



**Planning and Zoning Commission**  
**Monday, February 10, 2020**  
**5:30 PM**  
**Library Auditorium**  
**7401 E. Skoog Blvd.**

----- Minutes -----

**I. Call to Order**

Chairperson Zurcher called the February 10, 2020, public meeting of the Planning and Zoning Commission to order at 5:30 p.m.

Chairperson Zurcher announced that Commissioner Rick Duskey passed away last week and asked for everyone to share in a moment of silence in memory of Commissioner Duskey.

**II. Invocation**

✚ Invocation given by Commissioner Gary Roberts.

**III. Pledge of Allegiance**

**IV. Attendance**

Chairperson Zurcher asked for roll call attendance to be taken. Members present: Chairperson Zurcher, Vice-Chairperson Renken, Commissioner Musarra, Commissioner Rutherford, and Commissioner Roberts. Members absent: Commissioner Yeater. Staff Present: Richard Parker, Director: Kristi Jones, Administrative Support II and Vikie Anderson, Administrative Supervisor.

**V. Approval of Minutes**

Chairperson Zurcher asked if the Commission had amendments to the minutes from the January 13, 2020, meeting. No revisions were submitted; thus, Chairperson Zurcher called for a motion to approve the minutes. Vice-Chairperson Renken made the MOTION, seconded by Commissioner Roberts, to approve the minutes from the January 13, 2020 Planning Commission meeting.

MOTION carried unanimously by voice call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Roberts YES, and Commissioner Rutherford YES.

**MOTION carried with 5 ayes and 0 nays.**

**VI. Announcements**

- ✚ Chairperson Zurcher outlined the Planning Commission procedures and guidelines.
- ✚ Richard Parker, Community Development Director, announced that Mr. Duskey's services will be held on Monday, February 17<sup>th</sup> at the VA cemetery at 3 p.m.

**VII. Public Hearing Items**

1. **GPA20-001.** Upon the application of the Town of Prescott Valley, Community Development Department, a request to adopt a Minor Amendment to the Town's *General Plan 2025* amending Chapter 11 "General Plan Administration" to add an additional criterion by which a major

amendment may be determined.

Richard Parker, Director, stated that as the Director of Community Development, he is responsible for administering the General Plan processes to include determining what is a major or minor amendment. He noted that Staff became aware several weeks ago that an Initiative process was moving forward to ask for an Initiative to be presented to the voters within the Town of Prescott Valley for the purpose of making a similar amendment to that which is now purposed by Staff. The amendment creates a petition process that, if it is followed and satisfied, would require the Planning Commission to consider a minor plan amendment as a major plan amendment. Mr. Parker noted that the consequences of those changes are few. The minor plan amendment, if petitions are received by the Town Council and verified, would come back to the Planning Commission as a major amendment. At that point, the procedures sent forth for major amendments, which is the same process adopted in the Town's General Plan, requires that the major amendment be presented in public hearings at 2 different locations within the Town of Prescott Valley. Once forwarded to the Town Council, it would require ratification by a vote of 2/3 of the Town Council. He indicated that there is still the opportunity to appeal the processes to Superior Court if so desired.

Mr. Parker reported that due to the cost of a vote – potentially a special election vote, the Town believes it is prohibitive and would rather spend the funds on other items within Prescott Valley; therefore, Staff has elected to bring this proposal forward and with their recommendation, would forward to the Town Council.

Mr. Parker stated that based on the circumstances and minimal impacts of the proposed amendment, Staff recommends approval as drafted.

Chairperson Zurcher opened the item to questions or comments from the Commission.

The Commission had no questions for Staff, therefore, Chairperson Zurcher opened the item to questions or comments from the public.

Rob Esson, Pronghorn Ranch resident, addressed the Commission. Mr. Esson stated that he chairs a citizen's committee within his community dealing specifically with zoning issues, he is also the chair of the newly formed citizen's voice political action committee. Mr. Esson thanked Mayor Palguta and Town Manager, Larry Tarkowski, for their efforts to work with the community to ensure that every voice is heard. He noted that the proposed amendment is a result of that effort and asked for the Commission's support. Mr. Esson stated that they surpassed their goal of signatures and in the process, discovered that other communities within Prescott Valley seek input into the changes that impact their communities as well.

Phillip Delaney addressed the Commission. Mr. Delaney expressed his opposition to one bureaucrat granting another bureaucrat the authority to make big decisions within the community without citizen input. He disagreed with that statement that it wasn't cost effective to put the item on a ballot to get input from tax paying citizens.

Dennis Royalty, Pronghorn Ranch resident, addressed the Commission. Mr. Royalty shared his experience collecting signatures for the petition. Mr. Royalty is a graduate of the citizen's academy and vividly recalled the Town Manager as well as Department heads urging community involvement. He asked the Commission to listen to the feedback from the petition drive. Mr. Royalty

was delighted to hear Mr. Parker’s positive recommendation for the proposed amendment. Mr. Royalty expressed that developers should answer questions in a transparent way and show why the project won’t adversely affect the community as a whole or a portion of the community.

As there were no further questions or comments from the Commission or the public related to the item; Chairperson Zurcher called for a motion.

**Action GPA20-001**

**Commissioner Musarra moved to approve GPA20-001 as submitted and forward to the Town Council with a recommendation for approval. Vice-Chairperson Renken seconded the motion.**

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

2. **ZOA20-001.** Upon the request of the Town of Prescott Valley, Community Development Department, a Zoning Ordinance Amendment to Article 13-23 “Sign Regulations” in Chapter 13 “Zoning” regarding standards for electronic information message boards, banners, and flags.

Richard Parker, Director, noted that Community Development proposes amendments to Town Code Article 13-23 Sign Regulations regarding three main topics (electronic message boards, banners, and flags) and some additional provisions in need of clarification.

Mr. Parker stated that Staff was approached a while ago by the local McDonalds regarding electronic menu boards. Mr. Parker indicated that electronic signage was brought before the Planning Commission a few years ago; however, there were mixed messages between the Planning Commission and Town Council and it never moved forward; thus, electronic signage wasn’t addressed with a few exceptions for specific area plans that were approved under PAD’s within the Entertainment District. It has since been discovered that newer technologies have been put into place for electronic menu boards that can be changed very easily as opposed to static multiple boards and allowing electronic message boards would minimize the footprint.

Mr. Parker reported that the Town Council had been approached by the local Veterans Administration and other groups regarding placement of veteran’s banners and names on posts in the downtown area or installation on street light poles. He noted that banners are prohibited on private property; therefore, Staff proposes adding a definition of “Town Banner Program” to Section 13-23-020, and exempting these Town banners from sign code regulations in a new Section 13-23-050.D. These amendments would allow for placement of banners which promote Town-sponsored cultural and civic events and civic events sponsored by non-profit groups as well as educational institutions and sports institutions connected with the community.

Mr. Parker stated that the Town has received complaints about the Town Code pertaining to flags. Town Code Section 13-23-020 includes flags in the definition of “Sign, Animated.” Section 12-23-060.A prohibits all animated signs, including flags. The one exception to that prohibition is in Section 13-23-050, which exempts “flags, pennants and insignias of any national, state or other political unit” from sign code regulations. He indicated that citizens would like to fly flags other than those currently permitted. Mr. Parker reported that Staff researched other jurisdictions

throughout the state as well as the southwest to see how they regulate flags. The results were very mixed: some jurisdictions regulate flags the same as the Town currently does whereas others have no regulations at all.

Mr. Parker explained that the proposed amendments would permit all flags, subject to maximum size and height standards. In residential areas, there would be a maximum size of 15 square feet for each flag and a maximum 45 square feet aggregate per lot (he noted that the average flag is 3 x 5; therefore, people could potentially hang 3 flags on their flag pole.) Maximum height in residential zones would be 25 feet or the height of the principal building roof.

Mr. Parker stated that the proposed amendments move the standards for portable (sandwich boards) signs from 13-23-040.B Freestanding Sign Standards to 13-23-040.C Temporary Sign Standards, and adds provisions for a temporary commercial sign at master planned community entrances, model home complexes, community centers, and golf center/restaurants and open houses.

Continuing, Mr. Parker explained that the draft amendments remove the exemption for national and state flags because that exemption is based on content. In a 2015 U.S. Supreme Court decision, *Reed v. Gilbert*, the court found it unconstitutional for local sign codes to differentiate based on the content of the sign without demonstrating a compelling government interest (e.g. when one sign is permitted but the same sign with different content is not). Accordingly, the draft amendments would permit and regulate flags based on their physical characteristics rather than content.

Mr. Parker reported that Staff proposes adding Section 13-23-040.D to provide updated standards for light-emitting diode (LED) electronic message center signs. Intended to reduce visual distractions and excessive glare, this new section establishes standards for frequency of message change, fading, flashing, and traveling as well as the level of ambient light. These standards are consistent with 2016 guidelines published by the International Sign Association.

In conclusion, Mr. Parker stated that Staff recommends that the Planning and Zoning Commission approve amendment (ZOA20-001) to the Prescott Valley Zoning Code (Article 13-23) and forward to the Town Council with a recommendation of approval.

Chairperson Zurcher opened the item to questions or comments from the Commission.

Vice-Chairperson Renken asked if there is a limit of one flag pole per private property.

Mr. Parker replied “correct.”

Commissioner Musarra complimented the Staff on the great job putting the proposed amendments together.

Mr. Parker explained that Staff took this very seriously and drafted the recommendations to be practical.

Chairperson Zurcher asked for confirmation that government recognized flags such as the US flag and State flags are currently allowed under the existing Town Code.

Mr. Parker replied “correct.”

Chairperson Zurcher inquired as to whether rainbow flags, “don’t tread on me” flags and tree city flags are currently not allowed under Town Code.

Mr. Parker confirmed that those examples are currently not allowed; however, under the proposed changes, they would be allowed.

Commissioner Rutherford noted for clarification that political signs are governed by other state statutes.

Mr. Parker stated that political signs regarding support of a candidate for a specific campaign are regulated by state law.

Chairperson Zurcher asked if the state statute considers a flag (such as Trump 2020) the same as a sign.

Mr. Parker indicated that it falls under the same regulation of state law.

The Commission had no further questions for Staff, therefore, Chairperson Zurcher opened the item to questions or comments from the public.

The following citizens addressed the Commission with their concerns – many offered their condolences for the passing of Commissioner Duskey:

- Phil Whitehead – Supports defending all of the Constitution including Freedom of Speech. People have the right to burn the US Flag; therefore, people should also have the right to fly any flag of their choice.
- Randy Hayes – Referenced the AZ State Statute pertaining to flag display. Believes in Freedom of Speech; however, feels a decision of this nature should be on a ballot initiative.
- Nancy Scharff – Opposes the proposed changes as she feels it will open the door to flags such as Confederate flags, Nazi flags and KKK flags.
- Jacqueline Desa – Opposes the proposed changes specifically regarding political flags. She provided a handout of the AZ Statute 33-1808 to the Commissioners.

Mr. Parker explained that Homeowner’s Associations (HOA) are private and have covenants and regulations formed for a subdivision administered by someone other than the Town of Prescott Valley. If the HOA is more restrictive in regards to placement of flags, signs, etc., it can be enforced through civil court. Therefore, the proposed changes won’t have any effect on HOA’s rules and covenants.

- Paula Burr – Opposes the proposed amendments as she is concerned that it is too broadly written. Flags are extremely invasive and the language as written is a drastic change.
- Isabelle Cerecedes – Concerned that many flag poles aren’t permitted and are placed in unsafe locations. Allowing flags of any content is disrespectful to the American flag. The proposed amendments will change the landscape of the community and negatively impact property values. (Someone provided photos of flag violations to the Commissioners.)
- Brandon Paris – Supports the First Amendment. Whatever the resolution is tonight, his expectations are for Code Enforcement to enforce the codes and the associated penalties.
- Rex Tolman read a statement on behalf of Carolyn Sherman – supports citizens being able to fly flags in support of the President and doesn’t feel they are political. Does agree with

limiting campaign signs on public property.

- Steve Silvernale – Supports Freedom of Speech as you either have it or you don't. If you restrict someone else's right; you're restricting your own. Suggests including language for the sale of advertising on benches and/or bus stops.
- Randall Erickson – believes this issue is political; no one's name should be on a flag. Opposes the proposed change regarding flags.
- Bob Ogden – Received a code violation for his flag. He asked the Code Officer if the flag could be in his garage with the garage door open and was told Code Staff couldn't regulate anything inside your garage. Believes in freedom of speech.
- Carole Thurman – Complaint regarding the sound system in the auditorium, members of the audience can't hear what is being said.
- Sharon Skowronek – Respect the US flag. Doesn't want this turned into a political circus.
- Rick Deming – Supports Freedom of Speech. Doesn't feel political time limitations necessarily pertain to flags. Wanted clarification on whether someone could truly have one 45' flag.
- Sandy Griffis – Thoroughly read the Zoning Ordinance and found inconsistencies and areas that need clarification. Suggested the proposed amendments be sent back to work study and have citizen input.
- Rod Jarvis, on behalf of McDonald's, - Supports changes in electronic signage. Will reduce the overall signage on site. The proposed restrictions suggested will handle electronic signage very well.
- Austin Silvernale – Feels that names should be allowed on flags/signage such as someone running for the Board of Supervisors.
- Steven Stoner – Noted that while driving around Prescott Valley, only 1 to 2% of people even have flags and the majority of those fly the American flag and Arizona state flag. Asked if Christian flags will be allowed.
- Steve Caros, resident of Pronghorn Ranch – wants clarification on how bright electronic signage would be. Asked for clarification on whether the Gadsden flag is protected.
- Gail Caros – Concerned about electronic signage height and illumination – wants to ensure night sky is protected.

Mr. Parker reiterated that private deed restrictions or covenants are not something enforced by the Town of Prescott Valley. If a HOA is more restrictive than Town Code, it is up to the HOA to regulate that aspect. He noted that there are US flag standards; however, the Town has elected to take a more practical view based on square footage. Mr. Parker stated that the flag pole at Lamb Chevrolet had extensive engineering for the size of their flag pole. He indicated that most citizens wouldn't go to that extent to have a flag pole installed - three 3 x 5 flags would be more common than one 45' flag.

Mr. Parker reported that the Town doesn't have sign codes to permit advertisement on signs in the public right-of-way whether on a bench or in the public right-of-way. It is prohibited unless it pertains to traffic coordination.

Chairperson Zurcher asked if that could be changed in the future.

Mr. Parker stated that Staff would prefer to uphold no advertisements in the public right-of-way. However, if on private property, it could possibly be an accommodation through a Planned Area

Development if there are walk ways outside the public right-of-way.

Mr. Parker reported that there are regulations for the electronic message boards that regulate distances to property boundaries as well as the illumination value based on the national standards and conformance with the dark sky requirement. Additionally, any flag pole lighting will need to be shielded and pointed down.

Mr. Parker noted that Christian flags will be allowed. He reiterated that any flags will be allowed if the proposed changes are approved.

In regards to code enforcement, Mr. Parker stated that Code Enforcement Staff will administer the code as recommended by the Planning Commission and ultimately, the Town Council. He explained that Staff has put cases on hold pending the outcome of the proposed changes.

Vice-Chairperson Renken expressed his concern regarding citizens not maintaining non-government flags.

Mr. Parker stated that tattered flags would be considered a nuisance, and Code Staff would likely talk to the citizen and ask that they replace or remove the tattered flag; however, they would send out a code violation notice if the matter wasn't resolved.

Commissioner Roberts asked how many sign complaints are received for residential properties.

Fernando Gonzalez, Code Enforcement Supervisor, stated that they receive 10 to 15 complaints a month.

Commissioner Roberts asked about yard sale signs. He's not opposed to them as long as they are picked up after the yard sale.

Mr. Gonzalez stated that yard signs are not permitted in the public right-of-way. They are supposed to be placed on private property. He noted that they periodically pick up signs that are left out.

Chairperson Zurcher asked if most code action is citizen driven.

Mr. Gonzalez reported that Code Enforcement Staff is proactive and they inventory various sections of the town daily. He noted that if a complaint is citizen driven, it is checked within 48 hours.

Chairperson Zurcher noted that one of the photos provided shows flag poles that are very close to the right-of-way and wondered if Code would investigate.

Mr. Gonzalez stated that if they have the property address, Staff would check to see if a permit had been obtained for the flag poles and, if not, the violations would be addressed.

Chairperson Zurcher asked about the citizen that said he could put his flag on the garage.

Mr. Gonzalez stated that a flag could be displayed inside a garage; however, if it was located on the outside of the garage, it would be in violation if it listed an election year.

Chairperson Zurcher asked for specific details regarding what flags will be allowed under the proposed changes.

Mr. Parker reiterated that flags won't be regulated on content unless the content is vulgar, obscene or contains profanity.

Commissioner Rutherford commented that the Town is bound by state law regarding political signage. She suggested that citizens contact their state legislators if they'd like that changed.

As there were no further questions or comments from the Commission or the public related to the item; Chairperson Zurcher called for a motion

### **Action ZOA20-001**

**Commissioner Rutherford moved to approve ZOA20-001 as submitted and forward to the Town Council with a recommendation for approval. Vice-Chairperson Renken seconded the motion.**

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES, and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

3. **GPA19-005.** Upon the application of Jasper EcoDev, LLC, a request for a General Plan Amendment from Medium Density Residential to Community Commercial on approximately eleven (11) acres located on the west side of Stillwell Parkway at its intersection with Jasper Drive, approximately 3,800 feet west of the intersection of Granville Fairway and Santa Fe Loop, Prescott Valley, AZ. APN# 103-04-404.
4. **ZMC19-014.** Upon the application Jasper EcoDev, LLC, a request for a Zoning Map Change from R1M-PAD (Residential; Single Family Mixed Housing-Planned Area Development) to C1-PAD (Neighborhood Sales and Services-Planned Area Development) on approximately eleven (11) acres located on the west side of Stillwell Parkway at its intersection with Jasper Drive, approximately 3,800 feet west of the intersection of Granville Fairway and Santa Fe Loop, Prescott Valley, AZ. APN# 103-04-404.
5. **PDP19-009 (Action Item).** Upon the application of Jasper EcoDev, LLC, a request for a Preliminary Development Plan for a proposed clubhouse facility with commercial uses on approximately eleven (11) acres located on the west side of Stillwell Parkway at its intersection with Jasper Drive, approximately 3,800 feet west of the intersection of Granville Fairway and Santa Fe Loop, Prescott Valley, AZ. APN# 103-04-404.

Chairperson Zurcher stated GPA19-005, ZMC19-014 and PDP19-009 would be presented together and separate motions and actions would be required for each.

Mr. Parker stated the applicant proposes a neighborhood clubhouse facility with commercial uses on an 11-acre tract within Jasper Phase 1. He noted that a clubhouse is allowed as a matter-of-right.

The applicant has designated floor area within the clubhouse building for leasing to outside vendors. According to a list provided by the applicant, uses could include a coffee shop, outfitter, and a salon or office space. These uses would be available to the general public, while other amenities at the clubhouse would be limited to Jasper residents only. Mr. Parker explained while a community clubhouse with recreational facilities is permitted in the existing R1M zone, the additional commercial amenities are not, and would require C1 (Commercial; Neighborhood Sales and Services) zoning.

Mr. Parker stated that the subject property's current zoning, R1M (Residential; Single Family Mixed Housing), permits one residence (one family) per lot, either site-built or factory-built (Town Code 13-07-020A). The proposed zone, C-1 PAD (Commercial; Neighborhood Sales and Services), permits a range of light commercial uses (Town Code 13-13-020A). The PAD (Planned Area Development) suffix indicates that any development under the new zoning must follow a Town-approved development plan. Mr. Parker reported that the PAD Preliminary Development Plan (PDP19-009) has been submitted in conjunction with this Zoning Map Change application, and with the Final Development Plan to be considered by the Town Council later in the process.

Mr. Parker stated that Staff recommends approval of all three applications subject to conditions. The proposed development is consistent with the vision, guiding principles, goals, and policies of the General Plan 2025.

Chairperson Zurcher opened the item to questions or comments from the Commission.

Chairperson Zurcher asked for clarification regarding the designation of clubhouses.

Mr. Parker stated in the case of Stoneridge, they went to significant detail to define parcel zoning when working on the Master Development Plan. While working on Jasper, the Planner focused on the components that are used by the outside public that have commercial intent. In Granville, there was a property identified for a future clubhouse and the activities in that clubhouse are exclusive to Granville residents; therefore, it is not a commercial use.

Chairperson Zurcher asked why the General Plan needs to be amended.

Mr. Parker stated that the General Plan doesn't call this out for community commercial uses. By state law, those uses that are described later by zoning need to be congruent to the General Plan.

The Commission had no further questions for Staff, therefore, Chairperson Zurcher opened the item to questions or comments from the public.

As there were no questions or comments from the Commission or the public related to the item; Chairperson Zurcher called for a motion.

#### **Action GPA19-005**

**Vice-Chairperson Renken moved to approve GPA19-005 as submitted and forward to the Town Council for approval. Commissioner Roberts seconded the motion.**

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

**Action ZMC19-014**

**Vice-Chairperson Renken moved to approve ZMC19-014 as submitted with 3 conditions and forward to the Town Council for approval.**

1. Approval by the Town Council of a Final Development Plan in accordance with Town Code Article 13-19 consistent with the Preliminary Development Plan (PDP19-009).
2. All development shall be in conformance with all Town Code Requirements, including screening and lighting requirements of Articles 13-26 and 13-26a.
3. In the event of non-compliance with any of the above conditions, the zoning for the described property shall revert from C1-PAD back to the original zoning designation of R1M-PAD, in accordance with the procedures set forth in ARS Section 9-462.01(E).

Commissioner Roberts seconded the motion.

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

**Action PDP19-009**

**Commissioner Roberts moved to approve PDP19-009 as submitted with 3 conditions.**

1. Approval by the Town Council of a Final Development Plan in accordance with Town Code Article 13-19 and Chapter 14, consistent with the Preliminary Development Plan.
2. All development shall be in conformance with all Town Code Requirements, including screening and lighting requirements of Articles 13-26 and 13-26a, and in particular all exterior lighting fixtures facing residential districts shall be fully recessed or shielded.
3. Review and approval of a Master Development Plan related to public utilities, roadway improvements, and storm water detention by the Town Engineer prior to Final Development Plan approval.

Commissioner Rutherford seconded the motion.

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES, and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

6. **ZMC20-001.** Upon the application of Matt Hepperle, a request for a Zoning Map Change from C1-3 (Commercial; Neighborhood Sales and Services) to RS-3 (Residential and Services) on

approximately one-half (0.5) acre located at the Southwest corner of Spouse Dr. and Hoffman Rd., Prescott Valley, AZ. APN# 103-25-074, 103-25-075, 103-25-076 and 103-25-077.

Mr. Parker stated that the subject lots are within the boundaries of an Area Specific Redevelopment Plan for the Robert Road, Loos Drive and Spouse Drive areas that was adopted by the Town Council by Resolution No. 1361 on June 9<sup>th</sup> 2005 as an amendment to the *General Plan 2020*.

In 2015 the Planning and Zoning Commission initiated a Zoning Map Change on several nearby lots along Spouse Dr. and additional lots on Loos Dr. Mr. Parker reported that the proposal was to rezone various vacant properties on Spouse Dr. and Loos Dr. between Robert Rd. and Parent Dr. from C1 (Commercial: Neighborhood Sales and Services) to RS-3 PAD (Residential and Services, Density District 3, Planned Area Development). He noted that the purpose of the requested Zoning Map Change (ZMC15-006) was to provide additional flexibility to those current and future occupants wanting to develop their properties from the current commercial zoning to a zoning classification which would allow multi-family residential development as well as office type development. It was anticipated that the RS-PAD zoning would allow for development on combined lots (rather than one development per single lot) which would be approved through the Planned Area Development's Preliminary and Final Site Plan review process.

Mr. Parker stated that the applicant proposes a Zoning Map Change to RS-3 on four adjacent lots. Three of the four lots are vacant, and one – the easternmost lot, on the corner of Spouse Dr. and Hoffman Rd. – has a house that is now used as a day care facility. The applicant has informed staff he anticipates development of a duplex on each of the three vacant lots, and the owner of the house on the fourth lot wishes to convert the use to single-family residential, which is not permitted in the current C1-3 zone.

Mr. Parker stated that Staff supports the request and recommends the Commission make a motion to approve ZMC20-001 with the following condition:

1. Use of the property shall be in conformance with all applicable Town Code requirements.

Chairperson Zurcher opened the item to questions or comments from the Commission.

The Commission had no questions for Staff, therefore, Chairperson Zurcher opened the item to questions or comments from the public.

As there were no questions or comments from the Commission or the public related to the item; Chairperson Zurcher called for a motion.

### **Action ZMC20-001**

**Vice-Chairperson Renken moved to approve ZMC20-001 as submitted with 1 condition and forward to the Town Council for approval.**

1. Use of the property shall be in conformance with all applicable Town Code requirements.
- Commissioner Rutherford seconded the motion.

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

### **VIII. Action Items**

- 1. PDP19-009.** Upon the application of Jasper EcoDev, LLC, a request for a Preliminary Development Plan for a proposed clubhouse facility with commercial uses on approximately eleven (11) acres located on the west side of Stillwell Parkway at its intersection with Jasper Drive, approximately 3,800 feet west of the intersection of Granville Fairway and Santa Fe Loop, Prescott Valley, AZ. APN# 103-04-404.

**This item was discussed and action taken subsequent to GPA19-005 and ZMC19-014.**

- 2. RP20-001.** A request by Jake Investments, LLC, for a Reversionary Plat in order to combine Prescott Valley Unit 16, Lots 6728 & 6743 with previously combined Lot 6742R located at 5860 N. Fulton Dr.

Mr. Parker reported that the subject lots are vacant and in the FEMA Floodplain. Property to the north is also vacant and in the Floodplain. All of the adjacent property to the south is zoned P1 (Parking), is also in the Floodplain and is used for Parking of vehicles in conjunction with the existing Yavapai Mechanical business and buildings on the adjacent property to the south zoned C3 (Commercial; Minor Industrial).

Mr. Parker stated that the intent of Reversionary Plat (RP20-001) is to now combine Lots 6743 & 6728 with Lot 6741A into new combined Lot 6728R so that all property is included with the primary use allowing for additional vehicle parking and storage. There will later be requests to amend the General Plan from Medium-High Density Residential to Regional-Commercial and a Zoning Map Change from R2-4 (Residential; Multiple Dwelling Units) to P1 (Parking) on subject Lots.

Staff recommends that RP20-001 be forwarded to the Town Council with a recommendation for approval subject to the following condition:

1. Submittal of one signed and Notarized Reversionary Plat Mylar for recording following approval by the Town Council.

Chairperson Zurcher opened the item to questions or comments from the Commission.

The Commission had no questions for Staff, therefore, Chairperson Zurcher opened the item to questions or comments from the public.

As there were no questions or comments from the Commission or the public related to the item; Chairperson Zurcher called for a motion.

**Action RP20-001**

**Commissioner Rutherford moved to approve RP20-001 as submitted with condition and forward to the Town Council for approval.**

1. Submittal of one signed and Notarized Reversionary Plat Mylar for recording following approval by the Town Council.

Vice-Chairperson Renken seconded the motion.

MOTION carried 5:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford YES, and Commissioner Roberts YES.

**MOTION carried with 5 ayes and 0 nays.**

**IX. Call to the Public**

Chairperson Zurcher called for further public comment. He stated that those wishing to address the Planning and Zoning Commission need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

Steve Caros, Pronghorn Ranch resident, readdressed the Commission. Mr. Caros shared that the community is coming together regarding the petition that was recently circulated. He has observed that the perception of the Planning Commission is that they are in favor of developers. Mr. Caros requested that the Planning Commission truly be volunteers to the betterment of Prescott Valley.

**X. Adjournment**

There was no further public comment related to any item presented during this meeting; therefore, Chairperson Zurcher called for a motion for adjournment.

Commissioner Roberts made the MOTION, seconded by Commissioner Rutherford to adjourn by voice call vote.

Commission members voted as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Roberts YES, and Commissioner Rutherford YES.

**MOTION carried with 5 ayes and 0 nays.**

The February 10, 2020 meeting of the Planning and Zoning Commission adjourned at 7:17 p.m.

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Chairperson Zurcher