



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting/Public Hearing
Thursday, August 10, 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>MEMBERS PRESENT:</p> <p>Don Michelman, Chairman Tom Menser Seymour Petrovsky Dick Rosa Len Scamardo</p> <p>MEMBERS ABSENT:</p> <p>Joe Gardner, Vice Chairman George Wiant</p>	<p>OTHERS PRESENT:</p> <p>Tom Guice, Community Development Director George Worley, Assistant Community Development Director Gary Kidd, City Attorney Mark Baker, Community Planner Steve Gaber, Community Planner Ryan Smith, Community Planner 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 07-13-06 meeting.

Mr. Rosa, **MOTION: to approve the minutes** of the July 13, 2006 meeting.
Mr. Petrovsky, 2nd. **Vote: 5-0.**

- 2. SP06-001, 1001 Wagon Trail (Victory Hills Subdivision).** APN: 115-08-076F, 115-08-076G, 115-08-076H and totaling ± 4.81 acres. Zoning is Multi-Family Medium (MF-M). Request preliminary plat approval for 18 lots. Owners are Joseph and Barbara Vincent. Applicant/Agent is M. Haywood. Community Planner is Mark Baker.

Mr. Baker reviewed the staff report and indicated:

- that the request is for preliminary plat approval for a 17-lot subdivision;
- fourteen lots will contain duplex/townhomes;
- lots 15, 16, and 17 will contain single-family homes;

- lot 17 has minimum square footage and falls under the Hillside Regulations; and,
- lots 15 and 16 are sloped under 20% but have provisions that exceed the Hillside Regulations.

Commissioners queried and remarked on:

- hammerheads and turn-around maneuvering;
- all the lots being sprinkled;
- flexibility with multiple corners in choosing the front side of the lot;
- water detention; and,
- Fire Department comments that all roads will be 28' with the roads being private.

Mike Haywood, 115 E. Goodwin Street, clarified that the roads will be private because the City requires a 50-foot right of way and there will only be a 40-foot right of way. The project will be similar to the Ridge at Iron Springs.

Further queries and discussion included:

- CC&Rs [Mike Haywood: yes];
- reason for sprinkling; and,
- the lack of the topography being provided.

Mr. Rosa, **MOTION: to approve SP05-010**, Preliminary Plat of Victory Hills, subject to department comments. Mr. Petrovsky, 2nd.

Mr. Menser commented on liking the project but preferring more parking as there never seems to be enough parking in this type of project.

Mr. Scamardo suggested that the garages be placed together and would like to see that recommendation go on to City Council.

Vote: 5-0.

- 3. SUP06-003, 3122 N. Hwy. 89, (Twin Lakes Market).** APN: 106-16-004D and totaling ± 0.68 acre. Zoning is Business General (BG). Request replacement of APS utility pole with new pole to carry the following: 1) APS power line; 2) other utility lines; and, 3) Cingular™ antennas. Owner is Cahoots Properties, LLC. Applicant/Agent is Quinn United for Cingular. Community Planner is Steve Gaber.

Mr. Gaber reviewed the staff report and indicated:

- the request is for a Cingular cell tower;
- the APS power pole will be replaced and contain the power line as well as the Cingular antenna;
- the height of the pole will be approximately 63 feet;
- the compound for the electronics will be located on the west side of the building and will not be a focal point; and,
- staff recommends approval of this project.

Commissioners queried and commented on:

- where the compound is placed in Exhibit “Z-3”;
- the size of the compound;
- the surrounding zoning districts, BG and IT;
- the change in the height of the pole; and,
- a possible “electromagnetic field”.

Mr. Rosa, **MOTION: to approve SUP06-003**, an application for a wireless communication site at 3122 N. Highway 89 at the Twin Lakes Market. Mr. Petrovsky, 2nd. **Vote: 5-0.**

IV. PUBLIC HEARING ITEMS

(May be voted on August 10, 2006 unless otherwise noted)

4. **GP05-004, Boulders Office Park, 1455 Willow Creek Road.** A portion of APN: 116-17-270B and totaling ± 2.6 acres. Request General Plan Amendment from Single-Family Low-Medium Density to Commercial. Owner is First Assembly of God of Prescott. Applicant/Agent is Stan Hitson, Michael Taylor Architects. Community Planner is Ryan Smith. *(May be voted on August 31, 2006).* **(Associated with Item #5, RZ05-013).**

Mr. Smith reviewed the staff report for the General Plan Amendment and rezoning requests concurrently and indicated:

- the applicant has modified the plan and is requesting to rezone only the front portion along Willow Creek Road;
- the Willow Creek Corridor Overlay (WCCO) does not address the subject property;
- the property was left out of the WCCO because of the church’s occupying the property;
- the WCCO extends approximately 300-feet from the center line of Willow Creek Road and the rezoning proposal is for 355-feet;
- an area meeting was held on Tuesday, August 8, 2006; and,
- formal opposition has been received and all letters, both in support and opposition, will be entered into the record.

Commissioners queried and discussed:

- the “residential” component of the request;
- “spaces” 2, 3, and 4 which are pads for commercial buildings;
- staff having no recommendation after the area meeting occurred; and,
- the number in attendance at the area meeting [Mr. Smith indicated neighbors as well as several congregation members were in attendance].

Mr. Smith indicated that, with the amount of opposition, it is hard to make a recommendation.

Commissioners further queried and remarked on:

- why the developer wants, or needs, an additional 55 feet; and,
- placing a 50-foot right of way in the back of the property along with a city street.

Mr. Worley clarified where the line is drawn for the purposes of the General Plan. At the time the General Plan was considered, redevelopment of the property was not

an issue. A General Plan Amendment will be required should any other property want to be rezoned.

Mr. Stan Hitson, Michael Taylor Architects, 118 S. Pleasant Street, explained:

- the 355-foot request is no more nor less than what is needed for a driveway;
- the project will have the least amount of impact to the neighborhood;
- the property is primarily to be used for medical offices;
- the project provides a buffer from Willow Creek Road; and,
- a buffering is provided for the homes to the east.

Commissioners continued to question and discuss:

- NOB allows uses other than medical offices;
- the City's requiring a Development Agreement which will limit the uses;
- Commissioners being provided with a synopsis of the area meeting; and,
- problems with the applicant's "three scenarios."

Mr. Hitson addressed the three scenarios:

- that the neighbors would not like the increased traffic on Solano Drive;
- that there is opposition to the commercial aspect of the project; and,
- that a Development Agreement would limit the uses.

The following members of the public addressed the Commission and are in opposition to the proposed project:

- Mr. Angelo Lira, 1410 Northside Drive, traffic and the use of Northside Drive.
- Ms. Sarah Trombly, 1319 Northside Drive, indicated that the developers did not tell the property owners about the residential condos until the area meeting.
- Ms. Christine Viana [no signature on record], 826 Flora Street, has concerns with traffic and also with the fact that the residents bought their properties in a single-family area, not a commercial area.
- Mr. John McCutcheon, 826 Flora Street, noted 14 letters in support of the total area being developed commercially, 49 letters are in opposition; a scare tactic was presented by the developer where all traffic would use Solano Drive.
- Mr. Bob Ellis, 727 Prescott Heights Drive, indicated a strategy of "divide and conquer" was used by the developer at the area meeting.
- Mr. Gary Guptill, 814 Prescott Heights Drive, questioned the plan of professional offices with residential condominiums on the upper floor.
- Ms. Cheryl Guptill, 814 Prescott Heights Drive, is concerned with the residential development over the commercial offices which will also add more traffic to the project; and, she is also concerned with spoiling the character of the neighborhood.

Mr. Hitson responded to the remarks and addressed concerns with the 12 proposed residential condos.

The following members of the public addressed the Commission and are in support of the proposed project:

- Mr. James Sifford, 1406 Northside Drive, who has lived in the area since 1961 would rather see the area be all commercial or all residential.

Chairman Michelman indicated a break to be taken from 10:40 – 10:45 AM.

When Chairman Michelman resumed the meeting after the break, the following comments were made:

- Ms. Sarah Twombly stated that the architect indicated that if the neighborhood did not change to NOB, all the cars would dump onto Solano and Northside Drives.
- Mr. John McCutcheon asked that the project remain SF-9 and that Solano be constructed to go all the way through to Willow Creek Road.
- Mr. Robert Race [no signature on record], 815 Prescott Heights Drive, indicated that parcels like this one are rare and that the City should purchase this as an open-space area [Mr. McCutcheon concurred].

Mr. Harold Richey, Business Administrator for the Church and co-developer of the project stated:

- the church has proposed all commercial development specifically after looking at the traffic impact;
- the area meeting tried to make clear all the issues;
- 40 people had already sent in their letters of protest, but only 4 attended the meeting; and,
- the 355-foot being requested is based on the parking requirements for medical offices.

Mr. Scamardo indicated that the General Plan allows for a 300-foot commercial frontage on Willow Creek Road. He has concerns with the additional amount of footage requested.

Mr. Lira questioned the placement of the line separating the two zonings and requested that the line be aligned with the existing SF-9 adjacent properties.

With no more comments from the public, Chairman Michelman indicated that the General Plan Amendment and rezoning issue would be heard and voted on at the August 31, 2006 meeting at 9:00 AM.

- 5. RZ05-013, Boulders Office Park, 1455 Willow Creek Road.** A portion of APN: 116-17-270B and totaling ± 2.6 acres. Zoning is Single-Family 9 (SF-9). Request rezoning extending 350' from the centerline of Willow Creek Road in an easterly direction from Single Family 9 (SF-9) zoning district to Neighborhood Oriented Business (NOB) zoning district for a commercial office park. Owner is First Assembly of God of Prescott. Applicant/Agent is Stan Hitson, Michael Taylor Architects. Community Planner is Ryan Smith. *(May be voted on August 31, 2006).* ***(Associated with Item #4, GP05-004).***

Refer to Item #4 above.

V. CITY UPDATES

Mr. Worley reviewed the following:

- City Council heard the annexation requests for two projects both north and south of the airport. Council has taken action and the annexation requests will move forward.

- There was a minor revision to the Centerpointe South project, and new streets and utilities were created.
- Prescott Vistas and The Reserve at Willow Hills final plats were approved.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Michelman adjourned the meeting at 11:13 AM.

Donald Michelman, Chairman