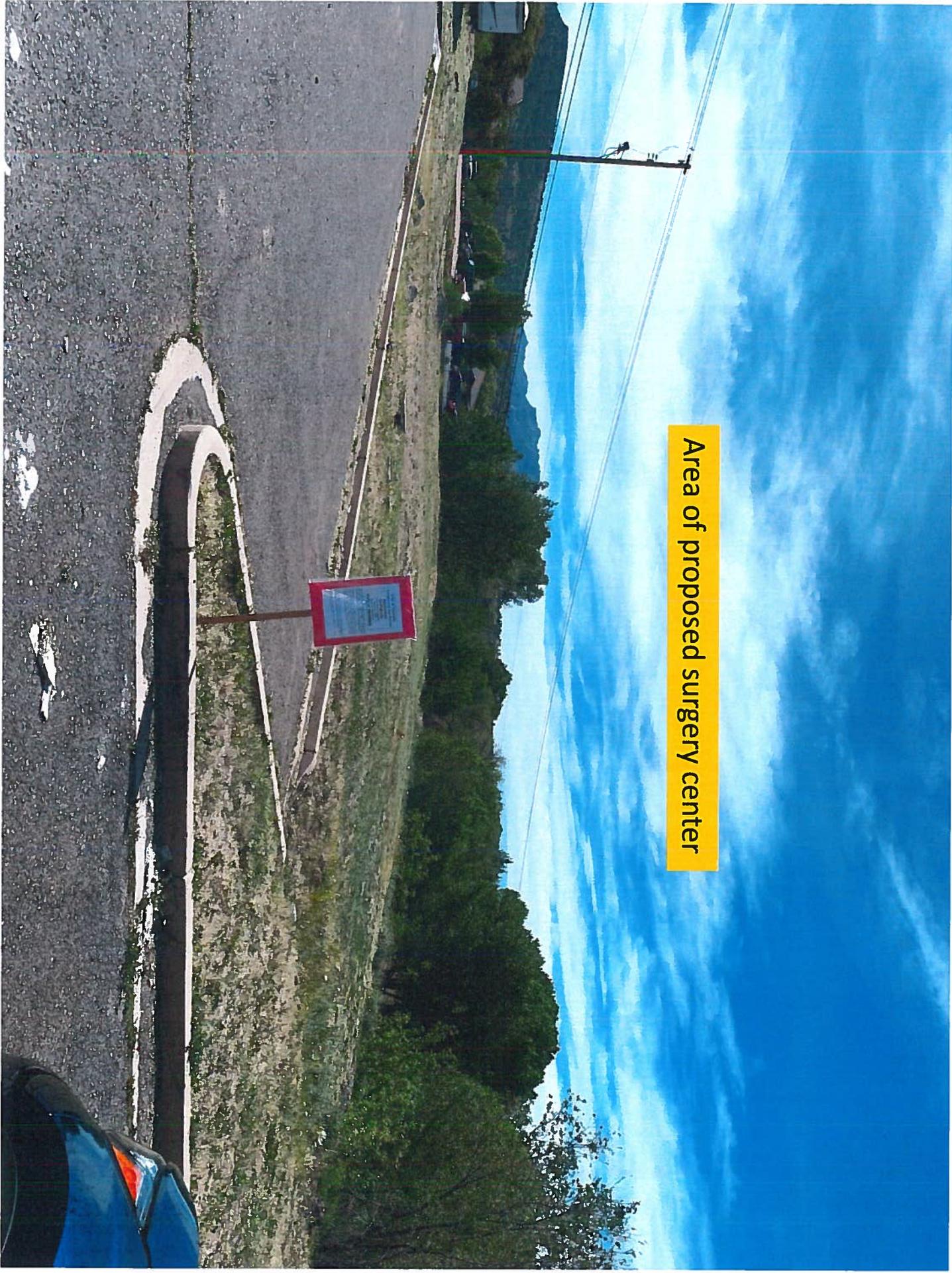
Other buildings in complex

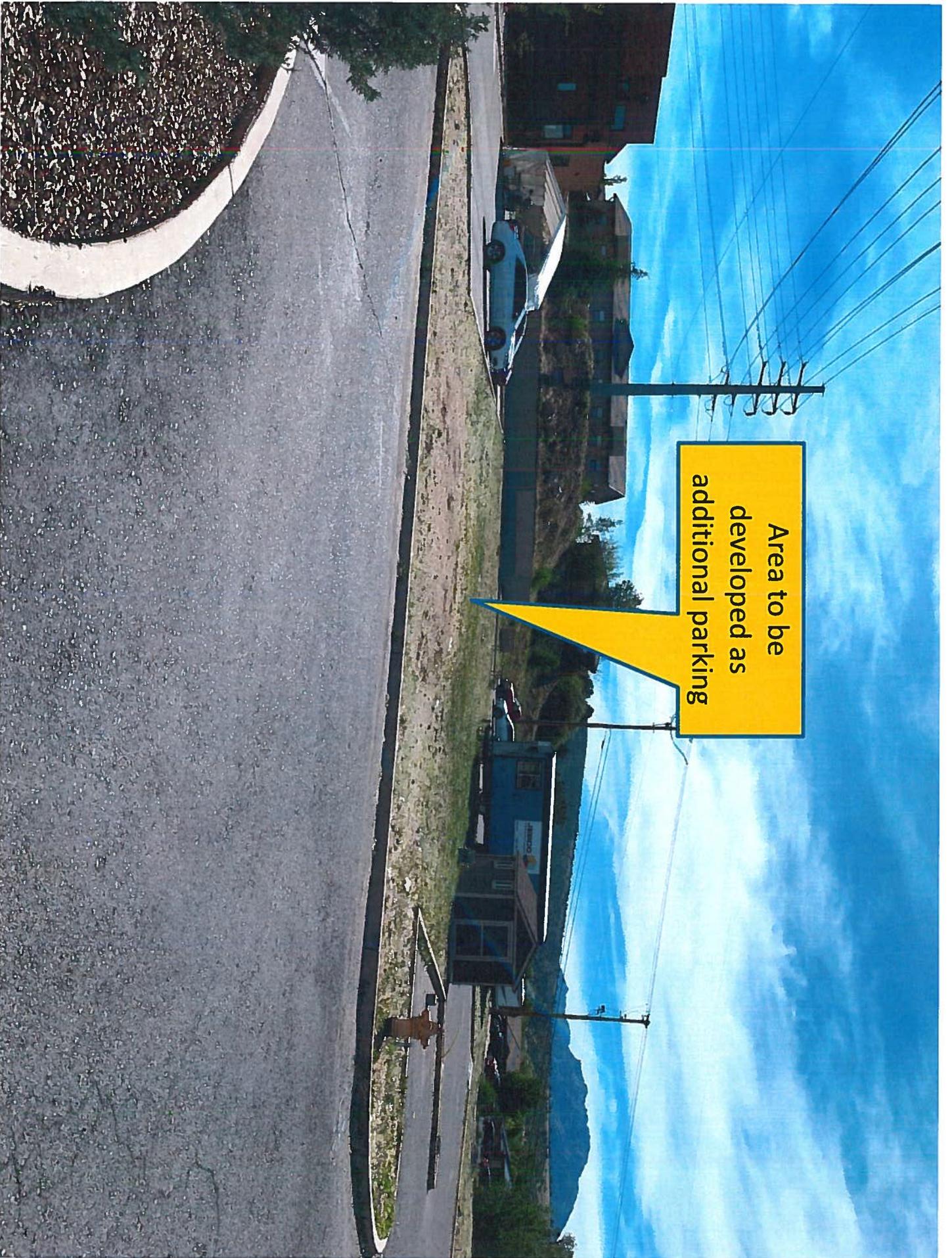




Other buildings in complex

Area of proposed surgery center





Area to be developed as additional parking

MEETING DATE: 5/21/2020

DEPARTMENT: Community Development

AGENDA ITEM: V20-002, Variance to Article 2, Section 2.5.2.B. (Accessory Uses and Structures/General) of the Land Development Code (LDC) to allow an increase in the allowed total gross floor area of all accessory buildings of 1,878 square feet by 1,354 square feet for a total of 3,323 square feet of accessory structures to allow for a new 1,200 square foot storage building on a 1.52 acre parcel. [Zoning: SF-35; Property Owner: Gregg Murrell; Agent: Chris Robinson- Sentry Builders LLC; APN 106-21-014Y]. Location: 3303 Pleasant Valley Drive, Prescott, AZ 86305.

Approved By:

Date:

Director:	Bryn Stotler	<i>B. Stotler</i>	<i>5.14.2020</i>
Planning Manager:	George Worley	<i>G. Worley</i>	<i>5/14/20</i>
Community Planner:	Tammy DeWitt	<i>T. DeWitt</i>	<i>5-14-2020</i>

REQUEST AND JUSTIFICATION:

The applicant is requesting a Variance to allow an increase in the allowed total gross floor area of all accessory buildings to 3,323 square feet to allow for a new 1,200 square foot storage building on a 1.52 acre parcel.

Per the Land Development Code (LDC) Section 2.5.2.B.:

- Parcel is allowed a maximum of 1,878 square feet of all detached accessory structures
- Parcel has 2,123 total square feet of existing accessory structures that were allowed under old codes
- In order to allow a new 1200 square foot building, they need to ask for an additional 1,354 square feet over what they are allowed by code, for a total of 3,323 square feet of detached accessory buildings.
- With the house and all accessory structures, only 8% of the property will be covered with structures and the code allows up to 30% lot coverage.

AGENDA ITEM: VAR-002, Variance to Article 2, Section 2.5.2.B. (Accessory Uses and Structures/General) of the Land Development Code (LDC) to allow an increase in the allowed total gross floor area of all accessory buildings of 1,878 square feet by 1,354 square feet for a total of 3,323 square feet of accessory structures to allow for a new 1,200 square foot storage building on a 1.52 acre parcel. [Zoning: SF-35; Property Owner: Gregg Murrell; Agent: Chris Robinson- Sentry Builders LLC; APN 106-21-014Y]. Location: 3303 Pleasant Valley Drive, Prescott, AZ 86305.

Per Section 2.5.2.B. of the LDC, The total gross floor area of all accessory structures on a lot shall not exceed 600 sq. feet or 50 percent of the total gross floor area of the principal structure on the lot, whichever is greater. The total gross floor area of the principal structure of the lot is 3,756 square feet, which allows up to 1,878 square feet of all accessory structures.

COMPLIANCE WITH ZONING CODE AND ARS 9-462.06: Yes

APPLICABLE ZONING CODE: LDC Section 2.5.2.B. (Accessory Uses and Structures) and 9.13 Variances

PAST BOARD OF ADJUSTMENT ACTIONS: None.

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation is based on a review of the request's consistency with the 2015 General Plan, and consistency with neighborhood characteristics, as well as the Variance requirements of LDC Section 9.13.4.

COMPATIBILITY WITH THE NEIGHBORHOOD:

These are larger parcels which could allow for more structures under the lot coverage allowance for the zoning district.

VARIANCE REQUIREMENTS:

Variances may be granted only if, because of special and unusual circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning code will deprive such property of privileges enjoyed by other properties in the district. Such Variance shall not constitute a grant of special privileges inconsistent with other properties in the vicinity or be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

1. **Extraordinary Conditions (LDC Section 9.13.4.A.1).** There are extraordinary conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

AGENDA ITEM: VAR-002, Variance to Article 2, Section 2.5.2.B. (Accessory Uses and Structures/General) of the Land Development Code (LDC) to allow an increase in the allowed total gross floor area of all accessory buildings of 1,878 square feet by 1,354 square feet for a total of 3,233 square feet of accessory structures to allow for a new 1,200 square foot storage building on a 1.52 acre parcel. [Zoning: SF-35; Property Owner: Gregg Murrell; Agent: Chris Robinson- Sentry Builders LLC; APN 106-21-014Y]. Location: 3303 Pleasant Valley Drive, Prescott, AZ 86305.

Staff Comments: The parcel is 1.52 acres and with the proposed storage building there will only be 8% lot coverage of the property when the zoning allows up to 30% lot coverage.

- 2. Substantial Detriment (LDC Section 9.13.4.A.2).** Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Staff Comments: The zoning allows up to 30% lot coverage and there will only be 8% lot coverage with the new structure and will meet all setback requirements.

- 3. Special Privileges (LDC Section 9.13.4.A.3).** Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Staff Comments: The approval of the requested accessory structure allowance does not grant the applicant any special privilege.

- 4. Self-induced Hardship (LDC Section 9.13.4.A.4).** The hardship is not the result of the applicant's own actions.

Staff Comments: The property already exceeds the square footage allowance of accessory structures due to the structures were constructed under old zoning codes. The addition of the new accessory building will not cause the property to exceed the lot coverage allowance for that zoning district.

- 5. General Plan (LDC Section 9.13.4.A.5).** It will be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

Staff Comments: The proposed Variance is on an existing lot with no change of use and is, therefore, in compliance with the General Plan.

- 6. Utilization.** Because of special circumstances applicable to the property, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Staff Comments: The proposed accessory building could not be constructed without this Variance. Strict application of the square footage limitation may not be suitable for larger parcels and approval of this request does not allow them to exceed the lot coverage allowance for this zoning district.

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NEIGHBORHOOD COMMENTS:

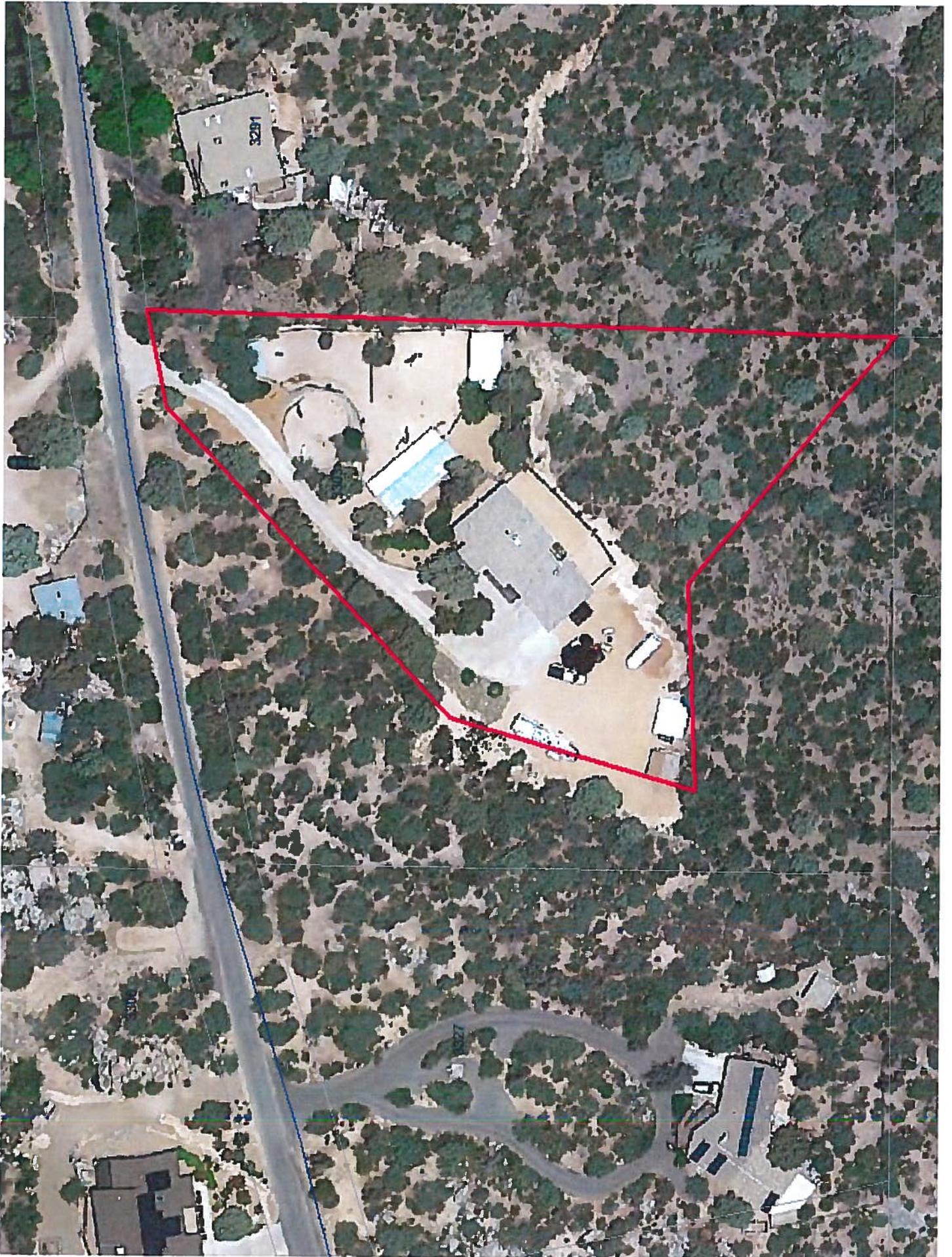
Staff has not received any correspondence from any of the neighbors at this time.

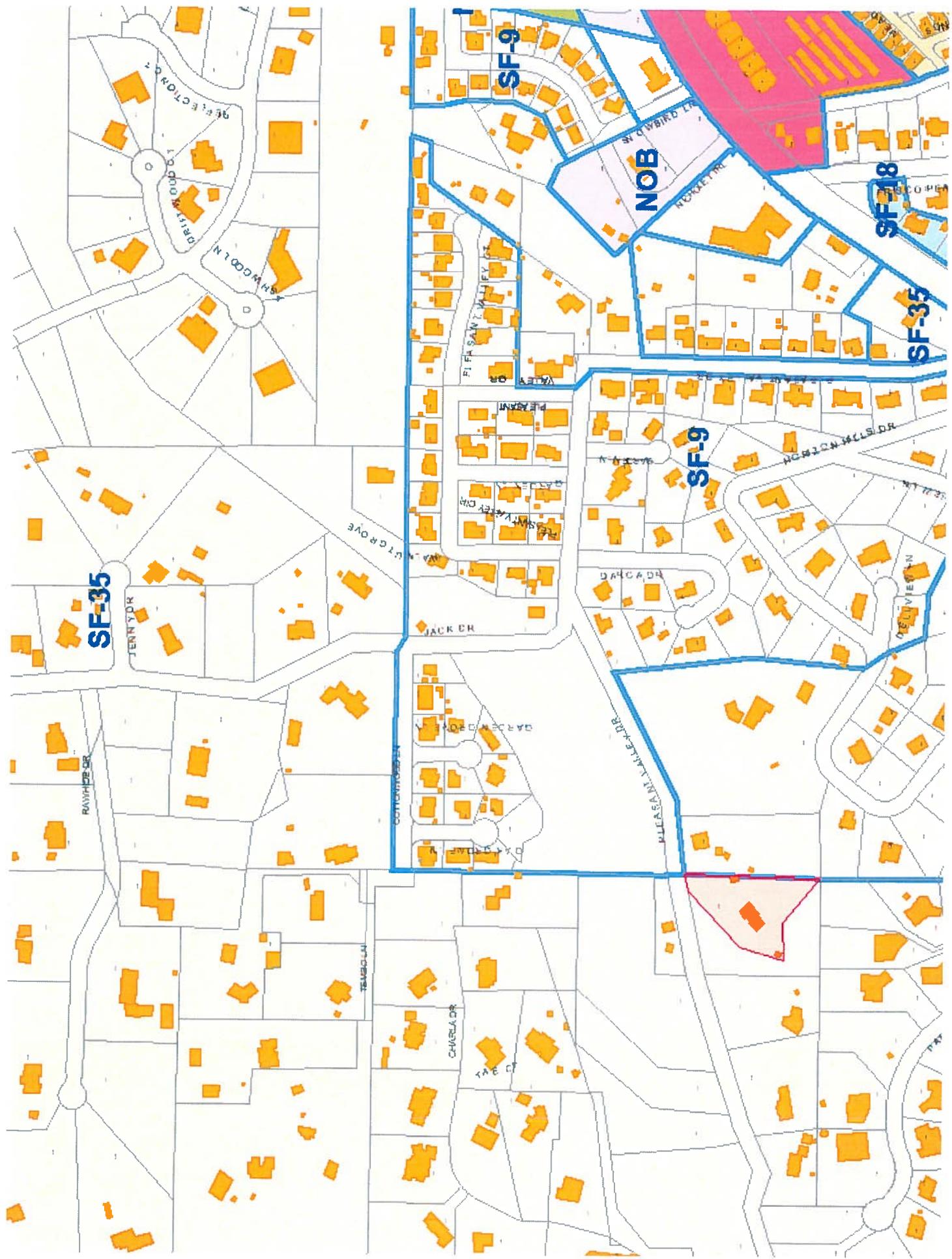
Attachments:

1. Location/Aerial Map
2. Application/Site Plan
3. Staff photographs of site

SUGGESTED MOTION:

Move to Approve/Deny V20-002, to allow an increase in the allowed total gross floor area of all accessory buildings of 1,878 square feet by 1,354 square feet for a total of 3,323 square feet of accessory structures to allow for a new 1,200 square foot storage building on a 1.52 acre parcel.





SF-35

SF-9

NOB

SF-18

SF-35

SF-9

RAWHIDE DR

JENNY DR

WALNUT GROVE

JACK DR

CONCORD ST

CHUCKLE DR

LAKE CT

PLEASANT VALLEY DR

DAVCA DR

N BERRY

WATER

PIE KEAKI

BACKLICK

RESERVE WATER CTR

WATER

PIE KEAKI

BACKLICK

1. Describe the special or unique conditions and circumstances which are peculiar to the land (e.g. large trees, rocks, outcrops, washes, steep topography, etc), structure or building, which are not applicable to other lands, structures or buildings in the same zoning district in other locations.

Though not unique to this lot only, some properties in this area do not have access to many of the city services because they are at the boarder of town. Yavapai Co does not have any planning code limiting the size of accessory structures, beyond standard lot coverage requirements, as such, nearby properties outside of city limits are not required to meet this unique code. City of Prescott is unique in it's limiting accessory structures relative to the pricipal building, especially on a lot of this size. Even with the new propsed building, total lot coverage will only be 8%, while development code allows 30%.

2. Indicate how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance. If citing other properties, their addresses must be given.

The Planning and Development code is prohibitibly restrictive for such a low density zoning district, SF-35, no other jurisdiction in the area surrounding City of Prescott, or Yavapai county, is so restrictive. The intent of Section 2.5.B is to prevent overdevelopment of a lot, at a proposed 8% lot coverage, approval of this variance request would not contradict the intent of 2.5.B.

3. Describe how the alleged hardships caused by the literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship, which do not result from the actions of the applicant(s).

City of Prescott adopted the requirement of Section 2.5.B applying it equally to all zoning districts, when it should only apply to smaller districts to avoid overdevelopment in more condensed areas. Also, while the property in question is essentially a county island in terms of available city services, it is being restricted by the city code.

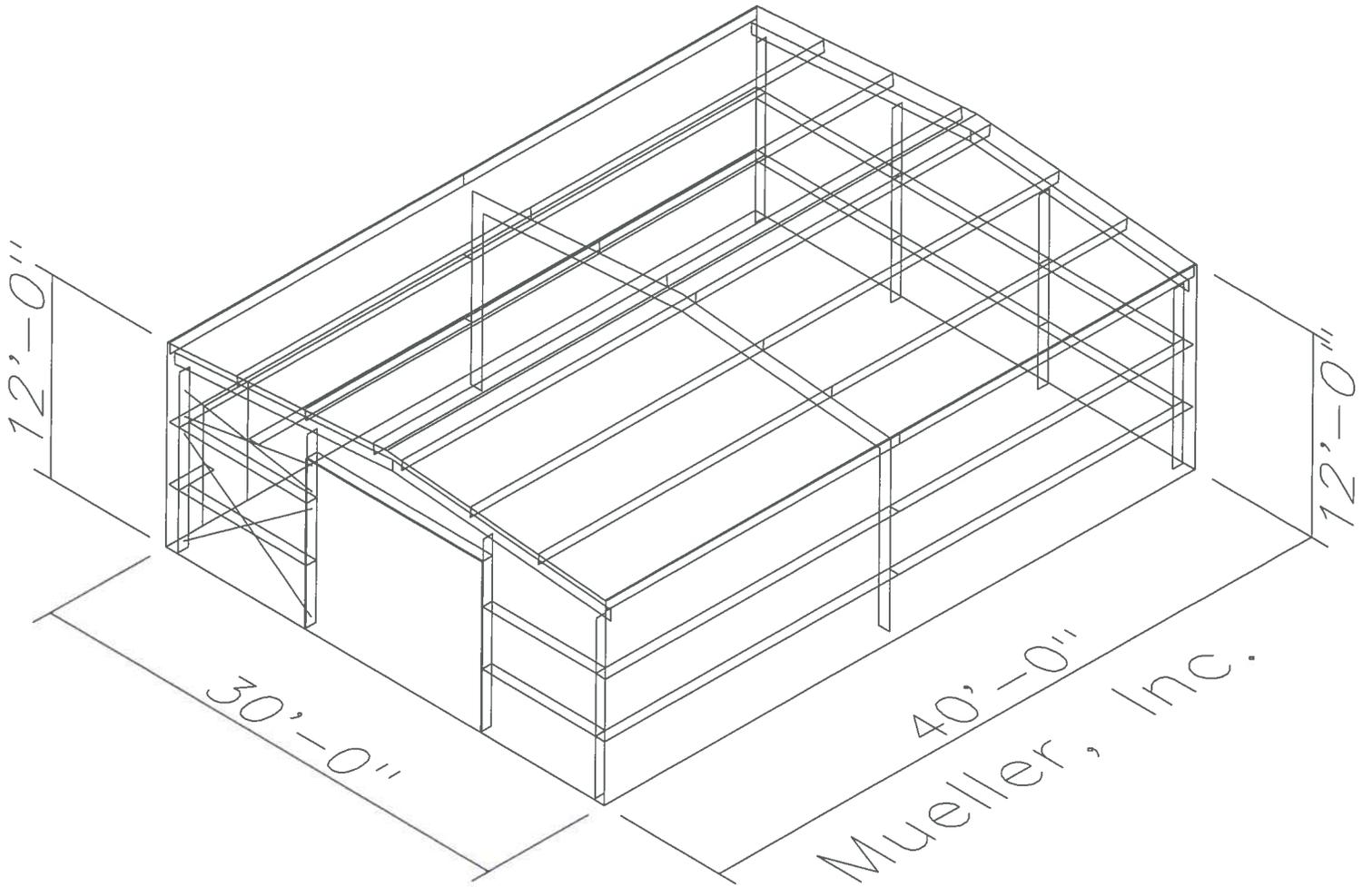
4. Indicate why granting the requested variance will not confer upon the applicant any special privilege that is denied by the Land Development Code to other owning lands, structures or buildings in the same district.

Other properties would have the option to apply for a variance if in a similar situation. The city could also update the code to be more on line with other juristictions which do not limit the SF of accessory structures relative the the primary, instead limit development based off of overall lot coverage as is more typical.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same district.

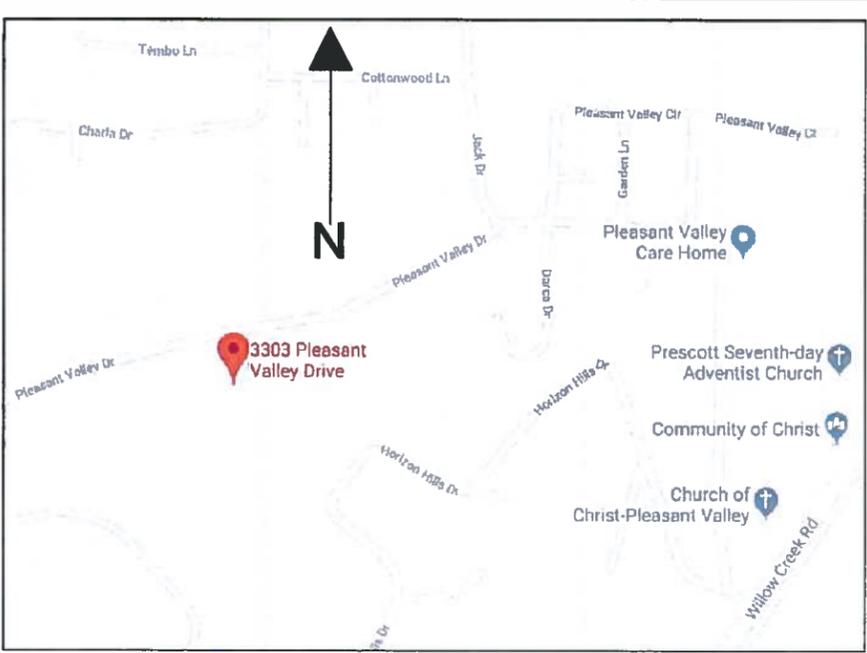
The lot in qestion is a hillside lot, and with surrounding native vegetation, the view of the buildings on the lot is significantly restricted from the street and surrounding occupied properties. No visual imparement or nuisance will result if the variance is approved and the project competed. No additional traffic, light, or noise will result with approval. The property value will increase with increased quality deveoplement, and the value of surrounding properties in the neighborhood will be positively affected as a result.

3D rendering of the proposed building. Final sheeting/trim not shown.



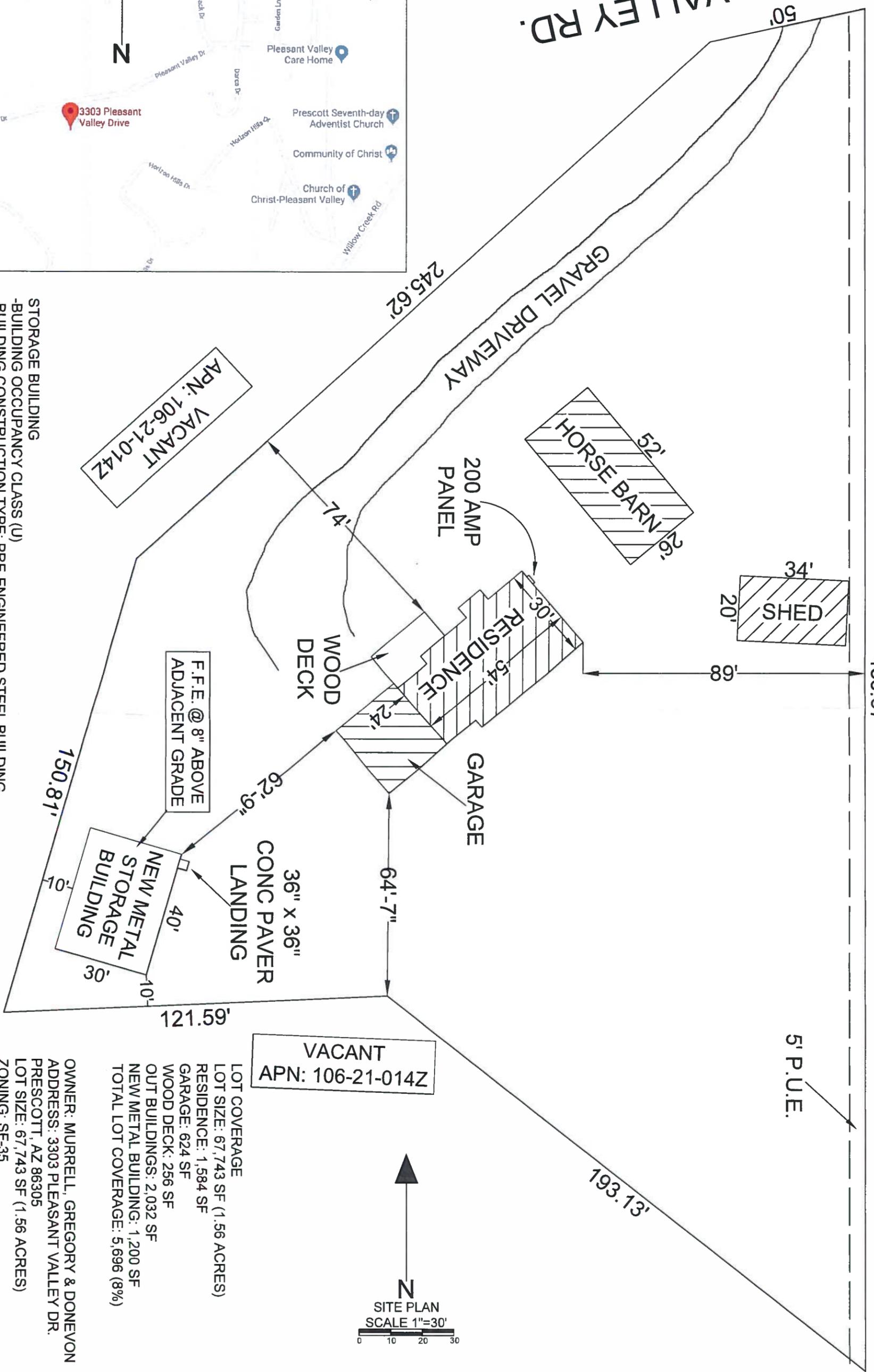
The finished colors of the building to be:

- Roof: Tan
- Walls: Desert Tan
- Trim: Light Stone



PLEASANT VALLEY RD.

STORAGE BUILDING
 -BUILDING OCCUPANCY CLASS (U)
 -BUILDING CONSTRUCTION TYPE: PRE-ENGINEERED STEEL BUILDING
 -NO PLUMBING OR ELECTRICAL
 -ATTN: FIRE DEPT - ALL STEEL CONSTRUCTION, NON COMBUSTIBLE



VACANT
 APN: 106-21-014Z

F.F.E. @ 8" ABOVE
 ADJACENT GRADE

NEW METAL
 STORAGE
 BUILDING

36" x 36"
 CONC PAVER
 LANDING

GARAGE

RESIDENCE

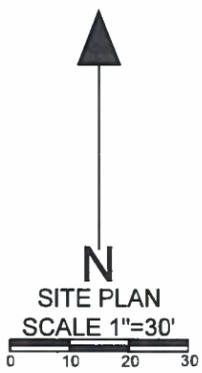
HORSE BARN

SHED

VACANT
 APN: 106-21-014Z

LOT COVERAGE
 LOT SIZE: 67,743 SF (1.56 ACRES)
 RESIDENCE: 1,584 SF
 GARAGE: 624 SF
 WOOD DECK: 256 SF
 OUT BUILDINGS: 2,032 SF
 NEW METAL BUILDING: 1,200 SF
 TOTAL LOT COVERAGE: 5,696 (8%)

OWNER: MURRELL, GREGORY & DONEVON
 ADDRESS: 3303 PLEASANT VALLEY DR.
 PRESCOTT, AZ 86305
 LOT SIZE: 67,743 SF (1.56 ACRES)
 ZONING: SF-35
 LOCAL JURISDICTION: CITY OF PRESCOTT
 PARCEL NUMBER: 106-21-014Y



RESIDENCE
 APN: 106-21-016

5' P.U.E.

SHEET:
SP

SITE PLAN

MURRELL METAL BUILDING
 3303 Pleasant Valley Dr.
 Prescott, AZ 86305



SENTRY BUILDERS LLC
 (480) 322-7784