



PLANNING & ZONING COMMISSION A G E N D A

**PLANNING & ZONING COMMISSION
PUBLIC HEARING
THURSDAY, AUGUST 13, 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, AUGUST 13, 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. Consider approval of the minutes** of the July 30, 2009 meeting.
- 2. MP08-002 & RZ09-006, United Christian Youth Camp**, 1400 Paradise Valley Lane. APNs: 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.

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

3. **RZ09-006 & MP08-002, United Christian Youth Camp**, 1400 Paradise Valley Lane. APNs: 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.

4. **SUP09-003, Eco3Oil Change, 202 S. Montezuma Street**, located at the southwest corner of Montezuma and Goodwin Streets. APN: 109-02-046A and totaling ± 0.25 acres. Zoning is Downtown Business District (DTB). Request Special Use Permit to allow an automotive service business in the DTB. Owner is Montezuma-Goodwin LLC / Brad Christensen. Applicant is Eco3Oil / Diane Rosito. Community Planner is: Ryan Smith (928) 777-1209.

V. CITY UPDATES

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 **August 7, 2009 at 10:00 A.M.** in accordance with the statement filed with the City Clerk's Office.

Kelly Sammeli, Administrative Specialist
Community Development Department

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 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 layout 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

RZ09-006
MP08-002

UNITED CHRISTIAN YOUTH CAMP
Rezone MF-H and SF-9 to SPC
Master Plan

Agenda # 2

Agenda # 3

COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION
PLANNING & ZONING COMMISSION
STAFF REPORT
8/13/09 (Public Hearing)

TO: Planning Commission
FROM: Tom Guice, Community Development Director
George Worley, Assistant Director *GW*
Mike Bacon, Community Planner *MB*
DATE: 8/5/09
Subject: **RZ09-006** REZONE from MF-H and SF-9 to SPC
MP08-002 MASTER PLAN for United Christian Youth Camp

Parcels	Existing Zoning	Proposed Zoning	Total Area: ±86 acres
108-20-002Y	MF-H	SPC	
108-08-001Z	MF-H	SPC	
108-08-002K	MF-H	SPC	
108-08-003	MF-H	SPC	
108-08-001W	MF-H	SPC	
108-09-089	SF-9	SPC	
108-09-091B	MF-H	SPC	
108-20-012Q	MF-H	SPC	
108-20-181E	MF-H	SPC	
108-20-181F	MF-H	SPC	
108-08-001T	MF-H	SPC	

Location: 1400 Paradise Valley Road, Prescott, AZ
Agent/Applicant: Todd Maroff, Headwaters Architecture, 3170 Stillwater Dr. #C Prescott, AZ
Owner: United Christian Youth Camp, 1400 Paradise Land, Prescott, AZ

UPDATE. A request by the applicant to continue this application to October 29, 2009 has been submitted (See attached). Staff has also received the attached letters (pro and con) from adjoining neighbors.

REQUEST. This is a request to Rezone the United Christian Youth Camp (i.e. "the 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.

STAFF RECOMMENDATION. Staff recommends continuance until October 29, 2009.

SUGGESTED MOTION.

Move to CONTINUE RZ09-006 and MP08-002 until October 29, 2009.

Continuance

Greg Mengarelli [gregm@ucyc.com]

Sent: Tuesday, August 04, 2009 3:05 PM

To: Todd Marolf [tm@cableone.net]; Bacon, Mike

Cc: Michelle Smith [michelles@ucyc.com]; acarman@lassmc.com; davidc@ucyc.com

Mike,

After talking with our staff members, Todd Marolf, as well as some of our neighbor groups, we believe it would be best to postpone the next Planning and Zoning Commission meeting to October 29th. Please notify all parties involved.

I look forward to giving you a tour on Wed.

Many Thanks,

Greg
UCYC

-----Original Message-----

From: Todd Marolf [mailto:tm@cableone.net]

Sent: Wednesday, July 22, 2009 5:26 PM

To: Mike Bacon

Cc: Greg Mengarelli; Michelle Smith; acarman@lassmc.com; davidc@ucyc.com

Subject: UCYC staff report comments

Mike,

See attached owner comments with their markups. The name of conference center has changed to "Dormitory & Support Buildings". The owners intent is when this is added it will fit into the camp program seamlessly and be used like Log Cabin Village and Ponderosa Camp. Basically a little sub camp inside the main camp. Campers are more comfortable with a small community within the large camp community.

If you have any questions feel free to call.

Todd Marolf
Headwaters Architecture P.C.
1956 Commerce Center Circle, Ste 2
Prescott, AZ 86301
928-776-7180

July 26, 2009

RECEIVED

To Whom It May Concern:

PLANNING
DEPARTMENT
COMMUNITY DEVELOPMENT

Because I'll be working out of town, regrettably, I won't be able to attend the July 30th meeting for the rezoning of United Christian Youth Camp (UCYC). However, I wanted to take this opportunity to express my position regarding the camp.

I have lived next to UCYC for over three years now, and I have not had a single problem with the camp. Most of the staff at the camp passes by my house on a daily basis, and I have never known any of them to be anything but pleasant and cordial.

Almost every night after dinner my wife and I will take a walk through the camp and watch the kids at play. We also look forward to the nights the kids are outside singing so we can sit in the backyard and listen to them.

My neighbor, Jean Russo, who sadly, just recently needed to move into an assisted living facility, was always complimentary of the camp. She used to sit out in her backyard and say how much she enjoyed hearing the kids playing and singing. She even mentioned that the camp kids would come by occasionally and help her with her yard work. Jean had lived next to the camp for over fifty years and still had nothing but positive comments to say about UCYC.

I have lived in Prescott since I was a kid in the early sixties and have always felt that the camps here are one of the premier attractions Prescott has to offer. Therefore, when I was looking for a new home for me and my wife and daughter, I focused my search on areas around the camps, and was extremely pleased when I found a house directly next to UCYC. I bought our home based on the assumption that the camp would be there for the rest of our lives. And I can honestly say that my family and I have enjoyed every moment we have spent next to the camp.

I'll never understand those who buy a house next to a freeway and then expect someone to build them a wall for sound abatement. Or those who buy a house next to someone with livestock and then start a petition to have the animals removed because of the smell. Or in this case, a person who buys a house next to a church camp but wants silence and solitude.

Most of the camps around here, including UCYC, have been here for fifty years or more. It's a simple process; if you don't want to hear kids yelling, don't buy a house next to a camp with 600+ kids. There are plenty of homes around Prescott where you can hear a pin drop at night. However, I think the headline for an ad I recently noticed for a lot for sale in Hassayampa explains it best, "Hassayampa, the Beverly Hills of Prescott". The problem is Prescott isn't Beverly Hills! As much as some people want to turn it in to California, the fact is, Prescott is still in Arizona. Prescott's allure is its open spaces, western mystique, and small town atmosphere, not its gated communities.

As a native of Arizona, I am glad to welcome anyone here with open arms, but I'm not going to jump through hoops trying to accommodate every transplant's every whim. If you like Prescott the way it is, then welcome. If you want Beverly Hills, then go back to California.

Respectfully,

A handwritten signature in black ink, appearing to read "John Malott". The signature is fluid and cursive, with a large initial "J" and a stylized "M".

John Malott

630 Cypress Drive
Prescott, AZ 86303
928-776-1030

RECEIVED

COMMUNITY DEVELOPMENT

July 28, 2009

To whom it may concern,

We are letting you know of our support for the United Christian Youth Camp. We have been long time residents of Prescott since the 1970's. We feel that this camp which has been in our community since before The homes were built around it and is a very important and viable service to our community helping youth and adults of all ages to spend time in our beautiful town, and enjoy the hospitality of Prescott. We ask that you give great consideration to this long time institution that has given a great deal to this town and surrounding local businesses.

Thank You,

Wayne & Janet Glenn

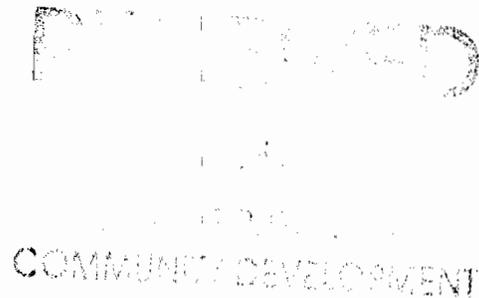
1301 Paradise Vally Rd

Prescott AZ.

RECEIVED

COMMUNITY DEVELOPMENT

Shawn and Angela Lewis
620 Birch Lane
Prescott, Az. 86303



July 28, 2009

Prescott City Council,

We are submitting this letter to show our support for the United Christian Youth Camp, the impact we feel it has on Prescott and further, what we feel it represents to our community.

Prescott in so many ways is seen as an idealistic small town, a refuge from the heat and congestion of Arizona's larger cities. A place where families can come and refocus, spend time together and create memories. UCYC in my opinion represents the same commitment to traditions, family and faith that runs proudly through out Prescott.

Living just two blocks from the camp summer days and nights are occasionally filled with the laughter and sounds of childhood, but nothing I would consider obtrusive. What sound could be more beautiful or satisfying than the laughter of a child? When we can't turn on the news at night with out hearing a report of abuse against a child or the ramped drug use of today's youth shouldn't we not only support but encourage an opportunity or organization that sees the value in investing time and energy in tomorrow's leaders. I find it funny how we somehow get to this point of thinking children are an intrusion, a nuisance, a disruption.....weren't we all children once and don't we owe it to our selves and the future generation to invest in them. Who do we think are going to be taking care of us and our country, our state, Prescott? They are, shouldn't we be doing everything we can to equip them for the future? Our schools can only do so much, parents can only do so much, it takes a community to raise a child and that's what UCYC does.

I have sent my own children to camp at UCYC and I have seen first hand the life changes that come from this camp. Kids walk away with a better understanding of right and wrong and why it's that way. They learn about integrity from solid examples and not only how to make a difference in the world around them but why it is their responsibility to.

It is our hope that Prescott City Council will do what ever it takes to support this kind of Prescott organization. The future deserves it!

Sincerely,

Shawn and Angela Lewis

Matt and Erica Kinsley
1145 Linden Rd.
Prescott, Az. 86303



July 28, 2009

Dear Prescott City Council,

We are writing this letter to show our support for United Christian Youth Camp in our neighborhood. As a family with four children we feel so blessed to have such a positive organization available to our kids. This is a time in which there are so many negative and dangerous distractions battling for our children's attention. UCYC is one of the few safe places that our kids can visit, grow in spirit and character, and return home with life lessons learned and a renewed love for God. Our children have gone every year since we have lived here, and they always come having had wonderful experiences and memories that will last them a lifetime.

I can recall instances when volunteers from UCYC have generously reached out to our neighborhood with groups of volunteers to help clean up yards and have made themselves available to lend a hand in any given circumstance. They are always ready and willing to help our community. On the very few occasions that I hear anything coming from the camp, it is always the sound of children's laughter, and in our opinion there is absolutely nothing more beautiful than that sound.

Please support them with their goals of helping to grow our youth in a positive light.

Very Sincerely,

Matt and Erica Kinsley

ReZoning Request from the United Christian Youth Camp

Steve Shenefiel [shenefiels@cableone.net]

Sent: Sunday, July 26, 2009 6:10 PM

To: mile.bacon@cityofprescott.net

Cc: Bacon, Mike

To: Mr. Mike Bacon
Planning and Zoning
Community Development,
City of Prescott Arizona

Date: 25 July 2009

Subject: Request for delay of zoning public hearing and a request for a second "informal" public (prehearing) meeting regarding the ReZoning Request from the United Christian Youth Camp.

References:

1. 9.15.3 / Rezoning Application Process Paragraph C. Public Notification: Upon receipt of a complete application, public notices shall be issued in accordance with Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Sec. 9.1.10, Additional Notice. In addition, a public hearing before the City Council may also be required as specified in ARS 9-462.04.
2. The GENERAL PLAN AMENDMENT SUBMITTAL CHECKLIST states: Notices of the area/neighborhood meeting are to be sent at a minimum in accordance with the Public Notification requirements set forth in the LDC Section 9.1.7.
3. The REZONE SUBMITTAL CHECKLIST states: Public Notification. Upon receipt of a complete application, public notices as noted below shall be issued in accordance with Section 9.1.7 of the LDC. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Section 9.1.10 of the LDC. In addition, a public hearing before the City Council may also be required as specified in ARS 9-462.04.

At the Public Meeting on 23 July it was pointed out to you that your "shadow map" of properties within 300 feet of the Camp was not correct and failed to include several properties that require notificatio. Therefore several properties were not notified as required by Prescott code (see reference). There are also numerous properties that are borderline to the 300 foot rule but are highly impacted by changes to the camp zoning as there is nothing but open space (the Hassayampa golf course and or a road) between them and the camp. Many of these properties sit at elevations higher than the camp and receive significant noise and light pollution from the camp. Therefore these properties have a "specific interest" in this rezoning request.

I am requesting another round of notifications which at minimum will include all properties within 300 feet of the camp boundary. I am also requesting that several properties that fall marginally outside the 300 feet, but which have unimpeded sight lines to the camp, also be notified based on the three references I have cited. I am providing a list of the affected properties for your convenience. I am working from a Map of scale 1"=177 feet provided to me in size E plot by Yavapai County GIS Department. So, my measurements are not exact to land survey requirements but should be

sufficient for the purposes at hand.

Affected Properties having specific interest follows:

Community of Conifer Ridge bordering the camp to the north-east: County Plats book 34 page 46
Conifer Ridge lots 9-12, 20-22 and 37-40. (Yavapai county GIS parcel codes, 108-19-044 thru 108-19-048, 108-19-056 thru 108-19-058; 108-19-073 thru 108-19-076).

Community of Woodland Pines bordering the camp to the north-west: County Plats book 33 page 91, Woodland Pines Lots 1-8, (Yavapai County parcel codes 108-19-079 thru 108-19-085).

Community of Aspen Canyon bordering the camp to the south-west: County Plats book 36 page 83, Aspen Canyon lots 14-19 (Yavapai county parcel codes 108-19-218 thru 108-19-286).

Community of Aspen Creek Meadows bordering the camp to the west: County Plats book 35 page 49, Aspen Creek Meadows lots 56 thru 68 (Yavapai county parcel codes 108-19-245a/b thru 108-19-246a/b).

Community of Twin Peaks bordering the camp to the north-west: County plats book 36 page 84, Twin Peaks lots 1,2,and 4 (Yavapai County parcel numbers 108-19-293,294,296).

Community of Pinion Peaks bordering the camp to the south, County Plats book 35 page 52, Pinion Peaks lots 1 – 21 (Yavapai county parcel codes 108-08-04 thru 108-08-16).

Community of Hassayampa as represented on the city Master Development Plan map dated 31 March 1997. This entity is represented by the Hassayampa Home Owners Board of Directors. The president of this Board is Mr. Charles Fulton, 2141 Forest Mountain Road, Prescott, Arizona 86303.

Hassayampa Golf Club. Represented by their General Manager, Mr. Marty Wells and the president of their Board of Directors, Mr. Thomas Brancati, both of whom can be reached at the Hassayampa Golf Club, 2060 Golf Club Lane, Prescott, Arizona 86303.

Regards,
Stephen Shenefiel
LTC, US Army Corps of Engineers, Retired
Lead Engineer, Streets, Drainage and Landscaping Committee
Hassayampa Community Home Owners Association
1533 Conifer Ridge Lane, Prescott Arizona 86303, 928-708-0185

CC: Prescott City Council

Methodology for determining parties affected by changes in zoning

Steve Shenefiel [shenefiels@cablone.net]

Sent: Monday, August 03, 2009 6:19 PM

To: Bacon, Mike

Memo To: Mr. Bacon, City of Prescott

Subject: Methodology for determining parties affected by changes in zoning.

I believe there is a correctable flaw in how the city approaches how it determines what properties may be affected by changes in zoning and in how the Commission receives input from people at its hearings. This is illustrated by the way notification was performed and how the July 30 hearing was conducted for the rezoning of the United Christian Youth Camp. I would further like to propose some alternatives for the noise and light pollution aspects of this activity.

The main issue that the residents surrounding the camp seem to have is noise trespassing followed by light trespassing. I was an Army Corps of Engineers officer for 29 years and dealt with noise emanating from military installations several times during my career, so I have some familiarity with this issue. On military installations much of the noise/light pollution is from point sources such as firing ranges and maintenance facilities. When we at the Federal level look at the lifestyle disruption issue to surrounding residents caused by installation activities, particularly noise and light, we look at the distance of affected parties from the offending source not from the installation boundary. Then we factor in other attenuating factors such as foliage and topography and the characteristics of the affected neighborhoods.

Prescott seems to look only at the distance from the rezoned property boundary as a relevant fact. The Camp in question has two primary noise/light point sources (Ponderosa and Log Cabin Village) and the master plan indicates that the increase in camper/activity density and in noise/light producing activities would be concentrated in those two areas. Therefore, I believe that the relevant criterion for selecting which properties to notify, whether to consider input from various parties, and how much weight to give that input, particularly when dealing with noise and light pollution, is the distance from the two primary point noise/light sources, not from the camp boundary. Given that there are many other factors involved in rezoning, this would be in addition to the current boundary adjacency method. I hope the following paragraphs help illustrate the inadequacies of using a specific distance from the property boundary as the primary and seemingly only criterion for determining affected parties to rezoning or any other activity affecting the peace and tranquility of a community.

At the P&Z Meeting on July 30 a woman who lives at 630 Cypress gave an emotional speech about how she loves to hear the noise from the camp. As measured on Google Earth, she lives about 1,630 feet from the nearest camp noise source and 2,530 feet from the other source. There are dense woods and small hills between her property and the noise source. On the other hand, residents who live on Conifer Ridge Lane between 450 feet and 600 feet from the primary noise sources and who have a direct line of sight to the primary noise source were originally not notified of the hearing and were in fact denied the opportunity to speak at the hearing.

Here is why I think the Prescott process and how it has been implemented in this particular case is a problem: sound attenuation over distance is logarithmic. There is also attenuation from foliage, rock outcrops, hills, and homes and other structures. Using some standard noise attenuation tables I found on the Web ("A Guide to Noise Control, "Minnesota Pollution Control Agency Library"), I calculated the difference in perceived noise level between what a person 1,600 feet from a noise source would hear and what a person 450 feet from a noise source would hear. That difference is about 28 Decibels. To put that in perspective, according to this authoritative source, a difference of 30 Decibels is the difference between a chain saw and a business office, or the difference between heavy truck traffic and a library. Obviously, there is a very big difference between being in a business office all day and working near a chain saw all day.

So I do not think someone living 1,600 feet from the noise source has any idea how loud the noise is at a property only 450 feet away. And I do not think that a person living 1,600 feet from noise source will be affected nearly as much by the increased noise levels that will surely come from the camp as it expands as someone living only 450 feet away who is already experiencing noise some 28 decibels louder. An equivalent issue exists for light pollution where some properties have direct line of sight and many are totally shielded.

My point is that I believe the zoning process should take into account sound attenuation maps and lighting line of sight maps that consider sound sources, sound attenuation, sound levels, and perceived light levels in surrounding communities. Though I am not a sound or lighting engineer, I am an experienced engineer and scientist, as well as a federally trained topographer and terrain analyst who would be willing to help in devising such maps for the zoning board to use in determining the most affected surrounding properties. I believe that approaching the issues from a scientific basis rather than a tax map basis, or at least as an adjunct to the tax map basis would provide for outcomes more acceptable to all parties.

Regards,

Steve Shenefiel
LTC, US Army Corps of Engineers, Retired

We oppose rezoning of United Christian Youth Camp

Ruth Perkins [ruthperkins@cableone.net]

Sent: Sunday, July 26, 2009 2:37 PM

To: Bacon, Mike

Dear Mike,

We attended the hearing last Thursday evening regarding the expansion of United Christian Youth Camp. After thinking about the outcome of the meeting, we oppose any expansion of the facilities, including adding dorms and an RV park. We don't want additional traffic on Hassayampa Village Lane, we don't want thousands of people coming and going throughout the year using our precious water, we don't want more campers making campfires in a highly fire-prone area, and we don't want the extra noise and lights this expansion would create. We think this is bad for our quality of life and especially bad for our property values in Hassayampa. We don't see how allowing the Camp to grow will improve the current situation of noise and water usage and lighting. We believe the Camp should move to another area rather than expand in a highly populated residential area.

Thank you for your time and consideration.

Ed and Ruth Perkins
Pinion Peaks (Hassayampa)

United Christian Youth Camp

Dan Coleman [dccooleman@q.com]

Sent: Monday, July 27, 2009 3:08 PM

To: Bacon, Mike

Mr. Bacon,

My wife and I live on Bent Tree Trail, just across the 8th fairway of Hassayampa Golf Club from the United Christian Youth Camp (UCYC). We are positioned roughly equidistant between the two existing camps within UCYC.

We were surprised last Wednesday, July 22, when we received notice from your office regarding the Thursday, July 23 *courtesy review* of UNYC's rezoning request and master plan. While we appreciate the invitation to the *courtesy review*, we were shocked by the last minute nature of the notice. While I hope it's not the case, it certainly gives the impression of making only a token gesture toward the neighbors who are interested in and affected by the activities of this camp and its long record of failure to comply with the City of Prescott's noise ordinance.

Fortunately we were able to attend the meeting. However, we were again shocked to learn that the master plan is still under development and that it will be going to the Planning and Zoning Committee this Thursday, less than a week from the *courtesy review* meeting. This reinforces the appearance of trying to rush this project through without listening to those of us who are affected by the proposed significant expansion of this camp.

We are writing to request that you delay this process to allow affected residents to see and digest the completed master plan and to be able to provide the Planning and Zoning Committee and/or the City Council with our input on the plan.

Thank you for your consideration,

Dan and Paula Coleman

cc: Council Member Bob Bell
Council Member Bob Luzius

Dan Coleman
1633 Bent Tree Trail
Prescott, AZ 86303
928-443-7374

Mike Bacon
Community Planner
Community Development Dept.
Planning and Zoning Division
201 S. Cortez street
PO Box 2059
Prescott, AZ 86302

RECEIVED
JUL 27 2009
CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

July 27, 2009

Hi Mike,

As you are aware, numerous residents were not given proper notification as required by City regulations of United Christian Youth' Camp's rezoning proposal. This is reason alone to require a hearing delay.

In addition, when I visited with you last Thursday I understood you to say that the Planning Commission wants all comments one week prior to any hearing. The "information" meeting was not until that night, less than one week before the Planning Commission Meeting. We were given a response deadline that was impossible to meet.

Moreover, when I visited City Hall last Thursday to view the plans, they were removed for "revisions". The first opportunity we had to see the plans was at the "information" meeting. Even then we learned items such as an RV Park and a "tent" camp were missing from the plans.

I would strongly suggest the hearing be delayed so that the administrative timeline can be conducted in a reasonable manner. There should be at least a two week interval between the "information" and the Planning Commission meetings to give interested parties time to prepare comments. Also, the "information" meeting should not be held until the Camp has finalized its plans and no changes allowed afterwards unless all impacted parties are notified. For starters, we need another "information" meeting once the Camp has settled on their final plans.

When a Camp that has a long history of non-compliance with noise ordinances is asking to expand its facilities from 640 beds to over a 1,000, this is no time to rush the approval process without following proper procedures and giving impacted parties time to digest the proposal.

Sincerely,

Bill Jacobs

RECEIVED

JUL 27 2009

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

24 July 2009

Prescott City Council members,

Yesterday I attended the meeting concerning a zoning change to the United Christian Youth Camp. After thinking about their request, I strongly urge you not to approve their master plan of expansion. There are many reasons why:

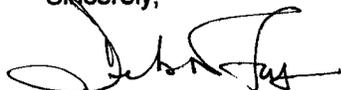
The church camp is in a residential area and its impact is quite harmful to the people who have homes in the area. The camp was begun in 1952, in an area called Cortez Park, a subdivision begun twenty years before that, in the 1930's. Obviously homes were impacted by the noise and traffic of the camp in the 1950's. However, the camp has continued to grow into a very large business despite being in a residential area.

The camp expansion of the 1990's occurred at the same time that the Hassayampa development was building homes and a golf course in the same area. UCYC is now surrounded by homes, not woods and wilderness areas for campers. Why would they want to impose more construction, heavy traffic and noise on residents of the neighborhood? Sadly, the center of the camp operation, with pool, huge dining hall and meeting hall are in the northwest corner of their property directly next to homes. Any additional building in this area would be unacceptable to the residents of these homes. Noise, dirt and industrial-strength light now emanate from the camp. I can't imagine the impact of doubling the camp capacity. It would make the area unlivable.

The council will have to decide if they want a large non-tax paying business to continue and grow in this neighborhood, degrading the quality of life for tax paying residents.

Please say no the United Christian Youth Camp master plan and encourage them to have a camp in the woods, not in an established neighborhood.

Sincerely,



Debra Favour
1300 Middlebrook Road
Prescott, AZ 86303
445-0698

*Please delay the hearing
process so neighbors
can be aware of the
possible master plan.*

To: City of Prescott Planning Commission
City of Prescott Council

August 5, 2009

Subject: United Christian Youth Camp Rezoning Proposal

RECEIVED
AUG 11 2009
CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

I strongly oppose UCYC's request for rezoning and will try not to duplicate points already covered by others.

1. Camps inability to conform to City regulations.
 2. Band music noise restriction policy.
 3. Use of Police Community Services.
-
1. At some point in the last 15 years the Camp had to realize they were no longer in a rural environment and residential areas would soon be surrounding them. They could choose to move, adapt to the City rules regarding neighborhood tranquility, or continue to operate as a Camp in the woods. They chose the latter. When complaints were made, they were sympathetic but only corrected problems when pressure was exerted: calling the Police, asking the assistance Police Community Services, or when requesting a rezoning change – band music suddenly ceased the day after the July 30th Planning Commission Study session. We live in a bowl directly across from their Camp Ponderosa. Sound seems to be amplified because of the topographical characteristics of the terrain. Their plan calls for extensive development around and in Camp Ponderosa. More bunks equate to a need for more outdoor activities and playground structures, and more noise. The Camp shouting is intolerable now. A 63% projected population increase in Camp size will bring the decibel count to an even more unacceptable level. This is particularly troublesome for the future given the Camp's previous 15-year practice of ignoring neighborhood complaints unless outside pressure is brought to bear.
 2. Three years ago working through the Police Department's Community Relations Department, the Camp finally corrected the band music noise nuisance. My understanding is their band music room was insulated which effectively muted all sounds produced from within. Only this year did the music return because I believe they were leaving the doors and windows open. A simple fix to the problem in the restricting language, if the rezoning is passed, is to require all band music be confined to the insulated room with all the doors and windows closed – a solution that has proven mutually satisfactory in the past.
 3. We have engaged Sgt. Ben Scott of the Police Community Services Department to assist us in resolving noise, fumes, smoke, and other aggravations homeowners are experiencing. We are not asking him to be our advocate. By hearing our concerns he can meet with the Camp and try to come to a satisfactory resolution of our differences. This process will be beneficial to all, whether the rezoning is approved or not, as it will make he Police Department aware of the Camp's resolution agreement and make compliance more likely.

Respectfully,

A handwritten signature in black ink, appearing to read "Bill Jacobs", written in a cursive style.

Bill Jacobs

1529 Conifer Ridge LN
Prescott, AZ 86303

928 771-3708

RECEIVED

37

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

July 27, 2009

Mike Bacon, Prescott City Council Members, Prescott Planning and Zoning, George Worley, Richard Mastin, and Gary Kidd.

I respectfully request that the Public Hearing scheduled for Thursday, July 30th at 9AM regarding the rezoning of the United Christian Youthcamp be re-scheduled as well as the subsequent meetings required in the process for the following reasons:

1. Many impacted property owners did not receive notice of last weeks initial meeting..
2. To allow impacted neighborhoods adequate time for study.

Thank you,



Sue Brugger
604 Cypress Dr.
Prescott, Az. 86303
445-0731

FW: Rezoning of Christian Camp

Guice, Tom

Sent: Tuesday, July 28, 2009 2:20 PM

To: Bacon, Mike

for the file ...

From: Wilson, Jack

Sent: Tuesday, July 28, 2009 2:17 PM

To: Guice, Tom

Subject: FW: Rezoning of Christian Camp

Tom,

Did not see you cc'd on this, hence the forward.

Mayor Wilson

The young do not know enough to be prudent, and therefore they attempt the impossible -- and achieve it, generation after generation. – Pearl S. Buck

-----Original Message-----

From: Crouse, Patti

Sent: Tuesday, July 28, 2009 2:04 PM

To: Elected Officials

Subject: Rezoning of Christian Camp

Patti Crouse,
Executive Assistant

City of Prescott

(928) 777-1380

-----Original Message-----

From: kentbyington@msn.com [<mailto:kentbyington@msn.com>]

Sent: Tuesday, July 28, 2009 1:49 PM

To: Crouse, Patti

Subject: Rezoning of Christian Camp

Attention: City Council Office

The camp next to Hassayampa has been problematic for years. There are issues with noise and trespass. Allowing the problem to continue is not wise, but nearly doubling its size is beyond foolish. They pay no taxes, employ virtually no locals, and serve Las Vegas and Phoenix not our local area. Please vote no on the rezoning request!

From: Kent Byington

United Christian Youth Camp

Dan Coleman [dccooleman@q.com]

Sent: Monday, July 27, 2009 3:08 PM**To:** Bacon, Mike

Mr. Bacon,

My wife and I live on Bent Tree Trail, just across the 8th fairway of Hassayampa Golf Club from the United Christian Youth Camp (UCYC). We are positioned roughly equidistant between the two existing camps within UCYC.

We were surprised last Wednesday, July 22, when we received notice from your office regarding the Thursday, July 23 *courtesy review* of UNYC's rezoning request and master plan. While we appreciate the invitation to the *courtesy review*, we were shocked by the last minute nature of the notice. While I hope it's not the case, it certainly gives the impression of making only a token gesture toward the neighbors who are interested in and affected by the activities of this camp and its long record of failure to comply with the City of Prescott's noise ordinance.

Fortunately we were able to attend the meeting. However, we were again shocked to learn that the master plan is still under development and that it will be going to the Planning and Zoning Committee this Thursday, less than a week from the *courtesy review* meeting. This reinforces the appearance of trying to rush this project through without listening to those of us who are affected by the proposed significant expansion of this camp.

We are writing to request that you delay this process to allow affected residents to see and digest the completed master plan and to be able to provide the Planning and Zoning Committee and/or the City Council with our input on the plan.

Thank you for your consideration,

Dan and Paula Coleman

cc: Council Member Bob Bell
Council Member Bob Luzius

Dan Coleman
1633 Bent Tree Trail
Prescott, AZ 86303
928-443-7374

RECEIVED

JUL 28 2009

July 29, 2009

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

George Wiant, Chairman
Planning & Zoning
City of Prescott
P. O. Box 2059
Prescott, AZ 86302

Re: United Christian Youth Camp Rezoning

Dear Mr. Wiant:

Subsequent to the informal meeting held on July 23, 2009 regarding the above, many opinions have ensued from residents living in the vicinity of the Camp. It is notable that not "one" party has expressed agreement for this proposal.

Mr. Mike Bacon, in a correspondence today stated that the Camp had addressed and "resolved" the noise issue. This is simply not so. I have to say that this IS the main issue concerning residents in this area and was the main topic of discussion at the meeting held on July 23, 2009.

No one living here denies children having fun in a camp setting. However, when residents cannot live in "peaceful enjoyment" in their home due to the noise level, I feel this must be addressed in a direct and positive manner. The City of Prescott does have a noise ordinance and this Camp does not adhere to it.

Thank you for your kind attention.

Sincerely,



Joan Klein
1692 Bent Tree Trail
Prescott, Az 86303

Cc: Mike Bacon

RECEIVED

AUG 05 2009

August 5, 2009

City Fathers,

CITY OF PRESCOTT COMMUNITY DEVELOPMENT

An absolute no to the re-zoning of the United Christian Church Camp.

Look at an aerial map of the area and you will see that UCYC is surrounded by homes. These homes are owned by the folks who pay property taxes. That revenue provides services for the City of Prescott. UCYC pays no property taxes.

The camp is now in the middle of suburbia. If the City allows this large business to grow larger, it will be looking at perpetual conflict in the future. I pity the urban kids who come to a camp in the middle of a town. I love the children, but this is no longer a wilderness. It hasn't been for many years. They need the physical space to run around without the restraints of an established housing area.

I was lucky enough to grow up in this neighborhood when it was the edge of town. Things change as they always do, but the old neighborhoods of my hometown of Prescott are being short-changed by new growth. The sign coming into Prescott reads "Everybody's Hometown." Pretty soon you can change it to "Everybody Else's Hometown."

My name is Jock Favour. I live on a piece of land that has been in the Favour family since 1932. It borders on the west with UCYC. I built my home here in 1976, choosing to live in my old neighborhood. My 87-year old father lives at 1415 Linden Road. He built his home in 1950. It now borders the camp which was established in 1952. I grew up with the camp and experienced its growth. Under the sheltering wing of a non-profit concern, UCYC has mushroomed into its current entity. And it's not just a few folks singing hymns. Ask anyone who happens to live next to this business.

Please make a wise choice for the long term quality of life of our neighborhood. Do not approve the proposed Master Plan for the United Christian Church Camp.

A cranky old native,



Jock Favour
1300 Middlebrook Road

RECEIVED

AUG 05 2009

August 5, 2009

CITY OF PRESCOTT

To: Mike Bacon, City Planner
City of Prescott Planning and Zoning Commission

COMMUNITY DEVELOPMENT

CC: City of Prescott City Council

From: Amy Hurst and Steve Shenefiel, 1533 Conifer Ridge Lane, Prescott, AZ 86303

Subject: Rezoning Request by United Christian Youth Camp

We strongly urge the Planning and Zoning Commission to give very careful and thorough consideration to the United Christian Youth Camp's (the camp) rezoning request and Master Plan as this decision will severely impact a number of neighboring homeowners and may set a precedent for several other camps in town. We also strongly urge that the Commission specifically solicit and give due consideration to input from highly impacted neighbors.

This letter discusses three issues that we believe are very relevant to the Commission's deliberations:

1. Compatibility of the camp with the characteristics of the surrounding neighborhoods;
2. Noise and light pollution; and
3. Benefit to the community.

1. Compatibility of the Camp with the Characteristics of Surrounding Neighborhoods

The camp is already incompatible with the quiet, residential character of the existing surrounding neighborhoods and we believe that expansion of the camp will make it even more incompatible with its neighbors.

We acknowledge that the camp was established in the 1950s before Hassayampa Village was built. However, at the current time the camp is virtually surrounded by quiet residential neighborhoods. It appears that there are at least 60 residential properties that are within 300' of the camp perimeter or that are just beyond 300' but that have a direct line of sight and sound to the camp. Additionally, there are several other homes more than 300' from the perimeter of the camp that are relatively close to, and therefore highly impacted by, the noise sources and whose owners are disturbed by the noise.

Many of these homes are on quiet residential streets and many of the residents are retired people who chose to come to Prescott and these specific neighborhoods because they are residential and quiet. It is our understanding that at least three neighbors of the camp have moved because of the noise and light pollution coming from the camp and we know of at least two families who are considering moving because of it now.

We acknowledge that the camp pre-dates some of these homes that but it is a fact that the neighborhoods are there now and the people who live in those homes have the right to the quiet enjoyment of their property.

Even the camp director acknowledged at the informal informational meeting on July 23 that he is looking for a place in a remote area where he could relocate the camp and that it is really not suitable to have an outdoor camp for children in the middle of a residential area. Many camp neighbors agree with this assessment and oppose the expansion of the camp that will inevitably

follow rezoning because it will make the camp even more incompatible with the quiet, residential character of the existing surrounding neighborhoods.

2. Noise and Light Pollution

The camp already produces a tremendous amount of noise and light pollution and we and many other camp neighbors are extremely concerned that any expansion of the camp will exacerbate an already very difficult situation, making living in the vicinity of the camp virtually intolerable.

The purpose of this discussion is not to whine about past problems with noise and light pollution. Rather, its purpose is to use the past to illustrate our concerns about the future. We and many neighbors already are often deprived of the quiet enjoyment of their homes and we can only imagine the noise that we may be subjected to if the camp is allowed to expand. Can you even imagine the sound of 1,000 screaming children attending a rock concert in an outdoor amphitheater located some 500 feet from your home?

We believe the camp already frequently violates Chapter 5-4 of the City Code which prohibits loud noise. Specifically, Section 5-4-1 states ...“The creating, permitting, or allowing or any unreasonably loud and disturbing noise within the city limits is hereby prohibited.” The section defines an unreasonably loud and disturbing noise as “noise of such character, intensity or duration as to disturb the public peace and quiet of a neighborhood, family or person. (Ord 4053, 11-14-2000).” To many neighboring homeowners, the noises that come from the camp – the screaming, the bands and drums, the droning of buses and generators, the occasional fireworks – already violate this ordinance and we fear that allowing expansion of the camp will only increase a problem that is already overwhelming to us.

We acknowledge that at the July 30 Planning and Zoning meeting some homeowners stated that they enjoy the camp noise. We would note that in stating they enjoy the noise, they are acknowledging that there is noise. And we would ask the Commission to consider that what is perceived as the pleasant sound of children playing in one location may be perceived as maddening screaming at a location nearer to the source of the noise. Sound attenuation over distance is logarithmic. There is also attenuation from foliage, rock outcrops, hills, and other homes or structures. Using standard noise attenuation tables, one can calculate the difference in noise levels at various distances from the source of noise. For instance, the difference in the noise level 450 feet from a noise source (about the distance from the Ponderosa Village pool to our home at 1533 Conifer Ridge Lane) versus the noise level 1,630 feet from a noise source (about the distance from the Ponderosa Village pool to 630 Cypress where one person who likes the noise lives) is about 28 decibels. To put that in perspective, a difference of 30 decibels is the difference between a chain saw and a business office, or the difference between heavy truck traffic and a library. The point of this discussion is show that what the human ear hears is significantly different depending on the distance from the noise source and the buffering characteristics in between. Therefore, we urge the Commission to give input from highly impacted homeowners more weight than input from others and to also consider a property’s distance from the noise source rather than just from the perimeter of the camp.

Several years ago some camp neighbors tried to address the noise issue. After getting no relief by trying to work directly with the camp, they went to the City. Then City Attorney, John Moffat, ruled that despite having “been there first” the camp must comply with City noise ordinances. Similarly, an article on the front page of the August 2, 2009 edition of the *Arizona Republic* reports that, despite a vague city noise ordinance, a Phoenix Municipal Court recently

held in favor of neighbors over a church whose frequent bell-ringing disturbed them. The judge stated that a person's right to enjoy his home is inviolate and required the church to severely restrict the time and duration of its bell-ringing.

We urge the Commission to take these rulings into account and give due weight to the rights of neighboring home owners as it considers the camp's request for rezoning and its Master Plan.

While somewhat less bothersome than the noise, the camp also uses unshielded high-intensity lighting that causes light trespass onto some neighboring properties. We understand that these fixtures are grandfathered but these lights are clearly inconsistent with Prescott's (and the state of Arizona's) dark sky policies and the low light standards of many surrounding neighborhoods. Again, we are most concerned about the massive increase in light trespass that may result from the many new cabins, outdoor recreational facilities (such as basketball courts and a skate park), parking lots, meeting facilities, and an amphitheater that the camp may install if the rezoning request is granted.

We respectfully request that the Commission protect camp neighbors from this possibility.

3. Benefit to the Community

The third reason for our opposition to the rezoning request is that we do not believe it presents a net benefit to the community.

According to the camp director, the children who come to the camp are not local – they come mostly from The Valley or Las Vegas. The camp director has indicated that some campers stop in town to eat or buy things, but it is our understanding that most campers are children who are transported to the camp in vans or buses and who spend the bulk of their time and eat all their meals at the camp. And since the camp is tax-exempt, we do not believe it provides substantial revenue to the City of Prescott.

Of course, the camp does employ some 40 or so people, although many of those are only seasonal. An expansion of the camp would likely result in an increase in staffing requirements but it is our understanding that most campers come with their own chaperones/counselors so the increase in camp employees probably would be less than proportionate with the increase in the number of beds. Additionally, we would note that, while it is an admirable calling, camp jobs are not well-paying and do not substantially contribute the economic benefit of Prescott.

The camp director also indicated that the current buildings were mostly built by volunteers and that the new gymnasium that triggered the rezoning request would be donated, so it does not appear that the expansion would create construction jobs.

On the other hand, expansion of the camp will create more noise pollution, more light pollution, and more traffic. Expansion of the camp will endanger green space and wildlife habitat in very close proximity to the environmentally sensitive Aspen Creek. Further, more campers will use more water.

Expansion of the camp will also significantly erode the quality of life for many of the camp's neighbors – who are Prescott residents and taxpayers.

We also believe it may seriously reduce property values. Allowing expansion of this camp will likely discourage the building of new homes in the vicinity of the camp and will negatively impact the value of existing neighboring homes. Further, it may discourage development near other camps and similarly discourage the building of new homes or the purchase of existing

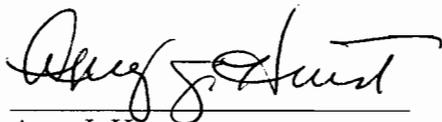
homes that neighbor those camps. This could have a significant negative impact on Prescott property values and tax base.

Taken together, we believe that any benefits that may accrue from allowing the camp to expand are more than offset by problems this expansion would cause.

Summary

In sum – we urge you to deny the camp’s request because an expanded camp:

- will not be compatible with the characteristics of the quiet, residential neighborhoods that surround it;
- will increase already existing noise and light pollution; and
- will not provide a net benefit to the community.



Amy J. Hurst
1533 Conifer Ridge Lane



Stephen E. Shenefiel
1533 Conifer Ridge Lane

RECEIVED

AUG 06 2009

Re: United Christian Youth Camp

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

August 1, 2009

To the Planning and Zoning Department :

We live across from the United Christian Youth Camp in Hassayampa. The noise has become progressively worse during the last 5 years since we have been here. We moved away from the noise of the city to the Hassayampa area expressly because it was so quiet. However, this year the noise level of camp and the yelling of the children as well as the adult coaches have become increasingly loud, competitive and aggressive. We cannot eat out on our deck during the summer and have to keep all doors and windows closed to keep the noise level down. Since our home only has windows and deck in the back where the camp is, we have become severely restricted in our own summer time activities.

We spoke with Mike Bacon and were advised to talk with the manager of the camp, Greg Mengarelli directly. We did meet with Greg, a very affable gentleman, and told him of our concerns about the camp expanding as well as the current noise level. We wish Greg all the best, but feel that we need to get back to the peace and the quiet that we moved here for.

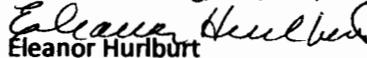
Expanding the camp would only make a bad situation unbearable for us. The camp children who play on the golf course and roam our yards are a safety risk. The noise level affects our lifestyle and decreases our property value. Therefore, we respectfully request that the proposed expansion not be allowed.

Thank you very much.

Sincerely,



Susan Armstrong, MA, LPC, NCC



Eleanor Hurlburt

1597 Conifer Ridge Lane

Prescott, AZ 86303

928-771-2079

RECEIVED

AUG 06 2009

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

August 5, 2009

Dear Planning and Zoning Members: George Wiant, Joe Gardner, Tom Menser, Don Michelman, Len Scamardo, Seymour Petrovsky, Community Planner- Mike Bacon, Development Services Director: Richard Mastin, Asst. Community Development Director: George Worley,

My name is Gerald Walters. I live at 604 Cypress Dr. My property adjoins that of the United Christian Youth Camp. Because of the noise already emanating from the camp, I would be opposed to the camp being enlarged.

Thank you,

A handwritten signature in black ink, appearing to read "G. Walters", written in a cursive style.

G. Walters

RECEIVED

August 5, 2009

AUG 06 2009

To: *George Matt: P: 2*

CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

Please say NO to the re-zoning of the United Christian Youth Camp from MF-H to SPC and NO to any plans for expansion. These are the reasons:

1. Our neighborhood is in an area called Cortez Park, a sub-division begun in the 1930's, not unlike the historic Oregon Ave. area. The UCYC began in 1952, and over the years, the camp has continued to grow into a very large business despite being in a residential area. Currently, the forest has been removed and the camp is surrounded on all sides by homes in close proximity. This large scale business is no longer compatible with the integrity and character of the existing neighborhoods.
2. A longstanding noise issue is exaggerated here because of the prevailing southwest to northeast winds, and because of unique air currents on Aspen Creek, and also the removal of forest vegetation for development. The camp is positioned in a way that amplifies sound for residents north and east. For example:
 - a. On July 27th, while walking my dog at 8:30PM, the sounds of the paintball guns and screaming crowd could be heard at the corner of Linden and Cherry, a full 2 city blocks to the east of the eastern camp boundary!
 - b. From our bedroom window, my husband and I can hear people speaking in a conversational tone from the east boundary of UCYC, a full 300 feet away! At times we are not able to have windows open or enjoy the patio.
3. Over the last 16 years that we have owned our property, the UCYC management has repeatedly demonstrated a lack of desire to be a considerate neighbor.

Since 1998, I have been speaking with UCYC staff, Greg Mengarelli, Prescott Police Dept., Code Enforcement, and neighbors about the noise from UCYC. In one of my earlier calls, a police dispatcher remarked: "We're used to this. It happens every year." As early as 1999, there is documentation by Mr. Graham Hollenbeck and the City Attorney re: noise.

It has only been in the last year or 2 that outdoor amplification for rock bands and speeches has ceased and only when law enforcement has been involved.

Up to the present time, our neighborhood continues to be subjected to industrial pollution in the form of diesel fumes and noise from Shamrock and Cisco delivery semi-trucks, buses, industrial strength refrigeration and ventilation systems, air horns, loud speakers, paint-guns and crowd screaming from early in the morning until late at night. There is a distinction between these commercial noises and the pleasant sounds of children playing.

Interestingly enough, we have another church camp, Chapel Rock, directly across the street from us who seem to be very considerate of neighbors.

4. The situation with UCYC bears little resemblance to other Specially Planned Communities such as Hassayampa and Prescott Lakes where neighborhoods are incorporated into the plan. Even in Pioneer Park, activities are located a great distance away from homes.

The Prescott General Plan adopted in 2004 states in Section 4.4: Future Challenges- Balancing Community Values: "When considering neighborhood conflicts, not of a community-wide impact, the concerns of the neighborhood will be the primary consideration."

In summary, this is an issue of zoning, not one of ideology or the good works of an organization. Please do not abandon your tax-paying homeowners in favor of a non-taxpaying business enterprise catering to people mostly from out of the area. Please vote NO to rezone UCYC to SPC and NO to all camp expansion.

Respectfully submitted by,



Sue Brugger
604 Cypress Dr.
Prescott, Az.
445-0731

SUP 09-003
Special Use Permit
Eco3Oil Change
Downtown Business District (DTB)

Agenda # 4

COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION
PLANNING and ZONING COMMISSION
STAFF REPORT
8-13-09 Public Hearing

TO Planning Commission Members

FROM Tom Guice, Community Development Director
George Worley, Assistant Community Development Director *EW*
Ryan Smith, Community Planner *RS*

DATE 8-6-09 **APN** 109-02-046A

SUBJECT Special Use Permit to Allow For Automotive Service in the DTB District,
SW corner of Montezuma Street and Goodwin Street

PROPERTY OWNER

Brad Christensen - Montezuma-Goodwin, LLC
3599 Lee Circle
Prescott, AZ 86301

APPLICANT

Diane Rosito - Eco3Oil
742 Moeller Street
Prescott, AZ 86301

Request

This is a request for a Special Use Permit (SUP) to allow for an auto service business located at 202 Montezuma Street. The existing structure includes 3 service bays. The building was once an automotive fuel station and was most recently used as the Enterprise car rental business. The business is proposed to operate with all 3 service bays and is located in the Downtown Business District (DTB). Auto service/repair businesses require a SUP in the DTB. The previous auto service (gas station) business predated the DTB and ceased operation for a period longer than 12 months, therefore, the reintroduction of auto service requires an SUP (LDC Section 10.2.3 and Use Table 2.3).

Parking Requirements

The existing parking lot has been excavated as part of the gas station remediation process in this area. Paving and striping of the lot is an LDC requirement. The applicant will resurface the parking lot to accommodate 15 vehicles. Parking requirements for auto repair businesses occur at 4 spaces per repair bay, including the bay. The 3 usable bays require a total of 12 spaces. The site plan shows 15 regular spaces plus the 3 bays for a total of 18 full sized spaces.

Typically parking for an auto repair business is required to be setback at least 10' from all right-of-ways and 5' from all other property lines (LDC 2.4.9). Given that this property has

an existing building and was once an auto service and repair business, a wavier to the parking lot setback requirements is requested.

Also, maneuvering areas for parking spaces are required to be 24'. The applicant is proposing 19' of maneuvering area behind several spaces due to the small existing parking lot design.

Landscape Requirements

LDC Section 6.5.6. includes provisions for landscaping along parking lot perimeters. The typical requirement is for landscape strips 10 feet wide along the street and 5 feet wide along other property lines. In this situation the requirement cannot be met and a wavier is requested. The LDC does provide some flexibility in this regard. The applicant is proposing to landscape the existing concrete planters that are in the sidewalk ROW.

Historic Preservation

As part of the SUP process, the Historic Preservation Commission will review this application on Friday, August 14, 2009. The property has been vacant for several years. It is the former location of a gas station and later, "Tune-up Masters". This property is not listed in the National Register of Historic Places but is within the boundary of the Courthouse Plaza Historic Overlay District #1.

Floodplain

This site is not located within the FEMA designated Granite Creek Floodplain.

Special Use Criteria

LDC Section 9.9.5 provides Special Use Review Criteria. The City Council may approve an application for a special use where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the public. The Council shall consider the following criteria in its review.

A. Effect on Environment

The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property, *Acknowledging the gas station remediation issues as described above, there are no known environmental detriments.*

B. Compatible with Surrounding Area

The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to scale, height, landscaping and screening, lot coverage and density. *Acknowledging the parking and landscape limitations as described above, the existing business and the expansion are generally viewed as compatible with the area.*

C. External Impacts Minimized

The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard,

or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

It is a given that an auto service business will generate some noise and possibly fumes. However, the proposed business does not appear to negatively impact the area.

D. Infrastructure Impacts Minimized

The proposed use shall not have negative impacts upon existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

There are no known impacts to infrastructure.

E. Consistent with the General Plan and Code

The proposed use will be consistent with the purposes of this LDC, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located.

Acknowledging the parking and landscape limitations as described above, the existing business and the expansion are viewed as consistent with the LDC and the General Plan.

F. Parcel Size

The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

This is a use of an existing structure on an existing site. No additional land is available.

G. Site Plan

The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.

The site plan has been modified in relation to comments provided at a pre-application conference, 7-9-09.

AGENCY AND PUBLIC COMMENTS:

The application has been reviewed by various City departments with no objections noted. No public comment had been received at the time of this writing.

STAFF RECOMMENDATION

Staff is recommending approval of this Special Use Permit

ATTACHEMNTS

Site Plan

Narrative Letter

SUGGESTED MOTION

Move to approve SUP09-003, allowing for an auto service business located at 202 Montezuma Street with the following conditions:

1. The required setback of 10' from all right-of-ways and 5' from all other property lines for parking areas shall be waived.
2. Provisions for landscaping along the parking lot perimeter for landscape strips 10 feet wide along the street and 5 feet wide along other property lines shall be waived. Existing planters along the sidewalk ROW must be landscaped in a manner consistent with other landscaping in the downtown area, maintained by the business operator or owner and shall be kept weed free.
3. Maneuvering area for parking shall be not less than 19'.

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE IN A WRITTEN NARRATIVE DESCRIBING THE PROJECT:

Eco 3 Oil change is a new business that focuses on providing consumers an alternative oil change that will help protect the environment by reducing waste oil, packaging and needless oil changes by allowing vehicles to safely extend drain intervals to a minimum of 15,000 miles or 1 yr. This will save time and money for the consumer. Our motto is "Save Time, Save Money, Save the Environment What could be better?"

The corner of Goodwin + Montezuma (the old Enterprise Leasing) has been vacant for some time and would provide an excellent location to introduce Eco 3 Oil change.

No Structural changes are needed. The building will look clean and professional after the remodel and the parking lot will be paved to look great. My hobby is landscaping and I plan to landscape the existing planters along Goodwin + Montezuma to beautify that corner.

Therefore, I am requesting a waiver for the ~~10'~~ 10' wide section of the parking lot along Goodwin + Montezuma to be landscaped. This would decrease my parking area significantly and be costly.

My signage will be professional looking and clean. The building will be painted. The "White door" will be removed.

"This will be an upscale business - not a Tacky oil change business"
"100% Woman owned + ENVIRONMENTALLY FRIENDLY"

Eco 3 OIL CHANGE - "SAVE TIME, SAVE MONEY, SAVE THE ENVIRONMENT"

(Attach additional sheets if necessary)

WHAT COULD BE BETTER?