



**MINUTES**  
**PLANNING & ZONING COMMISSION**  
*Regular Meeting/Public Hearing*  
*Thursday, July 13, 2006 - 9:00 AM*  
*City Council Chambers, Prescott, Arizona*

**I. CALL TO ORDER**

Chairman Michelman called the meeting to order at 9:00 AM.

**II. ATTENDANCE**

<p><b>MEMBERS PRESENT:</b></p> <p>Don Michelman, Chairman Joe Gardner, Vice Chairman Tom Menser Seymour Petrovsky Dick Rosa Len Scamardo George Wiant</p>	<p><b>OTHERS PRESENT:</b></p> <p>Tom Guice, Community Development Director George Worley, Assistant Community Development Director Gary Kidd, City Attorney Dick Mastin, Development Services Mgr. Jim Lamerson, Liaison Councilman Bob Luzius, Councilman Kathy Dudek, Recording Secretary</p>
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**III. REGULAR/ACTION ITEMS**

(May be voted on contingent upon any related public hearing item below also being acted on unless otherwise noted).

- 1. Approve the minutes** of the 06-29-06 meeting.

Mr. Rosa, **MOTION: to approve the minutes** of the June 29, 2006 meeting. Mr. Petrovsky, 2<sup>nd</sup>. **Vote: 7-0.**

- 2. September 28, 2006 Planning & Zoning Meeting Cancelled.** The Arizona Planning Conference will be held in Mesa, Arizona from September 27 through September 29, 2006. Because of Commission and staff participation, the September 28, 2006 meeting will be cancelled.

Mr. Scamardo, **MOTION: to cancel** the September 28, 2006 Planning & Zoning Commission meeting. Mr. Rosa, 2<sup>nd</sup>. **Vote: 7-0.**

- 3. SP06-005, Lakeview Subdivision.** APN: 106-20-029, request preliminary plat dividing ± 3.1 acre parcel into 4 lots on the north side of Lakeview Drive and west of Broken Spear. Community Planner is Mike Bacon. (**Associated with RZ06-004, Item #5**). (May be voted on today).

Mr. Worley reviewed the rezoning request (RZ06-004) and preliminary plat request (SP06-005) concurrently and indicated:

- Approximately 3.1 acres will be divided into 5 lots;
- The applicant has modified the original request so that the fifth, larger lot will have adequate access to enable for a future lot split; and,
- The plat for the flag lot modification has not yet been submitted and is subject to agency comments in the staff report dated July 13, 2006.

Commissioners queried and remarked on:

- Adequate maneuvering on lot 5 for emergency vehicles; and,
- The reason for the flag lot (i.e., to allow a future lot split).

Mr. Rosa, **MOTION: to recommend approval of RZ06-004** from Single-Family 35 (SF-35) to Single-Family 18 (SF-18). Mr. Wiant, 2<sup>nd</sup>. **Vote: 7-0.**

Mr. Rosa, **MOTION: to recommend approval of SP06-005**, the preliminary plat for Willow Creek Heights with the following condition of approval: 1) Comply with agency comments within the staff report dated July 13, 2006. Mr. Wiant, 2<sup>nd</sup>. **Vote: 7-0.**

4. **SP06-003, 677 & 714 Tenney Lane (The Homestead).** APNs: 110-06-005Z, 110-06-005R, 110-06-005Q, 110-06-006A and totaling ± 18.81 acres. Zoning is Single-Family 35 (SF-35). Request preliminary plat for 36 lots. Owners are Jeanine T. Brown and Harold O. Tenney. Applicant/Agent is Carl Tenney. Community Planner is Mike Bacon. (**Associated with RZ06-003, Item #6**). *(Continued from June 8, 2006. May be voted on today).*

Mr. Worley reviewed the rezoning request (RZ06-003) and preliminary plat request (SP06-003) concurrently and indicated:

- The rezoning request from Single-Family 35 (SF-35) to Single-Family 18 (SF-18) is an infill project for 36 lots between two existing PAD subdivisions;
- The plat has been modified to include connectivity to the Crystal Creek subdivision via a street to be named "Grand Valley"; and,
- The north-south connection previously presented has been eliminated.

Commissioners queried and commented on:

- Lots next to proposed Lot 12;
- Clarification of the proposed cul-de-sac placement; and,
- The existing house on Lot 6.

Mr. Carl Tenney, applicant/agent, 2191 N. Val Vista, Chino Valley, reviewed the material previously presented and stated that a continuance to today's meeting from June 8, 2006 was requested so that improvements to the preliminary plat could be made. He also commented on:

- Teeples Rd. will now be a cul-de-sac;
- A new road will be named "Nathan Lane" and the present Nathan Lane will be renamed to "City Lights";
- An alternative connection to Summer Field will be made so that not

- all traffic will have to egress via Senator Hwy.;
- Maps 1-3 were presented to Commission and reviewed by Mr. Tenney (copies have been entered into the official record);
  - The median size of the lots will be 18,096 square feet;
  - The Tenney family is working with the City to donate money for a gathering place in Acker Park which will be available to the residents and all neighbors as well; and,
  - Four existing wells will be capped and the water will be returned to the aquifer.

Commissioners further queried and commented on:

- The amount of remaining land that will impact Senator Hwy.;
- Identifying where the “picnic area” will be located; and,
- If Summit Pointe Estates includes the stub out.

Mr. Jeff Carmon, 714 City Lights, owner of adjacent Lot 22, indicated that the newly-proposed Lot 12 [Tenney Homestead] will be located 9’ from his home and is elevated approximately 12’ above his property. When a 30’ home is added, his view will be blocked. When he purchased his property he did so with the knowledge that SF-35 was the zoning and opposes an increase in density.

Ms. Joan Gustafson, 671 Nathan Lane, questioned how doubling density in a troubled area is acceptable. Ms. Gustafson is opposed to the rezoning and stated that in the past the both Tenneys have spoken against the rezoning by Crystal Creek.

Ms. Wendy Phillips, 829 Summer Field, stated she has always known that the property would be developed at some time, but she didn’t know that 25 to 30 new homes would be able to use Summer Field for access. Ms. Phillips requests that Council install “calming” traffic devices to enforce a slowdown in traffic. Putting a picnic area in Acker Park is not appropriate as it is a wilderness area. Ms. Phillips questioned who will be responsible for maintaining the Acker Park [gathering] area.

Ms. Barb Osusky, 732 City Lights, indicated she is delighted with the proposed development and supports it.

Mr. Patrick Twomey, 887 Summer Field, stated he sees no problem with the development as the lots are bigger than his.

Mr. Robert Reuillard, 748 N. Sunset Ridge, owner of property at 736 City Lights and president of the homeowners’ association, speaking on their behalf, stated concerns with:

- The density will have a domino effect;
- Nothing has been done to address the traffic problem on Senator Hwy. and Mt. Vernon Avenue;
- The CYMPO 2030 Study and the Transportation Study, 2005 in relation to an estimated 273% population growth;
- The 118 homes in construction in the near future;
- The traffic study from the City [via Ian Mattingly] which calculates 9.57

trips per household per day translates to 1,129 additional trips on Senator Hwy.;

- The left-hand turn lane recommended by the County;
- The Tenneys having to move the cul-de-sac deeper into the property for the existing house which will still remain hazardous;
- The proposal to increase density should be considered after the Big Chino is in place; and,
- Commission and Council's denial of SF-18 to Crystal Creek and the ensuing possibility that Crystal Creek will return to ask for increased density.

Commissioners further queried and commented on:

- Map #3 (density);
- The Foothills subdivision and clustering development closer through the PAD designation;
- The General Plan allowing for higher density to the south portion of Prescott; and,
- The actual traffic counts on S. Mt. Vernon Avenue.

Ms. Iris Napier, 111 S. Mt. Vernon Avenue, stated 8,000-10,000 cars use Mt. Vernon per day and the pretense of doing good for the community should not put a burden on the City.

Ms. Patti McCormack [no signature on record], 207 S. Mt. Vernon Avenue, stated that over 10,000 cars use Mt. Vernon daily.

Mr. Ed. Birtic, 123 S. Mt. Vernon Avenue, presented comments from neighbors who oppose the rezoning. Mr. Birtic presented documentation from the neighbors for the record.

Mr. Randy Nieffenegger, 601 McDonald Street, president of Quail Hollow and representing that area, supports the proposed project. Mr. Nieffenegger submitted a letter from Julio C. Marroquin and Cynthia M. Marroquin in support of the Tenney project. Mr. Nieffenegger stated that after reviewing the re-design there is ample open space and that the project is consistent with the Quail Hollow project.

Mr. Roger Swenson [no signature on record], 717 City Lights, stated none of the streets in the area have been constructed to take additional traffic. Mr. Swenson indicated a PAD designation should go into the proposed area; and, the area as proposed will be "sandwiched" between two PAD developments.

Ms. Patricia Mavante [no signature on record], 336 S. Mt. Vernon Avenue, is concerned with the deterioration of the street due to heavy construction and the problem of egress from homes due to the heavy traffic.

Mr. Harold Tenney, 677 Nathan Lane, explained:

- The difference of the density in regard to Open Space;
- The history of the family's ownership of the land;

- “Everybody’s Hometown” philosophy and responsibility of the [Prescott] community to that slogan.

Chairman Michelman clarified his position and stated his personal opinions as a resident of The Foothills. He stated his concerns with:

- Lots accessed from the inside of the development rather than access from City Lights would be more desirable; and,
- Two years’ ago, Council denied a request [by Crystal Creek] for zoning to a higher density with the reason being to keep the homes similar to the surrounding zoning districts.

Commissioners made the following comments and statements prior to the motions being made:

- Mr. Scamardo: a problem existed with Summit Point only having open space on one side of the road; traffic has always been a problem; being closer to the City requires more density; Commission is looking at appropriate zoning under the General Plan.
- Mr. Wiant: the project shouldn’t be bogged down and confused with the PAD designation; the Tenneys have the right to develop the project with lots larger than those of adjoining properties.
- Mr. Petrovsky: looking down the road, 5 to 7 years; a mistake that gives precedent to SF-18 because it would be a signal to developers to ask for increased density; the possibility of Summit Pointe coming back and asking for increased density; SF-35 sends a signal.
- Mr. Gardner: the general planning approach is to put slightly denser lots closer to downtown; SF-18 is a reasonable request that follows the General Plan.
- Mr. Rosa: doesn’t have a problem with the density but does have a problem with the traffic; a line needs to be drawn in the sand that says let’s get the streets taken care of first.
- Mr. Menser: concurs with Mr. Gardner; the Tenneys should not be penalized because they have the last large parcel to be developed within the City; it would be inappropriate not to develop the property as requested.

Mr. Petrovsky, **MOTION: to deny RZ06-003.** Mr. Rosa, 2<sup>nd</sup>. **Vote: 3-4.**  
 (for denial: Michelman, Petrovsky, Rosa).  
 (against denial: Gardner, Menser, Scamardo, Wiant).  
**Motion fails to pass.**

Mr. Wiant, **MOTION: to recommend approval of RZ06-003.** Mr. Scamardo, 2<sup>nd</sup>. **Vote: 4-3.**  
 (for approval: Gardner, Menser, Scamardo, Wiant).  
 (against approval: Michelman, Petrovsky, Rosa).  
**Motion to approve carries.**

Mr. Scamardo, **MOTION: to approve SP06-003.** Mr. Wiant, 2<sup>nd</sup>. **Vote: 4-3.**  
 (for approval: Gardner, Menser, Scamardo, Wiant).  
 (against approval: Michelman, Petrovsky, Rosa).

#### IV. PUBLIC HEARING ITEMS

*(May be voted on July 13, 2006 unless otherwise noted)*

5. **RZ06-004, Lakeview Subdivision.** APN: 106-20-029. Request to rezone 3.1 acres from SF-35 to SF-18 to permit 4-lot subdivision on the north side of Lakeview Drive and west of Broken Spear. Community Planner is Mike Bacon. **(Associated with SP06-005, Item #3).** *(May be voted on today).*

*Refer to Item #3 above.*

6. **RZ06-003, 677 & 714 Tenney Lane (The Homestead).** APNs: 110-06-005Z, 110-06-005R, 110-06-005Q, 110-06-006A and totaling ± 18.81 acres. Zoning is Single Family 35 (SF-35). Request zoning change from Single-Family 35 (SF 35) to Single-Family 18 (SF-18). Owners are Jeanine T. Brown and Harold O. Tenney. Applicant/Agent is Carl Tenney. Community Planner is Mike Bacon. **(Associated with SP06-003, Item #4).** *(Continued from June 8, 2006. May be voted on today).*

*Refer to Item #4 above.*

#### V. CITY UPDATES

Mr. Worley stated that a Unified Development Code Committee meeting will be held on Wednesday, July 26, 2006 at 9:00 AM at the Prescott Police Department Training Room.

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

None.

#### VII. ADJOURNMENT

Chairman Michelman adjourned the meeting at 10:47 AM.

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Donald Michelman, Chairman