



PLANNING & ZONING COMMISSION A G E N D A

**PLANNING & ZONING COMMISSION
PUBLIC HEARING
THURSDAY, MAY 14, 2009
9:00 AM**

**COUNCIL CHAMBERS
CITY HALL
201 S. CORTEZ STREET
PRESCOTT, ARIZONA
(928) 777-1207**

The following Agenda will be considered by the **PLANNING & ZONING COMMISSION** at its **REGULAR MEETING / PUBLIC HEARING** to be held on **THURSDAY, MAY 14, 2009, at 9:00 AM** in **COUNCIL CHAMBERS, CITY HALL**, located at **201 S. CORTEZ STREET**. Notice of this meeting is given pursuant to *Arizona Revised Statutes*, Section 38-431.02.

I. CALL TO ORDER

II. ATTENDANCE

MEMBERS

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

Seymour Petrovsky
Richard Rosa
Len Scamardo

III. REGULAR ACTION ITEMS

(May be voted on contingent upon any related public items below as being acted on unless otherwise noted).

1. **Approve the minutes** of the April 30, 2009 meeting.
2. **PP09-002 (formerly SP06-003)** The Homestead Preliminary Plat – request a 36-lot Preliminary Plat on ±19.56 acres located east of Senator Highway and west of Summer Field. Owners are Jeannie Brown and Harold O. Tenney. Applicant/Agent is Carl Tenney. Community Planner, Mike Bacon. (*Associated with Item #3 below*).

(*The applicant is requesting deferral of this item until May 28, 2009 at 9:00 AM*)

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

IV. PUBLIC HEARING ITEMS

(May be voted on today unless otherwise specified)

3. **RZ09-004, 677 & 714 Tenney Lane.** APNS: 110-06-005Z, 110-06-005R, 110-06-005Q, 110-06-006A and totaling ± 18.81 acres. Zoning is Single-Family 35 (SF-35). Request zoning change from Single-Family 35 (SF-35) to Single-Family 18 (SF-18). Owners are Jeanine T. Brown and Harold O. Tenney. Applicant/Agent is Carl Tenney. Community Planner is Mike Bacon (928) 777-1360. *(Associated with Item #1 above).*

(The applicant is requesting deferral of this item until May 28, 2009 at 9:00 AM)

V. CITY UPDATES

Council Updates

1. Land Development Code Amendments.
2. Cavan Annexation.
3. Extension of Granite Creek Village.
4. SUP for Knights of Pythias flagpole.
5. Application from ERAU.
6. Staff update on Form-based Codes.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

VII. ADJOURNMENT

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall and on the City's website on May 7, 2009 at 4:00 PM in accordance with the statement filed with the City Clerk's Office.


Kathy Dudek, Administrative Assistant
Community Development Department

**PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
APRIL 30, 2009
PRESCOTT, ARIZONA**

Minutes of the **PLANNING & ZONING COMMISSION** held on **April 30, 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

Members Present	Others Present
George Wiant, Chairman	George Worley, Asst. Community Development Director
Joe Gardner	Richard Mastin, Development Services Director
Tom Menser	Gary Kidd, City Attorney
Don Michelman	Mike Bacon, Community Planner
Richard Rosa	Kelly Sammeli, Recording Secretary
Len Scamardo	
Members Absent	Council Members Present
Seymour Petrovsky	Bob Bell
	Bob Luzius

III. REGULAR ACTION ITEMS

1. Approve the minutes of the April 9, 2009 meeting.

Mr. Rosa, **MOTION: to approve** the minutes of the April 9, 2009 meeting.

Mr. Michelman, 2nd. **VOTE: 6-0.**

2. **PP09-002 (formerly SP06-003)** The Homestead Preliminary Plat-a 36-lot preliminary plat on ±19.56 acres located east of Senator Highway and west of Summer Field. Owners are, Jeannie Brown and Harold O. Tenney, Agent/Applicant is Carl Tenney. Community Planner, Mike Bacon. (associated with item 4 below).

- * **Chairman Wiant announced that PP009-002 and RZ09-004 would be heard concurrently and invited Mr. Bacon to the podium.**

Mr. Bacon reported that because the Public Works/Engineering review comments had not been received, staff is recommending that the Homestead items be continued until the May 14th. Planning and Zoning meeting. Mr. Bacon informed the Commission that the public hearing notice had been sent out to the neighborhood residents regarding the project, in case there were any neighbors attending the meeting to speak.

Chairman Wiant opened the items up for public comment. Hearing no public comment Chairman Wiant closed the item and called for a motion.

- * Mr. Rosa, **MOTION:** to postpone PP09-002 and RZ09-004, The Homestead, until the May 14, 2009 meeting of the Planning and Zoning Commission at 9: AM.

Mr. Michelman, 2nd. **VOTE:** 6-0.

3. **SI09-001 The Bradshaws**, Phase 5-A Planned Area Development. APN: 110-04-141z and totaling ± 24,710 square feet. Located on the southeast corner of Bradshaw Drive and Stetson Road. Zoning is Business-General-PAD (BG-PAD). Owner is Bradshaw Senior Community /Prescott LP. Agent/Applicant is Chris Fergis, Fergis and Harding, Inc. Community Planner is Mike Bacon.

Mr. Bacon reported that the request is to amend the original site plan that was approved by City Council and to add an additional phase to the 4 phases of senior living and family apartment complexes. Mr. Bacon noted that the applicant's request is to add an 8-unit, 2-story apartment building in the southeast corner of the site. Mr. Bacon further noted that the total units in Phase 2 will be reduced by 8 units to accommodate the new building and keep the total number of units to 172. Mr. Bacon reported that an area meeting was held regarding the proposed changes to the site and at the meeting, two neighbors voiced their concerns regarding the grading and of the visual impacts of the height of the new building. Mr. Bacon indicated that last week, the applicant had a surveyor take the finished floor elevations of the adjoining single family property sites and the building site, and the overall heights of the new building height will be 6" above the main living floor area at one location and about 4' at the other. Mr. Bacon added that one of the neighbors was present at the meeting and had indicated they did not have any more concerns with the overall height of the project. Mr. Bacon continued to report that he had transposed the setbacks in the staff report and that the building would meet the setbacks required by code. Mr. Bacon indicated that the site plan the Commission was reviewing had a "clouded parking area" on it because there is a proposal to reduce the parking requirements for the "affordable living" area of the project before the Uniformed Development Code Committee today, and if it is approved some of the parking stalls will be removed and the landscaping will be increased. Mr. Bacon added that the area was noted on the site plan because if the reduction in the parking is approved, the site plan would not come before the Planning and Zoning Commission again, the parking area would be modified. Mr. Bacon concluded the staff report by noting that staff is recommending approval of the site plan subject to all the City department requirements as noted in the staff report.

Chairman Wiant asked Mr. Scamardo (UDC member) if the Commission should be concerned about the new parking proposal.

Mr. Scamardo indicated that the proposal was going before the UDC Committee to seek a reduction in the parking requirements set forth in the *Land Development Code (LDC)* for senior housing/workforce housing projects. Mr. Scamardo noted that the applicant is to provide documentation that the parking requirements for these types of housing situations are excessive and the UDC will be reviewing and discussing the proposal after the Planning and Zoning meeting.

Mr. Menser inquired if that made the parking adjustment with the site premature.

Mr. Bacon indicated that all the required parking is noted on the site plan and only if the parking adjustment is approved by the UDC committee when the applicant applies for the building permit, the area that is clouded would be landscaped and not parking spaces.

Mr. Gardner indicated that he liked the direction of reducing the parking as described on the site plan as all the required parking is in place and then the adjustment can occur rather than eliminate the parking from the beginning. Mr. Gardner added he thought it was better because if more parking is needed in twenty years, the landscaping could be reduced and the parking installed.

Mr. Menser noted it will only work if they don't change the engineering.

Mr. Bacon reported that engineering will not change and that the applicant was asked to show the location just in case, so the site plan would not have to be reviewed again by the Commission if the change did occur.

Mr. Gardner noted that he brought up the parking because he wanted the UDC members who to know his position on it, and that the land would be there to add the spaces in if needed. Mr. Gardner indicated that based on his own family experience he thought it was possible for the senior housing areas to get by with less parking.

Mr. Scamardo indicated that he understood Mr. Gardner's point about adding the parking at a later date by taking out the extra landscaping and he was sure that the UDC Committee would get into detailed discussion on the parking requirements.

Mr. Michelman inquired if the guest parking for the site would be revised at all with the proposal being discussed.

Mr. Bacon indicated no the guest parking would remain the same. Mr. Bacon further indicated that he had only digressed from the staff report so he could explain the "Clouded area" on the site plan and what the proposal was before the UDC.

Mr. Michelman asked Mr. Scamardo if the guest parking would be looked at by the UDC committee.

Mr. Scamardo commented he thought all the parking requirements for the site would be looked at.

Chairman Wiant opened the item for public comment.

Chris Fergis, Fergis & Harding Architecture, 7227 North 16th Street, Phoenix, AZ indicated that originally their project was approved with a higher density than is there now, and through conversations with the neighbors and staff there were several changes made in overall project. Mr. Fergis noted that the units that will make up the proposed building are units that came from the phase two, three-story building, which has been reduced to a two-story building. The new building will be a smaller two-story building that will house single bedroom units. Mr. Fergis reported that because the neighbors had concerns about the overall height of the building they surveyed the area to provide the actual roof heights of the new building to the neighbors, and it was determined that the closest neighbor at 60', will be looking over the roof of the building. Mr. Fergis noted for clarification, that they first approached the UDC Committee and the Planning and Zoning Commission with the request in reduced parking for the senior portion of the Bradshaws project, which was approved. Mr. Fergis further noted that the senior building has 46 units, and this morning, prior to the meeting there were only 34 cars and 50 vacant spaces at the location. Mr. Fergis added that they had a company that specializes in green building look at their project to see what they could be doing better and the first thing they were told was, to increase the green space and reduce the parking. This prompted them into researching the possibility of reducing the parking for the affordable

family portion of the project. In closing, Mr. Fergis indicated that the project does meet the current parking requirements however, they have prepared two different site plans just to show how the parking reduction would affect this portion of the project.

Mr. Menser asked Mr. Fergis what the setbacks were from the building to the property line was on the east side.

Mr. Fergis reported the setback was 22' from the wall. Mr. Fergis reminded the Commissioners that the required and proposed setback information was reversed in the staff report.

Mr. Menser noted that the natural grade was about 30' below the houses and indicated that he would like to hear from the neighbors.

Mr. Michelman indicated that one thing he liked with the original site plan was the way they grouped everything to the center and no buildings were located close to the neighboring properties. Mr. Michelman added that with this proposal they are getting away from that and locating a building out along the side, closer to the neighbors. Mr. Michelman then asked Mr. Fergis to point out the advantages of the reduction in the height of the center buildings vs. moving the building closer to the neighboring properties.

Mr. Fergis indicated that with the contours of the site and the height of the buildings at about six to eight feet above, every neighboring property would be looking at the roof tops of the buildings. Mr. Fergis further indicated that by removing the third story of the center buildings and adjusting the buildings to fit the grade, it will have less impact to the neighbors. Mr. Fergis noted that by adding the new building, they believe that they can maintain the bulk and keep all the building below the visual impact, and it will not impact the neighbors as much as if the buildings were left at the three stories.

Chairman Wiant noted that they were moving closer to the neighbors, but they were also decreasing the height of the buildings.

Mr. Fergis noted yes and added it would be a smaller building.

Mr. Scamardo indicated that the roof of the building is sitting about 30' below the finish floor of the neighboring house that is 60' away.

Mr. Menser indicated that by reducing the buildings from three-story to two-story it will be an advantage to all the neighbors.

Mr. Fergis noted that it was a positive impact across the board. Mr. Fergis also noted that they are still working with the sanitation department to relocate the dumpsters to another location other than the foot of the hill. Mr. Fergis indicated that unfortunately there is no good location for a dumpster but stressed it will be done.

Chairman Wiant called for other public comment, hearing none closed the public portion of the item.

Chairman Wiant called for further comments from the Commission.

Mr. Michelman indicated that he thought the proposal was more of a positive than a negative and better for the neighborhood on a whole.

Mr. Menser concurred with Mr. Michelman and indicated that his only concern was the elimination of the nearest parking.

Chairman Wiant called for a motion on the site plan SI09-001, The Bradshaws.

Mr. Bacon reminded the Commission if the UDC Committee did recommend approval of the reduction in parking, the site plan will not come before the Planning and Zoning Commission again. Mr. Bacon added that they are proposing one parking space per unit and the site will still have eight parking spaces which could be sufficient.

Mr. Michelman indicated that with one parking space per unit there is no guest parking and that concerns him.

Mr. Menser indicated that the guest parking will not be changing.

Mr. Rosa, **MOTION: move to recommend approval** of The Bradshaws, Phase 5, A Planned Area Development (Exhibits 'A' and 'B'), SI09-001, subject to City Department Comments within the Staff Report dated April 30, 2009.

Mr. Menser, 2nd. **VOTE: 6-0.**

IV. PUBLIC HEARING ITEMS

(May be voted on today unless otherwise specified)

4. **RZ09-004, 677 & 714 Tenney Lane.** APNS: 110-06-005Z, 110-06-005R, 110-06-005Q, 110-06-006A and totaling ± 18.81 acres. Zoning is Single-Family 35 (SF- 35). Request zoning change from Single-Family 35 (SF-35) to Single-Family 18 (SF-18). Owners are Jeanine Brown and Harold O. Tenney. Applicant/Agent is Carl Tenney. Community Planner is Mike Bacon (928) 777-1360.

- * Mr. Rosa, **MOTION: to postpone** PR09-002 and RZ09-004, The Homestead, until the May 14, 2009 meeting of the Planning and Zoning Commission at 9: AM.

V. CITY UPDATES

Mr. Worley thanked everyone for attending the Boards and Commissions workshop that occurred recently.

Mr. Michelman indicated that he liked the fact that the City Council members were in attendance also because it provided the opportunity to interact and understand the thought processes.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Wiant adjourned the meeting at 9:32 AM.

George Wiant, Chairman

RZ09-004 Rezoning from SF-35 to SF-18
PP09-002 The Homestead Preliminary Plat

Agenda # 2

COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION
PLANNING & ZONING COMMISSION
STAFF REPORT
5/14/09 (Public Hearing)

TO: Planning Commission Members
FROM: Tom Guice, Community Development Director *TG*
George Worley, Assistant Director *GW*
Mike Bacon, Community Planner *MB*
DATE: 5/6/09

Subject: RZ09-004 (formerly RZ06-003)
PP09-002 (formerly SP06-003)–The Homestead Preliminary Plat.

Parcels: 110-06-005Z, 005R, 005Q, 006A (±18.81± acres) **Zoning:** SF-35
Location: East of Senator Highway and west of Summer Field

Agent/ Applicant: Carl Tenney, 2191 N. Val Vista Dr, Chino Valley AZ 86323.
Owners: Jeannie Brown and Harold O. Tenney, 677 Nathan Lane, Prescott, AZ 86303.

UPDATE: This request was continued from the April 30th meeting to accommodate the applicant's request to revise his plat to address neighborhood comments.

To date, Staff has not received clearances from all City Departments. Mr. Carl Tenney, the applicant, has submitted a letter (attached) requesting a continuance.

Recommended Action:

1. Move to Continue RZ09-004; and
2. Move to Continue PP09-002–The Homestead Preliminary Plat to _____.

May 6, 2009

Mike Bacon, City Planner
City of Prescott
201 S. Cortez Street
Prescott, AZ 86303

Re: The Homestead Subdivision Preliminary Plat and Rezoning Request

Dear Mike,

Regarding the above subdivision we have been working closely with the City's engineering department to resolve drainage issues on the project. I believe we are very close to a resolution of the final issue, but we are not ready to make a presentation at the May 14th Planning and Zoning Commission meeting.

We are therefore requesting that this item be continued to the May 28th Commission meeting.

Cordially,

A handwritten signature in cursive script that reads "Carl Tenney". The signature is written in black ink and is positioned above the typed name.

Carl Tenney, Agent