

**PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
FEBRUARY 26, 2009
PRESCOTT, ARIZONA**

Minutes of the **PLANNING & ZONING COMMISSION** held on **February 26, 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	Craig McConnell, Deputy City Manager
Richard Rosa	Steve Gaber, Community Planner
Len Scamardo	Ryan Smith, Community Planner
	Kelly Sammeli, Recording Secretary
	<i>Council Members Present</i>
	Jim Lamerson, Council Liaison
	Bob Bell

III. REGULAR ACTION ITEMS

1. Approve the minutes of the February 12, 2009 meeting.

Mr. Petrovsky noted that on page two under Item 3. GP08-005, the date after the Vote needs to be changed from April 9, 2009 to April 12, 2009 in two locations.

Mr. Rosa, **MOTION:** to approved the amended minutes of the February 12, 2009 meeting.

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

2. PP09-001, Preliminary Plat for Granite Dells Estates Commercial PAD. APN: 103-04-001L, 103-04-001M, 103-04-001Q, 103-04-002A, 103-04-003B, 103-04-009C and totaling ± 206 acres. Located South of State Route 89A, East of the Peavine Trail. Owner is Granite Dells Estates Properties Inc. Engineering is Lyon Engineering. Community Planner is Steve Gaber (928) 777-1206.

Steve Gaber, Community Planner reported that the request before the Commission was to review the preliminary plat request to further divide the 7 commercial industrial tracts into 34 lots, with sizes ranging from 14 acres to 1 acre. Mr. Gaber placed the Master Plan exhibit for Granite Dells Estates on the overhead and indicated that the application is consistent with all the earlier approvals. Mr. Gaber noted the road locations of Granite Dells Parkway, Dells Ranch Road and Side Road, and the internal road system to serve

the commercial industrial tracts. Mr. Gaber indicated that the internal road system was labeled as roads 38 through 42. Mr. Gaber noted that there are issues with road 39 as it extends westerly in relation to the Peavine Trail. Mr. Gaber indicated that at road 39 the applicants are proposing an at-grade crossing of the Peavine Trail, similar to the proposed crossing in the Centerpointe East project. Mr. Gaber noted that there is also a portion of the road that will be developed in the county and the permitting process as well as the defined right of way will have to be worked out between the two jurisdictions.

Chairman Wiant inquired if it was a concern of the Commissions or was it an administrative function of the City.

Mr. Gaber indicated that it was something that needed to be discussed and defined by the Planning and Zoning Commission.

Mr. Gaber further reported that there are numerous projects that are currently occurring that lead to the development of Granite Dells Estates. These projects include the extension of the 18" water main to the east; the connection of the water main to the Side Road Connector; the Fann water /sewer mains from the Side Road area to the northeast; the engineering and design by the City of SR89A/Grainite Dells Parkway Traffic Interchange; and, the mass grading of approximately 100 acres on the Fann project. Mr. Gaber reminded the Commissioners that when the earlier Preliminary Plat for Granite Dells Estates was approved, it included a waiver to the *LDC, Land Development Code*, Sections 6.7 and 9.6.3, allowing for grading and site disturbances on the commercial and the industrial tracts without a full site plan approval prior to final plat however, the approval does not relieve the need for grading permits or the appropriate submittals that are required for the grading to occur. Mr. Gaber further noted the extent of the grading is something that should be discussed and that is why the Commissioners had full sized grading plans to review.

Chairman Wiant inquired about the at-grade crossing at the Peavine Trail location.

Mr. Gaber explained that the proposal is to raise the area of the road on the trail bed and it would ramp up and over the trail area. Mr. Gaber noted that trail users would have to stop and observe the traffic for a clear passage. Mr. Gaber further indicated that possibly would be o.k. if, the traffic was light, but that the roads are designated for a heavy use.

Mr. Petrovsky noted at the last Planning and Zoning meeting there was discussion about using a culvert as part of the crossing.

Mr. Gaber reported that crossing under SR89A will occur via the box culvert and from the trail users perspectives that is how all the crossings should occur. From the road developers' perspective that is not always easy to do.

Continuing with the report Mr. Gaber noted that the City's water and waste water utility services have noted there are concerns regarding the combination of the private low pressure lines and the gravity flow lines, and there should also be discussions regarding the overall water capacity for the site as well as the locations and sizes of the water tanks. Mr. Gaber added that the information does not specifically relate to the preliminary plat process however, it is important that the information stay present as it relates to the regional water concerns as the project moves forward.

Chairman Wiant noted that the Preliminary Plat could be approved with the condition that the resolved water situation is brought back before the Planning and Zoning Commission at a later date.

Mr. Gaber noted that was a potential direction.

Chairman Wiant noted that the water is not the Planning and Zoning Commissions primary concern.

Mr. Gaber commented that the Planning and Zoning as well as the City Council need to be knowledgeable of the water issues at the site as well as the regional aspects of the water.

Chairman Wiant called for questions from the Commissioners.

Mr. Michelman commented that on the first exhibit (Master Plan), above the equestrian area, there was an open space area noted that was not noted on the last exhibit (Preliminary Plat) and inquired if the larger area of open space would be accessible without having to go all the way around the commercial area.

Mr. Gaber indicated that the specific location of the open space was not shown on the preliminary plat however it is approximately where the location of the old SR89A is, and the area will include the locations of the utility easements and road access easements to the water tank locations as well as access to private properties. Mr. Gaber further added that the open space (trail easement) was missed at that location and it will be necessary to have discussions with the Fann representatives and the Granite Dells representatives regarding the location.

Mr. Michelman inquired if the road heading north out of the property was going to be built as a 6 lane road immediately.

Mr. Gaber noted that the Development Agreement between the City and Granite Dells Estates gives them the right to provide whatever size ROW they want (100 feet), and they have the option of building to the full standard now or they can build two lanes, with a center turn lane and extend the road later. Mr. Gaber further noted that conversations with Lyon Engineering have alluded that the road will be built to the full size immediately.

Mr. Michelman inquired if the road would be built as 4 lanes or 6 lanes.

Mr. Gaber indicated 6, and then noted a correction, that the roads would be 4 lanes.

Mr. Michelman commented that the staff report indicated that the roadway would be built out to include 6 traffic lanes, 1 center turn lane, 2 bike lanes, curbs, gutters, etc.

Mr. Gaber noted that there was a typo in the report and it should only be 4 lanes.

Mr. Michelman inquired if the road is designed to be as 4 lanes, but is built as a 2 lane with a center turn lane now, who would pay for the changes to a 4 lane road later on.

Mr. Gaber noted it would be Granite Dells Estates.

Mr. Michelman commented that tract F is noted as an equestrian center and inquired if it will be an equestrian center.

Mr. Gaber reported that continues to be identified on the plat documents as an equestrian center with a Business General zoning.

Mr. Michelman inquired if anything has been noted regarding the remaining homestead within the location.

Mr. Gaber noted that the property is privately owned and is not Granite Dells Estates.

Mr. Michelman inquired if they would have easement access on old SR89A.

Mr. Gaber indicated that was correct.

Mr. Menser inquired if the Business General zoning is the correct zoning for an equestrian center.

Mr. Gaber indicated yes and could include other business type activities.

Mr. Menser noted the lanes on Granite Dells Parkway and inquired if the 4 foot bike lanes were a standard size.

Mr. Gaber noted that the standard size for a bike lane is 5 foot.

Mr. Scamardo noted that when Centerpointe East was approved they were given an exemption to the subdivision requirement that allows for the planning out of the individual sites, and inquired why Granite Dells has plotted out individual lots instead of going with the exemption of the subdivision requirements allowed in the *Land Development Code*.

Mr. Gaber indicated that the larger acre parcels of the area are expected to be used in that size however, the other areas can be divided as the market drives it; and, what they are looking at is identifying the vehicular access points and the utility access areas.

Mr. Scamardo commented that he understood that with the larger parcels however, the smaller parcels are market driven. Mr. Scamardo further indicated he was just wondering why the developer decided to go that way as it would be easier to market it with an exemption of the subdivision requirement.

Mr. Gaber noted that at this time the Commission is looking at a conceptual preliminary plat, and staff is only bringing awareness of issues associated with road and utility service patterns. Mr. Gaber further noted that Fann contracting is anticipating their headquarters to be located within a 14 acre site in the Granite Dells Estates.

Mr. Gardner noted that there are two roads that are designed to cross the Peavine Trail and he does not think it is appropriate to have a grade crossing for five lanes. Mr. Gardner remarked that there is a serious amount of dirt work being done; referencing a 46 foot fill and a 50 foot cut. Mr. Gardner indicated that he would like to make a trip out to the location to look at some of the areas before the Commission votes on the item as he has concerns about the cut and fills as well as the trail crossings.

Chairman Wiant asked Mr. Gardner what might be an alternative to the grade crossings for the Peavine Trail.

Mr. Garner indicated something under or over the road. Mr. Gardner noted that crossing with 2 lanes would be o.k. but 5 lanes would not be appropriate.

Mr. Gaber noted that Scott Lyon from Lyon Engineering could speak on behalf of the developer.

Mr. Petrovsky indicated that he noticed different phases on the plat and inquired if it was the intention of the developer to build it in phases.

Mr. Gaber reported that the plat is identifying units of development and it is not known what order the development might progress in.

Mr. Petrovsky indicated if the phases were noted because there were several different owners.

Mr. Gaber reported that the location was under one owner and that staff had asked for specific delineation of the phases the timing and what is to occur within a phase.

Chairman Wiant inquired if the applicant would return before the Planning and Zoning Commission with the different phases.

Mr. Gaber indicated that they would return with the final plat.

Mr. Menser noted that there was a waiver to allow for site disturbance and grading on the commercial and industrial sections and inquired if that was still in order.

Mr. Gaber indicated that was correct and it would also relate to the northern area where the workforce housing is to occur.

Mr. Gardner inquired if the Commission would be acting on another waiver for the portion they were reviewing or was it included.

Mr. Gaber indicated that the waiver includes the area the Commissioners were reviewing.

Mr. Menser recounted that there will not be another Development Agreement and that it was already done.

Mr. Gaber indicated that it was done as part of the first preliminary plat approval.

Mr. Ryan Smith, Community Planner noted that staff just received a letter from Michael Bird, Chairman for the Open Space Committee, and it addresses the concerns of the at-grade trail crossings. Mr. Smith provided a copy of the letter to the Commissioners and noted that Mr. Bird stressed concerns for safety with the at-grade crossings. Mr. Smith indicated that staff believes that this is more a policy question of, "what level of service do trail crossings require" that the Council needs to address. Mr. Smith further noted that the letter was submitted for presentation with the Cavan project and that it would be discussed further within that presentation.

Chairman Wiant offered that from the Commissions point of view they are only acknowledging that there is a trail crossing and not what type of trail crossing that should be.

Mr. Smith noted that was correct that the Planning and Zoning Commission is concerned with the land use and the details of the trail will be addressed at final plat.

Mr. Michelman commented however they can make recommendations.

Mr. Menser inquired if the potential trail crossing was even in the project the Commission was reviewing or was it in the adjacent parcel.

Mr. Gaber reported that there are two crossings that are being identified. There is one within the Fann proposal and also a larger one that intersects with the Side Road and Centerpointe East interchange.

Mr. Menser indicated that he thought Mr. Gardner was more concerned with the southwest corner of the property where the Peavine Trail crosses the parkway.

Mr. Gaber remarked that for the purposes of the project review the Commission would be looking at the proposed Fann Road 39 crossing of the Peavine Trail.

Mr. Michelman inquired who would pay for the paving of the trail crossing.

Mr. Gaber reported that the paving cost would be the developers.

Mr. Michelman pointed out that as part of the purview of the Commission, for recommendation purposes, it would be part of the Planning and Zoning Commissions review.

Mr. Gaber indicated yes.

Chairman Wiant inquired if Mr. Michelman was indicating that he would make recommendation to Council of an alternative type trail crossing.

Mr. Michelman commented that he had great concern with a road through industrial areas which are utilized by heavy truck traffic, and a very popular trail through the site. Mr. Michelman noted that the further out the City develops there will be more people using the Peavine Trail. Mr. Michelman further noted that the walkers and bicyclist can easily stop for the traffic however, how do horseback riders not worry about the trucks. Mr. Michelman indicated that the concerns have been addressed in other locations and the Commission needs to start informing developers what the concerns for the trail access are before they get into a project. Mr. Michelman stressed that when there is a street crossing over the trail, whether it is three lanes or five lanes, there should be alternative crossings, such as above or below, and he would make a recommendation as such to the City Council, and further stressed that when the item is before the Planning and Zoning Commission is the time to start making these recommendations.

Mr. Menser noted that he agrees with Mr. Michelman on the 5 lanes however, the Commission was looking at only a 3 lane crossing.

Mr. Michelman noted that the Commission needs to take into account what types of businesses are going in to the area as well as the size trucks.

Mr. Rosa concurred and noted that one of the major reasons for acquiring the Peavine Trail was the fact that it did not have road crossings. Mr. Rosa further noted that a person can go for some distance without interference from traffic, and that any at grade crossing of the trail is unacceptable.

Chairman Wiant asked what his fellow Commissioners had in mind.

Mr. Michelman commented one part above, one part below, to be determined.

Mr. Scamardo inquired if anyone remembered what they did for trail crossing on the new SR89A.

Mr. Michelman noted he thought it crossed through large box culverts.

Mr. Gaber confirmed that there are 2 box culverts at the trail, one to convey water and the other is the trail crossing.

Mr. Gardner indicated that the trails committee should have some ideas on the crossing designs.

Chairman Wiant noted for the record that Councilman Bell had arrived at the meeting.

Chairman Wiant invited Scott Lyon to speak.

Mr. Scott Lyon, Lyon Engineering, 3623 Crossing Drive, Prescott, AZ 86305 noted that he would describe the grading plan for the area. Mr. Lyon indicated that the developer intends to grade everything in the northwest area of Granite Dells Parkway. Mr. Lyons reported that the purpose of the initial grading is to coordinate all the drainage, erosion control, and storm water prevention plan for the site all at once. Mr. Lyon indicated that by initially doing the complete grading, it will prevent conflicts between lot owners for water discharge locations, and all runoff water will follow historic drainage paths. Mr. Lyons further indicated that with submittal to the City of Prescott, there will be a complete drainage and grading plan, a geotechnical report providing recommendations for slopes, and permanent erosion control measures.

Mr. Lyon reported that the grading concept will follow the existing terrain and the developers request is to do the earth moving operations first, get all the drainage, erosion control, and storm water prevention plans in place, prior to the initial work of installing the infrastructure for the streets and utilities. Mr. Lyon indicated that the developer would like to start the review process with the City concurrently, with the grading and estimates that it will take two to three months for the grading activities. Mr. Lyon noted that the grading plans will be consistent with the infrastructure plans and there should not be any variation between the two plans.

Chairman Wiant inquired if the lots that came into question previously were conceptual.

Mr. Lyon noted that the lots were based on other locations in the area with similar type zonings. Mr. Lyon indicated that the lot sizes will vary from one acre in the light industrial areas, to two acres and more in the industrial general areas and this is based on the types of users. Mr. Lyon further indicated that the primary goal was to lay out the roadways and infrastructure first as well as the future Fann contracting site.

Chairman Wiant noted that the Commission should not dwell on the lot sizes.

Mr. Lyon noted there was forethought put into the designing of the lots. Mr. Lyons indicated in addition to the reasons that were previously provided regarding the grading up front is to put people to work immediately.

Mr. Michelman asked Mr. Lyon if he had any comments regarding the open space that is located by the equestrian center.

Mr. Lyon noted that the original preliminary plat had the area noted as a trail easement, utility easement and trail access and it would be consistent with that.

Mr. Michelman noted that lot C33 indicates an access through it to the old SR89A and inquired if that was correct.

Mr. Lyon noted that was correct.

Mr. Michelman indicated that he was looking at lots C1 through C34 and tract DDD and EEE and inquired if the developer would be grading in that area too.

Mr. Lyon noted that the area would be left as is and would not require any grading.

Mr. Gardner indicated that he was concerned with some of the cuts and fills and noted that on the north side of lot C1, it is indicated there would be 46 feet of fill with a potential detention pond on top of it. Mr. Gardner stressed that since water at the top of fill is what caused the wall at Lowes to fail, that scenario makes him nervous.

Mr. Lyon reported that there will be recommendations by a geotechnical engineer for all the erosion control and slope stability.

Mr. Gardner commented that Lowes also had recommendations by geotechnical engineers.

Mr. Lyon noted that the grading plans and roadways will be built to City standards and the Land Development Code.

Chairman Wiant noted that what Mr. Gardner is referencing is an area around 40 feet in fill, where Lowes site had something around 60 feet of fill.

Mr. Gardner reiterated that the cuts and fills on the site are something to take note of and he would like to go to the site and visible note how they will be.

Mr. Rosa indicated that he also would like to go to the site and asked staff if a tour could be arranged.

Mr. Gaber acknowledged the request and indicated that a site visit could be arranged for the week prior to the next Planning and Zoning meeting.

Chairman Wiant concurred that a site visit was in order.

Mr. Michelman commented it would be good to visualize the area.

Mr. Gaber noted that the site visit would be scheduled for next Thursday morning, March 5, 2009.

Mr. Menser asked Mr. Lyon from where to where was the developer responsible for the development of Granite Dells Parkway.

Mr. Lyon indicated that it was from Centerpointe East Drive south, into Granite Dells Estates and then to the roundabout at SR89A.

Mr. Menser inquired if they would go back to Peavine Trail.

Mr. Lyon noted that the developer would provide the road on their property, south to the roundabout and stubbing just beyond the first lot within the subdivision.

Mr. Menser inquired if the southern portion would be done at a later phase.

Mr. Lyon noted that was correct.

Mr. Menser inquired if the work would go north to SR89A.

Mr. Lyon indicated yes and would connect into the proposed improvements.

Mr. Menser inquired if the interchange at SR89A would be a roundabout.

Mr. Lyon indicated it was.

Mr. Michelman inquired how far over road 39 would go.

Mr. Lyon reported that road 39 will extend the entire distance and connect with Centerpointe East Drive.

Mr. Michelman inquired if that would be done all at once and if it would affect the Peavine Trail.

Mr. Lyons indicated yes that there was the proposed at grade crossing at the Peavine Trail.

Chairman Wiant opened the item up to the public for discussion.

Mr. Bruce McKeeman, 3075 Cabezon Lane, Prescott, 86301, indicated that his comments would reflect concerns for the at-grade crossings on the Peavine Trail at the Centerpointe East intersection, as well as the other locations. Mr. McKeeman noted that the current configuration of the Centerpointe East intersection of the Peavine Trail will create a safety issue for the City and all users of the Peavine Trail. Mr. McKeeman commented that since the City is the sole owner of the Peavine Trail it will assume all the liability and responsibility of the trail intersection. Mr. McKeeman noted that the intersection will carry commercial vehicles including semi-trucks, equipment, and regular traffic to the commercial locations, between two large parcels of land that are zoned commercial employment. Mr. McKeeman indicated that the traffic level will create major obstacles for recreational users of the Peavine Trail that was designed as a multi-use non motorized trail. Mr. McKeeman further noted that the Peavine Trail is part of the Arizona Trail System, and the Prescott Mile High Circle Trail, and that the trail head at the Sundog Ranch location is accessed by over three thousand users a month. Mr. McKeeman commented that as the new trail head at Side Road is developed, the City can expect the same amount of users at that location. Mr. McKeeman noted, in addition, the design of the trail head to accommodate the use of horse trailers will increase the use interest of the Peavine Trail. Small children on bicycles will not recognize the potential danger of the major street crossing, and the development of the at-grade crossing will also entice ATV and OTR users to access the use of the non motorized trail. Mr. McKeeman added that this would adversely impact the trail and impact the City Police and Yavapai County Sherriff Department. In closing, Mr. McKeeman noted that the Planning and Zoning Commission could continue to consider the at-grade crossing or request a separation use to eliminate the conflict and danger of the intersection. Mr. McKeeman stressed that the Commission please consider a direction to redesign the intersection and provide a trail bridge for a safer passage, and in addition, before approving the intersection hold another public hearing for everybody concerned to speak regarding the issue.

Chairman Wiant indicated that while he understood the hikers and bicycles utilizing a trail bridge he did not know how a horseback riders would utilize a bridge crossing.

Mr. McKeeman indicated that horse use is different and it does depend on the visual aspects and the comfort level of the crossing; noting the same with a culvert.

Mr. Scamardo inquired if Mr. McKeeman is recommending a bridge over the trail rather than a box culvert.

Mr. McKeeman commented that he would be happy with either, and what he is suggesting is a separation of uses between pedestrian trail use and vehicular traffic.

Mr. Rosa indicated that he thought his fellow Commissioners would concur to recommend it as an alternative and leave the design up to Public Works. Mr. Rosa further indicated that there should be a separation between the two uses.

Chairman Wiant indicated that the Commission would not design the intersection however; they could recommend that there should be a separation.

All the Commissioners concurred.

Ms. Cathy Schultz, 7170 Spur Road, Williamson Valley, Prescott, noted that she is a member of the group, Back Country Horseman of America, and wanted to address the concerns of the at-grade trail crossing as an equestrian. Ms. Schultz indicated when she lived in Phoenix her horses went under many culverts with heavy traffic passing over them, as well as crossing bridges in many locations. Ms. Schultz indicated that if the horses are trained properly they will whoa. However, it is not her horse that she is concerned about, it is the people in the vicinity of the roads. Ms. Schultz further noted that a trail bridge or a culvert at the crossing would be very much appreciated and asked the Commissioners to make a recommendation for such.

Mr. Petrovsky indicated on the map legend of the plat there is one site that is identified as an archeological site and asked staff what the procedure would be to handle the site.

Mr. Gaber indicated that once a site is identified it will need to be mitigated prior to any heavy equipment movement. Mr. Gaber further noted that the applicant is already working with an archeologist on the site.

Mr. Petrovsky inquired if the site would just be fenced off.

Mr. Gaber reported no however, Granite Dells Estates decision is to investigate the site, provide a full mitigation, remove the materials, document it and not save the site.

Mr. Petrovsky commented it was strange that they would not save the site rather than move it.

Mr. Gaber noted that the land is going to change so dramatically that the site would become too noticeable.

Nigel Reynolds, 795 Sunrise Blvd, Yavapai Hills, Prescott noted that he was representing Yavapai Trails Association, that has over 100 members, as well as many other groups. He has been a resident of the area for over 12 years and has concerns about what goes on in the area. Mr. Reynolds indicated that the Commission did not need to be reminded about the importance of the Peavine Trail system. Mr. Reynolds noted that there has been a number of letters submitted, as well as speakers addressing concerns regarding the Peavine Trail and that he would try to address concerns in a different light. Mr. Reynolds noted that Granite Creek runs parallel with Peavine Trail and although a road could be easily built across Granite Creek cheaply, it does not make sense to do it. Mr. Reynolds noted that cheap is not always the best way, it might be good in the beginning, but in the long run it could have undesirable consequences. Mr. Reynolds noted that to cross Granite Creek it is better to build a bridge and not stop

the flow of the creek and it is important to treat the Peavine Trail in the same manner. Mr. Reynolds suggested that the Commission not stop the flow of people who are enjoying nature by building a grade crossing to save a few dollars; instead build a bridge. Mr. Reynolds noted that in reviewing the map he was unsure why the developer needed the crossing at road 39 because there is already an east west crossing at Centerpointe East and a new crossing purposed at SR89A south of Phippen Museum.

Mr. Reynolds commented that the distance between those crossing is about $\frac{3}{4}$ of a mile and inquired why another crossing is needed. Mr. Reynolds indicated that the current site is proposed because it is at-grade and is cheap however; it could be detrimental to the Peavine Trail. Mr. Reynolds reported that he went to the location just before the Planning and Zoning meeting to check, and hiked down where road 39 is slated to be located, there is a drainage site approximately a few hundred feet to the north of the area located under the trail at a trestle. Mr. Reynolds commented that could possibly be deepened and the Trail could be raised. Mr. Reynolds noted that this could be an alternate solution. Mr. Reynolds then offered to the south of where he believes road 39 would be located the Peavine Trail cuts through a ridge and if the road was moved south, a bridge could be built using the topography of this location for the trail. Mr. Reynolds indicated that Cavan group has worked very hard to provide other ways to cross the Peavine Trail off of SR89A and also knows that Fann is sensitive to the citizens' demands for trails, as they are purposed within the development and should work hard to avoid spoiling the wonderful beauty of the Peavine Trail. Mr. Reynolds closed by stating that there are three options to look at, a grade level crossing, no crossing at road 39, or a bridge or underpass. Mr. Reynolds further indicated that a grade level crossing would save the developer money, the other options would save the Peavine Trail for generations to come, and stressed that the Planning and Zoning Commissioners keep the trail safe as it is a historic trail, connects the tri-city area communities together, and is important for recreation and tourism.

Chairman Wiant indicated that the input from the citizens regarding the Peavine Trail will be taken into concern and based on the statements from his fellow Commissioners he thinks that there is not much endorsement for a level crossing.

Mr. Gaber indicated that the field site visit will be arranged and the item will be placed back on the agenda at the next Planning and Zoning meeting on March 12, 2009.

Mr. Bill Williamson, 374 Summit Point Drive, noted that everyone was there for the same reason, to assure that the future of Prescott is the best it can be. Mr. Williamson reported that he would like to reinforce some of the statements that have been made about at-grade crossings. Mr. Williamson noted that they are dangerous, and used the example of a family crossing, where Sheldon Street meets Gurley Street when the light is green and further noted that one might appreciate having to cross a five lane highway. Mr. Williamson indicated that either an above or below crossing at the Peavine Trail would be better.

Chairman Wiant closed the public portion of the item and noted that the item will be back on the March 12, 2009 meeting agenda.

Mr. Menser indicated that there will be public comments at that time also.

Chairman Wiant thanked the public for attending the meeting.

No Action Taken.

Chairman Wiant noted that the next five items will be discussed together however each item will be voted on individually.

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.

Ryan Smith, Community Planner indicated that there are five components to the Granite Dells Ranch Annexation application, which include Annexation, the General Plan Airport Specific Area Plan amendment, the Rezoning and the Master Plan. Mr. Smith indicated that the information that was presented at the last Planning and Zoning meeting was unchanged however; the applicant did meet with the Open Space Committee on site to discuss the possible realignment of the Peavine Trail closer to Granite Creek. Mr. Smith noted that the applicant was present at the meeting and had some slides to show the Commissioners regarding the previously address concerns with the crossings of the trail.

Chairman Wiant inquired if it had to do with the relocation of the trail.

Mr. Smith reported that was correct and that the applicant has proposed to relocate the trail away from the commercial area and align it with Granite Creek, to possibly eliminate two crossings of the Peavine Trail. Mr. Smith added that the Open Space Committee has the same concerns with the at-grade crossings that the Planning and Zoning Commission has been made aware of. Mr. Smith indicated that he had no further information to add except that staff is recommending approval of the five components of the application.

Mr. Michelman inquired as to what the outcome of the discussions with the Open Space Committee was.

Mr. Smith reported that the Open Space Committee is favorable to realigning the trail along Granite Creek however, there may be a hold up with moving the trail alignment as the trail was purchased with federal funds which have policies in place. In addition, there are concerns with the easements for the utilities running along side of the trail. Mr. Smith reported that the items will be discussed as a policy question for the City Council to determine at what level of service an at-grade crossing vs. a separation grade crossing would occur. Mr. Smith further noted that if the Master Plan is approved as it is, as long as the final plats are submitted in conformance with the Master Plan the applicant would not have to come back before Planning and Zoning and Council, if the trail is moved over.

Mr. Michelman indicated that everyone agrees that it is o.k. to relocate the trail however, there may be technical problems encountered because of the federal funds and so forth.

Mr. Smith noted that was correct.

Mr. Michelman inquired if the trail can not be relocated due to the federal funds how would the Commission address the at-grade crossing of the trail.

Mr. Smith pointed out that the at-grade vs. the separate grade crossings is a policy question that City Council will have to decide at what level of service is it needed.

Mr. Petrovsky noted that even if the trail is relocated there will still be a crossing of the trail.

Mr. Smith commented that if the trail was moved, it would eliminate the need for two trail crossings.

Mr. Michelman indicated that everybody wins if the trail is relocated.

Mr. Smith remarked that was true.

Mr. Michelman indicated that if the trail can not be moved, he would like to see something that indicates no at-grade crossings at the area of the industrial locations with the heavy traffic. Mr. Michelman commented the challenges were the same as the last item that was discussed, and moving forward with the item would be ok however; the noted options of moving the trail, if approved, or making a suggestion of no at-grade crossings, either above or below, crossing of the trail would be recommended.

Mr. Smith pointed out that there is also a crossing to the south where the City has requested the applicant to connect to Centerpointe East.

Mr. Menser inquired if moving the trail was dependent on an existing culvert under SR89A?

Mr. Smith reported that there are two existing culverts that are 12' X 12' in size and the applicant will be providing a parking area and right of way for the location.

Mr. Petrovsky inquired if Mr. Smith was implying that it would be permissible to relocate the trail if federal funding was involved.

Mr. Smith reported that is something that the Parks and Recreation Department is looking into; how the federal grant money was granted to the City to the purchase of the Peavine Trail and if the trail may be relocated or not.

Chairman Wiant indicated that was not of the Planning and Zoning Commissions concern.

Chairman Wiant opened the meeting to the public comment. Hearing none, closed the public portion and called on the Commissioners for further comments.

Mr. Michelman asked staff which one of the five items would be the best to add a recommendation of "no at-grade crossing" to, if the Commission agreed to go that direction.

Mr. Smith suggested that it could be added in as part of the Master Plan recommendation. Mr. Smith noted that the suggested motions were on the overhead and that the motion for the Master Development Plan already had a condition with it, and the new recommendation could be added there.

Mr. Michelman commented that he was ready to make a motion unless there was further discussion.

Mr. Scamardo noted that was fine as long as each motion was made separately.

Mr. Michelman, **MOTION:** to recommend the property be zoned at the time of annexation Rural Estates 2 Acre.

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

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.

Mr. Michelman, **MOTION:** to recommend approval of General Plan Map Amendment (GP09-001).

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

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.

Mr. Rosa, **MOTION:** to recommend approval of the Airport Specific Area Plan Amendment (LUP09-001).

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

associated with

8. **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.

Mr. Michelman, **MOTION:** to recommend approval of the Master Development Plan dated 8-12-08, with the following conditions: 1) Properties owners within the project area shall grant Avigation Easements, to be stipulated in the Development Agreement; and 2) that there not be at-grade crossings on the Peavine Trail.

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

9. **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.

Mr. Rosa, **MOTION:** to recommend approval of Rezoning (RA09-001) from SF-9 and RE-2A to NOS (Peavine Trail), Business Regional and Industrial Light.

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

V. CITY UPDATES

Mr. Worley noted that the Commission had voted and sent recommendation to City Council regarding the Boulders Retirement Community north of Whipple Street and upon presentation on the project at the City Council meeting, a question was raised regarding the zoning and issues related to termination dates within the Development Agreements. Mr. Worley further noted that the developer is certain that the zoning is in place however, the City Attorney had a question regarding whether or not some of the dates coincided. Mr. Worley indicated that because of the concern, the item has not been back to the City Council. Mr. Worley indicated that it is likely that the Planning and Zoning Commission will see the item again to make sure the zoning is put in place. Mr. Worley stressed that this is a corrective action of the zoning procedures and the requirements of the Development Agreement.

Mr. Scamardo noted that it was his understanding that in the original documents for the site, there were termination dates that would trigger if the property was not in the building process by a date certain, the zoning would revert back to the original zoning. Mr. Scamardo further commented that he thought that staff wanted to make sure that the zoning is officially in place as well as the number of units for the multi-family zoning, (132).

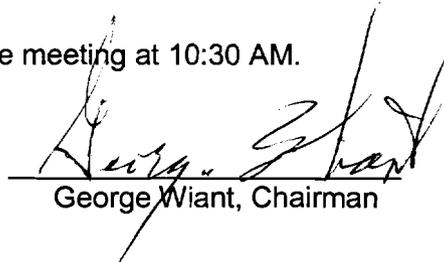
Mr. Worley indicated that it is a corrective action to make sure.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None

VII. ADJOURNMENT

Chairman Wiant adjourned the meeting at 10:30 AM.



George Wiant, Chairman