



Planning and Zoning Commission
Monday, June 10, 2019
5:30 PM
Library Auditorium
7401 E. Skoog Blvd.

----- Minutes -----

I. Call to Order

Chairperson Zurcher called the June 10, 2019, public meeting of the Planning and Zoning Commission to order at 5:30 p.m.

II. Invocation

✠ Invocation given by Chaplin Gary Walker.

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

V. Approval of Minutes

Chairperson Zurcher asked if the Commission had amendments to the minutes from the May 13, 2019, 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 Musarra, to approve the minutes from the May 13, 2019 Planning Commission meeting.

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

MOTION carried with 4 ayes and 0 nays.

VI. Announcements

VII. Public Hearing Items

1. **GPA19-001.** Upon the application of Northern Arizona Heating & Air, a request for a General Plan Amendment from Medium-High Density Residential to Regional-Commercial on Lot 6456 in Unit 16 in order to adopt the zoning district designation of P1 (Parking) to develop a parking lot in conjunction with the adjacent commercial use on Lots 6457 and 6458.

2. **ZMC19-005.** Upon the application of Northern Arizona Heating & Air, a request for a Zoning Map Change from R2-4 (Residential; Multiple Dwelling Units) to P1 (Parking) on Lot 6456 in Unit 16 in order to develop a parking lot in conjunction with adjacent commercial use on Lots 6457 and 6458.

Joe Scott, Planner, stated that he will be presenting GPA19-001 and ZMC19-005 simultaneously; however, separate motions and actions are required for each application.

Mr. Scott stated that the subject Lot 6456 is located in Unit 16 which is vacant and in the FEMA floodplain. The property to the north is also vacant and in the floodplain. He indicated that adjacent Lots 6457 and 6458 immediately to the south are zoned C3 (Commercial; Light Industrial) with a commercial building and parking for the current Northern Arizona Heating and Air business. Mr. Scott reported that the R2 Multiple Dwelling zoning has been in place since Prescott Valley incorporation in 1978 and was adopted from the County zoning at that time. The *General Plan 2020* first specifically designated the R2 property as Medium-High Density Residential.

Mr. Scott explained that most of the northerly portion of Unit 16 zoned R2 is undeveloped because of impacts from the FEMA floodplain. He noted that Town policy is to not allow development and connection to the Town sewer system within the floodplain. Mr. Scott indicated that the southerly portion of Unit 16 between Laredo Dr. and Long Mesa Dr. is not in the floodplain and has always been zoned PM (Performance Manufacturing) with larger lots because they were originally located adjacent to the Santa Fe Railroad line, which was later abandoned to the Town. Also, within the Circulation Element, CIR-6, of the *General Plan 2025*, the proposed future Santa Fe Loop Road extension is represented following the Agua Fria River along the north side of Unit 16. Mr. Scott stated that future development of the Santa Fe Loop will also involve channeling of the floodplain increasing the availability of property (currently designated Medium-High Density Residential and zoned R2) in Unit 16 for commercial and industrial use. He noted that the location between a major industrial area to the south and the future arterial to the north makes this area well suited for such uses.

Mr. Scott reported that the Planning and Zoning Commission and Town Council have supported commercial rezoning of the few R2 lots in Unit 16 that are not in the floodplain, to P1 (Parking) District when impacted by the floodplain but used in conjunction for parking and storage with an adjacent primary commercial use.

Mr. Scott noted that the applicant conducted a neighborhood meeting on May 8, 2019 regarding the request for a General Plan Amendment and a related request for a Zoning Map Change. It was reported that no one attended.

In conclusion, Mr. Scott stated that Staff supports this proposed amendment to the *General Plan 2025* to Regional-Commercial and rezoning to P1 (Parking) in that they are

appropriate at this location and consistent with past actions and policy of the Planning Commission and Town Council for similar properties in Unit 16. Staff recommends approval by separate motion of GPA19-001 as submitted and approval of ZMC19-005 with the following condition:

1. All development shall be in conformance with all Town Code Requirements, including screening and lighting requirements of Articles 13-26 and 13-26a.

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

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher opened the item for public comment.

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

Action GPA19-001

Vice-Chairperson Renken moved to approve GPA19-001 as submitted and forward to the Town Council for approval.

Commissioner Musarra seconded the motion.

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

MOTION carried with 4 ayes and 0 nays

Action ZMC19-005

Commissioner Rutherford moved to approve ZMC19-005 as submitted with the following condition and forward to the Town Council for approval.

1. All development shall be in conformance with all Town Code Requirements, including screening and lighting requirements of Articles 13-26 and 13-26a.

Vice-Chairperson Renken seconded the motion.

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

MOTION carried with 4 ayes and 0 nays

3. **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 and 28 in Prescott Country Club Unit 1 located on the northeast corner of Old Chisholm Trail and Arabian Ln., Dewey, AZ. Portion of APN 402-16-026A.

Chairperson Zurcher asked what changes have transpired since the last meeting on May 13, 2019.

Joe Scott, Planner, reported that Lot 29, which is currently zoned R2 (Residential: Multiple Dwelling Units) has been removed from the request and will provide an additional buffer. He noted that Lot 26 would be utilized for parking and Lot 25 would not be developed at this time.

Mr. Scott reiterated that following a presentation by staff and a call to the public at the May Planning and Zoning Meeting, the Commission voted unanimously to table the application to a future meeting in order to fine tune the specific details and address the concerns raised. Mr. Scott stated that with the updated background information, the issues and concerns discussed at the May meeting have been addressed.

Mr. Scott stated that the applicant recently purchased a building that had been occupied as a church on PCC-1 Lots 27 & 28 and Lots 25 & 26 that were used for church parking with the intent is to develop a Day Care facility on all the property. He noted 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 on the adjacent "Tract-B" in Prescott Valley Limits. Upon a request to annex, 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 explained that the property containing the prior church structure (Lots 27, 28) is 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 displayed via visual map Lots 27 and 28 and noted that Lot 29 is now excluded. He reiterated that Lots 25 and 26 are already zoned RS. Mr. Scott reported that the building is approximately 2,000 square feet and will contain 7 rooms. Town Building Staff feels the property is well suited for such a use with multiple existing classrooms. He noted that the Day Care will be State Licensed per the Arizona Administrative Code and Arizona Revised Statutes for Child Care Facilities. He indicated 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.

Mr. Scott stated that the applicant installed a new 4' chain-link fenced play area on the east side of the building that is approximately 40' x 55'. He noted that at the May 13, 2019 meeting, Mr. Zielinski of the Prescott County Club Property Owner's Association (PCC POA) discussed the desire for a 6' screen wall for noise mitigation and other residents expressed concern with the fence only meeting the minimum requirement and suggested a 6' foot block fence would not only satisfy the noise mitigation for surrounding properties but would provide a safer, private environment for the children. Mr. Scott reported that Mr. Zielinski also expressed concerns with traffic, outdoor lighting, parking lot landscaping, and

screening per Town Code 13-11-060 which the site plan addresses. Mr. Scott stated that the applicant has indicated their willingness to provide a solid 6' screen wall for the play area as shown on the specific Site Plan and also included as a condition of rezoning. He noted that Lot 29, also owned by TDH Investments LLC, has been withdrawn from the rezoning request and will remain zoned R2 for a duplex or similar product. Lot 29 will provide the additional 80' separation between the existing residences to the east and the play area.

Mr. Scott reported that due to concerns expressed about traffic at the Neighborhood Meeting, a Traffic Statement was prepared and provided to the Commission. Traffic estimates were based on the maximum enrollment of 59 students, which is inclusive of parent and teacher trips, and also the estimated usual student enrollment of 40. He indicated that per the Town's traffic guidelines, it did not meet the requirements for a full traffic impact analysis. 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 noted that the Traffic Statement was provided to Yavapai County for review and their only comment was to better define the driveways on the County streets.

Mr. Scott stated that the site plan indicates the required parking at 1-space per 10 children plus 1 per employee per Town Code standards. He explained that the parking will be on Lot 26 leaving Lot 25, that is currently zoned RS, as an additional buffer for the project site. Mr. Scott displayed via visual map that the site plan defines driveway locations. There is approximately 30' between the property line and edge-of-pavement. He noted that within that area there will be driveway extensions to the paved lanes of Old Chisholm Trail. Mr. Scott reported that the extra area, though not part of the site, does allow for extra site visibility entering and exiting the site. The indicated circulation is one-way in at the south drive and one-way out at the north drive to allow for stacking to minimize conflicts on Old Chisholm Trail. He noted that within the 30' between the property line and edge-of-pavement there is existing landscaping that is similar to other RS lots along Old Chisholm Trail.

Mr. Scott stated that previous questions arose regarding screening, landscaping, outdoor lighting, and nuisances that are addressed in Article 13-26 of the Town Code. He reported that Section 13-26-070 covers various nuisances and hazards; however, staff felt the only possible nuisance that may apply is "objectionable noise beyond the boundary of the district." That said, the play times are limited, there is already significant noise from the Mexican restaurant and local roads such as SR 69. Mr. Scott indicated that staff believes the installation of the six foot block fence will provide noise mitigation as suggested by the PCC POA and other neighbors.

Mr. Scott reported that Section 13-26-040(I) (5) addresses screening for parking areas with more than eight (8) or more situated across a street from a residential district:

- a. It shall be screened by a solid, one hundred percent (100%) obscuring screening wall, four (4) feet in height, above the finished grade of the parking area or roadway, whichever is higher; and

- b. Such wall shall be installed between the required landscaped border and the parking area, and may encroach into the landscaped border not more than three (3) feet as specified in Subparagraph 13-26-040 (F) (1).

Mr. Scott stated that the site plan shows the location of four foot (4') screen walls located on the property along Old Chisholm Trail, in front of the parking spaces. There are existing landscape areas along Old Chisholm Trail in front of the screen wall locations on site. These landscape areas will be enhanced to Town Standards, with a landscape buffer added on the north side of the parking lot. He noted that Staff suggests that the existing landscape buffer areas are uniform with the surrounding properties.

Mr. Scott reported that at the May 13 public hearing, Chairperson Zurcher stated that the other businesses along Old Chisholm are within Yavapai County jurisdiction and have County zoning. Chairperson Zurcher had asked if they would become RS zoning if annexed into the Town of Prescott Valley. Any properties annexed by Prescott Valley retain the zoning that is most similar to the County. The Prescott Valley RS District was derived from the County RS District so similar uses are allowed. Commissioner Musarra had asked for clarification as to whether they were approving the zoning request specifically for a day care or could another use be established. Mr. Scott indicated that personal services, professional services, and office uses would be allowed but no retail sales are allowed. Below are the uses allowed in the RS District. Mr. Scott noted that most of the allowed uses are less intensive than Day Care but recommends excluding the ones in strike-out that would be incompatible with the neighborhood.

1. The following uses may be permitted within the district subject to Use Permit application and hearing procedures set forth in Section 13-21-110.
 - a. Any use permitted by Use Permit in the R2 District.
 - b. Personal services such as, but not limited to, the following (provided the use is conducted within an enclosed building and materials and equipment are not offered for sale except incidental to the service):
 - (1). Beauty and barber shops
 - (2). Photography
 - (3). Group instruction
 - (4). Tailoring
 - (5). Small appliance repair.
 - c. Day nurseries and nursery schools.
 - d. ~~Hospitals, clinics, sanitariums and nursing homes for the care of humans.~~
 - e. ~~Institutions of an educational, religious, charitable or philanthropic nature.~~
 - f. Offices wherein only professional, administrative, clerical or sales services are conducted.

- ~~g. Private clubs, lodges or fraternal organizations operated solely for the benefit of bona fide members (including outdoor recreation or assembly facilities).~~
- ~~h. Mobile/manufactured home parks subject to all regulations applicable to such parks set forth under Article 13-25.~~

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

Mr. Scott noted that the General Plan designation is Low Density Residential which supports the RS zoning district per the Town Code Land Use table. The property is now in the Town Limits and is required to be connected to the Town Sanitary Sewer System. A Traffic Statement was prepared by a registered professional analyzing the impacts of the Day Care facility on existing traffic conditions showing acceptable level of service of adjacent roadways. He reported that a site plan has been developed to guide development of the property per the conditions of approval and Town Codes.

Mr. Scott stated that Staff supports the proposed amended rezoning from R2-2 (Residential; Multiple Dwelling Units) to RS (Residential and Services) on Lots 27 and 28 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:

- 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 and screening and landscaping per the attached Site Plan in accordance with Article 13-26.
- C. Development and uses shall be in conformance with all applicable Town Code provisions including a six foot block fence around the play area.
- D. Any lighting on the building or site is required to be fully shielded and Dark-Sky compliant per Article 13-26a.
- E. No vehicular access from Arabian Lane.
- F. Exclusion of the following uses:
 - 1. Hospitals, clinics, sanitariums and nursing homes for the care of humans.
 - 2. Institutions of an educational, religious, charitable or philanthropic nature.

3. Private clubs, lodges or fraternal organizations operated solely for the benefit of bona fide members (including outdoor recreation or assembly facilities).
4. Mobile/manufactured home parks subject to all regulations applicable to such parks set forth under Article 13-25.

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

Vice-Chairperson Renken asked if the lots on the north side of Old Chisholm Trail have had the RS zoning designation for a long time or has the zoning been recently changed.

Richard Parker, Community Development Director, stated that the lots were assigned the RS zoning by Yavapai County in 1972.

Commissioner Rutherford asked why a six foot block wall was required for noise mitigation and commented that it wouldn't offer much noise relief.

Mr. Scott stated that it was suggested by the PCC POA and others concurred that it would help reduce the noise from the play area.

Mr. Parker reported that the solid fence was also recommended to provide a safer, private environment for the children.

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

Jeff Hall, employee for TDH Investments, addressed the Commission. Mr. Hall stated that he has met with the PCC POA and felt that they have addressed their issues and concerns. He indicated that they want to keep a good relationship with the PCC POA.

Chairperson Zurcher opened the item up to public comment.

Jennifer Lynch, Board Secretary for the PCC POA addressed the Commission. She thanked Mr. Hall for meeting with them and felt they have come to an agreement and noted that he did a wonderful job addressing their concerns.

Al Zielinski, Director with the PCC POA, addressed the Commission. He concurred with Ms. Lynch's comments. He thanked the Commission for listening to their concerns and tabling the application. Mr. Zielinski said it gave them the opportunity to sit down with Mr. Hall and work things out in a very civil manner. He thanked Mr. Scott and Mr. Parker for their help as well.

Jerry Germansen, resident of Prescott Country Club, addressed the Commission. Mr. Germansen expressed his concerns over the safety of the children as there are no sidewalks as well as concerns regarding the increased traffic that will be generated by the day care. He

noted that there have been numerous accidents including a fatality approximately two years ago.

Cathleen O'Neill, resident of Prescott Country Club, addressed the Commission. Ms. O'Neill stated that she lives within 3 blocks of the proposed day care facility. She provided statistics of traffic citations along Old Chisholm and indicated many occur between Arabian and Stirrup High Drive East. Ms. O'Neill noted that there is a hill on Chisholm directly behind Arabian making it a blind intersection. She also shared her concern for the safety of the children.

Carol McKinney, resident of Prescott Country Club, addressed the Commission. Ms. McKinney wanted Mr. Henrickson to be asked where all the children would be coming from. She questioned whether this is the right place for a day care center. Ms. McKinney indicated that Mr. Henrickson was asked at the May 13, 2019 meeting what would go on the subject property if the day care failed and they didn't get a specific answer. She expressed her concern over the amount of additional traffic that will be generated. Ms. McKinney stated that she had emailed Mr. Scott with her comments regarding the proposed day care to be forwarded to the Commission; however, she didn't see her email included in the packet. She also stated that she did not receive notification about tonight's meeting nor did she receive a letter last month although a neighbor two houses from her received letters for both meetings. She provided a copy of her email to be included as part of the record.

3/14/2019

CenturyLink Webmail: Compose

March 14, 2019

Att: Joe Scott

Prescott Valley Town Planner &
Prescott Valley Council

We Vote No On the Rezoning Proposal for a Day Care Center at the Corner of Old Chisholm & Arabian Trail. We feel it will effect Property Values in this Immediate Area in which we live! Our quiet neighborhood that we moved here for will now have excess noise! And additional concern is the use of Our County Roads to Access this Property and of higher traffic flow in this area!

Our Community here at the Prescott County Club should have had a voice!

Would like to bring to your attention that there is a Mexican Restaurant that serves alcohol close by, directly behind the area on highway 69! This was a Concern when the Safeway store wanted to come in by the High School of 69 highway in Dewey!

Thank You For Your Time!

Concerned Residents of P.C.C

Charles McKinney

Carol McKinney

Resident Of P.C.C.
East Stirrup High Dr.
Dewey, AZ

Mr. Hall readdressed the Commission. He stated that he believes many of the children will come from the Quailwood subdivision and he doesn't feel the majority of traffic will come

via Prescott Country Club Blvd. Mr. Hall expressed that there isn't much the day care can do to combat speeding cars but suggested that the Sheriff's office may be able to assign additional patrol cars in the area. He noted since the day care is an indoor facility that will have a six foot block wall around the play area; the lack of sidewalks, traffic etc. isn't an issue for the children's safety. Mr. Hall stated that he feels it is a good location for a day care as there are several children within the Country Club and Quailwood communities.

Mr. Zielinski readdressed the Commission. He asked if the Town of Prescott Valley could install "slow down" traffic signs.

Mr. Parker stated that the right-of-way is Yavapai County. He noted that Joe Huot would be the special projects administrator that could assist with that.

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

Commissioner Rutherford expressed that she had some reservations regarding the subject project and had reviewed the purpose of RS zoning. She appreciated the collaboration between the applicant and the PCC POA to work through the concerns.

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

Vice-Chairperson Renken moved to approve ZMC19-002 as submitted with the following conditions and forward to the Town Council for approval.

- 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 and screening and landscaping per the attached Site Plan in accordance with Article 13-26.
- C. Development and uses shall be in conformance with all applicable Town Code provisions including a six foot block fence around the play area.
- D. Any lighting on the building or site is required to be fully shielded and Dark-Sky compliant per Article 13-26a.
- E. No vehicular access from Arabian Lane.
- F. Exclusion of the following uses:
 1. Hospitals, clinics, sanitariums, and nursing homes for the care of humans.
 2. Institutions of an educational, religious, charitable or philanthropic nature.

3. Private clubs, lodges, or fraternal organizations operated solely for the benefit of bona fide members (including outdoor recreation or assembly facilities).
4. Mobile/manufactured home parks subject to all regulations applicable to such parks set forth under Article 13-25.

Commissioner Musarra seconded the motion.

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

MOTION carried with 4 ayes and 0 nays

VIII. Action Items

1. **RP19-003.** Upon the application of the Diocesan Council for the Society of St. Vincent de Paul Phoenix Council, a request for a Reversionary Plat to remove the common line between Lots 584 and Lots 585 and 586, Prescott Valley Unit 2, located on the east side of Dowling Court between John Court and Dana Drive.

Joe Scott, Planner, stated that the owner wishes to construct a building addition connecting two buildings that are located on either side of the current parcel line. In order to obtain a permit, the parcel line must be removed and Lot 584 be combined with the already-combined Lots 585 and 586. In 2015, The Town of Prescott Valley abandoned the public utility easement that had existed along the line between Lot 584 and Lots 585 and 586 (Res. No. 1921).

Mr. Scott reported that Staff recommends that the Planning & Zoning Commission approve RP19-003 and forward to the Town Council with a recommendation for approval subject to the following condition:

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by the Town Council.

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

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher opened the item for public comment.

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

Action RP19-003

Commissioner Rutherford moved to approve RP19-003 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Musarra seconded the motion.

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

MOTION carried with 4 ayes and 0 nays.

2. **RP19-004.** Upon the application of Pronghorn Development LLC, a request for a Reversionary Plat to make adjustments to slope easements, drainage easements and public utility easements for Lot 42 in Pronghorn Ranch Unit 1 Amended.
3. **RP19-005.** Upon the application of Pronghorn Development LLC, a request for a Reversionary Plat to make adjustments to slope easements, drainage easements and public utility easements for Lots 31 and 1313 in Pronghorn Ranch Unit 1 Amended.
4. **RP19-006.** Upon the application of Pronghorn Development LLC, a request for a Reversionary Plat to make adjustments to slope easements, drainage easements and public utility easements for Lots 35 and 36 in Pronghorn Ranch Unit 1 Amended.
5. **RP19-007.** Upon the application of Pronghorn Development LLC, a request for a Reversionary Plat to make adjustments to slope easements, drainage easements and public utility easements for Lots 40 and 41 in Pronghorn Ranch Unit 1 Amended.

Joe Scott, Planner, stated that he will be presenting RP19-004, RP19-005, RP19-006, and RP19-007 simultaneously; however, separate motions and actions are required for each application.

Mr. Scott reported that Pronghorn Ranch Unit 1 Amended was approved by Resolution No. 2018 on December 7, 2017 and recorded at Reception # 2018-0028904. The plats have been reviewed by the Town Engineer.

Mr. Scott stated that Staff recommends that the Planning & Zoning Commission approve RP19-004, RP19-005, RP19-006 & RP19-007 with separate motions and forward to the Town Council with a recommendation for approval subject to the following condition:

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by the Town Council.

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

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher opened the item for public comment.

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 RP19-004

Vice-Chairperson Renken moved to approve RP19-004 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Musarra seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

Action RP19-005

Vice-Chairperson Renken moved to approve RP19-005 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Rutherford seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

Action RP19-006

Vice-Chairperson Renken moved to approve RP19-006 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Rutherford seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

Action RP19-007

Vice-Chairperson Renken moved to approve RP19-007 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Musarra seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

6. **RP19-008.** Upon the application of DH Pronghorn LLC, a request for a Reversionary Plat to adjust the common lot line between Lot 1041 and Tract 115 in Pronghorn Ranch Unit 17 to avoid utility conflicts.
7. **RP19-009.** Upon the application of DH Pronghorn LLC, a request for a Reversionary Plat to adjust the rear lot lines of Lots 1052 and 1053 in Pronghorn Ranch Unit 17 to avoid utility conflicts.

Joe Scott, Planner, stated that he will be presenting RP19-008 and RP19-009 simultaneously; however, separate motions and actions are required for each application.

Mr. Scott reported that these Reversionary Plats are to adjust lots lines to avoid utility conflicts. The plats have been reviewed by the Town Engineer.

Mr. Scott indicated that Staff recommends that the Planning & Zoning Commission approve RP19-008 and RP19-009 with separate motions and forward to the Town Council with a recommendation for approval subject to the following condition:

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

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

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher opened the item for public comment.

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

Action RP19-008

Vice-Chairperson Renken moved to approve RP19-008 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Musarra seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

Action RP19-009

Vice-Chairperson Renken moved to approve RP19-009 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Rutherford seconded the motion

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

MOTION carried with 4 ayes and 0 nays.

8. **RP19-010.** Upon the application of Universal Homes Construction, a request for a Reversionary Plat to adjust the common lot line between Lots 2441 and 2442 and Lots 2443 and 2444, Granville Unit 11.

Mr. Scott stated that the subject lots are for duplexes which one home with a common wall is on each lot and the lot lines were off a foot; thus requiring the lot line adjustment. The plat has been reviewed by the Town Engineer.

Staff recommends that the Planning & Zoning Commission approve RP19-010 forward to the Town Council with a recommendation for approval subject to the following condition:

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

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

There were no questions or comments from the Commission for Staff; therefore, Chairperson Zurcher opened the item for public comment.

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

Action RP19-010

Vice-Chairperson Renken moved to approve RP19-010 as submitted with condition and forward to the Town Council for approval.

1. Submittal of two (2) signed and Notarized Reversionary Plat Mylars for recording following approval by Town Council.

Commissioner Rutherford seconded the motion

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

MOTION carried with 4 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

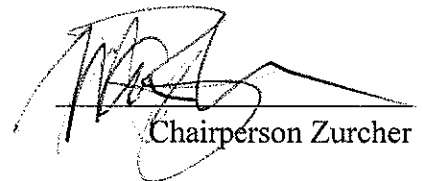
There was no further public comment related to any item presented during this meeting; therefore, Chairperson Zurcher called for a motion for adjournment.

Vice-Chairperson Renken 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, and Commissioner Rutherford YES.

MOTION carried with 4 ayes and 0 nays.

The June 10, 2019, meeting of the Planning and Zoning Commission adjourned at 6:22 p.m.


Chairperson Zurcher