



MINUTES
PLANNING & ZONING COMMISSION
Regular Meeting/Public Hearing
Thursday, July 26, 2007 - 9:00 AM
City Council Chambers, Prescott, Arizona

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS PRESENT:

Don Michelman, Chairman
Joe Gardner, Vice Chairman
Tom Menser
Seymour Petrovsky
George Wiant

MEMBER(S) ABSENT:

Dick Rosa
Len Scamardo

OTHERS PRESENT:

George Worley, Assistant Community
Development Director
Gary Kidd, City Attorney
Dick Mastin, Development Services Manager
Mike Bacon, Community Planner
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 7-12-07 meeting.

Mr. Wiant, **MOTION: to approve the minutes** of the July 12, 2007 meeting. Mr. Menser, 2nd.
Vote: 5-0.

2. SP07-003, Cedar Ridge Condominiums (337 Robinson Drive). APN: 110-05-016 and totaling ± 2.29 acres. Zoning is Multi-Family High Density (MF-H). Request preliminary plat approval for 30 condominium units. Owner is MRD Properties. Applicant/agent is Michael Haywood. Community Planner is Mike Bacon.

Mr. Bacon reviewed the staff report and indicated:

- this request is for an apartment conversion to 30 condominiums;
- Cedar Woods condominiums are across the street and have also been converted;
- staff is recommending additional landscaping in the right of way;
- staff is recommending approval; and,
- the applicant is present.

Commissioners queried and remarked on:

- Hillside Development Standards;
- setback requirements under the new code;
- parking lot entrances [Mr. Mastin: the design of the new driveways will be coordinated.

Additional signage and mitigation have been asked for from the property owner across the street]; and,

- the units will be two stories high and will have sprinkling systems.

Mr. Michael Haywood, applicant, 115 E. Goodwin, indicated this project was designed by Todd Maroff, Headwaters Architecture. There are building permits for the project for the technical conversion. This is the first part of the request, and the project will come back before Planning & Zoning Commission at the platting stage.

Chairman Michelman asked for public comments. No one spoke.

Mr. Gardner, **MOTION: to approve Cedar Ridge Condominiums**, Preliminary Plat #SP07-003. Mr. Petrovsky, 2nd. **VOTE: 5-0**.

- 3. SP07-002, Mystic Hills Subdivision** (located west of Downer Trail and generally north of Sierry Peaks Drive). APN: 115-10-026A and totaling ± 5.5 acres. Zoning is Single Family 35 (SF-35). Request preliminary plat approval for four lots. Owner/applicant is Bryan Tucker. Community Planner is Mike Bacon.

Mr. Bacon reviewed the staff report and indicated:

- the preliminary plat calls out four lots;
- each lot will approximate one acre;
- this is a simple subdivision with a street running through it;
- there will be an open space easement at the rear of each property which qualifies for a planned area development (PAD) designation;
- the east-west connector will give ingress and egress; and,
- slopes exist on the property.

Commissioners queried and remarked on:

- the gated community areas;
- existing slopes;
- placement of the houses; and,
- the Storm Water Pollution Protection Plan.

The applicant, Bryan Tucker, was present; however, no questions were asked of him.

Mr. Petrovsky, **MOTION to approve Mystic Hills**, Preliminary Plat #SP07-002. Mr. Gardner, 2nd. **Vote: 5-0**.

- 4. LS07-001, 601 Peterson Lane**. APN: 107-17-001E and 107-17-001P and totaling ± 10 acres. Zoning is Single-Family 9 (SF-9). Request to divide two parcels into three lots with waiver request per LDC Section 7.4.1.D. Owner is Robert Odle. Applicant/agent is Michael Haywood and Associates. Community Planner is Mike Bacon.

Mr. Bacon reviewed the staff report and indicated

- the request is for a waiver to the Hillside Standards under *Land Development Code (LDC)* Section 7.4.14.D, Waivers.
- the request is for a waiver of the 150' maximum flag lot depth;
- Peterson Lane has over 40% slopes;

- if the waiver request is granted by Planning & Zoning Commission and City Council, a complete analysis will be needed and will be approved if the project meets all aspects of the *LDC*.

Commissioners queried and remarked on:

- shared and/or separate driveways;
- the intent to have a 30' easement over the existing driveway;
- the easement not aligning with the property lines;
- the *LDC* requirements and the flagpole not being included in calculating lot size; and,
- all homes will require sprinkler systems.

Mr. Michael Haywood, 115 E. Goodwin indicated:

- the project now contains two 5-acre parcels;
- the property will have access via the lower lot;
- parcel A is the homeowner's daughter's property, parcel B has been conveyed to the contractor, and parcel C is for a new residence;
- the driveway will not be aligned because of the slope restraints;

Mr. Menser, **MOTION: to approve LS07-001** with a *Land Development Code* waiver of the 150' maximum flagpole lot depth. Mr. Petrovsky, 2nd. **Vote: 5-0.**

5. **RE07-011, 2832 Pleasant Valley.** APN: 106-21-038 and totaling ± 0.65 acre. Zoning is Single-Family 9 (SF-9). Request revision of plat to divide one lot into two lots with *Land Development Code* waiver of the hillside development standards. Owner/applicant is William Hicks. Community Planner is Mike Bacon.

Item #6 was discussed prior to this item being presented.

Mr. Bacon reviewed the staff report and indicated:

- this is a request for a waiver to the hillside standards;
- the owner is requesting a revision of plat subdividing the parcel into two lots of approximately 17,000 SF and 11,000 SF;
- slopes range from under 20% to over 20%;
- the applicant filed a topographic exception that was approved to reduce setbacks where more than 20% slopes exist;
- when the revision of plat was submitted, an inconsistency was brought to staff's attention;
- a ½-acre minimum lot size is required for splitting lots;
- over 20% slope specifies a ½-acre minimum lot size;
- neighboring property owners were notified and no comments were received either in support or opposition;
- the view shed will be protected; and,
- a two-story home will be built behind the owner's home.

Commissioners queried and remarked on:

- the zoning around the project is Single-Family 9 (SF-9);
- the owner's lot being the largest in the surrounding area; and,
- setting a precedence if this request is approved.

Mr. Willard Hicks, owner/applicant, 726 Pinion Place, stated that the property was his deceased mother's. He wishes to build above the existing home. The neighbor on the east side is here. Mr. Hicks also stated that the requested home is to be built in harmony with the surroundings.

Mr. Mario Spier, 2830 Pleasant Valley Drive, stated he bought his home in 1992 and moved in two years ago. His wife is in favor of the project.

Chairman Michelman asked what the lot setback would be. Mr. Bacon presented photographic evidence that shows where the placement of the house will be. The house will be a height of one story which will include a walkout on the back side.

Mr. Wiant, **MOTION: to approve RE07-011**, waiver of the *Land Development Code* minimum lot size requirement and with approval of RE07-011 in accordance with Exhibit "A" dated July 26, 2007. Mr. Menser, 2nd. **Vote: 5-0.**

6. **SP07-005, 250, 251, 290, 291 Star Pine Place.** APNs: 109-15-055, -056, -059, -060 and totaling ± 0.93 acres. Zoning is Multi-Family Medium (MF-M). Request preliminary plat approval for 11 lots and 1 open space parcel. Owner is Star Pine Development, LLC. Applicant/agent is Catalyst Architecture, LLC. Community Planner is Mike Bacon.

This item was heard before Item #5.

Mr. Bacon reviewed the staff report and indicated:

- this is a request for a preliminary plat with 11 lots and one open space lot;
- presently there are four existing lots;
- significant 20% to 40% slopes exist; and,
- the applicant is asking for a waiver of the Hillside Development Standards.

Mr. Gardner recused himself from voting on this issue because he owns property in the area.

Mr. Matt Ackerman, principal, Catalyst Architecture, 123 E. Goodwin, reviewed the following:

- there will be 26.6% open space;
- zoning allows for 11.82 dwelling units per acre;
- there will be 11 detached homes instead of 16 permitted under the *LDC*;
- existing vegetation will be maintained; and,
- all homes will be sprinkled.

Mr. Bacon stated that staff has met extensively with the property owner and staff is in support of this project.

Commissioners queried and remarked on:

- no parking on either side of the street per Fire Department comments;
- the width of the driveways;
- *LDC* allowing no driveways less than 20' for adequate parking;
- the height limit with the south side appearing to exceed the height limit [Mr. Bacon: 40' is the maximum allowed]; and,
- the 2½' side yards and requisite fire rating.

Mr. Jim Peters, 512 Karen Drive, indicated that there is a 3-car unit within the garage. There will be ample parking. All homes will be comprised of two stories with a loft and will be 34'8" in height. Design changes will be made as necessary. All units will have fire sprinklers.

Mr. Dick Mastin indicated the property is subject to the hillside requirements, and engineering will probably ask the applicant to resurface the "alligator" road now existing.

Commissioners further queried:

- elevators [Mr. Peters: elevators will be offered as an option for every unit];
- control of design in relation to existing trees;
- walking paths [Mr. Peters: will put paths in later];
- concern with adequate light and ventilation between the side yards;
- will there be a homeowners association [Mr. Peters: yes]; and,
- having a condition that the driveway widths of 20' are shown on the preliminary plat.

Mr. Petrovsky, **MOTION: to recommend approval of Preliminary Parcel #SP07-005**, Starpines Planned Area Development (PAD). Mr. Menser, 2nd. **Vote: 4-0-1.** (recused: Gardner).

IV. PUBLIC HEARING ITEMS

(May be voted on July 26, 2007 unless otherwise noted)

7. **GP07-001 and MPA07-002. General Plan Amendment, Prescott East Area Plan Amendment, and The Ranch Master Plan Amendment.** This General Plan Amendment proposes land use changes to reflect the current uses of the properties clean-up items: A) Five (5) existing residential lots northwest of Wal-Mart from Open Space to Low-Medium Residential (1-7 DUA) and the Mystic Heights Planned Area Development Private Open Space from Low-Medium Residential (1-7 DUA) to Open Space; B) Areas within The Ranch adjoining Lee Boulevard from Medium-High Density Residential (8-32) to Open Space; and, C) Areas within The Ranch adjoining Lee Boulevard from Low-Medium Residential to Open Space. There are also three new proposals for General Plan land use designation changes: 1) A small area northwest of Wal-Mart from Open Space to Commercial; 2) An area south of Gateway Mall from Commercial to Medium-High Density Residential (8-32 DUA; and, 3) An area west of Walker Road (the former Equestrian Park) from Open Space to Low-Medium Residential (1-7 DUA). Community Planner is Mike Bacon. *(May be voted on July 26, 2007).*

Mr. Bacon reviewed the three-part request and indicated:

- the request calls for amending the General Plan (GP), the Prescott East Area Plan (PEAP) and The Ranch Master Plan (MP);
- the MP has not been amended since its inception in 1981;
- this plan has been changed since the last Planning & Zoning meeting on July 12, 2007; and,
- the PEAP now coincides with what is being requested.

Commissioners remarked that this request has cleaned up the rough edges. There were no questions or comments from either the applicant or the public.

Mr. Menser, **MOTION: to approve** General Plan Amendment, **GPA07-001**, the Prescott East Area Plan, and The Ranch Master Plan Amendment, **MPA07-002**, in accordance with Tables A, B, C, D, 1, 2, and 3, and Exhibits A, B, and C of the report. Mr. Wiant, 2nd. **Vote: 5-0.**

8. **In Lieu of Parking Fee, *Land Development Code*, Section 4.9.** Presentation and discussion of proposed amendment to the *Land Development Code*. George Worley, Assistant Community Development Director. *(May be voted on June 28, 2007) (Continued from 06-07-07).*

Mr. Worley gave a brief update and indicated that a number of groups are in the process of compiling information on the requested amendment to the *Land Development Code*. Consequently, Mr. Worley asked that Commission defer this item to the August 30, 2007 meeting at 9:00 AM.

Mr. Menser, **MOTION: to continue** the agenda item, In Lieu of Parking Fee, to the Thursday, August 30, 2007 meeting at 9:00 AM in Council Chambers. Mr. Gardner, 2nd. **Vote: 5-0.**

V. CITY UPDATES

None.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Michelman adjourned the meeting at 11:10 AM.

Don Michelman, Chairman