



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

----- Minutes -----

**I. Call to Order**

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

**II. Invocation**

✚ Invocation given by 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 Yeater, Commissioner Musarra, Commissioner Laney and Commissioner Roberts. Members absent: Commissioner Rutherford. Staff Present: Richard Parker, Director; Joe Scott, Planner; Edward Packard, Planner, and Vikie Anderson, Administrative Supervisor.

**V. Approval of Minutes**

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

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

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

**VI. Announcements**

- ✚ Chairperson Zurcher outlined the Planning Commission procedures and guidelines.
- ✚ Richard Parker, Community Development Director, introduced two new Planners, Eric Fitzer and Edward Packard.

**VII. Public Hearing Items**

1. **ZMC20-003.** Upon the application of Alex McMillan, owner of Whistle Stop LLC, a request for a Zoning Map Change from RS-PAD (Residential and Services with PAD overlay) to C-2PAD

(Commercial; General Sales and Services with PAD overlay) in order to develop a 23-acre recreational vehicle resort with 251 RV spaces and associated amenities. The property is located east of Highway 69 and approximately 300 feet north of Kachina Way. APNs 402-02-257B, 402-02-044J, 402-02-044K, 402-02-044L, 402-02-045A.

**PDP20-002. (Action Item)** Upon the application of Alex McMillan, owner of Whistle Stop LLC, a request for a Preliminary Development Plan for a 251 space recreational vehicle resort on approximately 23 acres located east of Highway 69 approximately 300 feet north of Kachina Place APNs 402-02-257B, 402-02-044J, 402-02-044K, 402-02-044L, 402-02-045A.

Chairperson Zurcher read the applications into record and stated that the Zoning Map Change (ZMC20-003) and the Preliminary Development Plan (PDP20-002) would be presented together, however, they require separate motions.

Edward Packard, Planner, addressed the Commission. Mr. Packard stated that the applications are a request for a Zoning Map Change and a Preliminary Development Plan for a 23-acre site for a proposed 251 space recreational vehicle (RV) resort.

Mr. Packard stated that the proposed Whistle Stop RV project is located in the far southern portion of Prescott Valley near the Town of Dewey Humboldt, off SR 69 north approximately three-hundred feet (300') north of Kachina Place. He noted that the only adjacent businesses are Lucky's BBQ and a self-storage facility to the south.

Mr. Packard stated that all the details were included in the staff brief submitted to the Commission; however, he would discuss some of the open-ended issues that may need further explanation.

Mr. Packard stated that the site is currently zoned RS-PAD and the proposed request is C2-PAD zoning. He noted that a previous development was approved in 2005- 2006 for a proposed project called the Commons, a multi-family development, and this area was a part of that.

Mr. Packard indicated that the main access will be off State Route 69 (SR 69). He noted that SR 69 southbound left turn movements into the site and left turn movements from the site to southbound SR 69 will not be allowed.

Mr. Packard noted that the original application was submitted without an access off Kachina Place; however, the developer has negotiated an access easement and entrance to the project site from Kachina Place in response to concerns of southbound SR 69 traffic attempting U-turns at the intersection to access the site directly from SR 69. The developer will make necessary improvements at Kachina Place and the accessway to the site such as road widenings, additional lanes and relocating traffic signals.

Mr. Packard stated that there is an existing one-hundred foot (100') ADOT drainage easement and property along the site's northern boundary that conducts stormwater from SR 69 to the Agua Fria River. The drainage channel (wash) is in poor condition and the developer is negotiating with ADOT for the maintenance and repair of the channel.

Mr. Packard reported that the developer will dedicate to the Town of Prescott Valley an eighty foot (80') wide right-of-way for North Village Way along the entire Whistle Stop frontage. He also noted that the developer will be responsible for the construction of North Village Way where adjacent to the site; however, the timing of this is unknown as it depends on adjacent development.

Continuing, Mr. Packard noted there were some revisions to the stipulations for approval which were given to the Commission prior to the meeting which were "d." and "e." under item number two (2) as well as item three (3) changing "apartment" to "RV park":

- d. The developer shall dedicate to the Town of Prescott Valley an 80-foot wide right-of-way for North Village Way along the entire Whistle Stop frontage. North Village Way will match the alignment with neighboring property to the north.
  - e. The developer shall be responsible for the construction of North Village Way where adjacent to the site and the roadway shall be in conformance with State and local floodplain administration rules.
3. Remitting to the Town, on a monthly basis, all monies collected as a result of the proposed recreational vehicle park, and/or its successors and assigns, applying a "surcharge" against all rents collected from occupation and use of units within any phase of the RV park, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15<sup>th</sup> 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 RV park.

Concluding, Mr. Packard stated that the Commission is asked to consider **ZMC20-003 and PDP20-002** with separate motions including the revised stipulations submitted for the Zoning Map Change.

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

Chairperson Zurcher asked what the buffer distance is to Dorn development to the north.

Mr. Packard stated that there was the one-hundred foot (100') easement that is partially on this property as well as a piece of separate property to the north, which he is not sure of the size, but would guess two-hundred feet to three-hundred feet (200'-300').

Kevin McDougall, Agent and Engineer for Whistle Stop LLC, addressed the Commission. Mr. McDougall addressed the question regarding the buffer distance stating that it varies from one-hundred feet to one-hundred fifty feet (100'-150') due to the angle of the land. He noted that the developer is working with the neighbors to work out agreements.

Mr. McDougall noted that for water to the Whistle Stop site, the developer will tap into the existing 12-inch water main in the east side of SR 69 along this site, and the developer will also construct a 12-inch water main in N. Village Way that will be temporarily capped and put into service when other developers complete utility improvements in N. Village Way in the future. He noted that the site drains to the southeast and stormwater will be detained in basins on-site and will drain to the

adjacent Aqua Fria River.

Commissioner Musarra asked if any of the sites would accommodate for RV's to "pull through", and if any landscaping was planned.

Mr. McDougall responded that landscape is required and will be designed per Town of Prescott Valley site development standards as well as State regulations for low water usage.

Vice-Chairperson Renken stated that per the illustration, it appears lots 1-22 are "pull through" sites.

Mr. McDougall stated that was correct, lots 1-22 were large "pull through" RV sites.

Commissioner Laney asked about water credits and "hooking" up to the Town's water supply.

Mr. McDougall stated that the Town of Prescott Valley is the service provider for the water and fees are charged to the developer.

Commissioner Laney asked for clarification as to the previous approval of seventy (70) apartments and water allocation for those apartments.

Mr. Parker, Community Development Director, addressed the Commission. Mr. Parker stated that certificate of assured water supply (CAWS) only applies to subdivisions. This project is not a subdivision, nor was the previous (70) apartment project a subdivision. This is a commercial project, therefore, is not required to obtain a CAWS. Mr. Parker stated that the Town uses water calculated from a margin that is used per person – about 80 gallons per person, per day.

Commissioner Laney stated her concern was the current project is for 251 units versus the previous project of 70 apartments.

Mr. Parker stated it is marginally the same; however, the Town treats it as a commercial use; the Town has water allocated for commercial uses without obligating the developer to go to the Department of Water Resources to obtain a CAWS. He reiterated that this is not a subdivision so there is not a law requiring a CAWS.

Chairperson Zurcher asked about a landscape screening between the northern properties and the RV park.

Mr. McDougall stated a landscape architect is designing the landscape and he is not sure what the landscape architect has developed at this time.

Commissioner Musarra asked what the term "small dwelling unit" referred to.

Mr. McDougall stated that a small dwelling unit is in reference to a Park Model that could potentially have permanent use and is four-hundred feet (400') or less.

The Commission had no further questions for Staff, therefore, Chairperson Zurcher opened the item

to questions or comments from the public.

Mr. Gary Walker addressed the Commission. Mr. Walker asked if this RV park was for seniors or had any age restriction.

Mr. McDougall stated that there are no age restrictions with the project.

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

### **Action ZMC20-003**

#### **Commission Musarra moved to approve ZMC20-003 as submitted with conditions and forward to the Town Council with a recommendation for approval.**

1. Development shall generally occur consistent with the circulation patterns and building areas as illustrated on the Preliminary Development Plan and uses of the property shall be limited to allowed recreational vehicle park uses permitted in the C2 PAD Zoning District.
2. Approval by the Town Council of a Final Development Plan (FDP) as required by Town Code Article 13-19 for each phase of construction, prior to issuance of construction permits and to include among other things:
  - a. Conformance with all Town Code requirements, including site development standards in Article 13-25 except as modified by the Preliminary Development Plan and screening and lighting requirements of Articles 13-26 and 13-26a.
  - b. Engineered drainage and grading plans.
  - c. The developer shall be responsible for any infrastructure needed to serve the site.
  - d. The developer shall dedicate to the Town of Prescott Valley an 80-foot wide right-of-way for North Village Way along the entire Whistle Stop frontage. North Village Way will match the alignment with neighboring property to the north.
  - e. The developer shall be responsible for the construction of North Village Way where adjacent to the site and the roadway shall be in conformance with State and local floodplain administration rules
  - f. The developer shall be responsible for the construction of water and sewer utilities in North Village Way as required by the Town Engineer.
  - g. The developer shall be responsible for improvements to SR 69 and the Kachina Way intersection as required by ADOT and the Town Engineer prior to park occupancy.
3. Remitting to the Town, on a monthly basis, all monies collected as a result of the proposed recreational vehicle park, and/or its successors and assigns, applying a “surcharge” against all rents collected from occupation and use of units within any phase of the RV park, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15<sup>th</sup> 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 RV park.

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

MOTION carried 6:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Yeater YES, Commissioner Roberts YES, and Commissioner Laney YES.

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

**Action PDP20-002**

**Commissioner Roberts moved to approve PDP20-002 as submitted.** Commissioner Yeater seconded the motion.

MOTION carried 6:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Roberts YES, Commissioner Laney YES, and Commission Yeater YES.

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

**VIII. Action Items**

1. **PDP20-002.** Upon the application of Alex McMillan, owner of Whistle Stop LLC, a request for a Preliminary Development Plan for a 251 space recreational vehicle resort on approximately 23 acres located east of Highway 69 approximately 300 feet north of Kachina Place APNs 402-02-257B, 402-02-044J, 402-02-044K, 402-02-044L, 402-02-045A.

**\*\*This item was discussed and action taken subsequent to ZMC20-003.**

2. **RP20-004.** Upon the application of Robert Hamill, a request for a Plat of Dedication and Abandonment to reconfigure the Town right-of-way at the Southeast intersection of Viewpoint Drive and Pronghorn Ranch Pkwy.

Joe Scott, Planner, stated that a request by Robert Hamill for approval of a Preliminary Plat of Dedication and Abandonment to reconfigure the Town right-of-way at the Southeast intersection of Viewpoint Drive and Pronghorn Ranch Pkwy.

Mr. Scott stated that the property was part of Zoning Map Change (ZMC05-006) for approximately fifty-three (52.8) acres, located at the northwest corner of Viewpoint Drive and State Route 89A, south of the Viewpoint subdivision. Mr. Scott noted that the approved Preliminary Development Plan indicates retail, commercial and light industrial uses for the Northgate Village Center. He added that the rezoning (with conditions) was approved by Ordinance No 639 on October 27, 2005; however, the only development that has occurred on the property is the Mormon Temple.

Mr. Scott explained that Robert Hamill has since acquired various properties at the Northeast and Southeast corners of Viewpoint Drive and Pronghorn Ranch Pkwy, some being excess Town right-of-way resulting from the re-alignment of Viewpoint Dr. He noted that the north side parcels total approximately .71 acres and the south side parcels approximately 5.6 acres. Mr. Scott indicated that at the August 12, 2019 meeting, the Planning and Zoning Commission approved an amended Preliminary Development Plan for the two land parcels: 1) Approximately .71 acres located at the Northwest corner of Viewpoint Drive and Pronghorn

Ranch Parkway comprising approximately 5,000 S.F. of Retail space and; 2) Approximately 5.6 acres located at the Southwest corner of Viewpoint Drive and Pronghorn Ranch Parkway comprising approximately 10,400 S.F. of Office space, 18,000 S.F. of Retail space, 6,800 S.F. for a C-Store and a Car Wash. Property zoned C2-PAD (Commercial; General Sales and Services-Planned Area Development).

Mr. Scott further explained that the applicant now wishes to develop the 5.6 acre property at the southwest intersection and has applied for a Final Development Plan (FDP20-006) to be consistent with the approved Preliminary Development Plan. The North side property may be 10-years out. He noted that the plan maintains similar access drives approximately two hundred feet (200') from the Viewpoint Dr intersection as originally approved. Off-Site improvements to roadways are required per Town Code. Development of the southwest corner requires roadway improvements for half-width of Pronghorn Ranch Pkwy and Viewpoint Dr. Mr. Scott indicated that to accommodate off-site improvements of curb, sidewalk, and pavement, the widening for the right turn lane from Pronghorn Ranch Pkwy to Viewpoint Drive southbound will require a strip of property approximately twenty feet (20') wide along Pronghorn Ranch Pkwy showing the ultimate intersection configuration. The loss of this area will be compensated by the Town swapping for area within the existing Viewpoint Drive right-of way-that is unneeded. RP20-004 then defines the areas that will be exchanged between the owner and the Town, creates necessary public utility easements, with the stated purposes:

1. THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF TRACT 'A' AND THAT THE TRACT SHALL HEREAFTER BE KNOWN BY THE LETTER THAT IS GIVEN ON THIS PLAT.
2. THIS PLAT HEREBY DEDICATES TO THE PUBLIC, FOR USE AS SUCH, THE STREET (A PORTION OF PRONGHORN RANCH PARKWAY) WITH LOCATION AND DIMENSIONS REFLECTED HEREON.
3. THIS PLAT HEREBY ABANDONS AND VACATES THE PUBLIC RIGHT-OF-WAY (A PORTION OF VIEWPOINT DRIVE) WITH LOCATION AND DIMENSIONS REFLECTED HEREON.
4. THIS PLAT HEREBY GRANTS TO THE TOWN OF PRESCOTT VALLEY THE EASEMENTS AS SHOWN FOR THE PURPOSE NOTED.

Mr. Scott reported that a Final Plat of Dedication and Abandonment can be approved in conjunction with an approved Final Development Plan on approximately 5.6 acres located at the Southwest corner of Viewpoint Drive and Pronghorn Ranch Parkway

Concluding, Mr. Scott stated that the plat has been reviewed by Public Works and Town Engineer and is consistent with the C2-PAD zoning district. Staff recommends the Commission make a motion to approve RP20-004 subject to the conditions below:

1. Approval by the Town Council of a Final Development Plan in accordance with Town Code Article 13-19 for any development Phase, consistent with the Preliminary Development Plan.

2. Review and approval of developer's participation in roadway improvements, including, but not limited to, travel lane widening and intersection signalization commensurate with traffic generated by the project to be determined by the Public Works Director and approved by the Town Council in conjunction with each subsequent Final Development Plan submittal.
3. Submittal of one signed and Notarized Plat Mylar for recording following approval by the Town Council.

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

Commissioner Laney asked if it is common to approve something that may not be developed for ten (10) years.

Mr. Scott stated that the area in the northeast section that may not be developed for ten (10) years is not being considered at this time, only the southwest portion of the property is being considered as it impacts the roadways adjacent to that property on Pronghorn Ranch Pkwy and Viewpoint Dr. and adjustments need to be made.

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

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

**Action RP20-004**

**Vice-Chairperson Renken moved to approve RP20-004 as submitted with conditions and forward to the Town Council with a recommendation for approval.**

1. Approval by the Town Council of a Final Development Plan in accordance with Town Code Article 13-19 for any development Phase, consistent with the Preliminary Development Plan.
2. Review and approval of developer's participation in roadway improvements, including, but not limited to, travel lane widening and intersection signalization commensurate with traffic generated by the project to be determined by the Public Works Director and approved by the Town Council in conjunction with each subsequent Final Development Plan submittal.
3. Submittal of one signed and Notarized Plat Mylar for recording following approval by the Town Council.

Commissioner Musarra seconded the motion.

MOTION carried 6:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Yeater YES, Commissioner Roberts YES, and Commissioner Laney 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 Yeater to adjourn by voice call vote.

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

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

The August 10, 2020 meeting of the Planning and Zoning Commission adjourned at 6:01 p.m.



Chairperson Zurcher