



**Planning and Zoning Commission**  
**Monday, May 13, 2019**  
**5:30 PM**  
**Library Auditorium**  
**7401 E. Skoog Blvd.**

----- Minutes -----

**I. Call to Order**

Chairperson Zurcher called the May 13, 2019, public meeting of the Planning and Zoning Commission to order at 5:30 p.m.

**II. Invocation**

 Invocation given by Commissioner 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 Roberts, Commissioner Yeater, Commissioner Musarra, and Commissioner Duskey. Members absent: Commissioner Rutherford. Staff Present: Richard Parker, Community Development Director; Joe Scott, Planner; Gary Davis, Planner and Kristi Jones, Administrative Support II.

**V. Approval of Minutes**

Chairperson Zurcher asked if the Commission had amendments to the minutes from the March 11, 2019, meeting. No revisions were submitted; thus, Chairperson Zurcher called for a motion to approve the minutes. Commissioner Yeater made the MOTION, seconded by Commissioner Musarra, to approve the minutes from the March 11, 2019 Planning Commission meeting.

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

**MOTION carried with 6 ayes and 0 nays.**

**VI. Announcements**

**VII. Public Hearing Items**

**1. ZMC19-001.** Upon the application of Grounds Properties, LLC, c/o Pacific RH, LLC, consideration of a Zoning Map Change from R1L-70 (Residential; Single Family Limited) to RS-PAD (Residential; Sales and Services-Planned Area Development) on

approximately 48 acres. Located east of Highway 69, and south of Bradshaw Mountain Road. APN 402-14-692 and 402-14-694B.

**PDP19-001. (Action Item)** Upon the application of Grounds Properties, LLC, c/o Pacific RH, LLC, consideration of a Preliminary Development Plan for a proposed 212 unit apartment development on approximately 48 acres. Located east of Highway 69, and south of Bradshaw Mountain Road. APN 402-14-692 and 402-14-694B.

Gary Davis, Planner, stated that he will be present ZMC19-001 and PDP19-001 simultaneously; however, separate motions and actions are required for each application.

Mr. Davis reported that the subject property consists of two parcels totaling approximately 48 acres on the east side of Highway 69 and south side of Bradshaw Mountain Road, south and east of the existing Family Dollar store. He indicated that the zoning classifications in the immediate area include a mix of residential and commercial districts; both C2 (Commercial; General Sales and Service) and C3 (Commercial; Minor Industrial Uses) as well as RS (Residential and Services) exist near the subject parcel. RS-PAD exists south of the subject property along Highway 69, and to the east along the south side of Bradshaw Mountain Rd.

Mr. Davis stated that the subject parcels are within the area of the 2003 Quailwood Meadows Planned Area Development (PAD). The Preliminary Development Plan for that PAD (PDP03-001) designated the land between Highway 69 and the Agua Fria River for future commercial development. He noted that the current Preliminary Development Plan application for multi-family use, if approved, would replace the 2003 PDP's plan for commercial uses. Either commercial or multi-family development would be congruent with *General Plan 2025*.

Mr. Davis reported that the *General Plan 2025* designates the subject property and the surrounding area to the north, east, and south as "Planned Area Development 5-II." That designation covers approximately 1,700 acres in the southeast portion of the Prescott Valley planning area. He indicated that the character of PAD 5-II is described as offering diverse housing, commercial, office, and employment opportunities. PAD 5-II plans for a variety of land uses that includes medium-high density residential with the rationale that the proximity to Highways 69 and 169 provide excellent commercial and living opportunities.

Mr. Davis explained that the *General Plan 2025* designates a new minor arterial, a southern extension of Village Way, to connect Bradshaw Mountain Road with Highway 169 and with the Kachina Way traffic signal.

Mr. Davis stated that per the site plan, one hundred fourteen (114) units would be constructed in the first phase of development on the north portion of the property. He noted that all vehicular access into the first phase would be via the new minor arterial road rather than access directly onto Highway 69 or Bradshaw Mountain Road. The Town will also require the applicant to construct half the minor arterial roadway to the first entrance (with a temporary turnaround at the first entry point) with the first phase, and will require them to construct a continuation of the half road to the southern property line with the second phase.

Mr. Davis reported that an emergency access onto Highway 69 – with a crash gate to be opened only in an emergency – would be built with the first phase.

Mr. Davis stated that ninety-eighty (98) units could be constructed in the second phase of development for a total of two hundred twelve (212) units. He indicated that access to the second phase would also be via the minor arterial road and that the applicant would be required to construct the road from Bradshaw Mountain to the southern boundary of the property and provide a temporary turnaround at the second access point. Mr. Davis stated that the applicant has proposed to widen the north side of Bradshaw Mountain Rd., in addition to the required off-site improvements, to create two westbound lanes from State Route 69 almost to the Agua Fria River Bridge.

Mr. Davis displayed via visual slide the proposed elevations of the single bungalow style units as well as the duplex style units.

Mr. Davis stated that upon approval of ZMC19-001, the next step in the process would be a public hearing before the Town Council on May 23, 2019 for the first reading of the ordinance and subsequently the second reading would occur on June 13, 2019 with ordinance adoption upon approval. He noted that the applicant could submit a Final Development Plan for consideration at the June 13, 2019 Council meeting or a future date. Mr. Davis stated that the Final Development Plan would have to conform to PDP19-001.

In conclusion, Mr. Davis stated that the request is congruent with Land Use and Goals of the Prescott Valley *General Plan 2025*. Staff supports the request and recommends that the Commission make a motion to approve ZMC19-001 subject to the conditions proposed in the Staff Brief:

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 (PDP19-001).
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. Installation of public improvements and dedications as required by the Town Engineer in conformance with the Traffic Impact Analysis dated April 2019, and as shown on site plan, Exhibit A, including but not limited to widening of Bradshaw Mountain Rd. as shown on site plan, installation of emergency access roadway per Fire Marshall requirements prior to certificate of occupancy for the first phase of development, and construction of the west half of the Village Way extension from Bradshaw Mountain Rd. to the southern property boundary prior to certificate of occupancy for the second phase of development.
4. Remitting to the Town, on a monthly basis, all monies collected as a result of the proposed multifamily development, and/or its successors and assigns, applying a "surcharge" against all rents collected from occupation and use of units within any phase of the apartment complex, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty

(60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the apartment complex.

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

Vice-Chairperson Renken asked if the road widenings coming off of State Route 69 are part of Phase 1.

Mr. Davis said “yes.”

There were no further questions or comments from the Commission for Staff; therefore, Chairperson Zurcher invited the applicant to address the Commission.

Chris Harrison, Vice President Field Operations & Land Development for Dorn Homes, addressed the Commission. Mr. Harrison stated that Mr. Grounds was unable to attend as his mother had recently passed away. He expressed that Mr. Grounds is very passionate about this project and that they have listened to the community. Mr. Harrison indicated that there were many negative comments at their first neighborhood meeting so they scrapped the original plans and started anew. The original concept of three story apartments has been replaced with single level units and the number of units has decreased from two hundred eighty-eight to two hundred twelve.

Dave Grounds, Owner of Dorn Homes, addressed the Commission via video recording and summarized the project to date. He noted that one of the Town’s missions is to create more housing options for its residents. Mr. Grounds stated he originally thought the land was best suited for high density apartments due to the close proximity to State Route 69 and the Family Dollar Store. Due to great resistance from Quailwood residents at the first neighborhood meeting, they scrapped their original plans and listened to the feedback. In addition, they are improving the traffic situation on Bradshaw Mountain Road. Mr. Grounds indicated that they are adding another lane which will increase the capacity and flow over and above the capacity that will be generated from their proposed development. He noted that the community will be self-sustaining with their own amenities such as a dog park, and pool and the residents will not be allowed to utilize any of the Quailwood amenities. Mr. Grounds reported that they will have 50% open space instead of placing a high density of units. He indicated that they currently don’t own the land; therefore, if the Zoning doesn’t pass, they will walk away from the project. Mr. Grounds noted that the land owner is very motivated to sell and there are many apartment developers searching for land along the State Route 69 corridor. He expressed that he cares about the Quailwood residents and as the builder in Quailwood, he has a vested interest in taking care of its residents.

Chairperson Zurcher opened the item for public comment. Due to the number of public hearing items on the agenda, Chairperson Zurcher stated that public comment would be confined to three (3) minute intervals per person. He stipulated that comments need to be pertinent to the aspects of the project on the agenda, avoid repetitious comments and each person may speak once.

Paula Deal, Quailwood resident, addressed the Commission. Ms. Deal stated that there were inconsistencies with what was presented at the neighborhood meeting versus what was submitted in PDP19-001. She is concerned with the lack of confirmation that there will be a dedicated right-hand turn lane into the apartment complex as well as the potential traffic hazards that may arise due to the absence of a dedicated right-hand turn lane. Ms. Deal shared her concern over the current amount of pedestrian traffic which will be affected by the increased vehicular traffic. She indicated that the traffic study only reflected winter months; therefore, it didn't accurately depict the increased traffic that will be generated by this development.

Ron Smith, Quailwood resident, addressed the Commission. Mr. Smith expressed his concerns pertaining to one entrance and exit for Quailwood as well as the hazards in the event of an emergency evacuation of the area. He noted that he didn't feel his concerns have been addressed and feels it is dangerous.

Ronald Ramer, Quailwood resident, addressed the Commission. Mr. Ramer doesn't have an objection to the project with the exception of the road that would be constructed. He stated that with over 2,000 homes, there should be another entrance and exit into the subdivision. He doesn't believe the current emergency exits are adequately accessible unless you have a 4 wheel drive vehicle.

Loren Miller, Quailwood resident, addressed the Commission. Mr. Miller expressed his concern over the location of the proposed arterial road. He noted that it is too close to the bridge and due to the high railing on the south side of the bridge and grade of the proposed arterial road; the view will be obstructed for both parties egressing.

Brian Lengyel, Quailwood resident, addressed the Commission. Mr. Lengyel conveyed his condolences to Mr. Grounds and appreciated the fact that they took the time to listen to the concerns of the neighbors. Mr. Lengyel asked if the units in both phases are all single story and the same height. He stated that he didn't feel the employment opportunities in the community support more rental homes and it will just generate more morning traffic into Prescott on an already congested highway. Mr. Lengyel indicated that he isn't opposed to the project and feels the revised proposal is more attractive and conducive to the area. He noted that he would like to see another access road out of the project.

Berta Richmond, Quailwood Townhomes resident, addressed the Commission. Ms. Richmond shared the same concerns about the entrance and exit. She doesn't oppose the new project but would like to have their concerns taken more seriously pertaining to an emergency entrance and exit with the amount of people that currently live in the subdivision.

Esther Falls, Quailwood resident, addressed the Commission. Ms. Falls stated that her

primary concern is the traffic as well as the pedestrian traffic of children. She also shared her concern regarding the location of the emergency road. Ms. Falls indicated that a lot of people run the red light at Bradshaw Mountain Rd and few adhere to the speed limit and this will worsen with additional traffic generated from this project.

Chairperson Zurcher closed public comment and asked the Commission if they have additional questions of Staff.

Chairperson Zurcher noted that the two biggest concerns pertain to emergency evacuation routes, traffic concerns and whether the building height on Phases 1 and 2 would be the same.

Mr. Davis stated that the Town held an open house last week to discuss the emergency evacuation plan. For the Quailwood Meadows development, an emergency evacuation access point exists on Morales Street, about 200 feet north of Ortiz Street, providing a connection to Highway 69 via Village Creek Blvd. He noted that Town staff would work with the Quailwood Meadows developers to locate and establish an additional emergency access route to the east and south to Highway 169 concurrent with any future development. Mr. Davis stated that one of the conditions of approval requires an emergency access roadway be constructed per Fire Marshall Standards for the first phase of development that would access out to State Route 69. Mr. Davis deferred the traffic related questions to the developer's traffic engineer.

Chairperson Zurcher asked for a timeline on road improvements.

Mr. Davis indicated that the applicant will be required to construct half the minor arterial roadway to the first entrance (with a temporary turnaround at the first entry point) with the first phase, and will require them to construct a continuation of the half road to the southern property line including a temporary turnaround at the second access point with the second phase. Any additional extensions will be constructed in conjunction with future developments adjacent to those proposed roadway alignments.

Jeff Kreutzer, Product Development Manager for Dorn Homes, addressed the Commission. He confirmed that all homes in both phases will be single level units, 18' in height. He emphasized that they did listen to the concerns of the community which is why they redesigned the project.

Tove White, Traffic Engineer, CivTech, addressed the Commission. Ms. White stated that two different traffic studies were done. The first study was based on traffic counts that were primarily completed in November, 2017 and based on concerns from the citizens; a second traffic study was done with new data based on traffic counts performed in March, 2019.

Vice-Chairperson Renken asked for clarification about the traffic lanes coming out of the

project.

Ms. White stated that the applicant is widening Bradshaw Mountain Road to the full extent. They are unable to widen the bridge; however, there will be a central lane plus two westbound lanes. She noted that there will be a large capacity improvement from what currently exists.

Vice-Chairperson Renken asked if there is a sidewalk on either side of Bradshaw Mountain Road.

Ms. White indicated that she believes there is a sidewalk on the south side as that area is completed.

Vice-Chairperson Renken asked if the crossing will be handled in an appropriate manner.

Mr. Davis stated that any improvements will be reviewed and permitted through the Town's Public Works Department.

Commissioner Musarra asked if there will be anything such as jersey barriers separating the inbound lanes and exit lanes on Bradshaw Mountain Road.

Ms. White replied "no." She noted that there will be a lane separation along with a painted, defined left-turn lane.

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

### **Action ZMC19-001**

#### **Vice-Chairperson Renken moved to approve ZMC19-001 as submitted with the following 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 (PDP19-001).
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. Installation of public improvements and dedications as required by the Town Engineer in conformance with the Traffic Impact Analysis dated April 2019, and as shown on site plan, Exhibit A, including but not limited to widening of Bradshaw Mountain Rd. as shown on site plan, installation of emergency access roadway per Fire Marshall requirements prior to certificate of occupancy for the first phase of development, and construction of the west half of the Village Way extension from Bradshaw Mountain Rd. to the southern property boundary prior to certificate of occupancy for the second phase of development.

4. Remitting to the Town, on a monthly basis, all monies collected as a result of the proposed multifamily development, and/or its successors and assigns, applying a "surcharge" against all rents collected from occupation and use of units within any phase of the apartment complex, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty (60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the apartment complex.

Commissioner Yeater seconded the motion.

MOTION carried unanimously by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Duskey YES, Commissioner Roberts YES, Commissioner Musarra YES, Commissioner Yeater YES.

**MOTION carried with 6 ayes and 0 nays**

2. **ZMC19-002.** Upon the application of TDH Investments LLC, a request for a Zoning Map Change from R2-2 (Residential; Multiple Dwelling Units) to RS (Residential and Services) on Lots 27, 28 and 29 in Prescott Country Club Unit 1 located on the northeast corner of Old Chisholm Trail and Arabian Ln, Dewey, AZ. APN 402-16-029 and a portion of APN 402-16-026A.

Joe Scott, Planner, reported that the subject lots are part of Prescott Country Club (PCC) Unit-1 developed in Yavapai County in 1969. In 2004, the Town of Prescott Valley annexed (ANX03-E) approximately 150 acres of residential and commercial property that included Tract-B of the Prescott Country Club Unit-1 which is adjacent to this subject property. He noted that 2.64 acres of Tract-B, adjacent to this subject property are also owned by TDH Investments, LLC. Mr. Scott stated that the applicant recently purchased a building that had been occupied as a church on PCC-1 Lots 27 & 28 with vacant Lot 29 and Lots 25 & 26 that were used for church parking. The intent is to develop a Day Care facility on all the property to be leased out. He indicated that the Town Building Staff feels the property is well suited for such a use with multiple existing classrooms.

Mr. Scott reported that the owner preferred to be part of the Town along with their other property in Prescott Valley Town Limits in order to connect to Town sewer system. There is an 8' sewer line developed in 2007 on the adjacent "Tract-B" in Prescott Valley Limits that comes to the East end of the subject property. PCC-1 Lots 25-29 were annexed (ANX19-001) into the Town of Prescott Valley with approval of Ordinance No. 860 by the Town Council on March 14, 2019 which adopted the RS and R2 zoning that existed in the County.

Mr. Scott stated that the property containing the prior church structure (Lots 27, 28) and vacant lot 29 are zoned R2 which allowed for the church but doesn't allow for Day Care Facilities of over 10 children; thus, the property needs the RS Zoning District. He noted that Day Care Facilities with 10 or fewer children are allowed by state law in any residential

district and residential structures subject to building codes and state licensing. Mr. Scott reported that Lots 25 and 26 are presently zoned RS and were utilized for the church parking and will be the same for the Day Care. Adjacent lots to the east, and across the street to the south, on Arabian Lane are zoned R2 with multiple dwelling units. He noted that the lots across the street to the west on Old Chisholm Trail are zoned R1L for single family residences. North of Lots 25 & 26 along the east side of Old Chisholm Trail, extending to Country Club Blvd there are three lots zoned R2. Mr. Scott indicated that ten lots are zoned RS with seven of those having various business office uses.

Mr. Scott stated that the building is approximately 2,000 square feet and will contain 7 rooms. The Day Care will be State Licensed per the Arizona Administrative Code and Arizona Revised Statutes for Child Care Facilities. He reported that the applicant has stated that the number of children will be somewhere around 40 full time children and some after school care children but could expand to 59 with 4-5 employees. The Day Care is usually open Monday thru Friday but the building isn't restricted to those days and hours are typically 7 a.m.-5:30 p.m. Mr. Scott indicated that there is a 4' chain-link fenced play area on the east side of the building that is approximately 40' x 55'. The fencing is contained on Lot 28 and is therefore 80' (the width of vacant Lot 29) from the nearest residential property and dwelling.

Mr. Scott explained that fencing is regulated in Section R9-5-603(C). "Outdoor Activity Areas" of the Arizona Administrative Code and Arizona Revised Statutes for Child Care Facilities as administered by the Arizona Department of Health Services. The existing fence meets the standards below:

- C. Except as provided in subsection (D), a licensee shall ensure that an outdoor activity area:
  1. Is enclosed by a fence:
    - a. A minimum of 4 feet high;
    - b. Secured to the ground; and
    - c. With either vertical or horizontal open spaces on the fence or gate that do not exceed 4.0 inches;
  2. Is maintained free from hazards, such as exposed concrete footings and broken toys; and
  3. Has gates that are kept closed while an enrolled child is in the outdoor activity area.

Mr. Scott indicated that the Prescott Country Club HOA has asked that the play area fencing be a solid 6' masonry wall for noise mitigation. The current fencing is allowed by the State and Staff suggests there is appropriate distance from the facility to adjacent residential uses. Mr. Scott reported that the business will operate on Lots 26, 27 and 28. Lot 29 is vacant and will provide a buffer from the play area. Per the conditions of rezoning, Lot 29 may be utilized in conjunction with a primary use of an existing building or developed as a separate

residence per the RS district but would not be developed as a stand-alone business. Mr. Scott indicated that there have been ongoing discussions between the HOA, the applicant, and the eventual operator of the business regarding proper fencing. He noted that the current fencing meets the requirements.

Mr. Scott reported that due to concerns in the neighborhood, a traffic study was prepared. Estimates are based on the maximum enrollment of 59 students, which is inclusive of parent and teacher trips. He noted that it's estimated to generate a total of 241 daily vehicle trip ends, 46 trip ends (24 in, 22 out) during the AM peak-hour, and 47 trip ends (22 in, 25 out) during the PM peak-hour. Assuming the projected estimated student enrollment of 40, it's estimated to generate 164 daily vehicle trip ends and to generate 14 less AM and 15 less PM peak hour trip ends which is well below the Town's 100 vehicle peak hour threshold identified within their *Traffic Impact Analysis Guidelines*.

Mr. Scott stated that the planned Day Care facility is anticipated to generate a low number of peak-hour trip ends. He indicated that the vehicle trips to and from the site are anticipated to be distributed to both Prescott Country Club Boulevard and Bradshaw Mountain Road, further minimizing impacts any one roadway segment on Old Chisholm Trail. Under the most extreme condition that assumes all new vehicle trips being generated from outside the community and using the Prescott Country Club Boulevard/Old Chisholm Trail intersection will continue to operate at acceptable service levels.

Mr. Scott reported that a neighborhood meeting was held by the applicant on March 5, 2019 with all property owners within one thousand (1000') feet having been invited by first class mail. It was reported that seven persons attended and a summary of the meeting was provided in the Commission packets along with correspondence from a neighboring property owner. Mr. Scott noted that the Town hasn't received any further comments.

Mr. Scott stated that the General Plan designation is Low Density Residential which supports the RS zoning district per General Plan Table LU-4. The property is now in the Town Limits and is required to be connected to the Town Sanitary Sewer System. He indicated that the RS District allows R2 District uses along with personal services, professional office uses, public, and private schools along with Day Care facilities. The location adjacent to existing RS and R2 zoning is an appropriate transition. Mr. Scott noted that a Traffic Statement has been prepared by a Registered Professional analyzing the impacts of the Day Care facility on existing traffic conditions.

Mr. Scott reported that Staff supports this proposed rezoning from R2-2 (Residential; Multiple Dwelling Units) to RS (Residential and Services) on Lots 27, 28 & 29 for the proposed Day Care facility and recommends that ZMC19-002 be approved and forwarded to the Town Council with the recommendation for approval subject to the following conditions.

1. Prior to operation of a business and approval of Business License for Day Care use on the property the follow conditions will be required:
  - A. Connections to Town Sanitary Sewer System via the active 8” line that lies within 300’ of the building on adjacent property in Town Limits to the north.
  - B. Development of hard surfaced parking at 1-space per 10 children plus 1 per employee per Town Code standards.
  - C. Development and uses shall be in conformance with all applicable Town Code provisions.
  - D. Combination of utilized site parcels.
  - E. No vehicular access from Arabian Lane.
  - F. Lot 29 may be utilized in conjunction with a primary use of the existing building or developed as a separate Residence per the RS District but shall not be stand-alone business use with Arabian Lane access.

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

Commissioner Musarra inquired as to whether another professional use could be established if the Zoning Map Change is approved.

Mr. Scott stated if the proposed Day Care Facility is terminated, any other approved use in the RS district could operate unless there were conditions placed upon it.

Chairperson Zurcher asked for confirmation that Old Chisholm Trail and Arabian Lane are not within the Town limits and would be maintained by Yavapai County.

Mr. Scott confirmed that those are both County roads. He noted that Yavapai County reviewed the Traffic Study and concurred with the conclusions.

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher invited the applicant to address the Commission.

Tim Henrickson, Owner of TDH Investments, addressed the Commission. Mr. Henrickson stated that at the time he acquired the subject property, he didn’t have a specific use in mind. He was approached by a day care that had interest in the location. Mr. Henrickson said that he owns other properties that have day care facilities and they work well.

Chairperson opened the item up to public comment.

Al Zielinski, Director of Prescott Country Club Property Owner’s Association, and Jennifer Lynch, Board Secretary for the Prescott Country Club Property Owner’s Association, addressed the Commission. Mr. Zielinski stated that he is speaking on behalf of the Board of Directors as well as the residents of Prescott Country Club. He indicated that residents are concerned about impact to their property values as well as increased traffic - noting that the

former church had minor traffic impact on Sundays. Mr. Zielinski stated that the proposed day care will impact traffic in and out of the community on a daily impact mornings and evenings. He noted that Prescott Country Club is primarily a retirement area; therefore, very few residents would utilize the day care facility. Mr. Zielinski indicated that several property owners are concerned about the noise from the outdoor play area and request, if the rezoning is approved, a six foot block fence for noise mitigation be installed.

Ms. Lynch reiterated that the two main concerns are the increased traffic and the fencing. She stated that she was a former licensed day care provider in Michigan and she is also a parent. Ms. Lynch expressed her concern with the fence only meeting the minimum requirement. She explained that a six foot block fence would not only satisfy the noise mitigation for surrounding properties but would provide a safer, private environment for the children.

Mr. Zielinski stated that the subject property is within the jurisdiction of the Property Owner's Association and must adhere to their guidelines which require POA approval for any modifications to the exterior of the property. He emphasized that the POA has asked for a six foot block wall for noise mitigation and the property must be in compliance. He referenced Town Code Section 13-11-010 pertaining to the purpose of RS zoning as well as Town Code Section 13-11-060 which describes Landscaping, Screening, Outdoor Lighting, Nuisances, and Hazards. Mr. Zielinski didn't feel parking was addressed during the recommendation.

Carol McKinney, Prescott Country Club resident, addressed the Commission. She lives approximately four houses down from the proposed day care. She stated that she has lived in the Country Club for sixteen years and they chose their home due to the quiet community. She reiterated that the Country Club is a retirement community and a day care is not a good fit. Ms. McKinney is concerned with additional traffic as well as the safety of the children due to the heavy traffic. She also asked if the residents would have a say in any future use of the property if the rezoning is approved.

Diana Staley, Prescott Country Club resident, addressed the Commission. She stated that she and her husband were two of the seven people that attended the neighborhood meeting; however, they never received any notice. Mrs. Staley reported that they own the first house on Old Chisholm. She expressed gratitude that a traffic study was done but noted that although it may not be a lot of vehicles, it adds up when you are waiting to get out of your driveway and are delayed due to the traffic. Mrs. Staley shared her concern regarding emergency evacuations and the amount of additional traffic that will be generated due to a day care facility that has up to 59 children.

Steve Moore, Prescott Country Club resident, addressed the Commission. He noted that he lives up on the hill that looks down onto the proposed day care. He expressed that there is already a tremendous amount of noise from the Mexican restaurant as is and adding a day care that has 40 to 59 children is too much. He shares the same concerns about increased traffic. Mr. Moore stated that the use of Lot 29 seems to be open without a clear definition

of what will go on that lot. He noted that every adjacent property is a dwelling; not a business. He voiced his strong opposition to the proposed day care center.

Greg Staley, Prescott Country Club resident, addressed the Commission. He opposes the proposed day care center for the same reasons expressed by the other residents. Mr. Staley expressed his concern for the safety of the pedestrian traffic in the area and noted that there aren't any sidewalks.

John Jamison, Prescott Country Club resident, addressed the Commission. Mr. Jamison stated that he lives on Old Chisholm Trail and it is a small two-lane road with a lot of pedestrian traffic. He doesn't see the need for more commercial businesses as it is a residential community. Mr. Jamison expressed his concern that parents will be speeding down the road to drop off their children and speeding out to get to work on time. He noted that it is just too narrow of a road for additional traffic and the proposed day care is not conducive to the neighborhood.

Chairperson Zurcher closed public comment and brought it back to the Commission.

Vice-Chairperson Renken asked applicant for feedback on the block wall versus the chain link fence.

Mr. Henrickson stated that he had a similar experience a few years ago for another property within the Country Club where they put in a block wall and that wasn't what they wanted. On this property, they put in a chain link fence to be proactive. He didn't want the kids blocked in; he wanted them to be able to see the neighborhood and what's going on. He said the block wall is an issue that they will need to discuss further. Mr. Hendrickson noted that he hasn't been successful with projects within the Country Club. He shared that he spends a lot of time in the Country Club as his kids and grandkids live there and there are school buses that go in the Country Club; therefore, there are families with children that reside there. He expressed his disappointment with comments that residents don't want to "hear" kids. Mr. Henrickson stated that he feels a day care is compatible with the neighborhood and his other day care facilities are successful without issues. He noted that he has a day care in Prescott Valley across from a residential neighborhood and it isn't intrusive.

Vice-Chairperson Renken said that he felt the current fence needs improvement as it appears to have been there for a while.

Mr. Henrickson stated that the fence is brand new and added that the fence is a minor issue. He reiterated that a day care is a good use for the subject project.

Commissioner Musarra asked for clarification as to whether they are approving the zoning request specifically for a day care or could another use be established.

Mr. Scott stated that he doesn't have all the approved uses for the RS Zoning but it would include items such as personal services, professional services, and office uses most of which would be less intensive than the proposed day care. No retail sales are allowed.

Commissioner Roberts asked about aesthetics such as the screening, parking, landscaping.

Mr. Scott stated with a site plan review, there is a screening requirement for parking. He reported that 10 paved parking spaces would be required and the parking should be contained to Lot 26. Mr. Scott indicated that they would be allowed to have up to a 30' driveway and they would need to define the entrance to the allowed entrance width and they would condition that the required screening would be applied to the parking area other than the driveway entrance. He noted that they could restrict entrance from Lot 25 and have the primary entrance on Lot 26.

Chairperson Zurcher stated that the other businesses along Old Chisholm are within Yavapai County jurisdiction and have County zoning. He asked if they would become RS Zoning if annexed into the Town of Prescott Valley.

Mr. Scott indicated that the current County Zoning is RS on those properties which are very similar to the Town's RS Zoning District.

Commissioner Musarra suggested that they table the application to a future meeting to give the developer time to refine the request. Discussion ensued amongst the Commission and they were in agreement with Commissioner Musarra.

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

### **Action ZMC19-002**

**Commissioner Musarra moved to table the application to a future date. Commissioner Roberts seconded the motion.**

MOTION carried unanimously by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Duskey YES, Commissioner Roberts YES, Commissioner Musarra YES, Commissioner Yeater YES.

**MOTION carried with 6 ayes and 0 nays**

- 3. ZMC19-003.** Upon the application of Link Development, LLC, consideration of a Zoning Map Change from RCU-70 (Residential; Conditional Use Permit) to RS-PAD (Residential and Services-Planned Area Development) on approximately five (5) acres. Located at the southeast corner of Long Look Dr. and Viewpoint Dr., APN 103-02-772A and 103-02-772B.

**PDP19-002. (Action Item)** Upon the application of Link Development, LLC, consideration of a Preliminary Development Plan for a proposed senior living facility that would include memory care, assisted living and independent living on approximately five (5) acres. Located at the southeast corner of Long Look Dr. and Viewpoint Dr., APN 103-02-772A and 103-02-772B.

Gary Davis, Planner, stated that he will be present ZMC19-003 and PDP19-002 simultaneously; however, separate motions and actions are required for each application.

Mr. Davis stated that the subject property is on approximately five (5) acres located at the southeast corner of Long Look Dr. and Viewpoint Dr.

Mr. Davis indicated that R1L-18 zoning (Residential; Single Family Limited) exists to the north of the site directly across Long Look Dr. R2-PAD (Residential; Multiple Dwelling Units, Planned Area Development) exists to the east and south. RCU-18 (Residential; Conditional Use Permits) exists to the west, across Viewpoint Dr. Single family residential uses exist to the north, an assisted living facility exists to the east, and three-story senior apartments exist to the southeast. Bob Edwards Park is to the west, across Viewpoint Dr.

Mr. Davis reported that PDP19-002 depicts a main building of approximately 116,000 square feet, which would contain the independent living, assisted living, and memory care components of the facility. He noted that portions of the building would be three stories in height and displayed via visual slide the proposed elevations that show building heights not exceeding the 35-foot maximum in the RS zone. Mr. Davis indicated that six future “cottages” are proposed along Long Look Drive, which would provide a single-story residential buffer compatible with the single-family residential neighborhood to the north.

Mr. Davis stated that a Traffic Impact Analysis (TIA) was prepared dated April 2019 and the TIA showed minimal traffic volume impacts on Long Look Drive and Viewpoint Drive, and ample traffic capacity would still exist on both streets post-development.

Mr. Davis stated that upon approval of ZMC19-003, the next step in the process would be a public hearing before the Town Council on May 23, 2019 for the first reading of the ordinance and subsequently the second reading would occur on June 13, 2019 with ordinance adoption upon approval.

The Commission is first being asked to consider if the request for the Zoning Map Change to RS PAD is in conformance with the *General Plan 2025* and is appropriate with the limitations set forth as conditions of approval. The request is congruent with Land Use and Goals of the Prescott Valley *General Plan 2025*.

Mr. Davis reported that Staff supports the request and recommends that the Commission make a motion to approve ZMC19-003 subject to the conditions proposed in the Staff Brief:

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 (PDP19-002).
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. Installation of public improvements and dedications as required by the Town Engineer in conformance with the Traffic Impact Analysis dated April 2019, and illustrated on the site plan, Exhibit A, including but not limited to road widening, curb, gutter, sidewalk and restriping.

4. Remitting to the Town, on a monthly basis, all monies collected as a result of the independent living component of Prescott Valley Senior Living, and/or its successors and assigns, applying a "surcharge" against all rents collected from occupation and use of units within any phase of the apartment complex, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty (60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the apartment complex.

In the event of non-compliance with any of the above conditions, the zoning for the described property shall revert from RS-PAD back to the original zoning designation of RCU-70, in accordance with the procedures set forth in ARS Section 9-462.01(E).

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

Commissioner Musarra inquired about privacy for the memory care portion as to whether it would be enclosed.

Mr. Davis stated the plans depict a courtyard; however, he will defer to the applicant for more specific information.

Chairperson Zurcher asked about proposed traffic improvements to the area.

Mr. Davis indicated that this type of proposed use doesn't produce much traffic during the peak hours as it spreads out due to various shift times.

There were no further questions or comments from the Commission for Staff; therefore, Chairperson Zurcher invited the applicant to address the Commission.

Gunnar Langhus, Ankrom Moisan Architects, addressed the Commission. Mr. Langhus stated that they have done several senior living projects throughout Arizona and the Northwest. In regards to the memory care unit, he reported that they will have an internal courtyard with a covered, shaded area. He noted that the center facing courtyards are more secure. Mr. Langhus stated that the courtyard is only accessible to memory care patients and staff. He noted that the project will generate minimal traffic impact as most residents don't have vehicles. Mr. Langhus indicated that the independent living will have 25 units and, in most cases, residents that move in with vehicles end up eventually getting rid of them. He reported that they will be doing some roadway improvements that include road widening, curb, gutter, and sidewalks.

Chairperson opened the item up to public comment.

Curtis Larson, Executive Director of Glassford Place, addressed the Commission. Mr. Larson stated that although the employees and residents don't necessarily generate a lot of traffic; traffic is impacted with industry professionals, family members, and delivery people.

He expressed his concerns over staffing. He stated that there are currently over 25 senior care type facilities in the community and most are understaffed. Mr. Larson noted that the residents suffer when facilities aren't fully staffed.

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

**Action ZMC19-003**

**Commissioner Roberts moved to approve ZMC19-003 as submitted with the following condition 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 (PDP19-002).
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. Installation of public improvements and dedications as required by the Town Engineer in conformance with the Traffic Impact Analysis dated April 2019, and illustrated on the site plan, Exhibit A, including but not limited to road widening, curb, gutter, sidewalk and restriping.
4. Remitting to the Town, on a monthly basis, all monies collected as a result of the independent living component of Prescott Valley Senior Living, and/or its successors and assigns, applying a "surcharge" against all rents collected from occupation and use of units within any phase of the apartment complex, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty (60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the apartment complex.

In the event of non-compliance with any of the above conditions, the zoning for the described property shall revert from RS-PAD back to the original zoning designation of RCU-70, in accordance with the procedures set forth in ARS Section 9-462.01(E).

**Vice-Chairperson Renken seconded the motion.**

MOTION carried unanimously by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Duskey YES, Commissioner Roberts YES, Commissioner Musarra YES, Commissioner Yeater YES.

**MOTION carried with 6 ayes and 0 nays**

4. **ZMC19-004.** Upon the application of Primary Builders, LLC, a request a Zoning Map Change from RCU-70 (Residential; Conditional Use Permit) to RS-PAD (Residential and Services-Planned Area Development) on approximately five (5) acres. Located at the southeast corner of Long Look Dr. and Viewpoint Dr., APN 103-02-772A and 103-02-772B.

Joe Scott, Planner, stated in 1993 the zoning of Unit 24 was changed from C1 (Commercial; Neighborhood Sales and Services) to C2 (Commercial; General Sales and Services) with approval of Ordinance No. 301.

Mr. Scott indicated that the zoning along the western portion of Addis Avenue is RS (Residential and Services) as is all the lots in Unit 18 surrounding Unit 24 and are developed with duplexes. He noted that several Lots in Unit 24 have been developed for commercial use, but most remain undeveloped. Upon approval of rezoning to RS, the applicant wishes to divide Lot 10 and develop two duplexes facing Addis Ave and develop one Duplex on Lot 9, accessed from Baja Circle. Mr. Scott stated that the proposed zoning and use is compatible with the surrounding neighborhood.

Mr. Scott reported that the purpose of the RS Zoning District is to provide for orderly and compatible development in transitional areas between residential and non-residential districts. The RS District allows R2 (Residential; Multiple Dwelling Units) as a matter of right.

Mr. Scott stated that the General Plan designation is Community Commercial which is consistent with the RS District per General Plan 2025 Table LU-4.

Mr. Scott noted that a neighborhood meeting was held by the applicant on April 1, 2019 with all property owners within one thousand (1000) feet having been invited by first class mail. It was reported that there were no attendees or other inquiries into the proposed rezoning. Mr. Scott indicated that the Town had received a letter in favor of the rezoning as well as a letter in opposition – both of which were provided to the Commission.

Mr. Scott stated that staff supports this proposed rezoning from C2 (Commercial; Neighborhood Sales and Services) to RS (Residential and Services) on Lots 9 & 10, Prescott Valley Unit 24 in that the RS District is consistent with *General Plan 2025* and surrounding land uses and zoning. Staff recommends that ZMC19-004 be approved and forwarded to the Town Council with the recommendation for approval subject to the following conditions:

1. One split of Lot 10 is permitted with a Lot Split application.
2. All development shall be in conformance with all applicable Town Code Provisions.

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher invited the applicant to address the Commission.

Robin Fox, Primary Builders, addressed the Commission. Ms. Fox stated that their plan is to create more affordable housing for Prescott Valley by building some high quality duplexes similar to the Spouse corridor that has been rezoned.

Chairperson Zurcher opened the item for public comment.

Tim Miller, owner of adjacent Lot 8, addressed the Commission. Mr. Miller stated that downgrading the zoning violates Town Code Section 13-14-010. He noted that downgrading the zoning defeats the purpose of commercial zoning. Mr. Miller also expressed concern that the rezoning would adversely affect the marketability of his property as well as the market value of the property. He emphasized that residents aren't compatible with commercial zoning. Mr. Miller urged the Commission to reject this application.

Chairperson Zurcher asked if his property is south of Lot 9 and is the property currently undeveloped.

Mr. Miller stated his property is south of Lot 9 and confirmed that it is currently undeveloped but added that he purchased the property with the intent to develop it at some point.

Chairperson Zurcher closed public comment.

Chairperson Zurcher asked Mr. Scott to address Mr. Miller's concerns.

Mr. Scott stated that his property will retain all the rights to C2 District. He noted that they don't get involved in speculating on property values.

Commissioner Roberts asked for confirmation that Baja is the only entrance in and out of the subject property.

Mr. Scott replied "correct."

Commissioner Roberts asked if there is a commercial business at the end of Baja.

Mr. Scott replied "correct."

Chairperson Zurcher added that Yavapai Continuation High School is located on Baja as well.

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

#### **Action ZMC19-004**

#### **Commissioner Yeater moved to approve ZMC19-004 as submitted with the following conditions and forward to the Town Council for approval.**

1. One split of Lot 10 is permitted with a Lot Split application.
2. All development shall be in conformance with all applicable Town Code provisions.

Vice-Chairperson Renken seconded the motion.

MOTION denied by roll call vote as follows: Chairperson Zurcher NAY, Vice-Chairperson Renken YES, Commissioner Dusky NAY, Commissioner Roberts NAY, Commissioner Musarra NAY, Commissioner Yeater YES.

**MOTION denied with 2 ayes and 4 nays**

### **VIII. Action Items**

1. **PDP19-001.** Upon the application of Grounds Properties, LLC, c/o Pacific RH, LLC, consideration of a Preliminary Development Plan for a proposed 212 unit apartment development on approximately 48 acres. Located east of Highway 69, and south of Bradshaw Mountain Road. APN 402-14-692 and 402-14-694B.

Mr. Davis stated that upon passage of a motion on ZMC19-001, the Commission is being asked to approve by separate motion Preliminary Development Plan PDP19-001 for the development of two hundred twelve (212) one-story units subject to the conditions proposed in the Staff Brief:

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 including a maximum number of units as shown therein.
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. In conjunction with a Final Development Plan, installation of public improvements and dedications as required by the Town Engineer in conformance with Traffic Impact Analysis dated April 2019, and as shown on site plan, Exhibit A, including but not limited to widening of Bradshaw Mountain Rd. as shown on site plan, installation of emergency access roadway per Fire Marshall requirements prior to certificate of occupancy for the first phase of development, and construction of the west half of the Village Way extension from Bradshaw Mountain Rd. to the southern property boundary prior to certificate of occupancy for the second phase of development.
4. 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.

### **Action PDP19-001**

#### **Vice-Chairperson Renken moved to approve PDP19-001 as submitted with conditions.**

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 including a maximum number of units as shown therein.
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. In conjunction with a Final Development Plan, installation of public improvements and dedications as required by the Town Engineer in conformance with Traffic Impact Analysis dated April 2019, and as shown on site plan, Exhibit A, including but not limited to widening of Bradshaw Mountain Rd. as shown on site plan, installation of emergency access roadway per Fire Marshall requirements prior to certificate of occupancy for the first phase of development, and construction of the west half of the Village Way extension from Bradshaw Mountain Rd. to the southern property boundary prior to certificate of occupancy for the second phase of development.
4. 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 Roberts seconded the motion.

MOTION carried unanimously by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Duskey YES, Commissioner Roberts YES, Commissioner Musarra YES, Commissioner Yeater YES.

MOTION carried with 6 ayes and 0 nays.

2. **PDP19-002.** Upon the application Link Development, LLC, consideration of a Preliminary Development Plan for a proposed senior living facility that would include memory care, assisted living and independent living on approximately five (5) acres. Located at the southeast corner of Long Look Dr. and Viewpoint Dr., APN 103-02-772A and 103-02-772B.

Mr. Davis stated that upon passage of a motion on ZMC19-003, the Commission is being asked to approve by separate motion Preliminary Development Plan PDP19-002 for the development a proposed senior living facility that would include memory care, assisted living, and independent living, subject to the conditions proposed in the Staff Brief:

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 including a maximum number of units as shown therein.
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. In conjunction with a Final Development Plan, installation of public improvements and dedications as required by the Town Engineer in conformance with Traffic Impact Analysis dated April 2019, and illustrated on the site plan, Exhibit A, including but not limited to road widening, curb, gutter, sidewalk and restriping.

4. 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.

### **Action PDP19-002**

#### **Commissioner Roberts moved to approve PDP19-002 as submitted with conditions.**

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 including a maximum number of units as shown therein.
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. In conjunction with a Final Development Plan, installation of public improvements and dedications as required by the Town Engineer in conformance with Traffic Impact Analysis dated April 2019, and illustrated on the site plan, Exhibit A, including but not limited to road widening, curb, gutter, sidewalk and restriping.
4. 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 Yeater seconded the motion.

MOTION carried unanimously by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Duskey YES, Commissioner Roberts YES, Commissioner Musarra YES, Commissioner Yeater YES.

MOTION carried with 6 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.

### **X. Adjournment**

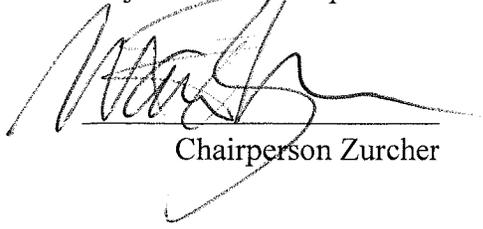
There was no further public comment related to any item presented during this meeting; therefore, Chairperson Zurcher called for a motion for adjournment.

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

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

**MOTION carried with 6 ayes and 0 nays.**

The May 13, 2019, meeting of the Planning and Zoning Commission adjourned at 7:23 p.m.



Chairperson Zurcher