

- **MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION MEETING held on August 27<sup>th</sup>, 2020 at 9:00 AM in Council Chambers and via ZOOM teleconferencing.**

**I. CALL TO ORDER**

Chair Don Michelman called the meeting to order at 9:00 a.m.

**II. ATTENDANCE**

<b>COMMISSIONERS</b>	<b>STAFF MEMBERS</b>
Don Michelman, Chair	Bryn Stotler, Community Dev. Director
Ted Gambogi, Vice Chair	George Worley, Planning Manager
Stan Goligoski	Tammy DeWitt, Community Planner
Thomas Hutchison	Kaylee Nunez, Recording Secretary
Gregory Lazzell	Jon Paladini, City Attorney
George Lee	
Butch Tracey	<b>COUNCIL</b>
	Councilman Steve Sischka, Liaison Councilmember Cathey Rusing Mayor Pro Tem Billie Orr

**REGULAR AGENDA ITEM**

**1. Approval of the August 13<sup>th</sup>, 2020 Meeting Minutes.**

***A motion was made by Commissioner Gambogi to approve the August 13<sup>th</sup>, 2020 minutes. The motion was seconded by Commissioner Lazzell and approved unanimously (7-0).***

- 2. AED South Annexation (ANX18-005), Master Plan (MPA18-003) and Rezoning (PLN18-019) for properties generally located east of SR 89, south and west of Granite Dells Estates and northeast of Watson Lake. Parcels include: 103-01-031N, 103-04-002D, 103-04-003A, 103-04-003Q, 103-04-004A, 103-04-004C, 103-04-010B, 103-04-011, 106-01-001, 106-001A, 106-10-001, 106-10-001A.**

Community Development Director Bryn Stotler presented an overview of the meeting agenda, explaining that the primary focus of this meeting will be the south annexation and that we will need to carry over to the September 10<sup>th</sup> meeting in order to review all items. There will be no actions taken at this meeting. Ms. Stotler also reviewed Arizona Revised Statutes regarding annexations, as well as Proposition 400, which applies to annexations of 250 acres or greater.

Planning Manager George Worley presented an aerial map of both the north and south annexation areas with references to waterways and washes, traffic access points, the Prescott Regional Airport and the Granite Dells. He also explained that the two annexations do not touch one another and, therefore, must be processed and reviewed as separate projects per Arizona statutes.

Mr. Worley explained that the current, county zonings of the parcels contained in AED South are RCU 2-A (residential 2-acre), R1L-35 (residential 35,000 sq ft lots) and R1L-18 (residential 18,000 sq ft lots). The city is recommending equivalent zonings of RE-2 (rural estate 2 acre), SF-35 (single family 35,000 sq ft lots) and SF-18 (single family 18,000 sq ft lots). A roadway access point map was presented which depicts two primary access points to AED South; through the existing Granite

Dells Parkway interchange and a future crossing to be constructed over Granite Creek to the west. Mr. Worley presented a map of the General Plan Uses designated for the area which are: commercial/employment, low-medium density residential and very low density residential. He compared the city's General Plan map to the proposed Master Plan map, which exhibit substantial conformance with one another. A proposed zoning map was also presented, which depicts a mix of residential and commercial uses (MF-H, SF-6, SPC and NOS DISTRICTS). Commissioner Lee asked for clarification on the dark green area of the zoning map. Mr. Worley explained that it is private open space and consists mostly of wash areas from Granite Creek.

City of Prescott Parks and Recreation Director Joe Baynes presented drone footage of the AED South project. The footage highlighted key points of reference such as No Name Creek, the Peavine & Iron King trails, Point of Rocks and Highway 89 as well as the proposed developments in relationship to these areas. Commissioner Hutchison asked whether there are any 'sacred' grounds to be cognizant of. Mr. Baynes answered that the [annexation] area does contain Native American ruins as well as area significant to local ranching and railroad history. Commissioner Lazzell asked for clarification on the elevation of the Peavine trail, Mr. Baynes answered that it is elevated approximately 40 feet from the surrounding grade at its highest point. Commissioner Lee asked for confirmation that the crossing would not be at-grade; Mr. Baynes clarified that over or under is desired but that the LOI also includes the option of 'at grade'. Mr. Baynes also emphasized the importance of the wildlife corridors and riparian areas, which would be preserved in the proposed open space. The future housing developments are proposed on parcels F, G & H, to the northwest of Point of Rocks.

Commissioner Hutchison asked whether the current access road would be sufficient in order handle all residential and commercial traffic. Mr. Baynes answered that the city engineering staff would review those concerns and any new roadways will meet the city's road standards. Commissioner Tracey asked whether the ponds depicted in the drone footage were natural or stock ponds; also whether the city could access them for maintenance. Mr. Baynes confirmed that they are all stock tanks and that it's likely maintenance will have to occur in the near future so that the tanks can be functional for wildlife.

Planning Manager George Worley presented the proposed zoning map again and explained the topography of the proposed zoning districts in relationship to one another. The resort will be at a higher elevation than both the open space and residential zoning areas. He also explained that the northern portion of the South annexation area is flat, which makes it suitable for residential. Mr. Worley also presented the Airport Specific Area Plan (ASAP), which recommends uses based on aviation traffic and safety data gathered. The proposed zoning districts for AED South are compatible with the ASAP.

Airport Director Dr. Robin Sobotta shared further details of the ASAP as well as various FAA guidance. The ASAP's purpose is to aid *'in making decisions regarding future uses & development of the properties in the vicinity of the airport, Planning & Zoning Commission and the City Council shall take into consideration the [ASAP] recommendations.'* Dr. Sobotta also presented an Airport Impact Zone and noise contour map. Certain impact zones require noise attenuation techniques in the construction of habitable buildings (Zone 6); others prohibit new residential development outright (zones 1-5, except for student dorms in zone 3). Dr. Sobotta also presented an Airport Influence Area (AIA) aviation easement map as well as a flight track density map which highlighted that PRC is the 45<sup>th</sup> busiest airport in the United States with 232,000 aircraft ops recorded in 2019.

Dr. Sobotta also presented an analysis of AED North annexation performed by Airport staff. She emphasized what benefits the extension of the runway will bring. She also explained what studies would need to be performed (FAA & Air Carrier). Staff recommends that the ASAP be amended to adjust residential densities to very-low and low-medium (instead of high/high medium) and to rezone the airport approach from commercial to industrial. Dr. Sobotta presented analysis of AED

South, which will also require FAA and Air Carrier studies, as well as interior residential soundproofing in certain zones. She also requested an amendment to the ASAP to adjust land use in commercial areas to another [lower] density use district proposed by AED.

Planning Manager George Worley reiterated that staff requests that no actions (votes) be taken today so that the Commission incorporates all actions in one meeting on September 10<sup>th</sup> or a later meeting at the Commission's discretion. This will begin the 60 day comment period as required by Proposition 400 for both projects at the same time, rather than staggering the start dates of the 60 day comment period. A fifteen minute intermission was taken, the meeting re-convened at 10:31 am.

Dr. Tom Rusing, Prescott resident and member of Save the Dells gave a PowerPoint presentation. The presentation covered the request of conservation buffers to prevent negative transition effects (between natural and undeveloped land). Elements in the buffer zone should include: attractive fencing or wall, limited access points (2-3) through the fencing or wall, and multi-level, native vegetation. The presentation also addressed the proposed road that would cross the Peavine Trail and access areas K and L. Dr. Rusing stated that the road should pass through the middle of "H" (not parallel or along the trail) and should cross the Peavine Trail well separated from the open space to the south as well as not be at grade. Dr. Rusing also addressed the issue of hillside and hilltop development. Development in these areas should have low visual impact with homes blending in with the surroundings, have lower profile and be set back from the edge of the hilltop. Chair Michelman asked whether either of the AED North & South annexations would create 'county islands'. Mr. Worley clarified that they would not, and that doing so is prohibited by state law.

Walt Anderson, local resident and member of Save the Dells gave a PowerPoint presentation including a map requesting slight deviations of open space boundaries. The presentation included a map that depicted deviations AED made to the open space boundaries that were proposed by Save The Dells including: adding two parcels west of Granite Creek, extending the 'rocky thumb' boundary to the north and the displacement of the H parcel boundary to the south. He requested an adjustment of the open space boundary in the southwest portion of H parcel to the north to protect views and archaeological ruins. Mr. Anderson also discussed the creation of a potential visitor center near the archaeological site along with parking and access point(s) for such. Mr. Anderson also proposed a buffer next to Granite Creek on parcel G to protect the riparian area.

Paula Burr, resident of Prescott Valley and member of Save the Dells, provided additional slides for the Commissioners' review. She explained that Save the Dells largely agrees with the City in their proposed multi-family zoning districts for AED south. However, there is a concern that multi-family development might be too close to the trail, particularly in parcel B. Ms. Burr also wanted confirmation that the 850 units of residential would be strictly adhered to, with each unit counting as one (i.e. a duplex would constitute (2) living units, not (1)). Ms. Burr also expressed concern with the resort parcels K & L, that they could be developed into residential housing if they are not zoned as NOS until such time as AED presents an actual plan for the resort. She said Save the Dells would like a guarantee that this area be either a low-impact resort or open space. City Attorney Jon Paladini clarified that the city is not allowed to adopt zoning with 'conditions' to limit uses. All uses allowable in a specific zoning district are assumed upon establishment [of the zoning district]. Mr. Paladini also explained that a development agreement is the only way to contract uses in areas so to speak. He also clarified that the 850 units will indeed be counted separately, not by structures. Mr. Worley also clarified that the SPC designation itself requires a separate master plan review and approval process through both P & Z and Council.

Ralph Hess, member of Save the Dells, commented on the staff recommendation of the SPC zoning for parcels K & L. More specifically, he requested that the Commission and Council welcome and take into account public input in creating the master plan for those parcels. Parker Northrup, Prescott resident and member of the Airport Advisory Committee and Chair of the Flight

Department of Embry Riddle Aeronautical University, spoke to the importance of the airport staff recommendations. Mr. Northrup stated that it is critical to follow the ASAP for safety and for noise mitigation. Cindy Gresser, Prescott resident and the Executive Director of the Museum of Indigenous People (formerly known as the Smoki Museum) expressed specific concern about archaeological ruins found in Parcel H. Ms. Gresser explained that there are pit house, pueblo and human remains findings at the site. She asked the Commission to please consider moving the open space boundaries to encompass preservation of an approximately 10-23 acre portion to preserve these ruins.

Daryl Austermilller, a local resident and the Aircraft Owners and Pilots Association (AOPA) representative for Prescott, President of Prescott Airport Users Association and member of the Airport Advisory Committee, spoke to his and his members' concerns. Mr. Austermilller spoke specifically about the noise impact for the proposed residential units in proximity to the airport. Mr. Austermilller clarified that there should be specific provisions in buyers contracts to provide recognition of the noise impacts. Recording Secretary Kaylee Nunez read a letter from North Aire Aviation President Jason Kopcsak who expressed concern that the community misconceptions of the airport will only increase with additional residential development nearby. Mr. Kopcsak also stressed the importance of adhering to the ASAP and that the City must be aware of the consequences of major changes to airport operations, which could pose safety risks.

Prescott resident Barbara Jacobsen asked for clarification on the north side connectivity to AED South, whether there will be additional roads built. Ms. Jacobsen also expressed concern about the possibility of an 'at grade' crossing of the Peavine to the resort and asked for clarification on location and features of the proposed park. Prescott resident Charles Betts asked about the water issue for all the proposed development. Chair Michelman explained that water allocation is not within the purview of the Planning & Zoning Commission. Mr. Worley further clarified that water resources are discussed and vetted through a thorough, separate process which is ultimately approved by the City Council. Commissioner Hutchison asked for clarification as to why the Planning Commission doesn't address water rights/allocations. City Attorney Jon Paladini clarified that the Planning Commission is an advisory authority on land use only, whose purpose is to make recommendations on land use decisions to the City Council. He also explained that this is a multi-step process and that the Commission will have input on the subdivision plats which address more details (streets, utilities, traffic, lighting, common area tracts/buffers, etc). Paula Burr of Save the Dells reiterated the need to protect parcels K & L, as development agreements can expire. She stated they need to be assigned zoning that will not have unintended consequences.

Jason Gisi (923 E Gurley, Suite 203), CEO of Arizona Eco Development, commended City staff on the compilation and presentation of accurate data on the proposed development. Mr. Gisi clarified that the proposed crossing site in the drone footage is no longer the location that AED proposes, as it would require excavating into the natural open space area. They are currently working on finding a more appropriate crossing point. Mr. Gisi also expressed his strong support for the economic development of the community and the tremendous financial investment required to get this project to just the preliminary stage. Commissioner Goligoski addressed the concerns about Parcel H brought forward by the community (due to archaeological ruins found in this area); specifically whether Mr. Gisi would make any provisions to accommodate preservation of the ruins.

Mr. Gisi explained that he would like to create a 'lake' in the proposed park area (near the old, 89A bridge). He also explained he would like to put a parking lot in that area for the visitor's area. Mr. Gisi explained he is not certain whether the visitors' area will be constructed on city property or his property. He feels satisfied with the acreage already donated to the city per the Letter of Intent (LOI). Mr. Gisi further addressed the archaeological ruins, citing that they are quite common in Arizona. He said that an archaeological study will be required and that the findings of the study will dictate how they handle the ruins. He expressed his intent to strictly adhere to federal, state, and local codes/laws on his handling of this archaeological site and any others found on his land.

3. AED North Annexation (**ANX18-004**), Master Plan (**MPA18-002**) and Rezoning (**PLN18-018**) for properties generally located east of Prescott Regional Airport and north of SR 89A. Parcels: 103-01-031M, 103-01-028D, 103-01-015, 103-01-021G, 103-01-014

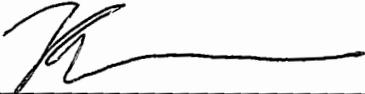
\*These items will be addressed at the next Planning & Zoning Commission meeting on September 10<sup>th</sup>, 2020\*

#### IV. SUMMARY OF CURRENT OR RECENT EVENTS

Community Development Director Bryn Stotler advised the public that we will continue to gather commentary to deliver to Commissioners prior to the next meeting.

#### V. ADJOURNMENT

Chair Michelman adjourned the meeting at 11:44 am



Kaylee Nunez, Recording  
Secretary



Don Michelman, Chair