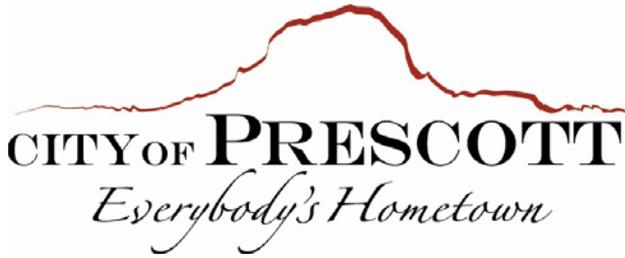


PLANNING AND ZONING COMMISSION MINUTES



**P & Z COMMISSION
PUBLIC HEARING
THURSDAY, September 30th, 2021
9:00 AM**

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

I. CALL TO ORDER

Chair Don Michelman called the meeting to order at 9:03 am and noted that we will be switching the order of items 1. and 2. on the published agenda.

II. ATTENDANCE

COMMISSIONERS	STAFF MEMBERS
Don Michelman, Chair	George Worley, Planning Manager
Ted Gambogi, Vice Chair	Tammy DeWitt, Community Planner
Stan Goligoski	Kaylee Nunez, Recording Secretary
Thomas Hutchison	Matt Podracky, Interim City Attorney
Gregory Lazzell	
George Lee, Absent	COUNCIL
Butch Tracey	Councilman Steve Sischka, Liaison
	Councilman Phil Goode
	Councilmember Cathey Rusing

III. MINUTES

Approve the minutes of the July 8th, 2021 Planning & Zoning Commission meeting.

Commissioner Lazzell made a motion to approve the July 8th, 2021 minutes. The motion was seconded by Commissioner Tracey and passed unanimously (6-0).

IV. REGULAR AGENDA ITEMS

- REZ21-006-** Property Owner- Arizona Christian Missionary Society; Applicant- Eric Moore; A request for a General Plan Amendment (GPA21-003) and Rezoning from SF-9

(Single-Family) to BG (Business General) for a retail business on APN: 115-05-042B, 923 Black Drive.

Community Planner Tammy Dewitt presented the 2015 Land Use General Plan map, the zoning map, and an aerial view of the subject property. Ms. Dewitt explained that the area is surrounded by commercial uses and, as such, the request is compatible with the surrounding area. Staff recommends to approve both the General Plan Amendment (GPA21-003) and rezoning (REZ21-006).

Eric Moore, applicant and owner of Jay's Bird Barn, spoke about the prospect of using this property for his business, which has operated for 18 years. He stated he is excited to help the community connect further with nature with the expansion of his business. Mr. Moore explained that they would like to retain the existing stained glass as well as repurpose the cross on the building. Mr. Moore also explained that he would allow Habitat for Humanity, which has had office space in the building, to remain for 90 days after Jay's Bird Barn moves in in order to give them adequate time to find a new facility.

Commissioner Gambogi asked about parking; Mr. Moore explained that the facility has more parking "than they will ever need."

Commissioner Goligoski noted that this area has become more commercial in the past few decades and, as such, this will be a great use for the area.

Commissioner Hutchison asked whether there will be room to expand the business in this building. Mr. Moore answered that he hopes to expand the building, specifically to move their bird seed blending operation to this location, but noted that doing so is a long-term goal.

Commissioner Lazzell made a motion to approve REZ21-006, the motion was seconded by Commissioner Goligoski, the motion passed (6-0). Commissioner Lazzell made a motion to approve GPA21-003, the motion was seconded by Commissioner Goligoski and passed (6-0).

- 2. REZ21-005-** Property Owner- Mary J Swing; Applicant- Copper Tree Construction Group LLC; A request for a rezoning from SF-35 (Single-Family) to MF-M (Multi-Family- Medium Density) to allow for thirty-six (36) detached single family type homes as rental housing on APN: 105-03-004G, 1801 S. Blooming Hills Drive.

Planning Manager George Worley presented aerial and zoning maps of the subject property. He explained that the area has a mix of zoning districts, including: Neighborhood Oriented Business (NOB), Single Family 18 (SF-18) and Planned Area Development (PAD). The NOB district allows an array of smaller business and commercial uses, such as offices or a coffee shop. Mr. Worley presented the General Plan map, which designates the proposed area to have 'mixed uses', including residential, so the proposed zoning fits within this designation. He also presented a site plan of the proposed project composed of one parcel with 36 rental units upon it. The property will have two points of ingress/egress, one on Blooming Hills Drive and one on Rosser Street. He explained that although the request is for Multifamily Medium (MF-M) zoning in order to achieve the desired density, this project will consist entirely of single-family rental homes. Mr. Worley presented a summary of the extensive public comments received on this proposed rezoning. The most cited concerns being:

- Concerns about loss of property values
- Concerns about increased traffic
- Concerns about the compatibility with larger lot subdivisions nearby
- Concerns about water resources and water/sewer infrastructure
- Concerns about who will live there

Mr. Worley also clarified that it will not be a subdivision; the developer will own all units and manage the complex and will be subject to all city code requirements during the permitting process should they move forward.

Commissioner Hutchison expressed that rezoning to MF-M could open this property to a whole 'laundry list' of possibilities. Mr. Worley answered that the Commission can tie the approval to the proposed site plan to eliminate the possibility of changing the density/adding additional units.

Commissioner Lazzell asked whether Blooming Hills Unit IV to the north was developed yet; Mr. Worley answered that it is. Commissioner Lazzell also clarified that church groups own properties to the south and north and also intend to develop those parcels.

Applicant Robert Cole Johnson, 1620 Willow Creek Rd, stated that he's been a resident of Prescott since 1982 and that he has read most of the public correspondence as well as reached out to a few nearby residents. He explained that all of the buildings will be one story and he is in agreement with tying the approval to the proposed site plan. He clarified that the lot sizes will be similar to the Cloudstone development to the south and larger than the Kensington Court development to the east. He noted the lot coverage will be approximately 18%, which is not out of character with the area. He also explained that they are going to be cognizant of energy usage and that the smaller footprints of the proposed units will have a lesser impact than the homes in the surrounding area. Mr. Johnson shared that this housing is intended to fill a need in Prescott to provide housing for moderate income individuals, including seniors. Mr. Johnson said the traffic impact will be minimal and will not require a traffic study. He concluded by stating that what they are asking for is a permitted use according to the General Plan and that his property management company prides itself on its upkeep and performs extensive background checks on its tenants.

Vice Chair Gambogi expressed that this single family rental community is a new concept to him and asked for the applicant to explain it further. Mr. Johnson explained that this is a "BFR" (built for rent) product and is intended to be managed under a professional property management company. He shared that his company built and owns Stone Haven Townhomes in Prescott, which is a community they are extremely proud of. He also explained that the proposed units would be market rate rent, and not Section 8/government subsidized, and the units will cost approximately \$1700/month.

Commissioner Hutchison asked the applicant whether he believes this project to be affordable housing; Mr. Johnson answered that he believes it is, although it is not 'cheap' but is more affordable than anything else on the market right now.

Mr. Johnson and Commissioner Hutchison clarified HUD's definition of affordable housing versus market rate housing; Mr. Johnson noted this will be market rate, not "affordable."

Commissioner Hutchison also asked for clarification on the practice of BFRs that will allow the developer to save money. Mr. Johnson answered that efficiency is the core concept when

developing BFRs, which utilize a smaller footprint, native landscaping, and a “RUBS” (Ratio Utility Billing System) which is supported by the Landlord-Tenant Act as a best practice.

Commissioner Tracey asked what the proposed square footage of each residence would be; Mr. Johnson answered that each unit would be approximately 1050 sq. ft.

Commissioner Lazzell asked whether these homes could be split into individual lots in the future should this project move forward.

Mr. Worley answered that it’s a possibility the land could be split into individual lots, but would require a subdivision plat to go through Planning & Zoning Commission and Council.

Chairman Michelman asked whether property management would be on or off site. Mr. Johnson answered that they plan to have someone on site for at least the first year but it may not be required in the long term. Michelman also asked who would be responsible for upkeep; Mr. Johnson answered that upkeep would be handled by the property management company.

There were four citizens who elected to have their comments read by the Recording Secretary: Mary and Joe Van Pelt and Boyd and Donna Gallaher. Mrs. Gallaher believes this development is not in keeping with surrounding area and will add traffic. Mr. Gallaher believes this is not a good mix for the neighborhood—it would put downward pressure on existing values as well as contributing to water and traffic issues. Mr. & Mrs. Van Pelt believe that this is an admirable project but is not in the right location.

Nearby resident Donald Hawker expressed that this is not an appropriate project for the area and will add to the traffic.

Chris Zuleski, a resident of Estancia, asked for clarification on the utilities, more specifically how they will be split? Mr. Zuleski also believes this project is not in character with the area.

Ken Aasved, resident of Soaring Avenue, believes this is an audacious request and is adding to the “runaway” development of the area. He also expressed concerns about water shortages and quoted a Daily Courier article mirroring his concerns.

Steven Harness, resident of 383 Bloomingdale Drive, asked what will happen if this rezoning goes through and the developer decides to sell it. He also added concerns about traffic, specifically about the safety of pedestrians, as well as water concerns and diminution of adjacent property values.

Ken Fidyk of Soaring Avenue, and President of the Estancia HOA, stated that they are strongly opposed to this proposal and that proposing this development could be a “slippery slope” that could cause other similar developments to enter the area. They believe it should be moved to an area already zoned MF-M in Prescott or Prescott Valley.

Pat Bleil of 389 Bloomingdale Drive explained that she already hears a lot of traffic from Rosser and Blooming Hills Drive and that her husband, who is disabled, already cannot cross Blooming Hills Drive. She also stated that seniors living on fixed incomes could not afford these homes and that they are also not suitable for young children as there is no place nearby for them to play.

Blake DeWitt of 386 Zachary Drive stated that this project is not good planning and that, although affordable housing is needed, it should not be developed at the expense of nearby property owners.

Barb DeWitt of 386 Zachary Drive, a native Prescottonian, expressed concern that this could bridge a gap between custom & semi-custom homes and production homes. She believes it is a drastic, not a small, change. She also explained that the developer visited her yesterday and told her that her "property values would suffer."

Jim Wright, resident of 372 Zachary Drive and President of a nearby HOA, explained that he reached out to nearby HOAs in Prescott Lakes and other neighboring developments who all expressed strong support for rejecting this proposal. He explained that the nearby communities are upscale with strong CC&Rs with homeowners who have made a significant investment and that this type of a project would 'break the mold' in a bad way.

Gloria Ramirez, resident of 359 E Delano Avenue, expressed that she is in agreement with all the public speakers before her. She also said that she feels that individuals in her area have saved to be able to live to there and believes others should too.

Rich Tuten of 495 Bloomingdale Drive stated he believes this proposed project is totally out of character with the neighborhood and would blight it.

Chesley Bell of 365 Zachary Drive expressed that he and his wife moved from Southern California in 2018 where the developers had ruined the quality of life for the residents. He stated he is especially concerned about the traffic impact the proposed project will have.

Gregory Lee, resident of 361 Zachary Drive, asked for clarification on the owner of the property.

Mr. Worley answered that it is a family trust and that the owner is not present, but the applicant is authorized to act on their behalf. Mr. Lee supplied the Recording Secretary with a paper containing the remainder of his comments.

10 minute intermission taken at 10:35 am

James Burke of 1931 Megan Way explained that the land coverage quoted by the developer is deceptive in that a good portion of the 'open' land will be covered by driveways. He also spoke about a similar situation that occurred when he lived in Cupertino, CA where the neighborhood negotiated with developers to build a less dense development.

Gene Nelson of 355 Bloomingdale Drive expressed his concern about the value of the adjacent properties and the proposed development itself declining significantly. He also expressed concern about a lack of architectural details and elevations provided by the developer.

Joseph Scarangelo of 1910 Riley Lane, stated he represents a 12 unit area of Tamarack Lane to the east of the site and expressed specific concern about the adjacent areas being rezoned. He also asked where the visitors of this new development would be parking.

Sandy Jackson of 1266 Pebble Springs explained that there is already quite a large volume of traffic that comes from Prescott Lakes onto Rosser and she is specifically concerned about residents living along Rosser. She is also explained her concern about the lack of green space on the proposed site plan.

Pete Lang of 121 Rotunda Way, also on the HOA board for Estancia, expressed concern about traffic and the grade of the entrance connecting to Rosser, as well as the lack of architectural details provided by the developer.

Rich Zablocki of 1954 Ventnor Circle expressed concerns about the nature of the renters, specifically students, who have lots of visitors and parties, often times involving underage drinking.

Chairman Michelman thanked all the public speakers for their input.

Applicant Robert Paul Johnson asked neighbors to view this project with a wider lens. He stated that underage drinking is not limited to renters. He further explained that this project is “programmed to renters with incomes of \$43,000-\$51,000” and that there are several admirable professions that do not have the privilege of affording larger homes. He expressed that a key component of reducing traffic is limiting windshield [i.e. commute] time, and that pushing these types of developments out of the city is not going to help with that. He also clarified that every home would have an enclosed, two car garage. He explained that they could have protections built in to prohibit underqualified renters, including not using cosigners as are commonly used for student renters. Mr. Johnson concluded that a healthy community is more inclusive and that accommodating renters for the working class helps the local economy, noting that the stakeholders for this project are broader than wealthy residents who live nearby.

Nearby resident Ken Fidyk stated that 36 units will use more water than 5 homes [the current density under existing zoning] and reiterated that this project should be placed in an area already zoned multi-family.

Mr. Bonaker, a nearby resident, expressed that these rentals would likely be at least \$2000/month, not \$1700/month.

John Parrot of 1729 State Street explained that his HOA recently voted to limit rentals, as they often have more cars parked on the street, noting that BFR communities are not about helping the community, they are for profit.

Vice Chairman Gambogi expressed that this is a very difficult process for the Commission; balancing desires and needs of existing residents with the needs for employment and the future of Prescott.

Commissioner Lazzell expressed that he’s concerned strictly with zoning.

Commissioner Goligoski recounted how East Rosser has been developed, and that those currently residing there might be subject to a ‘bait and switch’ by another type of development (other than single family) coming in.

Commissioner Hutchison expressed that the City might be remiss in specifying exactly what is needed for affordable housing.

Commissioner Lazzell made a motion to recommend denial of REZ21-005 rezoning 4.61 acres from SF-35 to MF-M. The motion was seconded by Commissioner Hutchison. The motion passed (6-0).

3. Update on the Area Plans with a focus on Granite Creek Area Plan from Leslie Dornfield with Plan*et Communities.

Leslie Dornfield with Plan*et gave presentations to the Commissioners regarding the Granite Creek Corridor and Prescott North Area plans, which her firm was hired by the City to produce. She stated that Plan*et hopes to present the final draft of the Granite Creek plan in December, and that the North Prescott plan was put on hold through January 2022, but significant progress has already been made.

4. STAFF UPDATES

None

5. ADJOURNMENT

Meeting adjourned at 12:49 pm.



Don Michelman, Chair



Kaylee Nunez, Recording Secretary