

**PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
FEBRUARY 12, 2009
PRESCOTT, ARIZONA**

Minutes of the **PLANNING & ZONING COMMISSION** held on **February 12, 2009** in the **COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET**, Prescott, Arizona.

I. CALL TO ORDER

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

II. ATTENDANCE

<i>Members Present</i>	<i>Others Present</i>
George Wiant, Chairman	Tom Guice, Community Development Director
Tom Menser, Vice Chairman	George Worley, Asst. Community Development Director
Joe Gardner	Richard Mastin, Development Services Director
Don Michelman	Matthew Podracky, Senior Asst. City Attorney
Seymour Petrovsky	Mike Bacon, Community Planner
Richard Rosa	Ryan Smith, Community Planner
Len Scamardo	Kelly Sammeli, Recording Secretary
	<i>Council Members Present</i>
	Jim Lamerson, Council Liaison
	Lora Lopas
	Bob Luzius

III. REGULAR ACTION ITEMS

Chairman Wiant announced to the public, that items 3 & 4 would be moved to the second position on the agenda due to a continuance request on the project from Mr. Hanna. Chairman Wiant further announced the three members of the City Council were in attendance of the Planning and Zoning meeting, Bob Luzius, Jim Lamerson, and Lora Lopas.

1. Approve the minutes of the January 29, 2009 meeting.

Mr. Michelman requested a change in the minutes of the January 29, 2009 meeting to reflect that on page eleven, sixth paragraph from the bottom, Mr. Michelman's comment should reflect, "it does not necessarily enhance their position by having a late submittal".

Mr. Rosa indicated that he was present at the January 29, 2009 meeting and the minutes should be changed to reflect his presence.

Chairman Wiant noted the request for changes for Mr. Michelman and further noted that the minutes should reflect Mr. Rosa as present and Mr. Gardner as absent. Chairman Wiant then called for a motion of the amended minutes.

Mr. Menser, **MOTION** move to approve the amended minutes of the January 29, 2009 meeting.

Mr. Michelman, 2nd. **VOTE: 7-0.**

Chairman Wiant announced that he would like to move items 3 & 4 (GP08-005 and RZ08-005, 1711 Thumb Butte Road) to the second item of the agenda due to the fact that there was a request from Mr. Hanna for a continuance until the April 12, 2009, Planning and Zoning meeting.

3. **GP08-005, 1711 Thumb Butte Road.** APNs: 108-06-031K, 108-06-031P, and totaling ± 0.33 acres. Request General Plan Amendment from Low-Medium Density Residential (1-7 DUA) to Mixed Use. Owners/Applicants are Raymond & Lanette Hanna. Community Planner, Mike Bacon (928) 777-1360.

Mr. Michelman noted that Mr. Hanna had stated he will be out of town for the next couple of Planning and Zoning meeting dates and then inquired if staff knew why the continuance was until the April 12, 2009 meeting.

Mike Bacon, Community Planner reported that staff was unaware of the reason for the length of time; only that Mr. Hanna's request stated April 12, 2009 date.

Chairman Wiant called for other comments or questions. Hearing none, called for a motion of continuance.

Mr. Rosa, **MOTION:** for continuance of items 3 & 4, GP08-005, and RZ08-005, 1711 Thumb Butte Road, until April 12, 2009 at 9:00 AM at the Planning and Zoning meeting.

Mr. Scamardo, 2nd. **VOTE: 6-0-1 (Mr. Petrovsky abstention).**

Chairman Wiant reiterated that agenda items 3 and 4 were moved so the general public did not have to wait to be informed that the applicant requested a continuance. Chairman Wiant thanked the public for attending the meeting and again noted the items would be discussed on April 12th, 2009.

Chairman Wiant further noted that public comments would be addressed at the Planning and Zoning Commission on April 12, 2009.

A gentleman from the public inquired how many continuances would be allowed.

Chairman Wiant noted that there was not a limitation on continuance requests and that all items would be discussed at that time.

Mr. Scamardo inquired if there was a spokesman for the group that staff could use as a contact if further issues should arise.

Someone from the public announced Lillian Pence.

4. **RZ08-006, 1711 Thumb Butte Road.** APNs: 108-06-031K, 108-06-031P, and totaling ± 0.33 acre. Request zoning change from Single-Family-9000 square foot minimum lot size (SF-9) to Residential Offices (RO). Owners/Applicants are Raymond & Lanette Hanna. Community Planner, Mike Bacon (928) 777-1360. (Voting on February 12, 2009)

Item 4 was continued. Refer to agenda Item 3 above.

2. **SI08-002, Site Plan review for The Boulders, A Prescott Retirement Center,** Planned Area Development. 910 Canterbury Lane, (north of Whipple Street) APNs: 116-19-017, 116-19-017A, 116-19-017B, 116-19-021B, 116-19-022. (±6.27 acres). Zoning: MF-H.

Applicant is CivilTec Engineering, 2050 Willow Creek Road, Prescott. Owner is Arcadia Housing, LLC c/o Bill Spring. Community Planner, Mike Bacon (928) 777-1360.

Mr. Bacon reported that the project is located north of Whipple-Montezuma off of Canterbury Lane and is a (PAD) Planned Area Development due to a prior approved preliminary plat. Mr. Bacon continued to report that the project calls for one hundred thirty two, units; forty four units are to be assisted living, with the remaining eighty eight units used for senior living. Mr. Bacon reported to the Commissioners that the applicant, Mr. Spring, provided a response letter to the Planning and Zoning Commission addressing the concerns of attorney, Jennings-Strouss, for Las Fuentes. Mr. Bacon further noted that the Development Agreement going before the City Council will be increasing the height of the buildings from 45 feet to 49.5 feet and will also have an added provision for valet parking that, Mr. Spring has agreed to incorporate into the agreement. Mr. Bacon also reported that staff is requesting that provision number three, under the planning comments be struck out because staff does not feel that there will be an agreed upon easement between the two parties. Mr. Bacon indicated that staff is recommending approval of the site plan, in accordance with the motion as stated in the staff report to include City department comments. Mr. Bacon noted that the applicant, Mr. Spring, was present at the meeting and concluded the staff report.

Chairman Wiant encapsulated that provision three, the access from Sun Street will be eliminated and; there will be a provision added in the Development Agreement to include the valet parking.

Mr. Bacon noted that was correct.

Mr. Michaelman noted that this item was previously continued partly due to a letter received by Jennings-Strouss and further inquired if staff was going to make comment on the letter.

Mr. Bacon indicated that staff believed that Mr. Spring addressed the letter adequately.

Mr. Petrovsky noted that the infrastructure required by the City for the project appeared to have a large impact on the project.

Mr. Bacon indicated that Mr. Spring would have to address that. Mr. Bacon further noted that in 2003, when the condominium project was approved, the water and sewer portion of the project was not addressed.

Mr. Scamardo commented that the site plan is what the Commission is to consider and the financial ramifications of the project are up to the developer.

Chairman Wiant opened the item for public comment.

Mr. Bill Spring, 2305 Edgewood Drive, Sedona, Developer of the project noted that the previously approved design only required one road, twenty foot in width, and today's requirement from the Fire Marshall is for a complete 360° loop road, twenty six foot wide. Mr. Spring further noted that the cost of the road design within the development is much more expensive, at about two hundred, twenty five million dollars. However, the buildings will now be accessible from all three sides.

Chairman Wiant called for other public comments.

Ms. Janet Hutchinson, Attorney from Jennings, Strouss, and Salmon, 201 E Washington, 11th floor, Phoenix, AZ, 850004 noted that she was the attorney for LFRV

LLC, and represented the property, Las Fuentes Resort Village, which is located on the 16 acres immediately to the north of the purposed site. Ms. Hutchinson indicated that the letter by her firm, which was submitted the day before the last Planning and Zoning Commission, was done because, they were not noticed of the item for the Planning and Zoning meeting on February 12, 2009, or the neighborhood meeting that occurred in January. Ms. Hutchinson also noted that they did not receive a copy of the letter that was submitted by Mr. Thomas P. Kack, Attorney, in response to their letter. Ms. Hutchinson indicated that they voice legitimate concerns that the City should address. Ms. Hutchinson further indicated that in reviewing the draft minutes of the January 29, 2009 Planning and Zoning Commission, that the concerns they previously had raised were not addressed. Ms. Hutchison commented that she has heard over and over that this was an improved project however, she does not see that to be the case. Ms. Hutchison noted that she would again focus on the four concerns that they would like addressed. Ms. Hutchinson indicated that the first was licensing. Ms. Hutchinson pointed out that the entire facility should be licensed as an assisted living facility. Ms. Hutchinson further indicated that if it was, it would have to be designed with standard components for an assisted living facility. Ms. Hutchinson noted that the applicant's response to the licensing concern was that they would hire someone who was licensed to provide assisted living care; and did not say that the facility itself would be licensed. Ms. Hutchinson then voiced concerns regarding the parking design for the project. Ms. Hutchison noted that the applicant has indicated that 2/3 of their target market are independent senior living, and further noted that people the age of 55 or older still drive. Referring to the site plan on the overhead screen Ms. Hutchison, pointed out that there are about seven spaces located adjacent to the independent living area, with the majority of the parking located in the northern area of the site. Ms. Hutchison indicated that the idea of valet parking would not work for the independent living area because, people who go to the grocery store or just go out for a small shopping trip will not ask for the valet, and when they return from their outing will have to park too far away to retrieve the goods from the shopping trip. Ms. Hutchison noted that her client, Las Fuentes, has been in the business for along time and they have never seen valet parking. Ms. Hutchison further questioned if there would be staff available for the valet parking twenty four hours a day. Ms. Hutchison indicated that many seniors are still active, going to church, volunteering, and in general, still driving. Ms. Hutchison stressed the third issue was the height of the buildings. Ms. Hutchison noted the height of the buildings at 45 feet and indicated that in 2003, the site was approved at 40 feet, with only a portion of the area allowing a 45 foot height. Ms. Hutchison further indicated that the (*LDC*) *Land Development Code* notes this sites' zoning should have a height limit of 35 feet (staff notes that 40 feet is allowed). Ms. Hutchison offered that with the applicants' request of 49.5 feet would be approximately a 41% increase in the height. Ms. Hutchison noted that the engineer for the applicant has indicated that the site is challenged with drainage and topographical issues, and yet the request is to put senior living-assisted living on the site, limit the parking, and decrease the open space. Ms. Hutchison indicated that the access to the site was addressed however; since the access off of Canterbury was not a concern then there would not be a need to allow access for the construction traffic, building supplies, or construction workers, to access through Sun Street. In closing, Ms. Hutchison noted that the application mentioned separate agreements, and that her client would like to know what they are. Further, Ms. Hutchison indicated that their objection is to the design of the project and feel that it is flawed. Ms. Hutchison asked the Planning and Zoning Commission to deny the project.

Chairman Wiant called for questions and comments from the Commissioners.

Mr. Menser asked Ms. Hutchison if they had received a copy of the letter from the applicants' attorney.

Ms. Hutchison noted that she had gotten a copy off of the City of Prescott's web site.

Mr. Scamardo noted that as the Planning and Zoning Commission, they are looking at the site plan. Mr. Scamardo further noted that there is a provision in the (*LDC*) *Land Development Code* that allows for variations of heights by as much as 10% due to the topography of a site. Mr. Scamardo further indicated that the licensing issue was not their concern.

Ms. Hutchison indicated that it is an important that the City looks at the licensing issue because, it is the City of Prescott that will have a senior living facility that does not meet the requirements for an assisted living facility. Ms. Hutchison further noted that if the facility is allowed without the parking, and the valet service fails, the City will be left with a senior living type facility that is failed. Ms. Hutchison stressed that the Planning and Zoning Commission is the gateway to making sure that the project is viable. Ms. Hutchison further indicated that if HUD is a co-guarantor of the project she felt that they would make sure that the buildings are built to the government standards and that the facility is a "licensed assisted living facility".

Mr. Michaelman indicated that it was not the Planning and Zoning Commissions decision, but HUD's.

Ms. Hutchison inquired why the Commission would not be interested in offering the best facility by requiring that it be a "licensed assistant living facility" built to specific standards.

Mr. Menser stressed again that they are only looking at the site plan and that the licensing is not an issue with the Commission. Mr. Menser further noted that parking is a concern and that it will be discussed. Mr. Menser indicated that one of his concerns is what guarantees that the site will never be able to converted to condominiums or apartments uses because then the parking would not work. Mr. Menser further indicated that the financial aspect of the project is not their concern; the height issue was previously looked at and modified in 2007 to allow for a 45 foot building height on the site. Mr. Menser further noted that the height adjustment of 49.5 feet can be done administratively.

Chairman Wiant thanked Ms. Hutchison for speaking.

Mr. Tom Kack, Attorney for the developer, 1135 Iron Springs Road, Prescott, noted that they must meet state licensing to operate an assistant living facility and the building itself must meet state requirements in order to utilize it. Mr. Kack further noted that it is their intention to not only meet local code requirements, but surpass them on the structure located on the north of the site. Mr. Kack indicated that most of the comments he heard pertained to financial issues and that the management company that was going to manage this site has twenty years experience. Mr. Kack further indicated that it is not a concern for the Commission however, he would note that there has been three feasibility studies done, including one by HUD on the project that say the project will work. Mr. Kack noted the height of 45 feet is approved, and although the height is now at 49.5 feet the project looks better, less imposing and not monolithic. Mr. Kack offered an apology for the over sight on the non delivery of the letter to the representatives for Las Fuentes. Mr. Kack further noted that his clients' project sits behind Las Fuentes and it is their feeling that this is a competition issue.

Mr. Kack indicated that all the concerns have been addressed, and further the valet parking is addressed in the Development Agreement. Mr. Kack noted that millions of dollars have been invested in this project, many studies have been done by people with

years of experience, and they all say that the requirements are being met. Mr. Kack reported that the Development Agreement notes 132 spaces, and with the requirements of the 360° road way this is what is causing the parking issue. Mr. Kack stressed that the project was designed with valet parking anyway, and with the new road requirement it has driven the parking further away. Mr. Kack noted that the landscaping on the project exceeds code requirements, they have spent millions of dollars on the design, and the upgrades, and these items speak for the fact that there are no issues. In closing, Mr. Kack commented his client is under time constraints, there is financing in place and they are asking for approval from the Planning and Zoning Commission. Mr. Kack thanked the Commissioners for letting him speak and invited Mr. Meeks to the podium.

Mr. Michelman inquired if the Development Agreement would further limit future usage of the property or if in ten years it could be changed to an apartment or condo use.

Mr. Kack indicated that Development Agreement calls for assisted living or non-assisted living, 132 units. Mr. Kack further noted that the use would still have to be limited to 55 years of age or older. Mr. Kack noted that lot more money has been put into this project as it was designed from the ground up.

Chairman Wiant noted that the Commissioners could discuss the "what if's" all day and that is part of the concern on the parking that Mr. Menser has brought to attention.

Mr. Bacon, Community Planner noted that in 1999 the project was very controversial and that is no longer the case. Mr. Bacon indicated that the neighborhood has been very receptive to the proposal today. Mr. Bacon reminded the Commissioners that apartment and condominiums have more intensive parking requirements, and further all the Development Agreements, from the onset in 1999 have specified two uses, assisted living or independent living over the age of 55, no condos or apartments.

Mr. Menser commented yes however, non-assisted is regular apartments for 55 or older and there is nothing in the Development Agreement or City Zoning that would limit the use.

Mr. Bacon noted that they (the developer) have the right to come back before the City Council and revise the Development Agreement however; parking would be an issue. Mr. Bacon further noted that apartments require two parking spaces per unit and once the site is developed as designed, it would be impossible to meet the parking.

Mr. Menser inquired if a condominium use would require the same steps.

Mr. Bacon indicated yes.

Mr. Bacon reported that with assisted living, parking is .5 of a space and independent living, over 55, the requirement is one space per unit. Mr. Bacon further noted that is in the Development Agreement and they meet the parking requirements.

Mr. Menser noted that the limitation was the parking, and the design was locking them in.

Mr. Kack noted that the Development Agreement does run with the land and is noted that the property should only be used for assisted housing or non-assisted for those over 55 years of age and/or a combination of non-assisted housing and assisted housing for those over 55 years of age.

Mr. Menser inquired if there was a key in the federal funding that would limit the use to a specific kind of senior project.

Mr. Kack indicated that Mr. Spring could respond to the question however, it was his understanding that the project was being funded as an assisted and non assisted living project for HUD.

Chairman Wiant noted that it was his understanding that what the Commission was looking at was limited by the parking and the prescribed use, and if in the future there was a change of use it would have to go through the whole process again.

Mr. Bacon indicated yes.

Mr. Larry Meeks, Architect, STG Design Incorporated, 1820 East River Road, Tucson, AZ, 85718 indicated that his firm has been involved with HUD development projects since 1984 and they have completed hundreds of HUD projects. Mr. Meeks noted that the project before the Commission is a HUD project that is specifically written and regulated for assisted living and independent living facilities. Mr. Meeks noted that if the developer fails to operate the facility properly, there is a forty year financial commitment from HUD to come in and take it over as an assisted living facility, which is how the project is set up. Mr. Meeks indicated that the project was preliminary reviewed by the State Health Department Architect several weeks ago and there are no licensing issues with the project. Mr. Meeks further indicated that the state licensing is required to be in hand for HUD to fund the construction of the project, and there is no avenue for a change in use unless HUD is bought out. Mr. Meeks noted that his firm is currently working on a 454 senior living facility in Glendale, that is almost fully occupied and has approximately 160 cars in the parking lot. Mr. Meeks indicated that the trend on these types of facilities is less parking and they are seeing it everywhere. Mr. Meeks indicated that seniors give up their cars when they move into these facilities. This is a strong market trend and that it is going to endure for a long time. Mr. Meeks described several projects located in the Tucson area where the parking had been significantly decreased as part of the trend.

Chairman Wiant indicated that the main concern of the Planning and Zoning Commission is that the project meets code.

Mr. Menser inquired if Mr. Meeks had personally been involved with the valet parking feature that was being proposed.

Mr. Meeks noted that valet parking is some thing that the market is looking at very closely and recommends this type of feature in a number of projects today. Mr. Meeks further noted that seniors are just not using their cars once they enter into these types of facilities and it is noted everywhere.

Chairman Wiant inquired if the valet parking was a twenty four hour seven days a week operation.

Mr. Meeks indicated yes.

Mr. Michelman asked Mr. Meeks again if he had any past experience with the valet parking to base his hypothesis on.

Mr. Meeks indicated that valet parking in his experience started about the middle of last year, when they noted that people living in the facilities were not driving their cars. Mr. Meeks further indicated that he is involved in the push for less parking because for him,

it was about being responsible, being green, and responding to what behaviors the seniors are showing. Mr. Meeks noted that seniors would rather take the van service that is offered by the in- place community and that it becomes a social event in their lives.

Mr. Gardner inquired if HUD had any parking requirements.

Mr. Meeks reported that HUD requires the project to meet the requirements of the local jurisdiction.

Mr. Gardner commented that from his own experience with his family members being in similar type facilities there are always empty parking spaces.

Mr. Rosa indicated that he does not see a problem with the project. Mr. Rosa further noted that once people reach a certain age they do tend to use the transportation provided it does become a community event to go on the outings.

Mr. Petrovsky inquired if the valet service would be at an additional cost to the residents or would it be an additional cost.

Mr. Meeks indicated that Mr. Spring would have to answer that question. Mr Meeks indicated that HUD does an annual review of all the projects it funds and if things do not operate the way it was approved it would be corrected. In closing Mr. Meeks noted that the project is being presented the way it will be operated.

Mr. Spring, Developer of the project indicated that the valet parking is somewhat new for the industry of senior housing however, the management firm that is associated with his project has experience with it. Mr. Spring noted that the valet parking is a service that is included at no extra cost; the occupants are made aware that there is no tipping allowed, and the service would be provided twenty four hours a day, seven days a week. Mr. Spring noted that the housing project would also have vans that would take regular outings to the grocery stores, shopping trips, etc. Mr. Spring further noted that a closer look into the Las Fuentes parking lot would reflect how little vehicles are being used by residents. Mr. Spring indicated that the valet parking is a marketing item for his development that goes along with the higher end of the industry, and it is something that is not provided at any other location with the Prescott area. Mr. Spring stated that he felt that his project is more upscale and that is possibly why the parking is a concern. Mr. Spring noted that the Development Agreement runs with the land and can not be changed without going through the process again.

Mr. Petrovsky indicated that he did not hear the answer on the valet parking and inquired if it was provided twenty four hours a day seven days a week.

Mr. Spring indicated yes.

Mr. Menser asked Mr. Bacon if the wording for the Development Agreement had been drafted yet.

Mr. Bacon indicated that it was however, he did not have a copy of it.

Mr. Menser asked his fellow Commissioner, Mr. Gardner if he had concerns about the valet parking working.

Mr. Gardner indicated that he did not. Mr. Gardner further noted that he thought it would be a benefit for the occupants.

Mr. Menser noted that he felt there should be some drop off locations at each of the buildings and he didn't see reflected on the plans.

Mr. Meeks indicated that there is drive under type covered entry's at each of the building locations for drop off purposes.

Chairman Wiant called for final comments from the Commissioners.

Mr. Michelman asked staff if additional parking spaces to the site, what would be the procedure.

Mr. Bacon noted that the process would start over with the Planning and Zoning Commission because the approval of the City Council would be in substantial accordance with the site plan. Mr. Bacon explained that adding one or two parking spaces would be considered substantial however, if they added parking in another location they would have to come back.

Chairman Wiant noted that was because it would change the open space.

Mr. Michelman noted the calculation of the parking spaces required for an apartment use based on a one bedroom calculation, and commented that it is higher than what is noted on the site plan. Mr. Michelman further noted that the parking is limiting the use, and no changes could occur without returning back before the Planning and Zoning Commission. Mr. Michelman indicated that he was comfortable that the use is limited to what the Development Agreement indicates vs. the other uses that were discussed hypothetically in the future.

Mr. Rosa commented that there was also the option of stacking the parking spaces as long as they have the valet parking and that could increase the parking.

Chairman Wiant commented if there was a change in use it would also have to go before HUD and what the Commissioners were considering is the site plan as it is presented; and, that it meets the City code.

Chairman Wiant closed the public hearing and called for any last comments from the Commissioners.

Chairman Wiant called for a motion.

Mr. Scamardo, **MOTION:** to recommend approval of the Site Plan for the Boulders, A Prescott Retirement Community Planned Area Development SI08-002 'Exhibit' A, and subject to the City Department Comments in the staff report date 2/12/2009.

Mr. Michelman inquired if comment number 3 under the planning comments needed to be removed.

Mr. Scamardo noted yes and amended the motion to include the removal of statement number 3 under the planning comments.

Mr. Michelman, 2nd.

Chairman Wiant noted the **motion** and the 2nd and called for other comments.

Mr. Menser inquired what time in the process restrictions on the construction activity would be placed.

Mr. Bacon indicate that the noise code addressed the construction noise 6AM to 7PM daily and the construction traffic off of Sun Street has never been a noted concern over the past ten years.

Mr. Menser inquired if there would be specific restrictions on the construction of the project or just the City standards from the construction.

Mr. Bacon noted just the City standards.

Chairman Wiant noted there was a **motion** and a **2nd** and called for the vote.

VOTE: 7-0. Motion was unanimous.

IV. PUBLIC HEARING ITEMS

5. ANX09-001, GRANITE DELLS RANCH. APNs: 103-01-031A, 103-01-031B, 103-01-053C, 800-10-016, 800-17-021E, 800-17-023W and totaling ± 387 acres. Owner is Granite Dells Ranch Holdings (Cavan). Applicant/agent is Mark Reddie, LVA Urban Design Studio. Community Planner is Ryan Smith (928) 777-1209.

associated with

6. GP09-001, GRANITE DELLS RANCH. APNs: 103-01-030A, 103-01-031A, 102-06-001 and 102-06-002E and totaling ± 165 acres. Request minor General Plan Land Use Map Amendment. Owner is Granite Dells Ranch Holdings (Cavan). Applicant/agent is Mark Reddie, LVA Urban Design Studio. Community Planner is Ryan Smith (928) 777-1209.

associated with

7. LUP09-001, GRANITE DELLS RANCH. A portion of 103-01-031A and totaling ± 64 acres. Request amendment to the Airport Specific Area Plan (ASAP) Land Use Map. Owner is Granite Dells Ranch Holdings (Cavan). Applicant/agent is Mark Reddie, LVA Urban Design Studio. Community Planner is Ryan Smith (928) 777-1209.

associated with

8. RZ09-001, GRANITE DELLS RANCH. APNs: 102-06-002E, 103-01-030A, 103-01-031A, 103-01-031B, 103-01-053C, 800-17-021E, 800-17-023W and portions of the Peavine Trail west of Granite Dells Estates (Fann) and totaling ± 450 acres. Recommendation for Rezoning includes Single-Family 9 (SF-9 = 9,000 square feet minimum) and Rural Estate-2 acre minimum (upon annexation) to Open Space (OS), Business Regional (BR), and Industrial Light (IL). Owner is Granite Dells Ranch Holdings (Cavan). Applicant/agent is Mark Reddie, LVA Urban Design Studio. Community Planner is Ryan Smith (928) 777-1209.

associated with

9. MASTER PLAN APPROVAL, GRANITE DELLS RANCH. APNs: 102-06-001, 102-06-002E, 103-01-031A, 103-01-031B, 103-01-030A, 103-01-053C, 106-06-001, 800-10-016, 800-17-021E, 800-17-023W. Located generally east of Side Road and the Peavine Trail at State Route 89A. Request Master Plan Approval for a ± 498 acre commercial/industrial subdivision inclusive of all the above-referenced APNs. The map of the proposed Master Development Plan is printed below. Owner is Granite Dells

Ranch Holdings (Cavan). Applicant/agent is Mark Reddie, LVA Urban Design Studio. Community Planner is Ryan Smith (928) 777-1209.

Chairman Wiant noted that the Commissioners would now consider items 5, 6, 7, 8, and 9 all, related to Granite Dells Ranch.

Ryan Smith, Community Planner put the map of the site location on the overhead for the Commission to view and reported that the Granite Dells Ranch is located generally southeast of the Airport. Mr. Smith noted the locations of the Side Road, Highway 89 Interchange, and the Peavine Trail in relation to the site. Mr. Smith reported that the applicant is requested to annex 387 acres of the 500 acre project into the City with a portion of the site located within the county. Mr. Smith projected the proposed Master Development Plan and reported that the plan is for a commercial and industrial subdivision. Mr. Smith noted the location of the industrial portion of the project on the overhead, indicating that it was south of the airport. Granite Creek is to be designated as Open Space and the rest of the development as commercial. Mr. Smith noted that the applicant was present at the meeting and was going to go over the project in further detail. Mr. Smith noted that he would briefly go over the process. Mr. Smith noted that the request is a Proposition 400 Annexation as it is over 250 acres and the City Council would have to approve it by a $\frac{3}{4}$ majority vote. Mr. Smith further noted that the public comment period of sixty days would start once the Planning and Zoning Commission makes a recommendation regarding the Master Development Plan. Mr. Smith further noted that the effluent from the project will be used towards the aquifer recharge. Mr. Smith indicated that the Planning and Zoning Commission is anticipated to make their recommendation on the application at the February 26, 2009 meeting, and if it does that would begin the sixty day public review period required by Proposition 400. Mr. Smith further indicated that staff is anticipated to have the City Council hear the items on May 5, 2009, and May 12, 2009, if the Planning and Zoning makes the recommendation on February 26, 2009.

Mr. Smith further reported that there are five separate actions that are being requested of the Commission. The first is a recommendation on the Transitional Zoning. Mr. Smith indicated that the current County zoning is RCU-2A, which is a residential zoning with a minimum two acre for each lot size. Mr. Smith noted that the other actions would include a General Plan Land Use Map Amendment for an area in the northern portion of the site, an Airport Area Specific Plan Land Use Map Amendment, a Rezoning request to allow for the commercial development and a Master Plan Approval. Mr. Smith reported that staff is suggesting a Transitional Zoning designation of RE-2 which is comparable to the current County zoning of RCU-2A for the Annexation per state requirements. Mr. Smith noted that would allow for the applicant to proceed with the rezoning for the Commercial and Industrial rezoning. Mr. Smith indicated that staff is recommending approval of all the actions for the application. Mr. Smith concluded the staff report, noting he would answer any questions from the Commissioners. Mr. Smith then introduced Mr. Al Bradshaw, acting agent, for the applicants.

Mr. Menser inquired if the General Plan Amendment would be considered a minor amendment.

Mr. Smith noted yes.

Mr. Menser inquired if there is work being done to revise the (ASAP) Airport Specific Area Plan and would the General Plan Amendment not change the revisions.

Mr. Smith indicated that there is work being done on the 2009 Airport Master Plan which is different than the Airport Specific Master Plan. Mr. Smith further indicated that staff is

proposing to amend the Airport Specific Area Plan so that it will match the 2009 Airport Master Plan.

Mr. Menser inquired if this General Plan Amendment would affect the Airport Master Plan revisions.

Mr. Smith indicated no. Mr. Smith noted that the applicants are aware of the amendments that are occurring with the Airport Master Plan as well as the stipulation that will occur.

Mr. Petrovsky commented that he read in the staff report about the realignment of the Peavine Trail and inquired about the proposed changes.

Mr. Smith noted that the applicant will discuss in detail the realignment of Peavine Trail and then briefly described how the trail aligns Side Road and ends at the Highway, where a person has to cross the Highway to continue the trail. Mr. Smith noted that there are a few issues that are still being worked out with the crossings of the Trail at Centerpointe East as well as the Highway locations. Mr. Smith further noted that these types of issues generally get worked out prior to a final plat application.

Mr. Petrovsky inquired if the intent was to realign the trail to go under the Highway.

Mr. Smith indicated that was correct.

Chairman Wiant opened the meeting to public comment at this time.

Mr. Smith introduced Mr. Al Bradshaw.

Mr. Al Bradshaw, Bradshaw Public Relations, 3088 Adobe Springs Prescott indicated that he would introduce the members of the team that have been working on the project. Mr. Bradshaw introduced Mr. Jeff Market, Director of Project Development, for Cavan Real Estate Investments, Mr. Greg Huber, Huber Law, Prescott, Scott Lyon, Lyon Engineering, Mr. Mark Reddie, Planner, with LBA Design Studios in Tempe. Mr. Bradshaw indicated that the team members have been working with City staff for some time now and thanked Craig McConnell, Tom Guice, Ryan Smith, Mark Nietupski, and Gary Kidd for their efforts. Mr. Bradshaw noted that they believe that this project will create Prescott's single largest commercial area. Mr. Bradshaw further noted that the project developed out of the City Councils priority direction for commercial development, along the Side Road area and also the Prescott General Plan. In closing Mr. Bradshaw noted that an introductory presentation on the project was previously presented to the City Council and the Open Space Committee and introduced Mr. Mark Reddie, of LVA Urban Design.

Mr. Mark Reddie, LVA Urban Design Studio, 120 S. Ash Avenue, Tempe, AZ indicated that he would describe in detail the specifics of the application. Mr. Reddie noted the five components of the application 1) Master Development Plan; 2) Minor General Plan Land Use Map Amendment; 3) Airport Specific Area Plan Land Use Map Amendment; 4) Annexation of a portion of land that is not in the City; and, 5) a Rezoning application. Mr. Reddie also noted that the location is in the northern area of Prescott. Mr. Reddie informed the Commission that Cavan had purchased over 16, 000 acres in the last year and provided a map of the areas that Cavan currently owns on the overhead. Mr. Reddie provided an overview of the project site on the overhead and noted the areas of Granite Dells Estates (to the south), Centerpointe E (to the west), Fann property, State Route 89A, Granite Creek, the Peavine Trail, and the Airport.

Mr. Reddie reported on the Master Development Plan and indicated that it has three different land uses noted in it, commercial employment with ranges of retail to office uses, light industrial and open space. Mr. Reddie then described the circulation components' within the site, including the new interchange along highway 89 that will start construction this summer. Mr. Reddie described the access of the design, the access road that will run north and south, called Granite Dells Parkway, which will provide access through their project and to the Granite Dells Estates project. Mr. Reddie noted that the project includes a east, west connector, called Counterpointe Drive, that will provide access through the property to Side Road and the Centerpointe East development. Mr. Reddie noted that the interchange will also provide a park and ride trailhead area along the northern side of the property accessible for hiking, bike riding, or horse back riding. Mr. Reddie further noted that as part of the project Cavan has dedicated 37 acres for land for the construction of the Interchange, the roadways and the parking/trail alignments. Mr. Reddie noted the areas of open space on the overhead projector and provided the overview of potential flood plain areas that total about 57 acres. Mr. Reddie added that Hanson Aggregate has a Development Agreement with the owner (Cavan) for mining and primary location in the area Mr. Reddie indicated that the use will continue for some time however, if it ceases the area could potentially be redeveloped into light industrial.

Mr. Reddie put the regional map of the current alignment of Peavine Trail on the overhead and noted the location of the trail along Side Road. Mr. Reddie noted that the trail runs into the parking area and then enters onto their property where it veers east to the existing box culverts that go under the freeway. Mr. Reddie placed the location on the overhead map again. Mr. Reddie noted in addition, there was additional land donated (by Cavan) along the right of way area that will provide space for a safe visibility and turn radius out of the tunnels. Mr. Reddie indicated that the shift in the Peavine Trail was discussed with the Open Space Committee because, there is about 17 acres of their (Cavan) land that is designated as commercial employment that will only be accessible by one or two at grade trail crossings, and they would like to possibly take the trail and shift it along the edge of the creek so it would not have to be crossed by traffic. Mr. Reddie indicated that this would provide three positive things, move the trail up against open space with nice vistas, eliminate the vehicle crossings on the trails, and possibly consolidate the land for the development. Mr. Reddie noted that the challenge they face is that the Peavine Trail land was purchased with Federal Grant Enhancement funds and there may be limitations of the land swap. Mr. Reddie indicated that that is something that they are working on with staff. Mr. Reddie also noted that they are walking the area with Open Space Committee members as they move further into the project.

Mr. Reddie described the minor General Plan Amendment and indicated that the major change that is being proposed is a change from residential uses to commercial uses. This is due to current Airport Specific Area Plan and the Airport Master Plan that is in development and the areas that are designated as non residential and are located in the noise contours that would prohibit residential. There are also areas that are being modified for the Open Space and FEMA that are identical to the ASAP. The zoning change is similar to the Master Plan and it is to modify the acres to industrial light, and change areas from residential uses to commercial uses. Mr. Reddie indicated that this does include the Open Space and it might change if the trail area changes.

Mr. Reddie reported that the annexation portion is 387 acres including the trail alignment and Side Road, which is currently in the County, as part of the annexation. Mr. Reddie noted as part of the annexation they are required to commission a number of studies. This would include a Water Master Plan, a Waste Water Master Plan, a Traffic Study, and a Fiscal Impact Analysis which are in final draft or completed. Mr. Reddie noted that

he would also touch on the water allocation. Mr. Reddie indicated that at the Council presentation a resident asked what they were doing for water. Mr. Reddie indicated that he pointed this out because the project has no residential and there is no requirement for a water agreement. Mr. Reddie further noted that if they were proposing a single use that would use more than five acre feet of water per year then they would have to have a water agreement. Mr. Reddie reported that only residential developments are required to enter into a water agreement, there are specific allocations for non residential uses, and those will be used for the water on this project.

Mr. Reddie noted that the development schedule is in with the City and will begin the public hearing process on February 27, 2009 after the Planning and Zoning vote and the will continue for sixty days which is May of 2009. Council will vote on this request in June of 2009 and they hope to begin development on the project in 2011. Mr. Reddie closed his presentation and noted that he was happy to answer any question the Commission might have.

Mr. Michelman inquired if the southeast portion of the site abuts to the Fann property and if it abuts the residential use within the Fann project or if it was business general or to business general.

Mr. Reddie indicated no. Further noting that they have been talking about the connection of the two properties with Mike Fann and all the property that is on the Fann project is consistent and compatible with what they have. Mr. Reddie further noted that the residential area is to the south. Mr. Reddie placed the site location back on the overhead at this time for the Commissioners to review it again.

Chairman Wiant noted that no water has to come in with the annexation.

Mr. Reddie noted that was correct because there is no residential and they are not required to enter into a water agreement.

Mr. Menser inquired if Multi-family could be put into any part of it.

Mr. Reddie noted that there was one zoning designation that does allow for it however, they were not planning on that use.

Mr. Smith, Community Planner noted that Mr. Menser was correct in that the majority of the project will be zoned Business Regional and that does allow for Multi-family zoning.

Chairman Wiant inquired if Multi- family requires a water development.

Mr. Smith indicated yes if it was developed that way however, the Master Plan does not indicate the Multi-family use at all.

Mr. Petrovsky indicated that he did not see a recommendation by staff and asked staff about it.

Mr. Smith indicated that the items were coming before the Planning and Zoning Commission on February 26, 2009 again and staff will recommend approval for all items at that time.

Chairman Wiant called for comments from the audience.

Mr. Reddie noted that they had been contacted via e-mail by the Arizona Game and Fish Department the day before and that they intend to meet with staff from Arizona Game and Fish to discuss their concerns and see how they could work together.

Trevor Burke, Habitat Program Manager for Region Three, Arizona Game and Fish Department, 5325 N. Stockton Hill Road, Kingman, AZ, 86401 indicated that he has been working on numerous projects through out the area including, the Chino bypass project, Fain Connector, and the Great Western DCR. Mr. Burke noted that he will be looking at this project to see how the area will maintain landscape and connectivity for the wildlife. Mr. Burke noted that he was looking forward to working with Mr. Reddie on the project to try and incorporate wildlife permeability into the area for the whole region. Mr. Burke then thanked the Commissioners for listening to him.

Chairman Wiant thanked Mr. Burke for attending and noted it was a little early in the process for him to provide a presentation.

Nigel Reynolds, 795 Sunrise Blvd, Yavapai Hills, Prescott noted that he was on the board of the Yavapai Trails Association and that he would like to make comments on the Peavine Trail system. Mr. Reynolds indicated that he was happy to see the developer take the Peavine Trail into consideration. Mr. Reynolds further indicated that it is important to help mitigate the grade crossings of the Peavine Trail which is not a good idea. Mr. Reynolds noted that there are other things that are going on in the area and the Yavapai Trails Association is also working with those developers to meet the needs of the Peavine Trail. Mr. Reynolds stressed the importance of the Peavine Trail in relation to the historic route of the railroad, the use of it to link the three communities of Chino Valley, Prescott Valley, and Prescott together, a recreational trail important to the locals and tourist alike. Mr. Reynolds closed by thanking the Commissioners and noted for them to keep in mind the importance of keeping the Peavine Trail available to people outside the area.

Chairman Wiant called for other comments from the Commissioners or the public. Hearing none closed the public portion of the meeting.

Chairman Wiant noted that the items would not be acted on until they were reviewed at the next Planning and Zoning meeting on February 26, 2009 at 9:00 AM.

V. CITY UPDATES

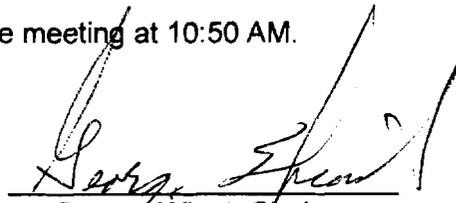
Mr. Worley announced that a Unified Development Code Committee meeting would immediately follow the close of the Planning and Zoning meeting. Mr. Worley also noted that the Panda Express Signage that the Commissioners had dealt with some time ago did go before the City Council and was approved by a split vote. Mr. Worley indicated that there were some of the same concerns addressed at the Council that were concerns of the Commissioners however, it was approved by a 4-2 vote.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None

VII. ADJOURNMENT

Chairman Wiant adjourned the meeting at 10:50 AM.



George Wiant, Chairman