



**PLANNING & ZONING
COMMISSION MINUTES**

**PLANNING & ZONING COMMISSION
REGULAR MEETING
THURSDAY, APRIL 14th, 2022
9:00 AM**

**Virtual Zoom Meeting + Council Chambers
201 S. CORTEZ ST.
PRESCOTT, AZ 86303
928-777-1207**

Minutes of the Prescott Preservation Commission on April 14th, 2022 on a Virtual Zoom Meeting and in Council Chambers at 201 S. Cortez St. Prescott, Arizona.

1. CALL TO ORDER

Chairman Michelman called the meeting to order at 9:01 A.M.

2. ROLL CALL

Members:

Don Michelman, Chairman
Ted Gambogi, Vice-Chairman
Stan Goligoski, Absent
Susan Graham
Thomas Hutchison
Thomas Reilly
Butch Tracey, Absent

Staff:

Bryn Stotler, Community Development Director
George Worley, Planning Manager
Tammy Dewitt, Community Planner
Kaylee Nunez, Recording Secretary
Chris Resare, Assistant City Attorney

City Leadership:

Councilman Brandon Montoya, Liaison
Councilmember Cathey Rusing

3. REGULAR AGENDA

A. Approval of the minutes from the February 24th, 2022 meeting.

This item was deferred as there was not a quorum of members that attended the February 24th meeting present to vote

- B. **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.
- C. **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-thru restaurant on APN: 106-02-052D, 5930 Willow Creek Rd.

Community Planner Tammy Dewitt presented an overview of the City's General Plan as it pertains to both projects (REZ21-008 & REZ21-007). She explained that the subject properties are designated for Commercial use by the General Plan. She also presented a map of area traffic volumes, which counted approximately 27,000 cars a day on the adjacent portion of Willow Creek Road. Ms. Dewitt also presented a zoning map of the subject properties, explaining that the RE-2 ACRE (Rural Estate 2 Acre) currently assigned to the parcels is a 'holding zone' that was assigned to the area when the properties were annexed from the Yavapai County in 2000. The property across Willow Creek Rd (east) is zoned Business Regional (BR).

Ms. Dewitt explained that the desired zoning of Business General (BG) is a moderate-intensity business district which includes uses such as retail, offices, and restaurants. She then presented the original and revised site plans for the proposed projects (REZ21-008 & REZ21-007). The new site plan for REZ21-007 removes the northern access point on Pioneer Parkway; a significant portion of the site plan remains 'blank. There is a suggestion from staff that the Commission make specific stipulations on the site plan, if it were to be approved, as a result. She also presented the site plan for REZ21-008, which does not have any changes from the previous meeting.

City Traffic Engineer Ian Mattingly presented a report summary and recommendations in response to the third-party Traffic Impact Analysis (TIA) provided by the applicants. He reiterated that his position is neither to support nor oppose either project, but to analyze them per the City Code. Mr. Mattingly advocated for widening of Pinon Oaks Drive near both entrances as well as implementing a turn pocket and separate WB (westbound) right and left turn lanes and one entering lane. He stated that REZ21-008 will have minor traffic impacts. He went on to state that REZ21-007 will have much more impact on the Pinon Oaks entrance and that the City supports a right-in-right-out access to the parcel along with a right turn deceleration lane, possible traffic mitigation for Pinon Oaks Drive west of commercial development to discourage use as a cut-through to Pioneer Parkway.

Mr. Mattingly also mirrored the counties opposition against the Pioneer Parkway right out condition as well as restriping the dual WB to SB (southbound) left turn lanes on Pioneer Parkways as well as installing 3 speed humps west of the west property. Mr. Mattingly also clarified that a signal is warranted at Pinon Oaks Drive but not supported by the city due to the proximity of the Pioneer Parkway/Willow Creek signal. Possible solutions are a SB to NB (northbound) U-turn concept located 1320 to 1500 feet south of Pioneer Parkway as well as eliminating the left turn movement out of Pinon Oaks Drive at the same time. This would result in a ¾ access movement, where the center median island north of Pinon Oaks drive would be extended south to create a channelized left turn pocket for NB to WB movements from the intersection. Mr. Mattingly presented an example of this scenario that exists in Tucson, for visualization purposes.

Commissioner Gambogi asked Mr. Mattingly about the five options presented by the TIA; specifically, why the roundabout option is not viable. Mr. Mattingly explained that the spacing (to the signal to the north) is problematic, specifically with the queueing of NB traffic at the signal having potential to back up into the roundabout. He also reiterated that the development of traffic solutions to the south of the proposed projects will be the best options (the SB to NB U-Turn option).

Commissioner Hutchison asked whether the TIA provided satisfies the City's acceptance criteria. Mr. Mattingly answered that it did although he did provide the supplemental comments (in addition to the TIA) as outlined in his presentation. Mr. Hutchison asked how much distance and time one (vehicle) will have to get into the left turn pocket of the SB to NB U Turn option. Mr. Mattingly answered that they would have a minimum of 700 feet but likely 900 feet.

Commissioner Reilly asked whether there would be an option to inhibit traffic from exiting 'in' to the Pinon Oaks subdivision from the proposed projects. Mr. Mattingly answered that there could be but that is not advisable, particularly from a standpoint of not wanting to inconvenience Pinon Oaks residents who might want to use the future businesses.

Planning Manager George Worley clarified that there may be other commercial uses developed on the southern portion of the Dunkin Donuts property that Pinon Oaks residents may want to utilize.

Chairman Don Michelman asked whether the TIA reflects the potential growth of housing developments near the subject properties and Willow Creek-Pioneer Parkway traffic signal. Mr. Mattingly explained that the future traffic volumes came from CYMPOs (Central Yavapai Metropolitan Planning Organization's) comprehensive evaluation of the area and that its figures represent the 'worst case' scenario.

Commissioner Tom Reilly asked about the site plan provided in the agenda packet that shows an exit onto Willow Creek Rd and wanted to clarify whether it was right in-right out only. Mr. Mattingly answered that it is.

Commissioner Hutchison asked whether the SB to NB U-Turn solution would satisfy the existing (left-turn) problem out of Pinon Oaks. Ian Mattingly answered yes and that, regardless of whether these projects go forward or not, the issue of turning left out of Pinon Oaks needs to be addressed as growth continues.

Jason Rieke, applicant for REZ21-007, stated that the owners of the site have no other plans for businesses on the site at this time than the Dunkin Donuts.

Commissioner Reilly asked whether a BG zoning for the site could allow any future, lesser uses, including residential on the remainder of the parcel. Ms. Dewitt answered that it would and reiterated that stipulations are suggested to mitigate undesirable future impacts. Mr. Worley reinforced this suggestion, stating that the subject parcel is not appropriate for residential development so a Site Plan approval could be tied to the Rezoning to the approval(s) which would require any future developments to go through another Planning & Zoning Commission and Council approval process. Mr. Rieke answered that he and the owner would be open to that scenario.

Commissioner Reilly asked whether a Development Agreement (DA) could be applied to the approval(s). Mr. Worley answered that because DAs are voluntary, this could cause issues in the future and is therefore inadvisable.

Commissioner Hutchison asked whether the applicant would be satisfied with just a Dunkin Donuts on the property (for REZ21-007); applicant Mr. Rieke answered no, not in perpetuity. Mr. Hutchison expressed that he is inclined to vote against this again as no more details have been provided as to what would be developed on the remainder of the property.

Commissioner Michelman asked whether the City could just rezone a section of the land, Mr. Worley answered that they could.

Commissioner Reilly asked whether rezoning a portion of the property(s) would require splitting the parcel(s). Mr. Worley answered that it does not, that multiple zonings can be applied to one piece of land.

Commissioner Michelman asked about the peak hours of the Dunkin Donuts operation as observed by the applicant. Mr. Rieke answered that approximately 80% of daily traffic occurs before 11 AM. Mr. Michelman asked whether the applicant has more specific numbers for early in the morning. Mr. Rieke answered that he does not have those exact figures in front of him. Property owner David Panella answered that he does have more figures on hourly traffic for Dunkin Donuts but that they are not readily available for this meeting.

Tove White, Senior Engineer with CivTech Traffic Engineering explained that the analysis was not done specific to Dunkin Donuts but is an aggregate of national studies done for similar businesses (drive thrus). Ms. White explained that her firm used data/manuals that were released in 2021. She answered that peak AM hour trips anticipated are 180 (this includes both in and out traffic). This would equate to approximately 800 'trips' between 6:30 and 10 AM.

Commissioner Hutchison asked staff why they believe these properties have remained vacant for over 20 years since annexation. Mr. Worley and Ms. Dewitt answered the City has simply not had applications/interest until now, likely due to the significant residential development occurring to the east and north of the subject properties.

Justin Scott, applicant, and owner of REZ21-008 (5900 Willow Creek Rd.) answered that his application is a direct result of significant growth occurring in the area, including Embry Riddle and the proposed hospital to the south. He explained that the office building might include neighborhood-type uses such as administrative/medical buildings. He also stated that he may 'scrap' the office building altogether and expand the mini storage building as there is such a high demand for storage. He explained that the mini storage building would be 'at grade' level and would not have any elevators, that it will look and feel as if it is a single level at both the north and south ends.

Mr. Michelman expressed his concerns about the potential office building being a medical use, as it will have higher traffic. Mr. Scott answered that the office building does not currently 'park' for medical uses so it will unlikely accommodate them.

Commissioner Graham asked what the total height of the storage building would be. Mr. Scott answered that it could be as much as 30' high.

A ten-minute recess was taken from *10:16 to 10:26 AM*

Chairman Michelman asked whether the applicant for REZ21-008 would be willing to apply for a mini-storage only, Mr. Scott answered that he would.

Ms. Dewitt added that a separate, Conditional Use Permit (CUP) process would have to be followed for the mini storage, which will be reviewed by the Board of Adjustment.

Commissioner Hutchison asked whether Mr. Scott would be open to an entrance off Willow Creek Rd, he answered that he would. City Traffic Engineer Ian Mattingly added that an entrance off Willow Creek Rd. would not be preferable for the City from a safety standpoint and that there may be grade issues that would make it difficult to construct.

The developer for REZ21-007, Neal Borden, spoke of a similar commercial development in Prescott Valley as is proposed at the 5930 Willow Creek site. It contains a pizza restaurant as well as the Dunkin Donuts. Mr. Borden also suggested that a Dental office or a convenience store may be put in at the site. Planning Manager George Worley asked Mr. Borden whether he would be willing to enter a Development Agreement with the City that would further outline appropriate uses, he answered that he would.

Ten residents of Pinon Oaks spoke, and brought forth the following, key concerns and questions:

- Dunkin Donuts offering menu items that may invite high traffic volume all day long
- No plans for the 'balance' of the 5930 Willow Creek Rd. property which invites many possibilities for undesirable development
- Notices posted and mailed for the meeting were inadequate; specifically, that notices weren't sent to all residents in Pinon Oaks
- Concern for the uses with high traffic volumes filling out the balance of 5930 Willow Creek Rd.
- Diminished views for adjacent property owners
- Conflicts with the Airport Vicinity Overlay (AVO)
- Why rezone these properties if there are properties across Willow Creek that are zoned commercial (BR)?
- Negative impacts on wildlife
- Speed humps are not a viable solution
- Concerns about traffic cutting through Pinon Oaks subdivision
- What type of buffering against homes will be required?
- Concerns about overall traffic volume and traffic safety in the area, particularly in poor weather conditions
- Could these parcels be turned into a park by the City and property owners?
- Could another less intensive business zoning be proposed, such as Neighborhood Oriented Business (NOB)?

Commissioner Gambogi moved to defer approval of recommendation of REZ21-008 to the May 12, 2022 Planning & Zoning Commission subject to the site plan being revised to depict a mini-storage only seconded by Commissioner Hutchison: Passed (4-1) with Commissioner Reilly dissenting due to an opinion of this being an unnecessary deferral.

Commissioner Hutchison moved to deny recommendation of REZ21-007 due to traffic safety concerns, Commissioner Graham seconded the motion: Passed (3-2), with Commissioners Reilly and Gambogi dissenting. Commissioner Gambogi expressed that he feels some of the traffic mitigation solutions proposed for REZ21-007 would benefit the

residents of Pinon Oaks currently. Chairman Michelman expressed concerns about a fast-food use occurring at this location.

4. UPDATE OF CURRENT EVENTS OR OTHER ITEMS OF NOTE

5. ADJOURNMENT

There being no further business to discuss Chairman Michelman adjourned the meeting at 11:16 A.M.



Kaylee Nunez, Recording Secretary

ATTEST:



Don Michelman, Chairman