



PLANNING & ZONING COMMISSION AGENDA

PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
THURSDAY, SEPTEMBER 8, 2011
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, SEPTEMBER 8, 2011, 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

Tom Menser, Chairman
Joe Gardner
Tim Greseth

Ken Mabarak
Don Michelman
George Sheats
(Len Scamardo, leave of absence)

III. REGULAR ACTION ITEMS

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

1. Consider approval of the minutes of the July 14, 2011 regular meeting / public hearing.

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

IV. PUBLIC HEARING ITEMS

(May be voted on today unless otherwise noted).

2. **PP10-002 (Terrace View South Subdivision), 1302 Terrace View Drive.** APNs: 116-18-066E, 116 - 18-080, 116-18-083 and totaling ± 18.6 acres. Zoning is Single-Family 9 (SF-9). Request preliminary plat approval for 40 single-family homes. *LDC* Sections 9.10 and Table 2.3. Owner/applicant is Albert M. Coury, Sr., Qualified Trust. Community Planner is Ryan Smith (928) 777-1209.

IV. CITY UPDATES

3. **2011 General Plan Checkpoint**

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 September 2, 2011 at 4:00 p.m. in accordance with the statement filed with the City Clerk's Office.



Kathy Dudek, Administrative Assistant
Community Development Department

PLANNING & ZONING COMMISSION
REGULAR MEETING / PUBLIC HEARING
THURSDAY, JULY 14, 2011
PRESCOTT, ARIZONA

MINUTES of the PRESCOTT PLANNING & ZONING COMMISSION held on JULY 14, 2011 at 9:00 AM in COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA. Notice of this meeting was given pursuant to *Arizona Revised Statutes*, Section 38-431.02.

I. CALL TO ORDER

Chairman Menser called the public hearing to order at 9:00 AM.

II. ATTENDANCE

| | |
|---|---|
| MEMBERS PRESENT Tom Menser, Chairman Len Scamardo, Vice Chairman Tim Greseth Ken Mabarak Don Michelman George Sheats | OTHERS PRESENT George Worley, Planning Manager Chris Hosking, Parks & Rec Maintenance Technician Kathy Dudek, Administrative Assistant and Recording /Transcribing Secretary to the Commission |
| MEMBERS ABSENT Joe Gardner | COUNCIL PRESENT Jim Lamerson, Council Liaison |

III. REGULAR ACTION ITEMS

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

1. Consider approval of the minutes of the June 30, 2011 regular meeting / public hearing.

Mr. Michelman, **MOTION:** to approve the minutes of the June 30, 2011 regular meeting/ public hearing. Mr. Sheats, 2nd. Vote: 6-0.

IV. PUBLIC HEARING ITEMS

(May be voted on July 14, 2011 unless otherwise noted).

2. **MP11-001, Master Plan Amendment, The Preserve at Prescott (Downer Trail)**, a Planned Area Development, amending the number of lots in Phase Four, changing the proposed housing type of Phase Four, and providing for public ownership of the open space tracts with trail connectivity. LDC Section 9.3. Existing Master Plan covers 146 acres zoned SF-18 (PAD) and contains 144 platted Lots. Owner is Westridge Preserve, LLC. Applicant is Tom Devereaux. City Planner is George Worley. *(May be voted on July 14, 2011).*

Mr. Worley reviewed the staff report and indicated:

- the item was discussed at the June 30, 2011 meeting;
- originally "The Preserve" was platted as "Downer Trail"
- the applicant wishes to shift the units with no increase in the number of lots; and,
- there will be 144 lots.

No members from the public came forward to speak.

Mr. Greseth, **MOTION: to recommend approval** of the amended Master Plan of the Preserve at Prescott (MP11-001) as presented and dated April 13, 2011. Mr. Mabarak, 2nd. **Vote: 6-0.**

V. CITY UPDATES

None.

VI. SUMMARY OF CURRENT OR RECENT EVENTS

None.

VII. ADJOURNMENT

Chairman Menser adjourned the public hearing at 9:04 AM.

Tom Menser, Chairman

Preliminary Plat for “Terrace View South” PP10-002

COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION
PLANNING AND ZONING COMMISSION

Staff Report

Planning Commission Dates: September 8, 2011 (Voting Session)

TO: Prescott Planning and Zoning Commission

FROM: Tom Guice, Community Development Director 
George Worley, Assistant Director 
Ryan Smith, Community Planner 

DATE: September 1, 2011 **APN:** 116-18-066E, 080 & 083 **ZONING:** SF-9

Owner and Agent: Yvonne Coury Survivors Trust, Thomas A. Coury Sr.
PO Box 20850
Mesa, Arizona 85277

PROJECT PROPOSAL

This Preliminary Plat application features a 40 unit single family home subdivision located on Terrace View Drive. The project site consists of 3 tax parcels totaling 18.62 acres. The main parcel of 14.81 acres is part of the Winn subdivision. The remaining 2 lots are metes and bounds parcels. A single access point is proposed from Terrace View Drive. The plat notes state that each home shall be required to have a fire suppression sprinkler system. The SF-9 zoning district allows for residential lots of this size. No waivers are being requested. The plat has met all requirements of the Land Development Code for subdivisions.

CONSISTENCY WITH THE GENERAL PLAN

The project is consistent with the 2003 General Plan showing the area as low to medium residential, which allows for residential lots of this size subject to the overlying zoning district. The subject property is not within any neighborhood or corridor plan area.

NEIGHBORHOOD COMPATIBILITY

The proposed development is compatible with the greater neighborhood area. Other single-family development has occurred on adjacent lands zoned SF-9 and SF-12.

SURROUNDING LAND

| Direction | Zoning | Land Use |
|-----------|--------------|----------------------------|
| North | SF-9 | Single Family Homes |
| South | Federal Land | Yavapai Indian Reservation |
| East | SF-12 | Single Family Homes |
| West | SF-9 | Single Family Homes |

PREVIOUS COUNCIL ACTION

The area was annexed into the City on June 25, 1973. The Winn subdivision plat was recorded on June 14, 1977.

EXISTING SITE AND AREA CONDITIONS:

Water and sewer service will serve the property from Terrace View Drive to the northwest. The project area was an apple grove at one time, but is relatively flat and is not subject to Hillside regulations. It is not in a FEMA flood zone area. There are 3 existing homes that will be abandoned and removed.

DEPARTMENT AND AGENCY COMMENTS

Comments were provided to agencies during the initial review process. No major issues have been identified on the proposed plat. Fire, Public Works and Engineering Services have reviewed the current proposed plat with no objections indicated. It has been determined that a Traffic Impact Study is not needed for this project.

PUBLIC COMMENTS

The plat application has been submitted under existing zoning with no waivers requested. No public advertising is required, however, adjacent owners of record were notified as a courtesy. Written comments (attached) have been received from adjacent property owners - Mike Fann and Jack Wilson. Additional written comments were received from Dr. Wayne Bennett and Jack & Barbara Newman, who are not adjacent property owners, but who were contacted by neighbors. Their concerns include fire safety, the single access point, City street standards, easements, drainage and fencing issues. Verbal comments were received from Rob Furlong, who had concerns regarding Winn subdivision CC&R's limiting lot size to one acre, and, Terrace View Drive traffic safety particularly at the 90 degree turn as you approach the entrance to the subdivision.

FINDINGS

Public Works/Engineering Services have reviewed the plat and have indicated that the proposed development does not trigger a need for traffic study. Terrace View Drive does not have any known traffic safety issues that would make it unsuitable to handle the increased traffic from the proposed development. The development does not require a Traffic Impact Analysis as it does not generate more than 100 peak hour trips (31 AM peak, 42 PM peak hour trips) and the impacts are expected to be minimal on the operation of the existing roadway network and intersection controls.

The proposed project area does not encompass Federal Waters. As local drainage only, it is not affected by Section 404 of the Clean Water Act. During the final plat process, the engineer of record will provide a Drainage Report and Analysis of the proposed development to be reviewed and approved by Public Works/Engineering Services prior to approval by Council. Section 404 states that swales, small washes characterized by low volume, infrequent or short duration flow are not subject to the Army Corps of Engineers, Section 404 Permit process. The engineer of record will confirm the exemption with the drainage analysis. The engineer of record will also provide a Grading and Drainage Plan and a Drainage Report to demonstrate the proposed development will not adversely impact adjacent properties. The Grading and Drainage Plan and Drainage Report will be reviewed and approved by Public Works/Engineering prior to Final Plat approval by Council.

The Fire Department has determined that fire sprinkler systems in each home will provide adequate safety in place of a secondary access point. The Fire Code allows for a single access

point in subdivisions equal or less than 30 single family homes and allow for more than this number of homes when fire suppression sprinkler systems are required.

CC&R's are a private contract between neighbors, who agree to and sign them when purchasing a property. Municipalities do not participate or sign CC&R's and do not enforce CC&R requirements. The recordation of easements is required during the final plat process. The easement shall be created and shown on the final plat.

STAFF RECOMMENDATION

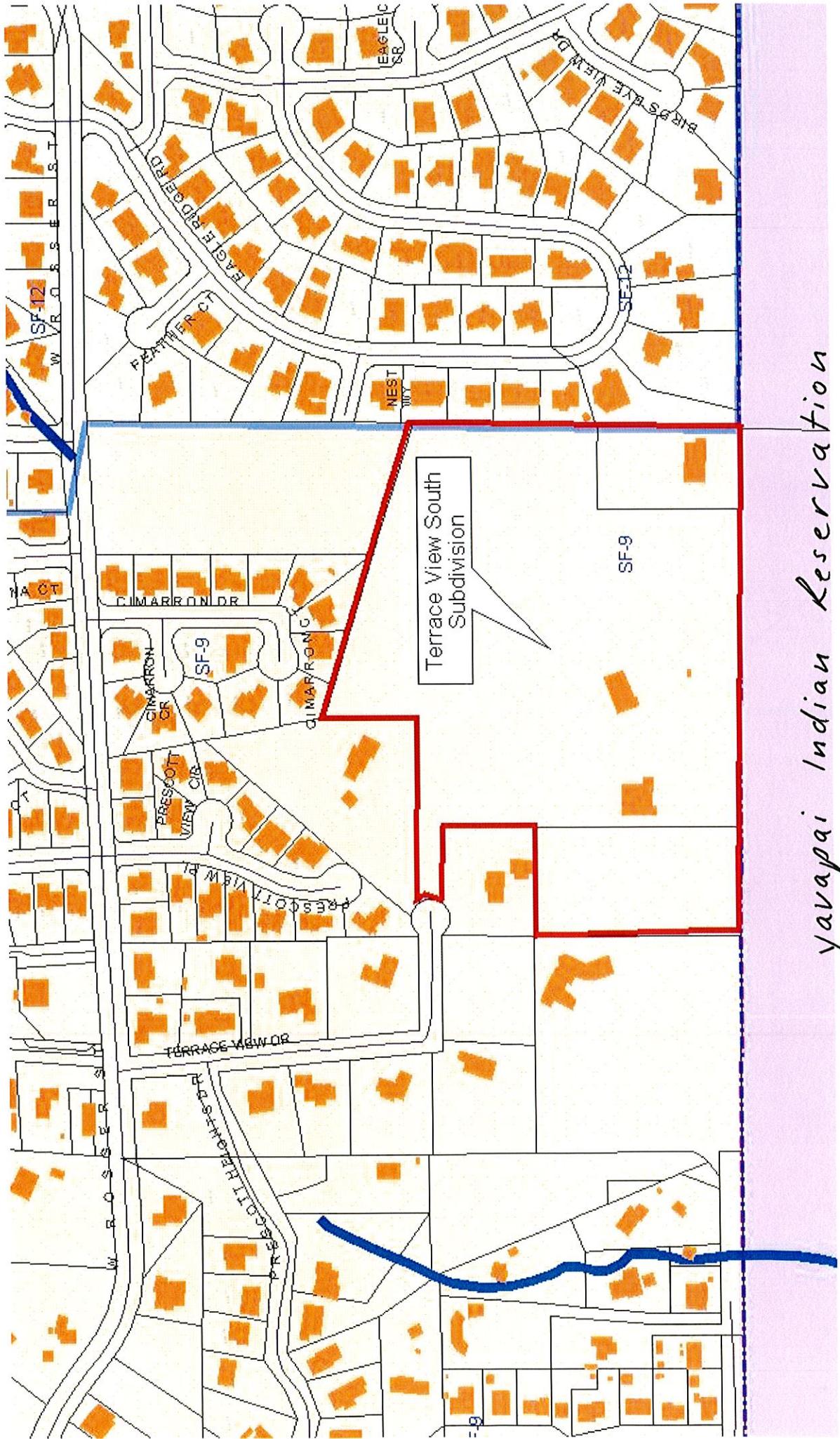
The applicant has provided for adequate movement of traffic, access, utilities and other practical considerations addressed in the Land Development Code. Arizona Revised Statutes provide that a subdivision must be approved unless there is a deficiency according to code. Therefore, staff supports a positive recommendation to Council for approval. There are no suggested conditions of approval.

SUGGESTED MOTION

Move to support a positive recommendation to Council for approval with no suggested conditions.

Attachments:

- Vicinity and Zoning Map.
- Proposed Preliminary Plat.
- Public Comments



Terrace View South
Subdivision

yavapai Indian Reservation

August 29, 2011

Ryan Smith, Community Planner
City of Prescott
201 S. Cortez Street
Prescott, AZ 86303
Phone 928-777-1209 Fax 928-771-5870

September 8, 2011 P&Z hearing on PP10-002 (Terrace View South Subdivision)

In reference to the above hearing I have the following comments:

1. The preliminary plat appears to show a single point of entry/exit from the proposed subdivision. There appears to be no provisions for a secondary exit, even an emergency secondary exit. This presents a potential danger to the subdivision inhabitants in the event of a fire.
2. I do not know when the elevations were mapped on the preliminary plat. However, a couple of years ago I called the city to complain about numerous truckloads (upwards of 50) of fill being brought onto the property without a permit. The center of the property is basically in a valley and large storms drain to its center. I want to ensure the property's drainage is not altered in any way that would cause drainage onto my property. My lot has approximately 300 feet of adjacent exposure to the proposed subdivision, hence my concern.
3. Currently, there is a chain link fence topped with barbed wire separating the Coury Farm from Eagle Ridge Phase 1. I would like to know what the intentions of the developers are concerning that fence.

Best regards,

Jack D. Wilson
1514 Eagle Ridge Road
Prescott, AZ 86301-5418
Phone: (928) 445-5137

Terrace View South Subdivision

Michael Fann [mfann@fanncontracting.com]

Sent: Tuesday, August 30, 2011 3:20 PM

To: Smith,Ryan

Please accept the following comments regarding the above proposed development:

1. The existing portion of Terrace View Drive, west of the proposed development, does not meet current City of Prescott standards and is insufficient to safely accommodate the traffic generated by the proposed development. Accordingly, the density should be dramatically reduced or existing Terrace View Drive should be improved to current City Standards.
2. Although the Preliminary Plat notes that the future structures will be equipped with fire sprinklers, there should still be secondary access for emergency personnel and an emergency exit plan for residents.
3. The Preliminary Plat identifies a "proposed" waterline easement. The Preliminary Plat should not be approved until the easement is procured.
4. The existing drainage facilities on the property discharge onto adjacent properties. Accordingly, a hydrological study should be performed and preliminary drainage facilities should be identified prior to approval of the Preliminary Plat.
5. It appears that more than .1 acres of existing drainage ways will be disturbed in this development. Accordingly, an Army Corps of Engineers, Section 404, Permit (or permit exemption) should be obtained prior to the approval of the Preliminary Plat.

Based upon the above-mentioned items, I respectfully request that the approval of the Preliminary Plat be denied.

Thank you, Michael Fann

RE: View South Subdivision Preliminary Plat hearing

drbennett [drbennett@cableone.net]

Sent: Thursday, September 01, 2011 9:23 AM**To:** Smith,Ryan

From: drbennett [mailto:drbennett@cableone.net]
Sent: Thursday, September 01, 2011 09:22
To: 'ryan.smith@prescott.az.gov'
Subject: View South Subdivision Preliminary Plat hearing

Dear Mr. Smith,

Thank you for returning my call this morning. This e-mail is, as we discussed, by way of follow up at your request relative to our phone conversation this morning.

I wish to go on record in this matter with various concerns.

1. I was not advised or notified of this hearing, nor was my input solicited. I only received notice of the hearing through the efforts of a neighbor. I was advised this morning by you that you were not required to send notification to anyone whose property did not immediately adjoin the subject parcel. The 40-unit subdivision being contemplated lies at the end of a cul-de-sac. There are only 6 residences on that cul-de-sac south of Prescott Heights Drive, including my home. It is rather clear that all of these properties will be impacted by the addition of 40 residences at the end of that cul-de-sac.

While I appreciate that your policy in this matter did not mandate that all of these properties be involved in the process, common sense and common courtesy should have, in my opinion, dictate that the 3 or 4 residents on the street whose properties do not actually touch the subject property should be involved. It concerns me that, while I am clearly a stakeholder in this matter, I was not involved in the process.

2. The preliminary plat in question calls for only one point of access to the 40 residential lots. This poses a significant health and safety risk. It is common practice to mandate that more than one access be available to subdivisions so that in the event that it becomes necessary to close off one access, another is available or evacuation or access by emergency vehicles. The result of this flaw of insufficient access would be an unacceptable health and safety risk to the neighborhood. For this reason the preliminary plat as proposed should be amended to provide a second access point.
3. I am advised that the road construction of the existing Terrace View Drive cul-de-sac actually does not meet street construction standards for the City of Prescott. While this does not pose a significant problem when there are only a few residences on the street and the mechanical load on the road surface is minimal, the addition of a significantly higher level of auto traffic on this road will most assuredly lead to accelerated deterioration. This impact is compounded by the point made above, that only one access is proposed for the subject subdivision. It would be inappropriate for the City of Prescott to approve a subdivision with the knowledge that the only access street did not conform to street engineering standards. Furthermore, ANY development downstream from the existing Terrace View Drive should include an official analysis of the integrity of the existing roadway.
4. The currently proposed plat, as mentioned, would inappropriately place a burden of traffic onto Terrace View Drive that would represent nearly 500% increase in traffic flow. Clearly, the turning of a quiet cul-de-

sac into a significant traffic route will adversely impact the property values of the existing homes along Terrace View Drive. While the developer/owner has the right to "improve" the subject property to its highest and best use in accordance with its existing zoning, such development must comply with safety requirements. The current plan, with only one point of access to the subdivision, will impose an unnecessary economic impact upon the current residents of Terrace View Drive, as well as a safety risk to the residents of the potential new subdivision.

I will look forward to attending the Thursday meeting in the Council Chambers at 9 am.

Sincerely,

Dr. Wayne Bennett
1350 Terrace View Drive

Re : Notice of Public Hearing Subdivision Preliminary Plat PP10-002 Terrace View South Subdivision)

Barbara Newman [barbnewman@cableone.net]

Sent: Thursday, September 01, 2011 2:45 PM

To: Smith,Ryan

Mr. Smith,

First let me express my outraged, as a resident of Terrace View Drive, of not being notified of the hearing. We can practically see the subject property from our back deck and I assure you we had no problem hearing the noise from the parties given at that property when it was occupied. I feel we should have had the courtesy of being informed of a project so large which will most certainly have a huge affect on the lives of the people who live on the small street of Terrace View Drive.

There is only one access to the subject property, which in our opinion will most certainly create a serious health and safety risk. The street is not equipped to handle that kind of additional traffic. In our opinion 40 additional homes would most likely be the cause of 80 additional vehicles using our small street. This is to say nothing of the large trucks and construction traffic needed to complete the project. It is common practice to mandate that more than one access be available to subdivisions of that size, so in the event it becomes necessary to close off one access, another is available for evacuation or access by emergency vehicles. The turning of a quiet cul-de-sac into a significant traffic route will adversely impact the property values of the existing homes along Terrace View Dr.

Due to the limited sight distance at the corner of Terrace View Dr. and Rosser, which already poses a traffic safety hazard, the increase of traffic using that intersection will undoubtedly increase the risk of traffic accidents.

We look forward to attending the Thursday meeting in the Council Chambers at 9 am.

Jack & Barbara Newman
1409 Terrace View Drive

Public Hearing Subdivision Plat PP10-002 Terrace View Subdivision

HARALD HANSEN [hjhaus@cablone.net]

Sent: Thursday, September 01, 2011 5:32 PM

To: Smith,Ryan

Mr. Smith

First of all I would like to express my disappointment that the city of Prescott deemed it not necessary to inform the residents of Terrace View Dr., except 2 adjacent owners, of the application whether required or not; there are at this time only 8 other occupied properties!!!!

One of my main concerns is the additional traffic of approx. 80 cars at least (2 per additional unit minimum). The street itself is not built for that much traffic, especially with a tight 90 degree negatively sloped corner. The need of construction trucks and mechanical equipment plus the workers coming and going to the construction sites will ruin the existing residential atmosphere for which we paid dearly.

It is bad enough with the Highschool kids racing up and down the upper part of Terrace View Dr. between Prescott Heights and Rosser St. disarding garbage along the way, making a lot of noise, PPD never present.

There definitely needs to be a main entrance/exit off/into Rosser St. where the overhead powerline crosses Rosser St.

Looking forward to the meeting on 9/08/11
Sincerely, Harald Hansen
1415 Terrace View Dr.
Prescott/AZ 86301

P.S. That the CORY FAMILY is the applicant hopefully will not influence the outcome

RECEIVED
SEP 2 2011
CITY OF PRESCOTT
COMMUNITY DEVELOPMENT

General Plan Committee Update

COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION
PLANNING AND ZONING COMMISSION

Staff Report

Planning Commission Dates: September 8, 2011

TO: Prescott Planning and Zoning Commission

FROM: Tom Guice, Community Development Director *TG*
George Worley, Planning Manager *GW*
Ryan Smith, Community Planner *RS*

DATE: September 1, 2011

Applicant: 2011 General Plan Committee and the City of Prescott
201 S. Cortez Street
Prescott, AZ 83001

BACKGROUND:

The General Plan revision process began with a committee of 11 interested citizens plus 2 Council members, who were selected and approved by Council. The Committee members have been providing review, prioritization, clarification and guidance regarding the General Plan update. The Committee sponsors public meetings twice monthly on the 2nd and 4th Wednesday at 4pm at City Hall. The Committee created a Public Participation Plan, which was adopted by City Council. The Plan set out the reasons and methods for obtaining public input.

ACTIVITY:

Members of the public have attended each of the Committee meetings. The meetings allow for the public to hear the various informational presentations, and to hear discussions between Committee members. The meetings also provide for public input and an item is always added on the agenda to hear the public speak.

The Committee indicated their belief that water and City revenue would be the 2 most important issues affecting future growth. To further their understanding of these issues, they have heard several hours of presentations on the City's water delivery system, sewer system, street infrastructure, impact fees, revenue sources and water availability.

On the City website, a General Plan spotlight page has been created to provide information to the public regarding Committee meetings and other Plan activities. Committee informational packets including staff memos, power point presentations, excerpts from other plans and handouts are posted on the website. More recently, a General Plan survey of 30 questions was added to assist in gathering public opinion about the future of Prescott.

The Committee is now in the process of updating the Water Element of the General Plan. They will begin by looking at the 2003 General Plan Water Element and considering what numerical data may be updated. They will then look at the text of the element, goals and strategies to see what may be retained and or changed.

Citizen participation is ongoing process and currently, radio show guest spots and a presentation to the Chamber of Commerce are scheduled.