



Planning and Zoning Commission
Monday, October 12, 2020
5:30 PM
Library Auditorium
7401 E. Skoog Blvd.

----- Minutes -----

I. Call to Order

Chairperson Zurcher called the October 12, 2020, 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 Rutherford, Commissioner Musarra, Commissioner Laney and Commissioner Roberts. Members absent: Commissioner Yeater. Staff Present: Richard Parker, Director; Eric Fitzer, Planner; and Kristi Jones, Administrative Support II.

V. Approval of Minutes

Chairperson Zurcher asked if the Commission had amendments to the minutes from the September 14, 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 Rutherford to approve the minutes from the September 14, 2020 Planning Commission meeting.

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

VII. Public Hearing Items

✚ There were no public hearing items.

VIII. Action Items

- 1. PDP20-005.** Upon the application of Peter Bourgois, Agent, a request for a major modification to PDP20-003 Preliminary Development Plan for a 158-unit apartment complex and a clubhouse/office comprised of thirteen (13) buildings located on approximately 5.4 acres

encompassing Baja Cir right-of-way and Prescott Valley Unit 24, Lots 1,2,3,7,8,9 & 10. APNs 103-36-(386, 387, 388, 392, 393, 394 & 395).

Eric Fitzer, Planner, reported that the original Preliminary Development Plan (PDP20-003) for the Baja Professional Apartments was approved by the Planning and Zoning Commission in July 2020 along with an accompanying Zoning Map Change (ZMC20-005) for the project. He noted that the Town Council approved ZMC20-005 in August. Shortly thereafter, the applicant decided to redesign the project to include additional buildings as well as a clubhouse/office.

Mr. Fitzer displayed visual graphics that included vicinity maps, zoning map, updated site plan, updated landscape plan, updated elevations, and the phasing plans. Mr. Fitzer noted that the applicant had submitted an updated site plan map after the Commission packets had been completed. The newest site plan reflects changes to the setbacks along the east and west of the site. He indicated that there is a 2.67' setback from buildings on the outer periphery to the property line. Mr. Fitzer noted that the 20' alley is still in place.

Mr. Fitzer reported that there will be seven (7) additional buildings, most of which will be carriage apartments that have parking underneath with single bedroom apartments above. He noted that in the center of the site will be a clubhouse/office.

Mr. Fitzer indicated that the parking, landscaping and overall site plan meets Town requirements.

In conclusion, Mr. Fitzer stated that Staff recommends the Commission approve the Preliminary Development Plan PDP20-005 for the Baja Professional Apartments subject to stipulations "1" through "12" as outlined below:

1. Development and use of the site shall be consistent with the Preliminary Development Plan Site Plan, and any requests by Staff for minor changes as indicated in the second review comments dated September 24, 2020, consisting of one (1) sheet entitled "Baja Professional Apartments" stamped received September 24, 2020 prepared by Allen Consulting Engineers.
2. Building Elevations shall be consistent with the Elevations entitled "Baja Professional Apartments" consisting of one (1) sheet prepared by Peter Bourgois dated and stamped received September 24, 2020.
3. Landscaping of the site shall be consistent with the Landscape Plan entitled "Baja Professional Apartments" consisting of one (1) page prepared by Peter Bourgois dated and stamped received September 24, 2020.
4. Photometric Plans and cutsheets shall be submitted for review by staff and approval by the Town Council with the Final Development Plan.
5. The fitness center shall only be for the use of residents of the Baja Professional Apartments and not for patrons that reside outside of the development.

6. Prior to Final Development Plan (FDP) approval, a revised Transportation Impact Statement (TIS) shall be reviewed and approved by the Town of Prescott Valley.
7. A cross-access/access agreement and/or private street agreement shall be reviewed and approved by Staff prior to Final Development Plan approval on Baja Circle to provide access to parcel numbers 103-36-389 & 103-36-390A.
8. Ownership of the Baja Professional Apartments will be required to provide maintenance and operation of the proposed Baja Circle to meet Town standards.
9. The project shall be constructed in three (3) phases per the Phasing Plan date stamped September 24, 2020.
10. Refuse containers, are required to be screened from public view in accordance with Article 13-26-050.D.1.
11. Per 13-26-050.D.4, All ground mounted mechanical shall be screened from view by screen walls, on all sides, of a height equal to or greater than the mechanical equipment. Any roof mounted mechanical shall be concealed on all sides with screening devices which are equal to or greater in height than the mechanical equipment. The screening devices shall be or appear to be an integral part of the building.
12. The owner shall remit to the Town, on a monthly basis, all monies collected as a result of the proposed multi-family 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.

There were no questions of Staff; therefore, Chairperson Zurcher invited the applicant to address the Commission.

Peter Bourgois, Agent, addressed the Commission. Mr. Bourgois stated that the amendment to the original PDP is comprised of three facets: 14 additional apartments, covered parking and the addition of a clubhouse/office. He indicated that the recommendations were, in part, from the lender, HUD, in addition to concerns/feedback received from the Town Council.

Mr. Bourgois explained that the additional 7 buildings will be “carriage style units” with 2 apartments per building and 6 parking spaces beneath them. He noted that 6 parking spots in each building is more than what is needed for each carriage unit and will allow other tenants in the complex to utilize the additional covered parking spots.

Mr. Bourgois reported that the setbacks for the carriage units have been moved within 2.67' of the west and east property lines. He noted that there is a perimeter privacy wall around the entire project and the carriage units will be part of the privacy wall.

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

Joe Hammes addressed the Commission. Mr. Hammes stated that he attended the July Planning and Zoning Commission meeting when the original PDP was presented and approved. He noted that he read in the paper that the Town Council had approved the Zoning Map Change and that the Mayor refrained from the vote because he has a business relationship with the owner. Mr. Hammes commented that it is rumored newly elected Councilmember April Hepperle and her husband are involved in this project as well and now Mr. Bourgois is back before the Commission with "Plan B." He indicated that Prescott Valley has its own "political swamp."

There was no further public comment; therefore, Chairperson Zurcher closed public comment and brought the item back to the Commission for comments or motion.

Commissioner Rutherford commented that the modification request before the Commission is legal and the Commission would vote accordingly as they would for any citizen. She noted that their personal opinions don't factor into the decisions.

Action PDP20-005

Commissioner Roberts moved to approve PDP20-005 as submitted with conditions:

1. Development and use of the site shall be consistent with the Preliminary Development Plan Site Plan, and any requests by Staff for minor changes as indicated in the second review comments dated September 24, 2020, consisting of one (1) sheet entitled "Baja Professional Apartments" stamped received September 24, 2020 prepared by Allen Consulting Engineers.
2. Building Elevations shall be consistent with the Elevations entitled "Baja Professional Apartments" consisting of one (1) sheet prepared by Peter Bourgois dated and stamped received September 24, 2020.
3. Landscaping of the site shall be consistent with the Landscape Plan entitled "Baja Professional Apartments" consisting of one (1) page prepared by Peter Bourgois dated and stamped received September 24, 2020.
4. Photometric Plans and cutsheets shall be submitted for review by staff and approval by the Town Council with the Final Development Plan.
5. The fitness center shall only be for the use of residents of the Baja Professional Apartments and not for patrons that reside outside of the development.
6. Prior to Final Development Plan (FDP) approval, a revised Transportation Impact Statement (TIS) shall be reviewed and approved by the Town of Prescott Valley.

7. A cross-access/access agreement and/or private street agreement shall be reviewed and approved by Staff prior to Final Development Plan approval on Baja Circle to provide access to parcel numbers 103-36-389 & 103-36-390A.
8. Ownership of the Baja Professional Apartments will be required to provide maintenance and operation of the proposed Baja Circle to meet Town standards.
9. The project shall be constructed in three (3) phases per the Phasing Plan date stamped September 24, 2020.
10. Refuse containers, are required to be screened from public view in accordance with Article 13-26-050.D.1.
11. Per 13-26-050.D.4, All ground mounted mechanical shall be screened from view by screen walls, on all sides, of a height equal to or greater than the mechanical equipment. Any roof mounted mechanical shall be concealed on all sides with screening devices which are equal to or greater in height than the mechanical equipment. The screening devices shall be or appear to be an integral part of the building.
12. The owner shall remit to the Town, on a monthly basis, all monies collected as a result of the proposed multi-family 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.

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 Rutherford YES, Commissioner Roberts YES, and Commissioner Laney YES.

MOTION carried with 6 ayes and 0 nays.

2. Amend the motion and conditions of approval for **PDP20-004** from the 9/14/2020 Planning Commission meeting to include an additional stipulation – “14. Planning Commission to review and approve the Final Development Plan prior to formal approval by the Town Council.”

Eric Fitzer, Planner, reported that this is a procedural matter to add a stipulation that the Final Development Plan be reviewed by the Planning and Zoning Commission prior to going before the Town Council. He noted that the Commission approved PDP20-004 with a vote of 5:2. He stated that Staff recommends the Commission amend the motion to include the additional stipulation. The stipulations 1-14 are outlined as follows:

1. Development and use of the site shall be consistent with the Preliminary Development Plan consisting of two (2) sheets (DP1.0 & DP1.1) entitled “Espire Sports Center” stamped received August 27, 2020 prepared by Stroh Architecture Inc.

2. Building Elevations shall be consistent with the Elevations entitled “Espire Sports Center” consisting of ten (10) sheets (DP1.6 thru DP1.15) prepared by Stroh Architecture Inc. and stamped received August 27, 2020.
3. Landscaping of the site shall be consistent with the Landscape Plan entitled “Espire Sports Center” consisting of two (2) pages (DP1.2 & DP1.3) prepared by Stroh Architecture Inc. and stamped received August 27, 2020.
4. Photometric Plans and cutsheets shall be consistent with the Preliminary Development Plan consisting of four (4) sheets (E0.1 thru & E0.4) entitled “Espire Sports Center” stamped received August 27, 2020 prepared by Stroh Architecture Inc.
5. Prior to Final Development Plan (FDP) approval, a Transportation Impact Analysis (TIA) shall be reviewed and approved by the Town of Prescott Valley.
6. The applicant will be required to construct offsite transportation improvements for this development which shall, at minimum, consist of an additional northbound lane, curb, gutter and sidewalk through the project frontage along Lake Valley Road with a two-hundred foot (200’) taper north of the project frontage for the additional travel lane to meet minimum public works standards. Bega streetlights along Lake Valley will also be required. These improvements will include any other offsite transportation improvements required as part of the Transportation Impact Analysis to be reviewed and approved by the Town of Prescott Valley.
7. The applicant will be required to construct offsite water improvements including a water main which shall be designed and constructed along the north end of the property, connecting the water main in Lake Valley Road to the water main on the hospital property. An easement will be required associated with this water main.
8. A cross-access agreement shall be reviewed and approved by staff prior to Final Development Plan approval between the “Leased Property”, the “Purchased Property” and “Western Property” which the northern most drive traverses to Lake Valley Road.
9. A shared parking agreement shall be reviewed and approved by staff prior to Final Development Plan approval between the “Leased Property” and the “Purchased Property”.
10. There shall be no permanent residents of the Recreational Vehicle (RV) Park portion of the development. Park Models, mobile homes and other similar type units shall not be permitted to be admitted to the RV park. RV’s to be permitted in the park shall be defined in accordance with Sec. 13-02-010 A. 154. Recreational Vehicle.
11. The project shall be constructed in one phase as described in the Espire Sports Narrative date stamped August 6, 2020.
12. The project shall adhere to the 2018 International Code Council (ICC) International Fire Code (IFC) and Local Amendments adopted by the Central Arizona Fire Medical Authority (CAFMA). The fire hydrant spacing requirements shall meet minimum

CAFMA distance standards and the one-way 20' drives as indicated per the plans shall meet the fire hydrant apparatus road criteria.

13. The owner shall be required to remit 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 recreational vehicle park, 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 recreational vehicle park.
14. Planning Commission to review and approve the Final Development Plan prior to formal approval by the Town Council.

There were no questions of Staff. Chairperson Zurcher announced that the applicant did not need to address the Commission nor would public comment be allowed since this is a procedural matter.

Action PDP20-004

Vice-Chairperson Renken moved to amend the motion for PDP20-004 to add an additional condition #14.

14. Planning Commission to review and approve the Final Development Plan prior to formal approval by Town Council.

Commissioner Rutherford seconded the motion.

MOTION carried 6:0 by roll call vote as follows: Chairperson Zurcher YES, Vice-Chairperson Renken YES, Commissioner Musarra YES, Commissioner Rutherford 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

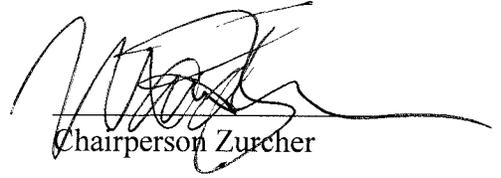
There was no further public comment related to any item presented during this meeting; therefore, Chairperson Zurcher called for a motion for adjournment.

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

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

MOTION carried with 6 ayes and 0 nays.

The October 12, 2020 meeting of the Planning and Zoning Commission adjourned at 5:47 p.m.



Chairperson Zurcher