

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

MINUTES of the **PLANNING & ZONING COMMISSION** held on **July 30, 2009** in **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 George Wiant, Chairman Tom Menser, Vice Chairman Don Michelman Seymour Petrovsky Richard Rosa Len Scamardo	OTHERS PRESENT Tom Guice, Community Development Director George Worley, Asst. Community Development Director Mark Nietupski, Engineering Services Director Richard Mastin, Development Services Manager Ian Mattingly, City Traffic Engineer Scott Tkach, City Engineer Mike Bacon, Community Planner Wendell Hardin, Community Planner Steve Gaber, Community Planner Ryan Smith, Community Planner Kelly Sammeli, Recording Secretary
MEMBERS ABSENT Joe Gardner	COUNCIL PRESENT Councilman Bell Councilman Luzius

III. REGULAR ACTION ITEMS

- 1. Consider approval of the minutes** of the July 9, 2009 meeting.

Mr. Rosa, **MOTION: to approve the minutes** of the July 9, 2009 meeting. Mr. Michelman, 2nd. **Vote: 6-0.**

(After the approval of the minutes, Chairman Wiant stated that MP09-001, Master Plan for Embry-Riddle Aeronautical University is related with Agenda Items #3, #5, and # 6).

- 2. MP09-001, Master Plan Amendment, Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** Master Plan Amendment for consideration of parsing out 11 new tracts for the development of a Business/Technology Park. The parcels affected are APNs: 106-02-001J, 106-02-003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006. Owner/applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

Mr. Hardin, Community Planner reported that he would review the project's four parts concurrently: MP09-001, PP09-003, RZ09-005, and LDC09-002 and then

after the public hearing items are discussed the Commission could take their recommendation forward.

Mr. Hardin reviewed the following four parts of Embry Riddle Aeronautical University's request:

■ **MP09-001 -- Land Use Plan Amendment**

Aerial overhead plans were shown of the 11 proposed tracts; and Mr. Hardin discussed the proposed business/technology park objectives which include: Creating a business/technology park offering housing, recreation, generous open space with a focus on healthy lifestyle, and a safe and secure connection to the central campus. Mr. Hardin indicated that ERAU wants to leverage ERAU's land assets to create revenue, high-skilled jobs, and create opportunities for applied research with in a campus setting. They would like to provide economic growth for northern Arizona as well as Prescott by creating a market advantage, by developing a highly-sustainable mixed-use park that integrates environmental protection with a unique business environment; and show environmental leadership in the community by setting a high standard of sustainability through "green" building. Mr. Hardin reported that the project will take approximately 15-20 years to build out and the first tract will consist of 10 acres, and will have a north and south entrance off of Willow Creek Road, which will be discussed on the plat. Tract one proposed development will house a 10,000 SF buildings built to the highest LEED design standard i.e., platinum; which is unique to Prescott as there is only one other location within Yavapai County with LEED standards and it is Gold. ERAU is hoping to do the whole business park area as a LEED project and market it that way. All the tenants in the business park will be required to be LEED quality. In closing Mr. Hardin noted that ERAU wishes to develop and create a Green Building park utilizing the USGB LEED certifications that will provide a mixed use affordable housing opportunity for faculty, students, and employee workforces, and create divisive employment opportunities for the local economy.

Mr. Scamardo asked Mr. Hardin to explain what "LEED" standards were.

Mr. Hardin explained that LEED stood for Leading Environmental Engineering Design, which is a nationally recognized technical building standard for sustainability.

Mr. Michelman inquired if all the development within the Business General and Industrial Light areas would also be Green built.

Mr. Hardin indicated yes that every tenant coming into the park will be required under ERAU's; CCR's to build to a LEED certification of Silver or better. Mr. Hardin continued to note that this would include all the areas within the plan and that ERAU would be reviewing the businesses that want to come in to the area, and provide them with the CCR's and building guidelines of the park, as well as the guidelines of the City's *Land Development Code*. Mr. Hardin further noted that each Tract will have to be reviewed and approved by the Planning and Zoning Commission prior to development.

Mr. Scarmardo inquired if the applicant is asking for an exemption to the subdivision code to cut out the parcels based on the market, which is allowed under Business, Commercial development in the Land Development Code.

Mr. Hardin indicated that they only looking to develop Tract one under the guidelines of LEED standards and this will allow for the growth of the building upon the site if need be.

Mr. Menser noted that the Planning and Zoning Commission would not be reviewing or approving the CCR's of the project and the only thing the Commission would be reviewing is the affects of the elimination of the Commercial Corridor Overlay district and accepting the CCR's in its place.

Mr. Hardin noted that was correct and as he moved through the report the Commission will be able to see where the exceptions which will have to be waived by City Council will come into play.

Chairman Wiant indicated that the Commissioners will hold their discussion on all the items together however, each item will be voted on individually.

Mr. Hardin continued to the next item for review at this time.

■ ***LDC -- Land Development Code Amendment -- Section 9.5.10, Exception to PAD Development Standards***

Mr. Hardin reviewed the changes to the wording of the LDC (the wording was shown on the overhead projector) and noted that the changes are being made to allow for projects such as green building to be included in development guidelines as it is not included in the current Land Development Code. Mr. Hardin indicated that this would be a public hearing item along with the Rezoning at the end of the presentation.

Chairman Wiant called for the next item.

■ ***PP08-003 – Preliminary Plat***

Mr. Hardin reviewed the preliminary plat request and noted that the Preliminary Plat consisted of 11 Tracts and will be creating a loop road off of Willow Creek Road. Tract 1 is the only tract being considered today. Mr. Hardin noted at the July 9th Planning and Zoning Commission, there were some issues that now have been worked out with Engineering Services and ERAU and therefore there will be some conditions placed on the plat before it goes to the City Council.

Chairman Wiant inquired if there will be any major grading in the first Tract.

Mr. Hardin reported that as part of the LEED standard there will be the least amount of site disturbance on a site as possible and as much of the original terrain is utilized without having to damage it.

Mr. Scamardo inquired if Public Works/ Engineering had made a decision on if the loop road will be constructed under the current Land Development standards or if they are considering the porous material that was presented.

Mr. Hardin indicated that the porous material will be utilized in the multipath areas and parking areas but not in the roads.

Mr. Scamardo noted that the roads would be built to City standards.

Mr. Hardin added that they did widen the road; however there is a different section that they want to use. Mr. Hardin invited Richard Mastin, Development Services Manager to the podium to speak on the matter.

Mr. Mastin reported that the porous asphalt will not be utilized at all and that the loop road will be constructed to City standards. Mr. Mastin added that the loop road will have sixty feet of dedication except where it intersects with Willow Creek Road to allow for the left turn, right turn lanes.

Mr. Scamardo inquired if the Development Agreement would provide for future right of way dedications as needed.

Mr. Mastin noted that was correct.

Mr. Michelman inquired why the porous asphalt was out.

Mr. Mastin indicated that there were too many unanswered questions about the longevity and maintenance of the material and Public Works would like to see some sort of documented history.

Mr. Menser indicated that the right of way is an important and inquired if Public Works was satisfied with the setup.

Mr. Mastin noted yes.

Mr. Mark Nietupski, Engineering Services Director noted that the plat indicates a varying right of way based on intersections at Willow Creek Road and at internal locations for the various Tracts. Mr. Nietupski added that the Development Agreement will cover the requirements of additional lane width as needed which will be paid for by ERAU.

Chairman Wiant called for the next item.

■ ***RZ09-005 – Rezoning***

Mr. Hardin reviewed the rezoning objectives and indicated that the request is to decrease the current Industrial Light (IL) zoning from 155 acres to 28 acres with an addition of 127 acres being Business General (PAD). Also within the request is to remove the Commercial Corridor Overlay (CCO) along the ERAU road frontage up to the center lane of Willow Creek Road, that all business/technology park structures will fall under the new "green" building standards, and tenants will be guided by CCRs employed by ERAU which is a stricter building and design guidelines developed by ERAU. Mr. Hardin placed a site plan on the overhead projector of what the area looks like today vs. what the area will look like if the requests get approved. Mr. Hardin noted that the whole area being discussed is 512 acres which was annexed into the City in 1997 and came in as a Business General overlay district however the actual business park will be comprised on

305 acres and the remainder of the area is the core campus and an area of open space to the north of the core campus.

Chairman Scamardo noted that was between Pinion Oaks and the main campus.

Mr. Hardin added that the area between ERAU and Pinion Oaks has only been designated as open space on the maps because it will not be changed at this time and they will have to come back before the Planning Commission if they want to change it in the future.

Chairman Wiant opened up the items to the public.

Councilman Bob Luzius, 237 Arizona Avenue indicated that he serves on the Mayors Committee for Economic Development and as such would note that this project will put Prescott on the map as ERAU and the LEED project is very important and will be a sellable item to future industries that want to locate in Prescott.

Chairman Wiant concurred.

Mr. Michelman indicated that he had questions for the applicant.

Mr. Mike Willinger, applicant, Director of Business and Administration, ERAU, 3700 Willow Creek Road stepped to the podium.

Mr. Michelman inquired if there was a time frame in mind for the development of the future Tracts of the project.

Mr. Willinger offered that the first building in the first Tract would not be started until 2010 and that there are not any time frames for the future Tracts other than possible Tract 5 which is the area around the loop road.

Mr. Michelman inquired about open space in the northern part of the site and inquired if there were future plans for that location.

Mr. Willinger indicated that there are no plans to change the zoning and that there are some homes located in that area that are traditionally tied to the University so it will remain the same.

Chairman Wiant closed the public hearing and called for a motion.

Mr. Rosa, **MOTION: to approve MP09-001** as presented with the understanding that all requested Planned Area Development (PAD) waivers will need to be granted by Prescott City Council.

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

Chairman Wiant indicated that the next motion would be for the text amendment to the Land Development Code, LDC 09-002.

Mr. Menser indicated that the Preliminary Plat had not been voted on yet.

Mr. Scamardo inquired if the Preliminary Plat vote could be next and then the Commissioners could discuss the rezoning where the overlay district and the Land Development Code text amendment comes into play.

Chairman Wiant indicated that the Commission was now looking at the Preliminary Plat and called for comments or questions for the Commissioners. Hearing no comment called for a motion.

Mr. Rosa, MOTION: to approve Preliminary Plat, PP09-003 Embry-Riddle Aeronautical University (ERAU), Business Technology Park with the approval of PAD exceptions by City Council.

Mr. Menser, 2nd.

Mr. Hardin, Community Planner informed the Commissioners that there were additional conditions placed on the Preliminary Plat that needed to be added to the motion based on Engineering comments that were received and did not make the packet. Mr. Hardin reviewed the items at this time.

Mr. Rosa accepted and amended the motion to include the items.

Mr. Menser indicated that he was not sure that he would 2nd the motion if he could not review them first. Mr. Menser inquired if they would be voting on the rezone today?

Mr. Hardin noted yes and that is why the plat was corrected and the conditions were placed on it.

Mr. Scamardo indicated that he agreed with Mr. Menser on this. Mr. Scamardo added that the items in paragraph three were discussed however item four bothered him and that there should be detailed discussion on this before there are a lot of waivers being asked for.

Chairman Wiant inquired if Mr. Menser was withdrawing his second.

Mr. Menser indicated yes that he was and he would like to see the additional conditions in writing so he could study them before I vote on the Preliminary Plat.

Mr. Rosa retracted the motion at this time.

Mr. Hardin indicated that he would like to have Engineering Services explain in detail how the conditions came to be.

Mr. Nietupski, Engineering Services Director apologized to the Commission for the late revisions to the Plat. He then noted that the last three items were incorporated into the Development Agreement and will be presented to the City Council. Mr. Nietupski explained that the drainage design is a provision to assure that the drainage which is not a typical drainage design is to be addressed prior to final plat approval or approval of any particular Tract within the Master Plan area. Mr. Nietupski added that the corrections to the Legend are minor and offered that the items should not prevent the Commission from approving the Preliminary Plat.

Mr. Menser inquired if only item three would apply.

Mr. Hardin noted that was correct.

Mr. Scamardo indicated that the problem was that the suggested motions include number four and the last paragraph of number four states "while including the request to remove the corridor overlay".

Mr. Menser indicated that he would accept the motion if it included only the conditions in item three applied to the Preliminary Plat approval.

Mr. Scamardo inquired if Mr. Menser was putting any notation on the overlay district.

Mr. Menser and Mr. Hardin both noted that would be on the rezone.

Mr. Menser, MOTION: to approve Preliminary Plat (PP09-003) for platting Eleven (11) new Tracts with only Tract 1 being approved for development at this time and with the knowledge each succeeding Tract/s will be required to return before the City's Planning and Zoning Commission and City Council for future development with the following conditions: 1) All Legends be corrected with submittal of Preliminary Plat to City Council; 2) Final design of deceleration lanes to be shown on Preliminary Plat with the submittal to City Council; 3) Drainage design be approved by City Engineering department during final plat design review; 4) Full Loop Road, capacity level of service to be agreed upon within the Development Agreement (DA); 5) All easements to be agreed upon within the Map of Dedication as outlined in DA; and, 6) Sewer line upgrades to be agreed upon in final DA, within paragraph three.

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

Chairman Wiant called on Mr. Hardin to review the motion for the rezoning.

Mr. Hardin reviewed the motion to approve the rezoning request and all associated APN's within the area, including the Light Industrial zoning from 155 acres to a revised Master Plan of 28 acres and increasing the Business General by 127 acres, while including the request to remove the CCO along ERAU frontage to the centerline of Willow Creek Road.

Chairman Wiant called for questions or comments from the Commissioners.

Mr. Scamardo indicated that it would like to discuss the Commercial Overlay District and the hand out information that shows what is currently in the CCO and what is being proposed.

Mr. Petrovsky inquired when the CCR's would be available for review.

Mr. Hardin reported that the CCR's will not be approved by the City because the City has no authority with the CCR's or the building design guidelines. Mr. Hardin further noted that ERAU will put them in place to provide documentation of what they intent to do if the CCO is removed.

Mr. Petrovsky inquired if the Commission would have an opportunity to review the CCR's.

Mr. Hardin reported that the Commission was provided a handout by the design team that notes what is currently covered under the CCO and Article 5 in the Land Development Code and what is being proposed in its place. Mr. Hardin noted that it was a side by side detail of what will be put in place of the Commercial Corridor Overlay District. Mr. Hardin added that with the LEED standards in place it will go above and beyond the current design standards within the CCO.

Mr. Menser inquired if staff was comfortable with the changes being proposed because the Commissioners will not be reviewing the CCR's.

Mr. Hardin indicated yes.

Mr. Worley, Community Development Director indicated that the CCO is a code requirement and that intent of removing it is to allow for flexibility for ERAU CCR's to cover the guidelines for the park. Mr. Worley added that the guidelines will be enforced internally by ERAU and that they more than adequately make up for the CCO removal and they are not intended to cover the same things. This will be specific to the Campus and is intended to provide the same level of coverage for the area. Mr. Worley further indicated that it is staff's desire to remove the CCO from the strip of property along the front of the Campus to allow for a more uniform coverage of the CCR's of the whole Campus.

Mr. Menser indicated that the only control that the City will have is if the CCO is removed is the fact that the Commission is approving the Master Plan.

Mr. Worley noted was correct.

Mr. Scamardo indicated that he did not doubt the intent however he would like to have his fellow Commissioners and the public understand what will be waved. Mr. Scamardo added that it will be in direct conflict with the CCO on the opposite side of the street as there are major differences being discussed and it should be brought up so no one will be surprised five years down the road.

Mr. Worley stressed that Mr. Scamardo was right and that staff encourages the Commission to discuss the details so that they are clear.

Mr. Scamardo noted that he does agree with all the ERAU is doing and it is a great benefit to the City however he does not want the back lash that it wasn't discussed in the front end.

Mr. Worley noted that it is important because there could potentially be conflicts between the code requirements under the CCO and the CCR's and added that the Master Plan is the key to the control for the City.

Mr. Menser noted and there will be a site plan review as each Tract comes in.

Mr. Worley added it would be a Plat for each parcel as it comes through.

Mr. Scamardo indicated that he was sure all the Commission members had read the insert in the packet and that everyone knew that the heights limit in the current overlay district is fifty feet and the waiver includes that the height could be up to one hundred feet. Mr. Scamardo added that controls were added into the Corridor Overlay Districts and incorporated into the Land Development Code so certain areas were not isolated and now there is a request to make major changes to that.

Chairman Wiant noted that Mr. Scamardo had a good point that there will major changes.

Mr. Worley added for clarification that there are certain requirements based on the zoning districts that cover the Campus and they are not asking to wave the requirements of those districts. They are only asking to remove the requirements of the Commercial Corridor Overlay on the first five hundred feet along Willow Creek Road.

Mr. Menser indicated that it is a possibility that the current requirements for the Commercial Corridor Overlay may be getting outdated because of current technology, materials and architectural styles.

Chairman Wiant called for other questions or comments from the Commissioners. Hearing none called for a motion on the rezoning.

Mr. Scamardo, MOTION: to approve rezoning request (RZ09-005) and all the associated APN's whereby the Industrial Light zoning goes from 155 acres within the revised Embry-Riddle Aeronautical university (ERAU) Master Land Use Plan to 28 acres while increasing the Business General (BG-PAD) zone increases by 127 acres, including the request to remove the Commercial Corridor Overlay along ERAU frontage to the centerline of Willow Creek Road.

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

Chairman Wiant called for a motion on the text amendment LDC09-002.

Mr. Hardin placed the motion on the overhead projector for all to see and noted the portions that were removed, the text was stricken out.

Mr. Scamardo noted that he agreed with the portion that stated i.e. LEED, Energy-Star and Form-based Codes as part of the language change in paragraph 9.5.10.

Mr. Rosa, **MOTION: move to approve** the amendment of Land Development Code, Article 9, Section 9.5.10/Exceptions, accepting the proposed modifications of LDC09-002.

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

3. **PP09-003, Preliminary Plat for Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** A Planned Area Development for developing a Business/Technology Park associated with the revised Master Plan Amendment MP09-001 to create 11 new tracts. APNs: 106-02-001J, 106-02-

003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006 and totaling ± 430 acres. Owner/Applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

(Refer to Item #2—associated with MP09-001, RZ09-005 and LDC09-002)

Chairman Wiant called for a 10 minutes break in the meeting at 10:00AM. Chairman Wiant reconvened the meeting at 10:10 AM and informed the Commission that MP08-002 and RZ09-006 would also be heard together.

4. **MP08-002 & RZ09-006, United Christian Youth Camp**, 1400 Paradise Valley Lane. APN's: 108-08-003, 108-20-181E, 108-20-181F, 108-08-002K, 108-09-089, 108-08-001T, 108-20-002Y, 108-20-012Q, 108-09-091B, and 108-08-001W. Current zoning is Multi-Family High Density (MF-H) and Single-Family 9 (SF-9). Request is to rezone from Multi-Family High Density (MF-H) and Single-Family 9 (SF-9) to Specially Planned Community (SPC) with a Master Plan for Site Development. Applicant is Headwaters Architect. Owner is United Christian Youth Camp. Contact Person: Mike Bacon, Community Planner (928) 777-1360.

Mike Bacon, Community Planner reported that the proposal was to amend the zoning for the United Christian Youth Camp from Multi-Family High Density (MF-H) and Single-Family 9000 sq ft minimum lot size (SF-9) to Specially Planned Community (SPC) with a Master Plan for development of the camp. The camp has been in existence since 1952. Adjacent to the camp is a Specially Planned Community known as the Hassayampa and to the southwest and east there are single family homes. Mr. Bacon noted that there was an area meeting held last week and about twenty neighbors attended and voiced their concerns about cabin leases, land use compatibility, night lighting, noise from camp attendees, traffic and the future master Plan and camp capacity. Mr. Bacon informed the Commission that the proposed Master Plan had addressed some of the concerns that the City has had with the church camps and one of these concerns was water use. Mr. Bacon informed that Commission that there were some late corrections to the plan that were submitted and those will be discussed at the next meeting. In closing the staff report Mr. Bacon noted that the public hearing on the item will be held at the next Planning and Zoning Commission on August 13, 2009. Mr. Bacon then invited the camp manager, Greg Mengarelli to the podium to speak.

Mr. Greg Mengarelli, Executive Director for United Christian Youth Camp, 1400 Paradise Valley Road noted that he has been the Director at the camp since 1985. Mr. Mengarelli provided a brief overview of the camp which included the established date of 1952 by a group of churches in Phoenix, the camp covering 86 acres; there are two separate camps, Ponderosa Camp and Log Cabin Village. Both locations have sleeping and eating facilities. There is also two swimming pools, outdoor actives such as zip lines, climbing walls, skate park, grass field and paint ball. Mr. Mengarelli indicated that this summer there will be approximately 4, 000 campers in attendance at the camp during the months of June and August and about 10, 500 attendees during the rest of the year. There are about 20 full time, 20 part time employees, and 30 seasonal employees. Mr. Mengarelli noted that since he started in 1995 there has only been two improvements added to the camp and that is a medium size meeting room and the swimming pools. There has been no new housing or beds added since 1988. The traffic that is generated from the camp is usually the campers arriving by van or charter bus on Sunday when they arrive and

Friday when they leave. Mr. Mengarelli indicated that there have been times when they have unintentionally been nuisances' to their neighbors however they have always done their best to mitigate the issues as soon as possible. Mr. Mengarelli added that there have been concerns voiced by the neighbors regarding the noise of bands and campers singing emitting out of the meeting room in the Ponderosa Camp. And over a period of a year and a cost of \$15, 000 dollars there was a renovation done of the building to help contain the sound. Mr. Mengarelli also noted that there have been additional fines and guidelines put in place to help reaffirm the guidelines of the camp. Mr. Mengarelli further noted that under the direction of the camp there have been many community service projects for the Prescott area and its citizens alike. A few items mentioned was a clean up of the newly opened Nature Center on Williamson Valley Road, adjoining neighborhood cleanups, volunteers going to the VA center, clean up for the horses at the 4th of July parades, and provided tactical training locations for Fireman and Police. Mr. Mengarelli stressed that he believes there is a direct benefit to the local businesses when the camp hosts over 15, 000 campers in a year as many of the campers shop and dine in the local shops and restaurants on their way in and out of Prescott. Mr. Mengarelli added that UCYA was founded over 57 years ago for the purpose to allow kids to have an outdoor experience in the mountains, while investing in the most important resource of the future, the lives of young people, and that the mission has not changed today. Mr. Mengarelli noted that it is not the intention of the camp to build out the Master Plan in a couple of years, it is only a projection of plans and they do want to come into compliance with the City of Prescott's zoning. Continuing, Mr. Mengarelli noted that because the camp was offered a donated gymnasium they wanted to place at the camp, they came to the City to see what need to be done to place it, and this is when they were informed that the camp was non conforming after the adoption of the 2004 Land Development Code. Mr. Mengarelli reported that because the camp needs to be rezoned and a Master Plan presented they has presented the request. It is not intended to develop the camp right away. The plan will take many years and have several locations of open space. There will be a coupe of cabins added to the Log Cabin Village area with a total of 50 beds. In the Ponderosa Camp area the plan calls for the demolition of two older dorms and the addition of three new dorms that will be adding 100 new beds. There will be a Tee Pee village and a housing area. The Master Plan would bring the bed total from its current count of 600 up to 1000. Mr. Mengarelli added that the desired plan is to build the dorm units modeled after the large houses in the Hassayampa Village instead of building a bunch of smaller cabins to keep that area of the camp consistent with the surrounding area. There would be the addition of two new gyms one at each camp, there will be a guard shack at the entrance to the camp and the main entrance would be off of Hassayampa Village Lane with a secondary entrance off a Hassayampa Village Lane also. The plan includes an RV Park that would be utilized by volunteers working at the camp different times throughout the year. In addition the paintball area would be relocated back into a canyon area to help seclude the noise. Mr. Mengarelli closed by noting that because of financial constraints some of the areas may never be built, and that what they are proposing is very reasonable consideration the density, slope and contour of the land. Much of the open space has been kept for the outdoor experience and the long range Master Plan will take many years to complete.

Chairman Wiant thanked Mr. Mengarelli and called upon the Commissioners for comments and questions.

Mr. Menser inquired what the time frame was for the plan.

Mr. Mengarelli indicated that based on the finances and guessing it could be 20 years or more.

Mr. Michelman inquired if Mr. Mengarelli would comment on the off-road vehicles that were mentioned in the staff report.

Mr. Mengarelli indicated that it happened only once, and it two teenagers riding on motor cycles at the camp. The neighbors contacted the office and it was addressed and has not occurred again.

Chairman Wiant asked staff if the camp gets rezoned into the zoning category what type of infrastructure requirements will be placed on this camp and others like it.

Mr. Bacon indicated that with any new building improvements and permit issuance any type of water or sewer lines would have to be brought up to capacity as well as the roads for fire turn around and width of the roads.

Mr. Scamardo noted that at present the camp is non conforming at the present and that some type of building permit will trigger major expense for them. From infrastructure of utilities to drainage.

Mr. Menser noted that the zoning would be like a PAD. (Planned Area Development)

Mr. Bacon noted that the guidelines for Specially Planned Communities from the Land Development Code was detailed in the staff report and because of the church camps are grandfathered in and what we are looking at is the future.

Mr. Menser noted since they camps are grandfathered in what does that mean for the roads.

Dick Mastin, Development Services Director indicated that when the new areas were constructed the camp would have to go through a full engineering design, a traffic impact analyst, and emergency response assessment.

Chairman Wiant comments that there were a lot of camps.

Mr. Bacon indicated that there were at least five or six within City limits and this is the first to come before the Commission.

Mr. Menser offered the idea is to get a rezone with a Master Plan in place.

Mr. Bacon indicated that was correct.

Mr. Menser added that currently the way it is zoned and if they came in with a Master Plan and all the things they would like to put in place, it is a huge down zoning because they could sell off the parcel and build 2600 house on it tomorrow.

Mr. Bacon reported that A Specially Planned Community would keep the camp in operation as it is however within the LDC there is recognition of church camps in

the area. The best opportunity for the church is the SPC zoning because it is not just housing.

Mr. Menser noted that in order for the church camp to stay they are giving up much denser zoning.

Mr. Bacon offered that the Hassayampa has the same SPC zoning.

Chairman Wiant noted that if possible he would like to have a spokesperson for the people wishing to speak on their concerns and to limit the discussion to the future changes and opened the item up to the public.

Mr. Ed Perkins, 1624 Stoney Lane indicated that he has lived at that address for two years and they had attended the area meeting last week. Mr. Perkins stated that after the meeting on the way home his wife asked him if they should move. Mr. Perkins indicated that he felt the growth of the camp would largely affect not only his home but the entire area. Mr. Perkins added that his family is very conscious of water and fire and that he has had two incidences with the camp facility. Mr. Perkins noted that the camp is a business and it is not zoned for a business. Mr. Perkins indicated that the City does not check the areas in the camp to make sure that they are in compliance. Mr. Perkins indicated that his main concern is fire issues and how the camps location in a residential area is allowed to grow.

Chairman Wiant noted that the camp was already established when Mr. Perkins bought his home.

Mr. Bacon noted that staff is also concerned about the use of ATV's in the camp and that is why there will be conditions placed on the Master Plan.

Mr. Chuck Fulton, 2141 Forest Mountain Road indicated that he was the president of the Hassayampa Homeowners Association and he was present to learn about the project. Mr. Fulton indicated that there are other folks within the community that are not associated with the Hassayampa and he would recommend that the Commission would listen to their comments.

Mr. Scamardo informed Mr. Fulton that public hearing on the item would be held on August 13th and that it will possibly be September before the Commission could vote on it.

Mr. Fulton noted that they were not interested in having an adverse relationship with the camp and that they would like to see things move forward in a positive way. Mr. Fulton inquired if the Master Plan is a more definitive plan of what will occur at the camp.

Chairman Scamardo indicated yes that was correct.

Mr. Fulton commented that as he was speaking for the Hassayampa HOA and they would like to be part of the plan or solution however, they have some valid concerns that they would like addresses.

Chairman Wiant agreed with Mr. Fulton.

Mr. Scamardo indicated that zoning was relatively new in the 1950's and by taking a location that was established in 1957 in the un-incorporated area Yavapai county is not without challenges. Mr. Scamardo added that as Prescott grows and tries to blend with a Master Plan grow smart legislation and a general plan the inconsistencies appear.

Mr. Fulton indicated that from the point of view of the Hassayampa Homeowners Association it appeared as if the item was being rushed through.

Mr. Scamardo noted that was not the intention of the Planning Commission as there are many items that still need to be addressed on the Master Plan for the camp such as, water uses, engineering and public works. Mr. Scamardo added that all of the items will be addressed fully before the item moves forward.

Mr. Fulton inquired if a spokesman outside of the Hassayampa would be able to make comment.

Chairman Wiant indicated that he would entertain that.

Mr. Bill Jacobs, 1529 Conifer Ridge, indicated that his house was located directly across from the north east corner of Ponderosa Camp, approximately 700 feet from the stage location for the camp. Mr. Jacobs stressed that he strongly opposes the rezoning of the camp because of the lack of discipline the camp has shown over the years to control the noise problem. Mr. Jacobs reiterated that there is an enormous amount of noise that is generated from the camp. Mr. Jacobs added that as recent as yesterday he could still hear the music from the interior of his home. Mr. Jacobs noted that he tried to work with the camp regarding the noise to no avail. Mr. Jacobs added that it was because of the noise that several of his neighbors had moved away, and a majority has voiced their concerns with the camp manager or the police department about the noise. Mr. Jacobs reflected on the history of contacts that had been made regarding the noise and he indicated that the neighbors feel that the camps attitude has been move if you don't like it. In closing, Mr. Jacobs further noted that most of his neighbors agree that the noise coming from the camp is unreasonable and if the plan is approved it will double in size and they appose the request.

Ms. Michelle Malott, 630 Cypress Drive indicated that she and her husband live one block away from the camp and they love it as a neighbor. Ms. Malott noted that they are both Arizona natives and they chose the neighborhood they live in because of the camp and the history of camps in Prescott. She does not hear much noise however, what she hears are kids laughing and having fun. Ms. Marlott added that if you live next to a camp you should expect to hear kids having fun just as you would expect the smell of animals if you lived next to a farm.

Ms. Vicki Giesecke, 1414 Linden Rd, indicated that they live three doors from the camp and one of the reasons they choose to live there was because of the camp. Ms. Giesecke indicated that they live at a location that is between three camps, Pine Rock, Chapel Rock, and United Christian Youth Camp. Ms. Giesecke added that they hear noise from all three camps however, it is not offensive and they enjoy hearing the kids having fun. Ms Giesecke noted that there have been issued in the past that were addressed and she feels that they have been addressed well. In closing Ms. Giesecke noted that when they moved to the area the Hassayampa did

not exist and when it was developed it changes the neighborhood the most. Looking toward the future she worries that the camp will go away and the area will be developed and they are in favor of the camp.

Chairman Wiant noted for the record that Mr. Petrovsky has excused himself and is not entering into any discussions regarding the items as he is a resident in Hassayampa.

Mr. Howard Forster, 754 Babbling Brook indicated that he was president of the Aspen Creek Homeowners Association which is located west of the camp. Mr. Forster expressed his concerns regarding the noise and feels that increasing the size of the camp will increase the noise and the length of the noise. Mr. Forster added that it is objectionable to his community and their style of life.

Mr. Scamardo asked Mr. Forster where he thought the Commission should go with the item indicating that they are being asked to look at allowing a non-conforming use with a Master Plan that the City has some control over, or just leaving it at MF-H zoning that has the potential of being developed with a large amount of housing units on it.

Mr. Forster commented that he would rather have the camp with less people and that the object is the size of the increase of the camp because there is a lot of noise.

Mr. Scamardo indicated that the Master Plan can be used to determine what the uses allowed would be.

Ms. Sue Brugger, 604 Cypress Drive indicated that she is not in favor of approving the plan for the camp because the camp has continued to grow over the years. The camp is really a large scale business that is not compatible with the neighborhood, the noise that is generated from it varies at different locations, and the neighborhood is subjected to industrial pollution due to the large scale deliveries that are made to the camp. Ms. Brugger added that the concerns that are being discussed will only be compounded if the camp is allowed to grow.

Mr. Hank Giesecke, 1414 Linden indicated that he lives 65 paces from the camp and that he flabbergasted at the people who knew that the camp had been there since 1952 and bought homes in the area. Mr. Giesecke added that most of the foliage was removed from the area because of the development of Hassayampa and the golf course. Mr. Giesecke reminded people to look at the picture on the wall in the Council Chambers and indicated that Prescott is about camps, that is one of the strengths of Prescott and has been for the beginning. Mr. Giesecke added that he has been a resident since 1952 and that one of the things needed in today's society is places for kids to be learning good Christian values as they are the future of Prescott and the Nation. The support the camp and think it should be allowed to grow.

Chairman Wiant noted the time and indicated that this item was only a discussion at this point, the item would be heard several more times and he would like to keep the comments short because there were two more items on the agenda.

Mr. Steve Shenifiol, 1533 Connifer Ridge Road indicated that the camp sits in a topographic bowl and aspirates the noise and light problems because all the neighbors sit above the area.

No Action was taken.

Hearing no other comments, Chairman Wiant closed the public comments and moved to the next item, RZ09-002

5. **RZ09-005, Embry-Riddle Aeronautical University (ERAU), 3700 Willow Creek Road.** APNS: 106-02-001J, 106-02 003A, 106-02-006, 106-02-009B, 106-03-004, 106-08-006 and 106-09-006 and totaling ± 430 acres. Zoning is Industrial Light (IL) and Business General (PAD) [BG (PAD)]. Request is to reduce current Industrial Light (IL) zoning from 155 acres to ± 20.8 acres and increase the Business General (PAD) zoning by an additional 127 acres. In addition to this request, the applicant proposes that the City remove the existing Commercial Corridor Overlay District (CCO) along the property frontage from the most southern property point to the most northern property point adjacent to Willow Creek Road and extending to the centerline of Willow Creek Road; and, in addition, requests a text modification for *Land Development Code*, Article 9, Section 9.5.10, Exceptions to PAD Development Standards. Owner/Applicant is Embry-Riddle Aeronautical University. Wendell Hardin, Community Planner.

(Refer to Item #2—associated with MP09-001, PP09-003 and LDC09-002)

6. **LDC09-002, LDC Text Amendment.** Amending Section 9.5.10, Exceptions to PAD Development Standards by adding language to permit additional flexibility for the City Council in their consideration and approval of Planned Area Developments.

(Refer to Item #2—associated with MP09-001, PP09-003, and RZ09-005)

7. **RZ09-006 & MP08-002, United Christian Youth Camp,** 1400 Paradise Valley Lane. APN's: 108-08-003, 108-20-181E, 108-20-181F, 108-08-002K, 108-09-089, 108-08-001T, 108-20-002Y, 108-20-012Q, 108-09-091B, and 108-08-001W. Current zoning is Multi-Family High Density (MF-H) and Single-Family 9 (SF-9). Request is to rezone from Multi-Family High Density (MF-H) and Single-Family 9 (SF-9) to Specially Planned Community (SPC) with a Master Plan for Site Development. Applicant is Headwaters Architect. Owner is United Christian Youth Camp. Contact Person: Mike Bacon, Community Planner (928) 777-1360.

(Refer to Item # 4—associated with MP08-002)

8. **RZ09-002, 102 West Merritt Street.** APNs: 113-02-025B, 113-02-026A, 113-02-030A, 113-02-032A, 113-02-034A and, 113-02-035B and totaling ± 0.96 acres. Zoning is Multi-Family Medium (MF-M). Request rezone from Multi-Family Medium (MF-M) to Neighborhood Orientated Business (NOB) for office/retail suites. Owner is Bill Resnick, Resnick Family Limited Partnership. Agent is Tom Terry, Architect. Ryan Smith, Community Planner.

Ryan Smith, Community Planner placed a detailed site plan of the location on the overhead projector and reported that at the last Planning and Zoning meeting the Commission had asked to conduct a site visit to the property, which occurred on August 20th. Mr. Smith noted that three Commissioners were present and among the items that were discussed was the access to the property from the alley vs. Whipple St. Mr. Smith reported that the applicant has provided an elevation of the proposed building which is a single story, approximately 15 feet high, and faces Whipple Street. Mr. Smith added that under the current zoning of Multi-Family Medium Density, 27 apartments could be built at the site without any public hearings and the maximum height could be as high as 35 feet. Mr. Smith continued to report that the applicant had also provided a detailed site plan showing the 25 foot setback from Whipple St and a reduced building size of just over 12, 000 square feet. Mr. Smith added that if the Commission wishes to condition the rezoning to not allow access off of Whipple Street, the applicant has provided a secondary plan to indicate that he is not married to the access off of Whipple Street and would use the alley entrance. Mr. Smith concluded the staff report by indicating that staff is recommending a positive recommendation on the project and if it is approved, staff will present the item to City Council on the on September 1st with the voting to occur on September 8th.

Chairman Wiant called for questions and comments from the Commissioners.

Mr. Michelman inquired how the parking requirements would differ between a medical offices use and a CPA office use.

Mr. Smith reported that a medical office is required to have one parking space for every 150 sq feet vs. parking for the CPA office which is one space per every 300 sq feet of area.

Mr. Michelman inquired how parking was enforced.

Mr. Smith noted that staff asks for a parking matrix on the parking spaces and it is calculated during the permitting review process.

Mr. Rosa noted that if the access for the location was not off of Whipple Street but the alley off of Merritt could the applicant place signage indicating such.

Mr. Smith noted that the applicant would be allowed free standing signage to identify the site however, it would have to be on the site and not anywhere else.

Mr. Petrovsky noted that he would like clarification on how the refuse truck would be able to empty the trash container without a turn around.

Mr. Smith indicated that is an item that is normally brought out at the platting process however the truck would have to enter off the alley as well.

Mr. Menser noted that all the Commission is considering is a rezone on the property and they are not looking at the site plan review.

Mr. Scamardo concurred with Mr. Menser and indicated that the site plan was only conceptual. Mr. Scamardo added that he preferred the second rendering of

the site plan with no access off of Whipple Street because there is a curve, a traffic light, and the flow of the traffic is fast.

Chairman Wiant noted that what was confusing was that the applicant had furnished more information than the Commission can recommend on the rezoning.

Ian Mattingly, City Traffic Engineer indicated that the original site plan does show a right in, right out access and although it is not ideal, it does meet the criteria for a safe stopping distance.

Mr. Menser noted that he would be more in favor of the access off of Whipple because it would make the project more successful.

Mr. Michelman indicated that he likes the concept of the plan however he is not in favor of the pork chop (right in, right out access) because of the noted driving habits in the area.

Chairman Wiant called for other comments or concerns from the Commissioners and hearing none opened the item to the public.

Mr. Carl Unger, 114 W. Merritt asked the Commissioners if they were familiar with the Dexter neighborhood plan, and noted that the neighborhood plan indicates that all eight lots in the area should be combined into one parcel and the applicant only owns seven. Mr. Unger indicated that the Dexter plan notes that access should be off of Merritt or the alley and he felt that there was an access problem with the alley because it is too narrow. Mr. Unger added that the Dexter plan also notes that the alley should also be brought up to satisfactory width. Mr. Unger closed by stating that unless Mr. Resnick acquires more land he should not be able to get the rezoning.

Ms. Ara Moore, 1512 Vyne Street indicated that she was the owner of the two lots facing Merritt Street. Ms. Moore noted that she originally thought that the widening of the alley was going to cost her money but has since found out that it will not. Ms. Moore suggested naming the alley Hallington Way or Annie's Alley after her parents and concluded by stating she supports the project and thinks it will be wonderful.

Councilman Bob Luzius, 237 S Arizona Avenue indicated that he did not see anything in the packet that states the Fire Department has reviewed the project and he has concerns with the egress and turning areas of the project. Mr. Luzius also noted that he is concerned with how it will impact the residential neighborhood and asked the Commission to delay their vote until the Dexter Neighborhood Plan can be further reviewed.

Mr. Smith reported that the Dexter Plan does recommends that the eight lots be combined but does not require it and it also recommends that the access be taken from Merritt Street or the alley. Mr. Smith added that the Fire Department did review the plan and made no comment and also public works has reviewed the alley improvements and found the traffic safety to be satisfactory. Mr. Smith offered to review the Dexter Plan with Councilman Luzius.

Bill Resnick, 1360 Windfield Circle reported that he was the applicant and that they have tried to address the neighbors concerns regarding the aesthetics, the alley, the speed hump, and most importantly the right in, right out access to the site.

Mr. Menser inquired if the Commission would be reviewing a site plan.

Mr. Smith reported that if the Commission provides a recommendation for the rezoning a site plan review is not required however, the Commission could condition the approval or specifically ask for a site plan review on the project.

Ms. Barbara Vicent, 213 Second Street indicated that this is a whole lot of project without a lot of egress and she is concerned about the impact on her property. Ms. Vicent added that she would like the Commission to know that.

Chairman Wiant called for other public comment.

Ms. Mavis Unger, 114 W. Merritt Street indicated that she also had major concerns with the project and the access in the alley. Ms. Unger noted that she did some research on the definition of an alley way and it defined as a secondary access. Ms. Unger questioned why a traffic impact analyst was not conducted for the site referencing City of Prescott Code, Section 6.1.4. and the sensitivity to the adjacent neighborhoods or other areas or changes in land use or rezoning. Ms. Unger indicated that she thought this is a case that it should be required to be done. Ms. Unger added that the alley access to the site will affect all of the neighbors.

Mr. Smith noted that City Council does not really like to approve rezoning a property without a project in mind so it would be appropriate for the Commission to look at the site plan and condition it.

Mr. Scamardo inquired if the General Plan indicates that the area should transition into a higher density use for this type of project. Mr. Scamardo added that with the growing smarter legislation, the General Plan and update of the zoning codes to conform with the General Plan is what the Commission looks at.

Mr. Carl Unger noted that what the problem is that there is an alley that is too narrow to drive through.

Mr. Scamardo indicated that the Commission relies on the expertise of the City Staff and that the City staff will make sure the alley is improved to the proper width of 24 feet. The project conforms to the General Plan.

Mr. Unger asked the Commissioners if they would like a road seven feet from their bedroom.

Mr. Scamardo noted that it was a pre existing condition and the site might be developed with the entrance on Whipple Street.

Mr. Unger indicated that it did not matter that all the delivery trucks and traffic would go right down the road by his bedroom.

Chairman Wiant noted that the Commission looks to see if the site conforms to the overlay, the General Plan, and that is all that is being looked at today.

Mr. Rosa informed the Unger's that when it comes before the City Council they would have the opportunity again to discuss it and the City Council has the ability to look at the issues that the Unger's were describing.

Mr. Unger stated that it did not matter if they got killed in the alley.

Chairman Wiant reiterated to Mr. Unger that the Commission looks at if the project meets the criteria and if they do not go by the criteria and the regulation then the Commission is at fault.

Ms. Unger indicated that the access is part of rezoning of the property and the access has to be adequate.

Mr. Menser indicated that he agreed with the Unger's and that the access should be off of Whipple and the alley should not be used as a major access however the zoning is the question. Mr. Menser inquired how many apartments could be built on the site.

Mr. Smith noted 27 units.

Mr. Menser inquired if the Unger's would rather see apartments on the site.

Mr. Unger stated that was not correct because this site was not even an acre and that only 24 units could go on an acre.

Mr. Menser indicated that even 20 units on the site would generate a lot of traffic and noise. Mr. Menser added that the site is not appropriate for apartments or single family homes and the code has NOB (neighborhood orientated business) written into it for areas such as this.

Chairman Wiant called for any other comments regarding the rezoning of the property, hearing none closed the public hearing and called upon the Commissioners.

Ms. Unger asked to speak again and Chairman Wiant allowed her comments.

Ms. Unger indicated that they had gone to APS and APS had informed them that they would require two feet for the location of the power poles.

Mr. Scamardo noted that would be considered an easement.

Ms. Unger added that it was access and people could not walk or drive through the poles. Ms. Unger asked what people who were walking going to do.

Chairman Wiant thanked the Unger's for their comments and called upon the Commissioners for a motion.

Mr. Menser, MOTION: to recommend approval of RZ09-002 for the development of an Office/Retail center located at the southwest corner of Whipple and Merritt

Avenue with the following condition: 1) The development shall be in general conformance with the site plan dated 7-8-09 with the pork chop (access off of Whipple).

Mr. Michelman noted that there were two site plans.

Mr. Scamardo asked Mr. Menser if his motion included the pork chop (right in, right out) only.

Mr. Worley informed the Commission that it was usual to condition a rezoning of a piece of property to substantial conformance of a site plan. Mr. Worley added that it was not specific to right of way widths or parking count but the general lay out of the site and the access in and out of the site.

Chairman Wiant inquired if the pork chop (right in, right out) was not involved then.

Mr. Worley noted that it was involved as part of the recommendation to the City Council.

Mr. Petrovsky, 2nd.

Chairman Wiant indicated that there was a second to the motion with the pork chop (right in, right out access).

Mr. Scamardo inquired if the intention of the motion was in substantial conformance with the site plan with the pork chop (right in, right out access) in it.

Mr. Worley confirmed and noted that it would be up to the Commission on which site plan they would like to see forwarded to council.

Mr. Michelman indicated that if this is the site plan that Mr. Menser was going to recommend he could not support it because he felt the pork chop would be a future impairment for traffic.

Chairman Wiant and Mr. Scamardo concurred with Mr. Michelman.

Chairman Wiant called for the vote.

Vote: 2-4. Motion failed.

Mr. Michelman, MOTION: to approve RZ09-002 proposed site plan with the following conditions: 1) The development shall be in general conformance with the site plan dated 7-8-09 2) the proposed plan without the pork chop (right in, right out, access off of Whipple) and no entrance off of Montezuma/Whipple.

Mr. Scamardo, 2nd.

Chairman Wiant called for a vote on the second motion.

VOTE: 4-2. Motion Passed.

9. **SUP09-002, 221 West Willis Street.** APN: 113-15-074 and totaling ± 0.75 acre. Land Development Code Section 10.2.3 and Use Table 2.3. Zoning is Downtown Business (DTB). Request for a Special Use Permit to increase the size of an existing auto repair business. Owner is Marie T. Smith, Living Trust. Applicant is Headwaters Architects, for Auto Max. Community Planner is Steve Gaber (928) 777-1206. Interested parties are invited to appear at the public hearing.

Mr. Gaber, Community Planner noted that that request is to expand the existing Auto Max at 221 W. Willis which is a repair business. The building has been in use as an auto repair business since the 1960's. Mr. Gaber explained that although they are adding a bay it would not expand the repair business as one of the current bays would be utilized as a storage area. Mr. Gaber placed the site plan on the overhead and noted the expansion location and the current structure. Mr. Gaber reported that the use has been long term dating back to the 60's and as such in relation to the current zoning code would be considered a non conforming use. Mr. Gaber explained when the Downtown Business District was created, it was indicated that any auto repair activities would have to have a special use permit to operate, and with the request to expand, this is what has occurred. Mr. Gaber noted that the current business operates with a gravel parking lot and if the application was approved it would require the paving and striping of the parking lot area. Mr. Gaber added that the site would still be able to meet the parking requirements of 15 exterior spaces plus the bays. Continuing Mr. Gaber reported that if auto repair business was new there would be a required setback of at least 10' from the right-of-way and 5' from all over property lines, and given that the business has been there for 47 years, a waiver to the setback requirement is requested. Mr. Gaber added that they are also requesting a waiver on the perimeter landscaping requirement however they would be placing landscaping in the right-of way along Willis Street with some type of low lying evergreen shrubs. Mr. Gaber added that while the concrete block building was built in the 1960's, it is on the Arizona Register of Historic Places and with the addition it would be removed off of the register. The building is located within a flood plain and as such predates the flood plain requirements however, the addition will be built in conformance with the flood plain regulations. Mr. Gaber concluded the staff report by acknowledging the parking lot and landscaping waiver, and noting that staff recommends approval of the Special Use Permit as it does meet the Special use criteria.

Chairman Wiant noted that he thought that improving the Landscaping and paving the parking lot was as improvement and called upon the Commissioners for comments or questions.

Mr. Scamardo and Mr. Menser concurred.

Mr. Menser inquired why they would not be landscaping between the sidewalk and the property line.

Mr. Gaber noted that the building is a zero lot line however there is a small area that could be landscaped.

Mr. Menser indicated that the parking lot ends at the property line and that there is an additional 4' of area that could be landscaped.

Mr. Dan Baggerly, Owner of Auto Max, 221 West Willis indicated that when the City redid Willis Street the manicured bushes were removed by the pavement contractor and never replaced. Mr. Baggerly added that the City did replace the bushes however they died. Mr. Baggerly added that the overall paving will enhance the location and he would be willing to place some kind of planter at that location.

Mr. Menser noted that the landscaping will need to be done as part of the approval.

Chairman Wiant opened the item to the public, hearing no public comment closed the public portion and called for a motion.

Mr. Menser, MOTION: to approve SUP09-002, including a wavier to parking lot set back requirements; and a wavier to parking lot perimeter landscape requirements; allowing an expansion of Auto Max, auto repair business located at 221 W. Willis Street. And, in addition suggestion that additional landscaping be installed where possible, along the south side between the sidewalk and the property line.

Mr. Rosa, 2nd. VOTE: 6-0.

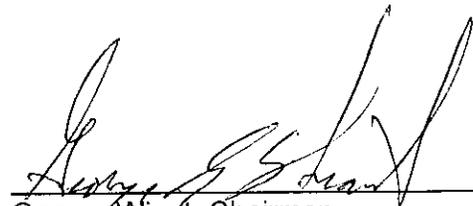
V. CITY UPDATES

Mr. Worley informed the Commission that there will another business with similar circumstances as Auto Max that will require a SUP that will be coming before the Commission next month and it will have waiver requirements also. Mr. Worley further informed the Commission that after several months of discussion the Cavan annexation along both sides of 89A and east of the Airport was approved by City Council this week. In closing Mr. Worley also noted that the Animal Control facility has been removed out of Community Development and Yavapai Human Society will now be running the facility.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

VII. ADJOURNMENT

Chairman Wiant adjourned the meeting at 12:15 PM.



George Wiant, Chairman