

DRAFT

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF CHINO VALLEY

TUESDAY, MAY 4, 2021
6:00 P.M.

CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ

1) **CALL TO ORDER**

Chair Merritt called the meeting to order at 6:00 p.m.

2) **PLEDGE OF ALLEGIANCE**

Commissioner Somerville led the Pledge of Allegiance.

3) **ROLL CALL**

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Teena Meadors;
Commissioner Robert Switzer; Commissioner William Welker; Commissioner
David Somerville

Absent: Commissioner John McCafferty

Staff Town Manager Cindy Blackmore; Development Services Director Joshua Cook;
Present: Public Works Director Frank Marbury; Planner Will Dingee; Officer Dave McNally
(Sergeant at Arms); Audio/Visual technician Lawrence Digges; Deputy Town Clerk
Traci Lavelle (recorder)

4) **MINUTES**

- a) Consideration and possible action to approve the April 6, 2021, regular meeting minutes.

MOVED by Commissioner Teena Meadors, seconded by Commissioner William Welker to
approve the April 6, 2021, regular meeting minutes.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors,
Commissioner Robert Switzer, Commissioner William Welker, Commissioner
David Somerville

6 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation to Town Council to rezone approximately 5 acres of real property located 650 feet east of the intersection of South Road 1 East and Easy Street, from AR-5 (Agricultural Residential 5 acre minimum) zoning district to SR-1.6 (Single Family Residential 1.6 acre minimum) zoning district in order to further subdivide the property. (Will Dingee, Planner)

Will Dingee presented the following:

- An overview of the subject property, location, and surrounding properties was provided.
- The property was currently used as a single-family residence.
- The General Plan land use designation for the property and those surrounding it was Medium Density Residential two acres or fewer. The requested 1.6 acre minimum was in conformance.
- The majority of the surrounding properties were AR-5 zoning districts, but there were several single-family zoning districts within the adjacent area. Those properties were reviewed.
- A neighborhood meeting was held April 28, 2021, and one area property owner attended. They questioned the number of proposed lots and about the required roadway improvements. Staff explained there would be three lots and there were road improvements required.
- The following would be required for the rezoning:
 1. A 40foot dedication along Easy Street for the Road 1 East right-of-way.
 2. Easy street was required to be surfaced with a double chip in accordance with Unified Development Ordinance (UDO) Section 5.3.2 Table 5-
 3. Town Code required improvement along south Road 1 East with a half width street improvement of 14.5feet minimum.
 4. Legal access along Easy Street needed to be made to accommodate new owners of the created parcels.
 5. Easy Street was currently a private roadway that serviced two parcels. In order for the two new parcels to have legal access, they would need to be specified in the deed or a different recording of Easy Street to allow legal access to cross property boundaries.
- Staff recommended the Commission forward a recommendation of approval to Town Council with the following stipulations:
 1. A dedication of right-of-way be made on Road 1 East.
 2. Roadway surface improvements be made on Easy Street.
 3. Roadway improvements be made to south Road 1 East.
 4. Legal access on Easy Street to accommodate new owners.

Property owner Lorna Dibastiani explained that she had five acres and wanted to split the property into two 1.6-acre properties to sell, leaving the remaining property as her residential property.

Public Comment:

- Jim Bonetti – Questioned what the new zoning would be and do. It was explained that it was residential zoning. Commissioners encouraged Mr. Bonetti to talk to staff about any questions he had that were not part of the current agenda item regarding the property.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner William Welker to forward a recommendation of approval to Town Council to rezone approximately 5 acres of real property from AR-5 (Agricultural Residential 5 acre minimum) zoning district to SR-1.6 (Single Family Residential 1.6 acre minimum) in order to further subdivide the property with the stipulations as written and included in the staff report.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Commissioner David Somerville

6 - 0 PASSED - Unanimously

- b) Consideration and possible recommendation to Town Council to approve the Park View at Bright Star Preliminary Plat located along Meridian Parkway East, Meridian Parkway North, and Galileo Court to subdivide approximately 3.72 acres of real property into 31 lots developed over a single phase. (Will Dingee, Planner)

Will Dingee presented the following:

- The property already had entitlements, and it would not be a discussion about the entitlements. It was a conceptual level document for the preliminary plat and was meant to ensure that the preliminary plat met all aspects of the UDO.
- An overview of the subject property location and surrounding properties was provided.
- The two subject properties totaled approximately 3.72 acres and were currently vacant.
- The property could be accessed through access roads of Meridian Parkway and Galileo.
- The properties were zoned multi-family commercial with a Planned Area Development (PAD). The entitlements for the property were defined strictly through the PAD.
- The PAD for Bright Star was adopted in late 2000. The land use map denoted that the properties were residential tracks and the Master Plan called for the central area of the development to be single or cluster units.
- The proposed development of the preliminary plat for Park View at Bright Star conformed with the adopted PAD for the subdivision.
- The preliminary plat consisted of 31 lots, with an average lot size of 2248 square feet and a density of 8.3 units per acre. It also had open space of 1.65 acres or 43% of the site.
- The homes on the northeast portion would be accessed through a proposed oneway private drive off Meridian, with sidewalk on one side. They would have driveways on the inside to access individual homes. The southwest portion of the development would have a one-way private road from Galileo and would have sidewalks.
- The preliminary plat met all requirements set forth by Section 5.2.3 of the UDO.

- The development would hook up to Town water and sewer.
- After approval of the preliminary plat, the project would go through the technical review and come back for approval of the final plat.
- Staff recommended the Commission forward a recommendation of approval to Town Council.

Commissioners and staff discussed the following:

- A Commissioner questioned if the homes would be one or two-story homes. Staff explained that they could not discuss entitlements for the item. The discussion was regarding lot layout. The zoning designated the number of stories or the height of a building. Based on the zoning of the parcels, the applicant could have between three and five stories. The applicant could address this question, but it was not an official part of the discussion.
- The preliminary plat had significantly changed from the previous meeting and the initial concerns had been addressed.

Commissioners and applicant Paul Aslanian discussed the following:

- After the last meeting, the Commission had made a recommendation to move forward, but the developer decided to make a few modifications after hearing neighborhood concerns.
- The plat was redone to change the following:
 - The access driveways on Meridian were moved and a one foot no access easement was placed around the whole property so that no one could put in their own driveways. The access was flipped from providing access off Meridian to the backyards on Meridian and a private drive with driveway access to the properties. They were proposing the interior driveway be one way, which would allow for better traffic flow.
 - They eliminated the parcel that had been the commercially zoned parcel on the west side.
 - They eliminated the request for setback requirements. The minimum setback was now a minimum of 20feet from Galileo and Meridian from the property line and in many cases, they were up to 35feet off the pavement.
 - They had made the commitment to stay to single story structures.
- The developer had met with several neighbors to discuss their concerns and make it known they were being heard. The developer had been met with overwhelmingly strong appreciation because he had listened to their concerns. Even though everyone had private property rights, taking the neighbors' concerns into consideration was important.
- The exterior of the property would be fenced.
- The alley access was not disturbed, and mail access would remain the same.
- The developer supported and would like to see a no parking zone on Meridian and the loop part of Galileo.

Public Comments:

- Randy Odum – Met with Mr. Aslanian and overall, the concerns had been addressed. From a community standpoint, he had not run into anyone that was still upset or worried because the issues that had been brought forward had been addressed by the developer. From his standpoint, it was looking good.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Robert Switzer to forward a recommendation to Town Council to approve the Park View at Bright Star Preliminary Plat for parcels 306-02-006C and 306-02-006A to subdivide approximately 3.72 acres of real property into 31 lots with a density of 8.3 units per acre developed over a single phase.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Commissioner David Somerville

6 - 0 PASSED - Unanimously

- c) Consideration and possible recommendation to Town Council for approval of the Heritage Pointe Final Plat Phase 2, 3 and 4, located approximately 1,700 feet west of the southwest corner of West Road 4 North and North Road 1 West to subdivide approximately 62 acres into 55 lots with an average lot size of 1.02 acres developed over three (3) separate phases. (Will Dingee, Planner)

Commissioner Meadors recused herself and left the room from Item 6(c).

Will Dingee presented the following:

- An overview of the subject property location and surrounding properties was provided.
- In September 2019, Council approved the new preliminary plat with stipulations. It went through the technical review process and went before Council in December 2020 for approval of the final plat for Phase 1. It was approved by Council with stipulations and was subsequently addressed and recorded.
- In March 2021, a grading and civil improvement permit was issued for Phase 1. The dirt, street and utility work had begun.
- Phase 2 consisted of approximately 25 acres with a proposed 20 lots.
- Phase 3 had approximately 22 acres and had 20 lots proposed.
- Phase 4 had approximately 15 acres with 15 proposed lots.
- All the lots were one acre or greater and were consistent with the preliminary plat that had been approved.
- Heritage Point final plat met all the requirements set forth in Section 5.2.4 of UDO.
- The main access point was by way of west Road 4 North.
- The development would utilize onsite wells and septic systems.
- The Development Services and Public Works Departments had completed their technical review of the final plat and had identified a couple issues that needed to be addressed. The issues were relayed to the developer and subsequently addressed to the satisfaction of both departments and no longer required stipulations for approval.
- Staff recommended the Commission forward a recommendation of approval to Town Council with no stipulations.

Commissioners and staff discussed the following:

- All the grading, drainage and site issues have been addressed and were in line with Town Code

Commissioners and applicant Craig Helsing discussed the following:

- The applicant expressed his gratitude to Town staff, Planning & Zoning and Town Council in getting the project to the final stages of approval. They had a soft opening, they were open for sales, and were excited for the project.

Public Comment:

- Marty Hassett – Questioned the Town’s definition between light and heavy commercial. It was explained that the item Mr. Hassett was questioning was Item 6(d) on the agenda, and he could ask his question at that time.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Robert Switzer to forward a recommendation to Town Council of approval of the Heritage Pointe Final Plat Phase 2, 3 and 4 to subdivide approximately 62 acres into 55 lots with an average lot size of 1.02 acres developed over three (3) separate phases with no stipulations.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Robert Switzer, Commissioner William Welker, Commissioner David Somerville

5 - 0 PASSED

- d) Consideration and possible recommendation to Town Council to rezone approximately 11.94 acres of real property located at the northwest and southwest corner of the intersection of East Road 4 1/2 South and South Road 1 East from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district in order to further develop the property. (Will Dingee, Planner)

Will Dingee presented the following:

- The applicant’s intention was to develop at the very least the larger southern property into an RV Park
- An overview of the subject property location and surrounding properties was provided.
- The properties totaled approximately 12 acres. The largest property was 6.86 acres and the one to the north was 5.08 acres.
- The existing zoning was Commercial Light.
- General Plan Land Use designation was Commercial Multi-Family as was the surrounding area. There was also a future growth area designation to the east of the subject property, which allowed for nearly any development, from industrial to planned communities.
- The request for Commercial Heavy was consistent with the General Plan since it was designated as commercial.
- To the north and south of the subject property were designated as community core areas, which allowed for a multitude of retail and small community type developments.
- An overview of the surrounding property zones was provided.
- A neighborhood meeting was held on April 28, 2021, and one property owner was in attendance and questioned what the intended use was and if there was Town water and sewer in the area. The proposed use was to be an RV Park and there was not any Town water or sewer available in the area and the property would utilize well and septic.
- Stipulations for rezone were presented to the applicant at the neighborhood meeting.

- Right of way designation would be required on the east Road 4 1/2 South, totaling 60feet, or 30feet south and north of the section line. There was already an existing 50foot designation, so it would be an additional 5feet on either side.
- 50feet of dedication was required on south Road 1 East, and the property already had 50feet of public vehicular access easement to the rear. The Town was asking for the 50foot designation to take place.
- Along Road 4 1/2 South both sides would require 14feet minimum roadway, with on street parking, six inch vertical curb and gutter and five foot minimum sidewalk on one side.
- Along South Road 1 East, half width improvement was already there, and the road was already paved. The addition of a six inch vertical curb and gutter and five foot minimum sidewalk was required.
- Staff recommended the Commission forward a recommendation of approval to Town Council with the following stipulations:
 - Right- of -way dedication be made along East Road 4 ½ South and South Road 1 East
 - Street improvements be made on East Road 4 ½ South and South Road 1 East

Commission and staff discussed the following:

- The Commercial Heavy area allowed for greater than 26RV spaces, Commercial Light allowed up to 26RV spaces with a Conditional Use Permit (CUP). The applicant intended to have more than 26spaces, which was the reason for the requested rezone. The Commercial Heavy zone did not require a PAD or a conceptual development plan.

Commission and developer Keith Hughes discussed the following:

- The developer wanted to put in an upscale RV Park with concrete areas, fire pits, and other things that were nicer for RV users.
- The developer hoped to put between 75 and 90 units, which was less than what the property would allow. He did need Commercial Heavy to get above the 26units.
- The density was lower than what would be allowed. This would allow ample room for the RV's and enough room for people to sit next to the RV and have a patio area.
- There would not be any park models and would be an RV only park with temporary parking.

Public Comment:

- Randy Daily – had concerns about the park because of the water situation. His whole street had to put in new wells because of the mobile homes and homes that had been put on Road 1 East. The traffic was terrible on Road 1 East, and they could not get their street maintained. They had septic problems. He questioned where the waste would go and where the water would come from.
- Marty Hassett – He discussed an issue with fire in the past at a designated industrial area when he sat as a Commissioner. He questioned if they needed an industrial area in Town. They had wells that were going bad, and he had to put one in a year and a half ago. The traffic was horrific on Road 1 East at all hours. He did not think it was a good situation for that part of Town even though it was set back off the highway. They were the last people in Town that would be able to get Town sewer and water

- because of the cost. He was not against growth, but they needed controlled growth.
- Jim Bonetti – He was concerned about water as well. They lived in the area and were concerned that they would need to get a new well. It would take a large amount of water for an RV Park. Another area may be more appropriate for the RV Park and a heavy commercial area was not fair for the area residents. The people who had houses were not notified because they were too far away, and it was not fair for the residents of the area.
 - Stan Skura – owned property adjacent to the subject property and supported the project. He did not think it would use a large amount of water. That area was promised water when they were annexed into Town. He heard something about putting curbing and sidewalk, which did not make sense. He had 600plus feet of sidewalk to put in if he wanted to develop his land. The subdivision would use a lot more water than the RV Park. The Commission suggested he contact Staff to discuss what would be required if he developed his property.

Staff explained the difference between Commercial Light and Commercial Heavy were the list of uses that were entitled for the properties. Commercial Heavy did not allow for light manufacturing. Staff read the definition of light manufacturing.

Staff explained that the Town did not have any water or sewer anywhere near the area. There was a possibility that through an existing agreement between the Town and the City of Prescott, that Prescott could serve commercial properties along the Hwy 89 corridor. The exact details would be up to the City of Prescott. There was also the option of drilling a well, but the Arizona State Division of Water Resources regulated permits. There would need to be State water rights given for anything over 30gallons per minute, which was an exempt well. The Town did not regulate individual wells.

There was also no sewer system in the area and would require an onsite disposal system. A package plant was discouraged by the Town but allowed them in areas where sewer was not available. The County approved all the septic systems through a delegation agreement the Arizona Department of Environmental Quality. The Town made sure the County and State were satisfied when it was not Town water or sewer. The Town would look at any drainage issues as part of the site plan review.

When applying for a building permit, water was not required because it could be hauled. There only needed to be a discharge authorization for septic or sewer.

The water and septic systems were part of site plan review, not part of the zoning approval.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Teena Meadors to forward a recommendation of approval to Town Council to rezone approximately 11.94 acres of real property from the CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district in order to develop the property with the following stipulations as presented in the staff report.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Commissioner David Somerville

6 - 0 PASSED - Unanimously

7) **NON-PUBLIC HEARING ACTION ITEMS**

8) **DISCUSSION ITEMS**

9) **PUBLIC COMMENTS**

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10) **ADJOURN**

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Gary Pasciak to adjourn the meeting at 7:00 p.m.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Commissioner David Somerville

6 - 0 PASSED - Unanimously

Chair Charles Merritt

Date