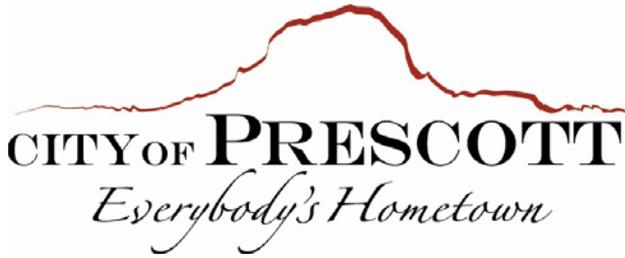


# PLANNING AND ZONING COMMISSION MINUTES



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**P & Z COMMISSION  
PUBLIC HEARING  
THURSDAY, October 28<sup>th</sup>, 2021  
9:00 AM**

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

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## I. CALL TO ORDER

Chair Don Michelman called the meeting to order at 9:00 AM

## 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        | Bryn Stotler, Community Dev. Director |
| Gregory Lazzell, Absent | Matt Podracky, Interim City Attorney  |
| George Lee              | <b>COUNCIL</b>                        |
| Butch Tracey            | Councilman Steve Sischka, Liaison     |
|                         | Councilmember Cathey Rusing           |

## III. MINUTES

Approve the minutes of the October 14<sup>th</sup>, 2021 Planning & Zoning Commission meeting.

**Commissioner Gambogi made a motion to approve the October 14<sup>th</sup>, 2021 minutes. The motion was seconded by Commissioner Hutchison and passed (6-0).**

## IV. REGULAR AGENDA ITEMS

- 1. CSP21-002-** Property Owner- Findlay Family Properties Limited; Applicant- A & B Sign Company Inc.; A request to for a Comprehensive Sign Plan amendment for Findlay GMC Dealership on APN: 106-08-088B, 1008 Commerce Drive.

Community Planner Tammy Dewitt presented a background summary of the project. The existing Comprehensive Sign Plan was approved in 2016 to allow for three (3) free standing signs and four (4) wall mounted signs totaling 278 square feet. The request today is for two (2) additional wall signs totaling 152 square feet. Ms. Dewitt presented a sign inventory provided by the applicant listing all new and proposed signs and their corresponding square footages, as well as an aerial map, site photos and renderings of the proposed, additional signage. Staff recommended a motion to recommend approval of CSP21-002 as submitted.

***Commissioner Goligoski made a motion to recommend approval CSP21-002, the motion was seconded by Commissioner Hutchison; the motion passed (6-0).***

2. **REZ21-008**- Property Owner- Granite Property Investments LLC; Applicant- Granite Basin Engineering; A request for a rezoning from RE-2 ACRE (Rural Estate 2 Acre) to BG (Business General) to allow for a mini storage and commercial facility on APN: 106-02-052C, 5900 Willow Creek Rd.

Planning Manager George Worley presented a General Plan and area overview associated with this project, as well as the next agenda item (REZ21-007), which is similarly located. Mr. Worley presented the 2015 General Plan Land Use Map, which designates the subject properties as Commercial. The map also depicts Industrial designations nearby.

A 2017 traffic volume map from Central Yavapai Metropolitan Planning Organization (CYMPO) was presented which indicates that 25,000 cars pass the subject intersection a day. Mr. Worley also presented a zoning map of the subject properties, which are currently zoned Rural Estate 2 Acre (RE-2 ACRE). The RE-2 ACRE zoning designation intends for a very low density residential district with a rural or agricultural feel. The desired zoning for both properties, Business General (BG), is a moderate intensity business district. BG uses are most often located on collector or arterial streets, Willow Creek Road being an arterial. Mr. Worley summarized that the subject lots are appropriate for business uses in context with the City's General Plan, yet other considerations must be made in the context of these projects.

Community Planner Tammy Dewitt then gave a presentation for REZ21-008, which will require a Conditional Use Permit (CUP) through the Board of Adjustment in order to allow a mini storage building should the Rezoning be approved. She presented aerial photos and a zoning map of the area, detailing a property with a Church immediately to the south as well as significant commercial projects and zoning nearby. Site photos were also presented which detail a steep embankment on the southeast side, which will make direct access to Willow Creek Road difficult. As such, the entrance is being proposed off of Pinon Oak Drive. The site plan depicts a 49,224 square foot storage building as well as a 7895 square foot commercial building which may be comprised of several commercial uses, but which have not been specifically identified by the applicant.

Ms. Dewitt also presented cross sections of the site elevation which details a higher elevation overall on the west side than that of the east side of the site, which may provide additional buffering from the homes to the west. Ms. Dewitt summarized that it is compatible with surrounding zoning and commercial development, as well as the General Plan and Commercial Corridor Overlay applicable to Willow Creek Road. A Traffic Impact Analysis (TIA) will be required due to the heavy traffic in the area as well as additional landscaping to buffer from the adjacent residential area.

Staff noticed residents within a 1300' buffer, 1000' beyond what is required by state statute. Staff recommends approval / denial of REZ21-008 subject to substantial conformance to the site plan.

Commissioner Hutchison asked about the height requirement [restriction] in BG zoning; Ms. Dewitt answered that it is 50'.

Vice Chair Gambogi asked what the approximate net viewable portion of the project from Willow Creek Road would be. Ms. Dewitt answered that it would be about 20'. Mr. Gambogi asked what portion would be viewable by the residents to the west, Ms. Dewitt answered that it would be the full size/height of the developed structure, but that landscape buffering would be required.

Chair Michelman asked whether the TIA would contemplate potential new buildings on the property. Ms. Dewitt answered that those performing the TIA have numbers through the National Traffic Safety Standards that are use specific and that they will apply those numbers in order to see what improvements will be required as a result of the new developments.

Mr. Gambogi asked whether a TIA has been performed for the proposed Banner Hospital nearby. Ms. Dewitt answered affirmatively.

Tim Welte, a nearby resident, stated he lives in Pinon Oaks and has concerns about the existing traffic on Willow Creek, particularly the braking distance from the Willow Creek / Pioneer Parkway intersection to the Pinon Oaks intersection.

Chuck Taubman, resident at 1113 Dandelion Place, stated that most residents are in attendance out of concerns about traffic, which is already significant in the area. He cited issues of speeding, the proposed Banner hospital, and the site topography.

Commissioner Goligoski asked resident Tim Welte whether he has changed his 'regular traffic pattern' that is, exiting on Pioneer Parkway versus Willow Creek Road. Mr. Welte answered that he has, especially to avoid taking a left onto Willow Creek Road.

Steve Antol of 5871 Honeysuckle Road also commented that the traffic in the area is already terrible and he would be interested in alternatives to a roundabout. He further commented that the Commission needs to see a traffic study before it can make a decision.

Chairman Michelman asked Ms. Dewitt to talk about the timing of the TIA. Ms. Dewitt answered that the TIA will be required with the engineering permits and that building permits will not be issued without that information.

Robert Stockbridge of 5750 Goldenrod Way stated that traffic in the area has tripled in the past 3 years and that police patrol has increased recently as a result. He also feels that a roundabout is not a good solution.

Robbie Graves, resident at 845 Panicum Drive, believes the process is being done backwards. She stated the property owner needed to assess the current zoning and traffic concerns prior to purchasing the property and trying to make it commercial. She feels that accessing commercial properties off Pinon Oaks Drive is not viable and that the TIA needs to be performed prior to any decisions being made.

Commissioner Goligoski asked whether the applicant had purchased the property yet; Ms. Dewitt answered that they have not.

Commissioner Tracey asked how many homes are projected for Deep Well Ranch; Mr. Worley answered 10,000 in theory, but build out will likely be much less. Mr. Worley also answered that there are approximately 300 homes built in Deep Well Ranch thus far.

Nearby residents Luann Van Gundy and Constance Ricks voiced their opposition to both rezoning proposals on the agenda.

Jerri Rook of 1030 Panicum Drive voiced concerns about an existing business already abutting Pinon Oaks as well as the possibility of a vast array of business uses on the subject parcel should it be rezoned to Business General.

William Ray of 5660 Four O'clock Lane asked for clarification of the operating hours of the proposed businesses, particularly Dunkin Donuts.

Allison Saba of 5825 Goldenrod Way also voiced concerns about the business operating hours.

Donna McCrossen of 1037 Panicum Drive expressed concerns about future traffic, particularly impacts from the development of Deep Well Ranch.

Chairman Michelman expressed discomfort in voting on this item as the applicant is not present.

Vice Chair Gambogi stated that this property is unlikely to stay as RE- 2 ACRE being that it is right on Willow Creek Road, noting a rezoning is inevitable.

Commissioner Hutchison expressed his concerns about traffic, namely that there is already too much traffic that moves too fast. Mr. Hutchison also mirrored Mr. Gambogi's statement about the property being inevitably rezoned.

Commissioner Goligoski agreed that this is a commercial area, but noted a TIA is needed and that he went out to the project site and attempted to take a left turn out of Pinon Oaks, which he agreed was very dangerous. He also asked that the applicants propose a plan(s) that doesn't utilize Pinon Oak Drive as the ingress/egress point.

***Commissioner Gambogi made a motion to table REZ21-008 pending receipt of a Traffic Impact Analysis, clarification on the use(s) of the proposed commercial building, and a requirement that the applicant be present at any subsequent Planning & Zoning Commission meetings for this item. The motion was seconded by Commissioner Goligoski. The motion passed (6-0).***

Commissioner Hutchison asked whether the decision to table is time-bounded. Mr. Worley answered that it will depend on when the applicant can get a TIA performed, which is further limited by the busy development conditions creating a lack of engineering services. Mr. Worley also stated that there are no set parameters, per City Code, on timelines for such a matter.

Commissioner Tracey asked about the cost of a TIA. Jason Rieke of Goodyear, Arizona answered that his firm recently had one in Prescott completed for another Dunkin Donuts, noting it cost approximately \$20,000 and took a month and a half to complete.

- 3. REZ21-007-** Property Owner- Granite Property Investments LLC; Applicant- Bar Napkin Productions; A request for a rezoning from RE-2 ACRE (Rural Estate 2 Acre) to BG

(Business General) to allow for a new drive-through restaurant on APN: 106-02-052D, 5930 Willow Creek Road.

Planning Manager George Worley presented an aerial photo of the subject property as well as a zoning map which indicates Business Regional (BR) zoning to the north and east and residential zoning to the south and west. Mr. Worley presented a partial site plan proposing a Dunkin Donuts with drive-through on the northern 1/3 of the property, with the remaining 2/3 not specified as to use or development scheme. The site plan also indicated a right in/right out access off Willow Creek, as well as an option for access off Pioneer Parkway, which will have to be evaluated and approved by Yavapai County, which controls that roadway. Mr. Worley stated that the City Traffic Engineer has requested a TIA for the proposal and that Pinon Oak Drive could be an alternative access point. Mr. Worley also expressed concerns about a large portion of the site plan details being left blank, noting that Planning staff likes to see a more comprehensive, and conceptual site plan when reviewing a potential Rezoning. He also reiterated concerns about traffic and that Planning staff would also like to see a requested TIA.

Commissioner Hutchison asked whether there are acceptance criteria for TIAs. Mr. Worley answered that there are and that the criteria are determined by the City Traffic Engineer.

Applicant Jason Rieke of Bar Napkin Productions explained that his firm was involved with designing a Dunkin Donuts for another location in Prescott, for which they did perform a TIA. He also explained that it is difficult to order a TIA when they do not know what use it will be for. That is why his firm is requesting the rezoning prior to the TIA, as well as withholding further details on the site plan. Mr. Rieke also stressed that if a Willow Creek ingress/egress point was approved, they would make street improvements to ensure that it is a right-in/right-out only.

Chair Michelman commented that he has never approved a rezoning without a complete site plan in all his time serving on the Planning & Zoning Commission.

Commissioner Tracey asked the applicant whether there are other Dunkin Donuts in the area. Mr. Rieke answered that there is one other under construction in Prescott and another already built in Prescott Valley.

Applicant and developer Neal Borden of Edgewater, New Jersey reiterated that he is solely applying at this time for the Dunkin Donuts business and seeks to make it as compatible as possible with the surrounding area. He also reiterated that safety is key as well as accessibility.

Commissioner Hutchison asked the applicant whether they had a viable business plan should the property only house a Dunkin Donuts location. Mr. Borden answered that he would be fine with that.

Wade Crandell of CMA Realty, representing the developer, reiterated that a voluntary neighborhood meeting was held on January 29<sup>th</sup> 2021 and that approximately 40-50 residents attended. Mr. Crandell stressed that the developer is very interested in bringing in a business that is compatible with the surrounding area and residents, who stressed that they didn't want a gas station, convenience store, or bar. Mr. Crandell suggested that the traffic problems will only get worse if this Rezoning is not addressed and that they are asking for compromise.

Chuck Taubman, nearby resident, expressed concerns about additional traffic and operating hours. He stated that there is no way that cars can access off Willow Creek Road and that a fast food restaurant is out of character with the area.

Robbie Graves, resident of Pinon Oaks, stated that she was at the neighborhood meeting referenced by Mr. Crandell and that she feels it should have been held prior to an application for a rezoning filed with the city. She also reiterated concerns about traffic safety and the lack of details for the remaining portion of the site plan.

Steve Antol, resident of Pinon Oaks, asked about the vacant property to the east of the subject property, which would be likely to develop should the subject property develop. He believes that this is also a poor location for retail.

Planning Manager George Worley introduced an additional option—that the applicant could reduce the proposed rezone area strictly to the area that they have site plan details for (i.e. the Dunkin Donuts business area only).

Commissioner Tracey asked what the distance from the intersection to the proposed Willow Creek access point is. Mr. Rieke answered that it is approximately 300 feet. Mr. Tracey also asked about the distance from the business to the closest residence; Mr. Rieke answered that it is approximately 60 feet.

Commissioner Tracey further asked about a noise study; Mr. Worley answered that there is nothing in the Land Development Code addressing a noise study, but that additional buffering can be taken into consideration.

***Commissioner Gambogi made a motion to table REZ21-007 pending receipt of a Traffic Impact Analysis and a more definitive site plan. The motion was seconded by Commissioner Goligoski. The motion passed (5-1), with Commissioner Hutchison voting against the motion.***

#### **4. STAFF UPDATES**

Ms. Dewitt announced that a calendar for next year's Commission meetings has been provided to all the Commissioners and that staff will be reaching out to the Commission in the next week or so regarding November meetings.

#### **5. ADJOURNMENT**

Meeting adjourned at 10:58 AM.



Don Michelman, Chairman



Kaylee Nunez, Recording Secretary