



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting/Public Hearing
Thursday, February 8, 2007 - 9:00 AM
City Council Chambers, Prescott, Arizona

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS PRESENT

Joe Gardner, Vice Chairman
Tom Menser
Seymour Petrovsky
Dick Rosa
Len Scamardo
George Wiant

MEMBERS ABSENT

Don Michelman, Chairman

OTHERS PRESENT

Tom Guice, Community Development Director
George Worley, Assistant Director
Dick Mastin, Development Services Manager
Mike Bacon, Community Planner
Steve Gaber, Community Planner
Ryan Smith, Community Planner
Ian Mattingly, Traffic Engineer
Bob Bell, Councilman
Jim Lamerson, Council Liaison
Bob Luzius, Councilman
Kathy Dudek, Recording Secretary

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 1-25-07 meeting.

Mr. Petrovsky, **MOTION: to approve the minutes** of the January 25, 2007 meeting. Mr. Rosa, 2nd. **Vote: 6-0.**

2. SP06-011, 400-434 Robinson Drive (Cedar Woods Townhomes). APN: 110-05-002 and totaling ± 4.5 acres. Zoning is Multi-Family Medium (MF-M). Request preliminary plat approval for 18 townhomes. Owner/applicant is A.H.R.I. Community Planner is Mike Bacon. *(May be voted on today).*

Mr. Bacon reviewed the staff report and indicated:

- the timeline and brief history of the project;
- no area meeting was held, but a notification was mailed to property owners;
- the newly-revised project is more sensitive to the overall contours of the site;
- a traffic study is underway;
- the frontage road has been eliminated; and,
- there is a substantial landscape setback.

Commissioners queried and commented on:

- the revised plan shows creativity;
- the grading plan and retaining walls indicate a 4' step up;
- the height of the cut-and-fill banks; and,
- adding a condition that Commission must review the final plat before it is presented to City Council.

Ms. Dava Hoffman, Hoffman & Associates, 310 E. Union Street, stated that a grading plan is in its preliminary stages of being prepared by BMA. More detail will be provided at the time of the final plat.

Mr. Chris Brown, Peaceful Mesa Drive [no signature appears on attendance roster], added that substantial retaining walls will occur on the south end and will be graded out at 4' on a 2:1 slope. The cut-and-fill will be balanced and there will be gradual slopes.

Commissioners further queried and remarked on:

- the difference in the retaining walls shown on the July plan and the newly-revised plan, with the new plan being more desirable; and,
- not changing the zoning and lessening the density.

Ms. Cynthia Roberts, 302 Robinson Drive, attended the public meeting held by the City to address traffic issues. She questioned how long City Council is going to rezone and increase traffic without addressing traffic issues.

Mr. Jim Judd, 403 Webb Place, cited a 1993 or 1994 City of Prescott traffic engineering study. At that time, it was noted that the City would improve Stetson. He likes the overall project but feels traffic needs to be addressed.

Mr. Ian Mattingly, Traffic Engineer, referenced the South Side Traffic Circulation and Enhancement Study and noted that the Robinson Drive area falls within the boundaries of the study. The meeting is a follow up to the 2030 model. A list of recommended roadway improvements and traffic calming in the area will be studied. The study will take approximately six months to complete and additional time will be given for public comments. A newsletter as well as website information will be available to the public.

Mr. Dave Betner, 1245 Overstreet Drive [no signature appears on attendance roster], stated that traffic is the overall concern of the neighborhood, not the project itself.

Mr. Barry Sladen, 1224 Robinson Drive [no signature appears on attendance roster], appreciates the efforts in making this a better project; however, the roadway is being deteriorated by the heavy construction vehicles, drainage is a problem, and traffic generation is higher because of the new entrance to the Veterans' Cemetery.

Commissioners further questioned and commented on:

- the items listed in the staff report and the lack of Flood Control District being addressed; and,
- addressing items in the final plat stage.

Mr. Steve Stazenski, 439 Robinson Drive, stated the City has not followed up on the water retention/drainage problem; consequently, when it rains his driveway is washed out. The City installed a new, inadequate culvert in his opinion.

Mr. Scamardo, **MOTION: to recommend approval of SP06-011**, preliminary plat, (aka "Amended #1") for Cedarwoods on Robinson Drive with the following two conditions of approval: 1) comply with agency comments in the staff report dated 02/08/07; and, 2) the final plat shall be reviewed by the Planning & Zoning Commission prior to going to City Council for approval. Mr. Petrovsky, 2nd.

Vote: 6-0.

- 3. SP06-012, The Cove at Iron Springs.** APN: 115-05-064C and totaling ± 6.05 acres. Zoning is Multi-Family Medium (MF-M). Request preliminary plat approval for 72 condominium units. Owner is Smoketree Properties, LLC. Applicant/agent is Edmund Williams. Community Planner is Mike Bacon. *(May be voted on today).*

Mr. Bacon reviewed the staff report and indicated:

- the property was rezoned from Industrial Transition (IT) to Multi-Family Medium (MF-M) in 2003;
- the residents of Los Arcos were concerned with the density and open space requirements;
- a meeting was held with the HOA on September 11, 2006 and the project met with approval by those attending the meeting;
- Mr. Finn wants to create a higher-quality project than the apartments that were previously approved;
- the rock outcroppings, fences, street lighting and building height are all contained in a previous development agreement;
- the Los Arcos residents support deleting any reference to the number of stories that may be constructed but wants the height limit to be kept at 40' maximum;
- the open space has increased to approximately 66%;
- a decrease in density will occur; and,
- the units will be condominiums, not apartments.

Commissioners queried and commented on:

- the road to the south being an emergency access road;
- if the emergency access will have a crash gate;
- a deceleration lane for ingress;
- an easement granted from the hospital; and,
- 81 units being listed on the plat.

Mr. John Finn, developer, 1265 Gail Gardner [no signature appears on the attendance roster], stated that there will be 60 units. The number of units has been adjusted on the preliminary plat. The road will be paved from Iron Springs to the project. The road to the south will be an emergency exit and a crash gate will be placed there. Mr. Finn also stated that he has an easement agreement from the hospital. Parking will occur under the building. There will be ancillary buildings along Iron Springs Road.

Commissioners further queried and remarked on:

- traffic signals [Mr. Mastin: this will be taken into account in the Iron Springs Road Improvement Project;

- clarification of the number of units [Mr. Finn: 60 units]; and,
- the lack of Natural Open Space and Recreational Space shown on the elevation [Mr. Bacon: these will be shown on the final plat].

Mr. Wiant, **MOTION: to recommend approval of SP06-012**, The Cove at Iron Springs with the following condition of approval: 1) comply with agency comments in the staff report dated 01/25/07. Mr. Rosa, 2nd. **Vote: 6-0**.

- 4. SI07-001, 121, 123, 125, 127, 129 Bradshaw Drive.** APN: 110-04-141Q and totaling ± 2.86 acres. Zoning is Business General (Planned Area Development) [BG(PAD)]. Request site plan approval for an elderly apartment building consisting of 52 units in three stories. Owner trustee is Charles B. McDonald. Applicant/agent is Chris Fergis, Fergis & Harding, Inc. Community Planner is Mike Bacon. *(May be voted on today)*.

Mr. Bacon reviewed the staff report and indicated:

- because of a pre-existing development agreement in 1996, when any site plan change is proposed, a re-application to the Planning & Zoning Commission must occur;
- an area meeting and notification were mailed to property owners;
- if any additional area is proposed to be developed, it must also come before Commission;
- considerable landscaping has been added to the proposal;
- the applicant will place a sidewalk along Bradshaw Drive;
- lighting concerns have been addressed; and,
- the proposal includes a three-story structure with gabled roof that is approximately 40' in height.

Mr. Chris Fergis, applicant, 7226 N. 16th, Phoenix, discussed the community area which will include a salon, theater, and exercise room.

Commissioners queried and remarked on:

- major concerns with grading;
- the flat elevations shown with an approximate 23' fall from natural grade;
- the top of roof approaching 71' above natural grade; and,
- the retaining wall on the southeast side that is 18' high.

Mr. Mark Evans, engineer, Chino Valley [no signature appears on attendance roster], indicated that the 24" x 36" drawing shows the pre-grading stage. The project will be a three-story building. Handicap access to the finished floor elevation will occur at the main entry. A cul-de-sac parking lot is directly accessed by the second floor. There will be terraced retaining walls. The slope of the parking lot will be approximately 5%. The biggest challenge is on the south side abutting The Peridot. To maintain the vertical challenge, 13' of terraced walls will occur. The drainage off Bradshaw will be taken care of by placing a headwall and routing the storm drainage through the side.

Commissioners further queried and remarked on:

- the project tends to have the feel of an arroyo;
- the site plan dated February 1 [Mr. Fergis: we are currently working on the grades and the terracing];
- placing a condition that the Commission review the final plat before it moves on

- to City Council;
- elevations should reflect where significant grading and/or fill is required because it is important to the overall design; and,
- the lack of open space being noted on the site plan.

Mr. Bill Spreitzer, President, WESCAP Investments, 4745 7th Street, Phoenix, stated that in an attempt to qualify for tax credits, this project must be approved by March 15. A significant amount of engineering has taken place. The item is scheduled to go to City Council in early March. Approval puts the project in a favorable position. The rents will range from \$350-\$400 for a 1-bedroom unit and from \$450-\$500 for a 2-bedroom unit. The rents will be determined by household income. Mr. Spreitzer also indicated that parking is a challenge, and cited other cities and similar projects with lesser parking requirements than the City of Prescott.

Commissioners further queried and discussed:

- if there will be garages on site [Mr. Spreitzer: no]; and,
- elevator(s) in the building [Mr. Spreitzer: yes];

Mr. Jack Wilson, 1514 Eagle Ridge Road, indicated that this project is badly needed and that tax credits are key in constructing the project.

Mr. Petrovsky asked if assurances would be given that this remain a low-income housing. [Mr. Bacon indicated that it could be a condition of approval].

Mr. Spreitzer agreed to have “low-income housing” stated in the approval. Mr. Spreitzer then cited ADOH, and Land Use and Restrictive Agreements (LURA) could be provided.

Mr. Scamardo, **MOTION: to recommend approval of SI07-001**, Bradshaw Senior Community Apartments with the following conditions of approval: 1) comply with agency comments within the staff report dated 01/30/07; 2) deed restrictions will be enforced limiting the project to senior housing; and, 3) subject to an administrative review of grading plans. Mr. Rosa, 2nd. **Vote: 5-1** (Gardner).

A ten-minute recess was taken from 10:45 – 10:55 AM.

- 5. SP04-021, Storm Ranch.** APN: 105-06-002, 105-05-001B, and 105-06-006Y and totaling ± 299 acres. Zoning is Single-Family 9 (SF-9) and Single-Family18 (SF-18). Request preliminary plat approval for 227 lots. Owner is RHP Development, LLC. Applicant/agent is CSW Prescott, LLC. Community Planner is Ryan Smith.

Mr. Smith reviewed the staff report and indicated:

- the preliminary plat calls out 227 lots on 292 acres;
- secondary access will have to be widened and paved per Fire Department requirements;
- two commercial nodes within the property will have to be eliminated from the Prescott East Area Plan (PEAP);
- the issues with water are being worked on with Public Works;
- the trail system needs to be worked out with Parks and Recreation; and,
- the mitigation plan with the Prescott Preservation Commission needs to be

worked out.

Commissioners queried and commented on:

- improvements to Sun Dog Ranch Road [Mr. Smith: the improvements will be addressed at final plat];
- connectivity to the trails;
- conditions for horses to be allowed on the trails [Mr. Smith indicated that the applicant prefers no horses as the Circle Trail does not go through his property];
- Prescott Lakes Parkway becoming a 5-lane road;
- Prescott Lakes Parkway shutting down when it snows;
- the developer's showing a 24' paved road where 28' is required;
- requests for waivers in the *Land Development Code (LDC)* should not be allowed;
- a project of this size should have 5% or 10% zoned for more affordable housing;
- the roads should not be gated and should be kept at 28';
- the developer's taking 50% of available water resources per year; and,
- 20% of the water allocated by City Council is reserved for smaller, affordable housing units.

Mr. Jay Penneypacker, CSW Prescott LLC, 7001 N. Scottsdale Road [no signature appears on attendance roster], stated:

- there will be 57 lots in the 9,000 SF range;
- the 292 acres could factor up to 600 homes where our project has only 227 homesites;
- there is difficulty in planning property working under the Hillside Ordinance and water regulations;
- there is a need to make sure water is available up front;
- in the northern parcel there are 59 homes with SF-9 zoning which are $\frac{3}{4}$ acre in size;
- the trail issue is new and the Circle Trail does not run through this property and is actually south of this property;
- the gated area will have a sub-HOA to restrict parking;
- having no problem with a variance and a 10' treadway on the trail;
- another variance relates to a sidewalk on the northeast side of the parkway; and,
- a sidewalk on one side and trail on the other side provides pedestrian connectivity.

Further queries and comments by the Commissioners included:

- an extension of Sun Dog Ranch Road to be a secondary entrance or emergency entrance;
- marketing the houses that border the Transfer Station and the odor that exists being a detriment as well as the noise factor;
- buffering, or a high wall, will be needed between the lots and Transfer Station;
- no compelling reason to give a waiver to the gated section which should have 28' streets, sidewalk, curb and gutter; and,
- the sewer line as outlined on page 3 of the project narrative is unclear.

Mr. Ian Mattingly, Traffic Engineer, briefly discussed the Prescott Lakes Parkway traffic situation and connectivity issues at Sun Dog Ranch Road.

Ms. Paddie Braden, 1755 Pacific Avenue questioned what “affordable prices” might be considered in the “affordable” price range. [The developer failed to answer Ms. Braden’s inquiry].

Mr. Jack Wilson, 1415 Eagle Ridge Road, referenced the cost-sharing agreement cited by the developer with the City of Prescott and would like detailed information on the proposed agreement.

Mr. Smith noted that a development agreement is a purview of the City Council in regards to the Sun Dog Ranch [connector] Road. The City is asking the developer to make a wider road. Commission may include a condition that the final plat be reviewed before sending it on to City Council for approval.

Mr. Mastin responded that the issues contained in the development agreement will be brought before City Council.

Ms. Jan Alfano, 2830 Tohatchi Road, representative of the Yavapai Trails Association remarked on:

- most of the horse community could not attend today’s meeting because of work obligations;
- she has authority to speak for more than 1,300 persons who are concerned with the Circle Trail and this project’s lack of access to Storm Ranch;
- the developer will advertise and profit from having horse trails and the Peavine Trail;
- the Circle Trail has had people working on it for 16 years and it will be an advantage to the developer;
- a real travesty will exist if a 45-mile trail is barricaded at mile 40 and equestrians will have to turn around and go back 40 miles;
- tourism, including equestrian tourism, is important to Prescott; and,
- the out-of town developer should work with the community for the betterment of Prescott.

Mr. Penneypacker stated that the trail does not go through Storm Ranch property.

Mr. Nigel Reynolds, 795 Sunrise Boulevard, Yavapai Hills, supports the idea that the trail through Storm Ranch be open to all users including equestrians. Circle Trail has been in progress and the map outline that shows the trail going along Prescott Lakes Parkway is not correct; subsequently, the trail should be shown going through Storm Ranch. Mr. Reynolds gave a brief history of the Circle Trail which allows for all non-motorized vehicles across the trail, including pedestrians and equestrians.

Mr. Rob Halen, 1380 E. Valley View Road [no signature appears on roster], discussed the Circle Trail. He has talked to Eric Smith, Parks and Recreation, Trails Supervisor, and feels it is logical for the trail to go through the drainage area. It should be part of the development plan. Benefits will occur to the Storm Ranch community as the community will have connectivity to both the Peavine Trail and

Prescott National Forest. Mr. Halen suggests a deeded easement through the property for maintenance purposes.

Ms. Cathy Schultz, Spur Road, Williamson Valley, would like to support the trail's access in having only non-motorized vehicles. The trail will draw people and support tourism. The Peavine Trail is being planned to go all the way to Chino Valley.

Mr. Penneypacker indicated he has no problem with working with everybody and would talk about maintenance costs. He stated [he would like to do] whatever it takes to get this [site plan approval?] done.

Commissioners further remarked on and inquired about:

- p. 6 of the project narrative and the overview of 28' streets;
- Mystic Loop 50' right-of-way with curb, gutter and sidewalk;
- the streets shown at 24' which do not meet *LDC* requirements;
- the gated streets;
- no date on the project narrative supplied by the developer; and,
- the developer's need to figure out trail maintenance.

Mr. Rosa, **MOTION: to continue SP04-021, Storm Ranch**, to the February 22, 2007 at 9:00 AM. Mr. Menser, 2nd. **Vote: 6-0.**

- 6. SI07-002, 3733 Karicio Lane (Chumbin Medical Office Building).** APN: 103-20-595D and totaling ± 0.83 acre. Zoning is Business General (BG). Request site plan approval for a medical office building. Owner is Irene M. Karcic Gifford. Applicant/agent is Robert Burford, Architect. Community Planner is Steve Gaber. *(May be voted on today).*

Mr. Gaber reviewed the staff report and indicated:

- site plan approval for this project is required by Ordinance 3086;
- the site plan shows the first office building with two more buildings being anticipated;
- the development is similar to the surrounding buildings of rock and stucco construction;
- parking is adequate; and,
- the site is already graded.

Commissioners queried:

- parking and turn-around maneuvering.

Mr. Wiant, **MOTION: to recommend approval of SI07-002, 3733 Karicio Lane (Chumbin Medical Office Building).** Mr. Rosa, 2nd. **Vote: 6-0.**

- 7. SP06-013, 1001 E. Goodwin Street (Goodwin Manor Condominiums).** APN: 110-02 100A and totaling ± 0.58 acre. Zoning is Multi-Family High (MF-H). Request preliminary plat approval for 8 condominium units. Owner/applicant is Donna Mallory. Community Planner is Steve Gaber. *(May be voted on today).*

Mr. Gaber reviewed the staff report and indicated:

- the apartments will be converted to condominiums;
- the two existing fourplexes were built in 1995;
- in lieu a sidewalk, fees were paid at the time of building;

- the project includes separate water meters and an additional water meter for landscaping purposes;
- additional language for the homeowners in the CC&Rs needs to water and sewer lines, landscaping and the responsibility for maintenance of the enumerated items;
- a parking plan was received this morning and the 15' spaces are nonfunctional; and,
- a revised parking plan which includes excavation to the east will make the parking *LDC* compliant.

Commissioners queried:

- improvement to Rush Street.

Mr. Gaber noted that the project does not use Rush Street for access; therefore, no improvements to Rush Street will be necessary. The applicant and legal counsel for the applicant are present to answer questions.

Mr. Jeff Adams, Musgrove, Drutz & Kack, 1135 Iron Springs Road, stated that he represents Donna Mallory who also goes by Susie Mallory.

Ms. Donna Mallory, applicant, 26814 N. 24th Lane, Phoenix, stated she began looking at the conversion to condominiums in March, 2006. She went through the DRC process and followed the resultant comments except for parking. She stated she has full intention of excavating the parking to meet Code.

Mr. Menser, **MOTION: to approve SP06-013**, 1001 E. Goodwin Street (Goodwin Manor Condominiums), preliminary plat with the following condition: that the project meet the *Land Development Code* parking requirements. Mr. Rosa, 2nd. **Vote: 6-0.**

IV. PUBLIC HEARING ITEMS

(May be voted on February 22, 2007 unless otherwise noted)

8. **RZ06-012, 1751 S. Blooming Hills Drive (southeast corner of Rosser Street and Bloominghills Drive)**. APN: 105-04-203 and totaling ± 1.39 acres. Request zoning change from Single-Family 35 (SF-35) to Neighborhood Oriented Business (NOB). Owner is Triad Investments, LLC. Applicant/agent is Michael Taylor Architects. Community Planner is Steve Gaber (928) 777-1206. *(May be voted on February 22, 2007)*.

Mr. Gaber reviewed the staff report and indicated:

- the applicant is seeking a rezoning from SF-35 to NOB zoning at the southeast corner of Blooming Hills Drive and Rosser Street;
- WLSAP identified the area as a mixed-use area;
- light office and a potential neighborhood coffee shop are proposed;
- public notice generated comments from the neighborhood with their concerns; which included traffic and the proposed two-story commercial buildings;
- building #1 contains two stories;
- building #2 contains one story.
- CC&R language indicates that all of Cliff Rose be residential; and,
- when the final plat for Unit 6 was approved, the tract was identified for light commercial uses.

Commissioners queried:

- the access to the property; and,
- the Adult Center access.

Mr. Mattingly, Traffic Engineer, indicated that there will be full access and explained the access on South Blooming Hills Drive. The access plan is critical on Rosser Street and it may need to be moved slightly to the east. Traffic is an issue in the area and a traffic study is underway. Mr. Mattingly stated that the Adult Center access is at Tatum; consequently, an intersection approximately 250' away will balance ingress and egress traffic on Rosser Street. Contour lines need to be shown.

Mr. Michael Taylor, architect, 118 S. Pleasant Street gave a brief description of the project and stated:

- approximately 13,100 SF of office building and/or light retail has maxed out the parking;
- light uses could include anything under NOB such as offices, medical offices and a coffee shop;
- he is working to resolve the traffic issues;
- both Blooming Hills Drive and Rosser are arterials;
- the two-story building will be nestled into the site and will meet setbacks;
- the residential protection standards will be met including screens, berms and landscaping;
- the dumpster location will be moved to meet Code;
- both the General Plan and WLSAP support the zoning request;
- the original plat approved in 2001 by City Council lists Tract A as "neighborhood services"; and,
- a neighborhood meeting will be held next week.

Ms. Paddie Braden, 1755 Pacific Avenue, on behalf of the Cliff Rose Homeowners Association, remarked:

- the picture that shows the two-story houses does not show the one-story houses that are impacted in this project;
- the residents realize that the project is to be NOB, and more opposition exists with many new residents;
- the residents were not aware that the project would contain a two-story building;
- the CC&Rs state that residential development only occur within Cliff Rose;
- the main concern is with the traffic; and,
- if NOB zoning is given, the neighborhood will request a 4-way stop at Blooming Hills Drive and Rosser Street.

Commissioners further queried and discussed:

- the permitted neighborhood uses for NOB; and,
- the homeowners association study the permitted uses and list inappropriate uses for the proposed project before the next meeting on February 22.

Mr. Shawn Sidebottom, 1298 Annolen Place, who owns property adjacent to the proposed two-story commercial building indicated he purchased the property in good faith and was told the property behind him would be single-story development. He was not sure whether it would be NOB or residential. He feels the plan showing the access is not a true picture.

No consideration is given to residents and he is concerned that skateboarders, etc., may cause problems. He asks that the project be relocated away from his property.

Mr. Taylor further indicated that it is unfortunate that the neighborhood meeting will not take place until after this meeting. He is agreeable to discussing the relocation of the building on the site and will work with the neighborhood to make the project more attractive. He indicated a one-story building may not be shorter than a two-story building and will look at the total impact to the neighborhood.

This item is scheduled to be voted at the Planning & Zoning Public Hearing on February 22, 2007 at 9:00 AM.

V. CITY UPDATES

Mr. Worley indicated that two projects recently approved by the Commission have been sent to City Council.

The Boulders Office Park proposed by the First Assembly of God of Prescott has been deferred for final action by the applicant.

The Centerpointe South Development has been approved by City Council.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman pro tempore Gardner adjourned the meeting at 12:35 PM.

Joseph Gardner, Chairman pro tempore