

MINUTES OF THE REGULAR PLANNING AND ZONING MEETING OF THE TOWN OF CHINO VALLEY

**DECEMBER 6, 2016
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona.

1) CALL TO ORDER

Chair Merritt called the meeting to order at 6:00 pm.

2) PLEDGE OF ALLEGIANCE

Commissioner Lane led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Michael Bacon;
Commissioner Claude Baker; Commissioner Annie Lane

Absent: Commissioner Florence Sloan; Commissioner Julie Van Wuffen

Staff Development Services Director Ruth Mayday; GIS/CAD/Web Technician Jan Mazy

Present: (videographer); Town Clerk Assistant Amy Pyeatt-Lansa

4) MINUTES

- a) Consideration and possible action to approve the November 1, 2016, meeting minutes.

MOVED by Commissioner Claude Baker, seconded by Vice-Chair Gary Pasciak to approve the November 1, 2016, meeting minutes.

Vote: 5 - 0 PASSED - Unanimously

5) STAFF REPORTS

Development Services Director, Ruth Mayday invited all Commissioners to attend the Open Meeting Law training, with the Town Attorney on January 17, 2017 in Council Chambers.

- a) Staff will present an overview of the purpose, intent, and use of the Planned Area Development (PAD) overlay district. Staff will also discuss the process for review and approval of Development Plans.

Director Mayday reviewed the purpose of a Planned Area Development overlay district.

1.9.4.1 Purposes

- A. To provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley to permit maximum flexibility in the design and development of residential, commercial, and industrial development in conformity with the intent and purpose of the General Plan and Unified Development Ordinance.
- B. Modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development.
- C. Promote economic construction and maintenance of streets and utilities without compromising public safety and welfare.
- D. Preserve and utilize open space and offer recreational opportunities close to residential use.
- E. Encourage the preservation of community character and stabilization of surrounding neighborhoods.

Planned Area Development (PAD)

- Planned Area Development (PAD) is an overlay district that encourages creativity in design and land use that would not otherwise be allowed under the strict interpretation of the UDO.
 - It lays out the arrangement of buildings and structures, parking, landscaping, roads, and other typical development elements but does not divide the underlying land into smaller lots or parcels.
 - Allows for modification of zoning regulations and development standards relating to the layout of a project.
 - A PAD is not a plat. It does not subdivide land and does not constitute a subdivision.
- b) Report regarding Commission term expirations and vacancies.

Director Mayday updated the Commissioners:

- Commissioner Lane will be moving to the Town Council which will create a vacancy.
- There are several Commissioners whose terms are up for renewal.
- If interested in continuing to serve on the Commission, please turn in an application which will be forwarded to the Appointments Committee to confirm re-appointment.

6) PUBLIC HEARING

- a) Consideration and possible recommendation to forward the Development Plan for Hawksnest at Chino Valley to Council for initial approval.

Director Mayday provided the following information about this project:

History

Upon adoption of Ordinance 06-663 by Town Council on July 13, 2006, the subject parcel was zoned SR 0.16 (Single Family Residential, 7,000 sf minimum) with a Planned Area Development (PAD) overlay to allow for a 150-lot single family residential development. Prior to the zoning action, the parcel had been zoned AR-5 (Agricultural/Residential, 5-acre minimum). Subsequent to that, a Preliminary Plat was approved by Council on September 14, 2006 upon the approval of Resolution 06-803, setting forth the arrangement of lots and streets

for the proposed Hawksnest Estate residential subdivision; a Certificate of Assured Water Supply (CAWS) was issued for the project by the Arizona Department of Water Resources (ADWR) on December 19, 2007. Due to poor economic conditions, the project stalled at the conclusion of the preliminary plat stage.

The property was acquired in 2010 and resold to the current developer in 2015. Staff has been working with the developer in the design/pre-development phase to ensure a project that meets the needs of the community as well as the intent of the Unified Development Ordinance and General Plan.

Project Overview

This project proposes 224 apartments in two phases over fifteen acres of a larger ninety-acre parcel generally located west of the intersection of State Route 89 and Road 2 North, on the north side of West Road 2 North. Of the 224 units, a total of 64 one bedroom/one bath and 160 two bedroom/2 bath units will be constructed. The frontage on West Road 2 North will provide access/egress to the development, with the primary access slightly east of center and secondary access adjacent to the west boundary of the subject parcel.

- Zoned SR 0.16 in 2006 upon adoption of Ordinance 06-663
- Approval of Preliminary Subdivision Plat in 2006 (Resolution 06-803)
 - 94 acres
 - divided into no more than 150 lots
 - average lot size of 18,875 square feet
 - CAWS issued in 2007
- Current market demand is for rental property, especially multi-family

Current Zoning: SR -0.16

Proposed Zoning: MR-PAD

Land Use Designation: Community/Downtown Core

Water

- Rental properties such as apartments are specifically exempted from obtaining a Certificate of Assured Water Supply (CAWS) ARS 32-210 (56) (c) (iii)
- Apartments are not subdivisions; only subdivisions are required to provide a CAWS for development
- The Town of Chino Valley is not a designated water supplier; no "notice to serve" required; *no deduction from water portfolio is required*
- The Town of Chino Valley is a Service Area Provider; reports additional draft annually to ADWR
- Only need a request for service to supply water
- Zoning is not plat approval

Traffic

Traffic Impact and the 2N/SR 89 Intersection in 2006 TIA by Lee Engineering

Based on previous preliminary plat:

- 150 Single Family Homes
- 1,400 Trips Per Day; 113 AM Peak/152 PM peak
- No significant impact on traffic operations

Recommendations

- Construct a right turn deceleration lane at site access with 100' full lane width and 100'

- taper length
- Widen R2N to provide a left turn lane at site access. Include expanded cross section for 70' west of entrance to provide 50' of stacking distance.
- Site access should provide two lanes for outbound and one lane for inbound traffic.

Stipulations

- Traffic Impact Analysis shall be completed, reviewed, and accepted by the Town Engineer/PW Director. All required improvements shall be constructed by the developer. Improvements shall be constructed to YAG/MAG standard and dedicated to the Town upon approval and acceptance of the TE/PWD. No Certificate of Occupancy to be issued until improvements are complete and accepted.
- Electrical lines serving the site shall be buried.
- The sidewalk that terminates on the adjacent parcel to the east shall be continued along the entire frontage of the subject parcel.
- The proposed residential units shall be connected to and served by municipal sewer and water. Service lines will be extended across the entire frontage of the subject property. Any/all recharge credits to the Town of Chino Valley.
- Minimum 25' half-street ROW dedication adjacent to the east boundary of the subject parcel along its entirety.

Bill Watson is the owner and developer of the property.

- He is willing to work with the Town to develop a quality project.
- The road between the apartment complex and future single family residences will act as a natural barrier.
- He will provide a play area.
- Rent occupancy in Chino Valley is 98%. There is a need for rentals that accept dogs.

The Public Hearing was opened at 6:56 pm.

Phillip Cox, Arthur Gonzales, Larry Campbell Matt Smith, Susan Lockney and Afton Kemp spoke in opposition of the project. Their concerns are listed below:

- The complex would increase traffic into the subdivision North of the proposed complex.
- Pedestrian traffic will also increase. The sidewalk will only extend to the end of the property. There are kids who will be using the road and sidewalk to walk to and from the school. It is a safety issue.
- Traffic on Road 2 North already goes too fast and at certain times of the day is bumper to bumper.
- Confirmation that water for the complex would be provided thru Town water lines.
- Many residents in the area have had to replace their wells or drill deeper.
- The water study done in 2006 needs to be updated.
- The water well levels have dropped 50 ft.
- California has had similar water issues.
- The City of Prescott takes Chino Valley water.
- Growth and water usage should be managed.
- Landscaping is nice but even low water plants require a lot of water to get established.

Jeff Lambert the Chino Valley School District Transportation Superintendent, also spoke during the Public Hearing.

- The school would like to have a bus stop in the complex.
- School buses need a 55 foot turning radius.
- Based on the current plans, a school bus could not go into the complex.

- The complex will have a lot of trees which can create a problem for bus drivers.
- He would like to meet with the developer to discuss these issues.

The Public hearing was closed at 7:20 p.m.

The Commissioners had the following observations and comments:

- The development would bring sewer and water to the site.
- The landscaping plan between Phases 1 & 2 would require a proper buffer if Phase 2 is abandon.
- The set back from the Phase 2 property is 10 feet.
- The PAD will come back to the Commission again for a final review before it goes to Council.
- The street will connect for alternate access.
- No wall is required to buffer between the apartments and single family housing that may be built.
- Planning & Zoning Commission could ask Council to require the privacy block wall.
- Tech review has indicated that the fire flows are Ok and there is no access issue.
- Amenities would include:
 - Open space & landscaped, tree-lined pathways
 - Club house/community building
 - Gazebo
 - Dog park
- Open space for this project totals 46%.
- There is a school playground nearby.
- The project complies with the General Plan.
- Mixed used is not uncommon.
- Apartments are exempt from providing an assured water supply. That is a requirement for subdivisions.
- Low-flow fixtures are required.
- Would it be possible to use gray water for the landscaping?
- Dedication of the right of way would go all the way to the west end of the property.
- The prior Traffic Impact Analysis in 2006 indicated that widening of West Road 2 North was necessary.
- The new Traffic Impact Study may differ since this is for a 15 acre development than for a 90 acre single family Developments.

Director Mayday responded to the commissioner's comments:

Traffic

- The Traffic Impact Analysis by a traffic engineer will show the best way to mitigate traffic from the project.
- The road width is 90-100 ft across.
- The Right of Way dedication will add 25' to lane width.

Sidewalks

- The sidewalk will stop at the west end of the property. The property owner of the adjacent property cannot be compelled to extend the sidewalk.

Water

- Unsure why the legislature exempted apartment complexes from documenting an assured water supply.

- Chino Valley is in an Active Management Area.
- The Arizona Dept. of Water Resources has a list of drought tolerant plants and those plants will be used at the project.

Turning radius

- The CVSD Transportation superintendent will work with the developer in order for modifications to be made to allow school buses to access the complex.

Commissioner Bacon stated that Capital Improvement Funds could be used to extend and build the sidewalk west to the school. In response Director Mayday clarified that the Town does not have Capital Improvement Funds. In order to extend the sidewalk, the Town would have to obtain the right of way from the private property owner.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Claude Baker to forward the Development Plan for Hawksnest at Chino Valley to Town Council for consideration, comment, and referral back to the Planning & Zoning Commission to finalize Development Plan, with the following recommendations:

- Provide a list of amenities.
- The developer address school bus off-street and turning radiuses within the development.
- Gray water usage for landscaping be pursued as a potential water source in the development.

Vote: 5 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

Commissioner Bacon commented that several months ago the Commission was told that there were only 4 areas that could be utilized for medical marijuana manufacturing. He would like to see other potential areas that could be rezoned.

Chair Merritt commented that the Medical Marijuana laws cannot be changed. Zoning changes may come about. All the Planning & Zoning Commission can do is try to contain, control and isolate these locations.

Commissioner Lane also commented that she was unsure what else could be done to limit medical marijuana locations.

Commissioner Bacon stated that there are vacant lots along State Route 89 that could potentially be developed into apartments and that the Commission would be obligated to approve them.

Director Mayday stated that there is a 300 ft strip along State Route 89 that was zoned for commercial and multi-family housing development in the 1970 & 80s.

9) PUBLIC COMMENTS

Leo Scott and his wife, Laurie, own the commercial building at 990 N. Hwy 89 (yoga studio, restaurant and brew pub). He is concerned that if the road is altered or re-aligned he may lose a chunk of property and could lose parking spaces. He hopes some of the potential traffic can be diverted to the north. He has also met with owner Bill Watson

Mr. Scott also commented that without progress small communities die.

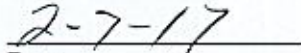
10) **ADJOURN**

MOVED by Commissioner Michael Bacon, seconded by Commissioner Annie Lane to adjourn the meeting at 7:58 pm.

Vote: 5 - 0 PASSED - Unanimously



Chair Charles Merritt



Date