

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

**APRIL 3, 2018
6:00 P.M.**

The Planning and Zoning Commission of the Town of Chino Valley 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 Chuck Merritt called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

Commissioner William Welker led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Commissioner Tom Armstrong; Commissioner Michael Bacon; Commissioner John McCafferty; Commissioner William Welker; Alternate Welles Geary

Absent: Vice-Chair Gary Pasciak

Staff Present: Development Services Director Jason Sanks; Associate Planner Alex Lerma; Public Works Director/Town Engineer Frank Marbury; Deputy Town Clerk/Recorder Vickie Nipper

4) MINUTES

- a) Consideration and possible action to approve the March 20, 2018 special meeting minutes.

MOVED by Commissioner Tom Armstrong, seconded by Commissioner John McCafferty to approve the March 20, 2018 regular meeting minutes.

Vote: 6 - 0 PASSED - Unanimously

5) STAFF REPORTS

Development Services Director Sanks reported on the following:

- The Unified Development Ordinance (UDO) Rewrite Committee met to review Version One of the restructured zoning ordinance and subdivision regulations.
- Staff met to discuss the next phase of the Economic Development Subcommittee's contract with the EPS Group for renderings of the entrance way at Old Home Manor Industrial Park as well as an extended scope on the traffic impact analysis.
- A technical review meeting was held to discuss the Century Ranch Phase One, for 126 one acre lots located south of Perkinsville Road.
- Staff met with Red Arsenal Manufacturing about relocating to Chino Valley.

6) PUBLIC HEARING

- a) Consideration and possible action regarding a request for a zone change for approximately 2 acres of real property generally located 960 feet south of the southeast corner of East Road 5 North and State Route 89 at 3795 N. State Route 89, from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Alex Lerma, Associate Planner)

Associate Planner Lerma presented the following on this item:

- There was an error on the zoning exhibit. The exhibit should state Rezoning from Commercial Light zoning district to Commercial Heavy zoning district, not Agricultural Residential to Single Family Residential.
- This Application was initiated and recommended by staff. Since the current zoning is Commercial Light, there was a conflict with the business license renewal because the type of business being conducted was not in compliance with the zoning requirements. The business license cannot be renewed until the zoning issue is resolved.
- The land use designation through the General Plan is Commercial/Multi-Family Residential.
- The property has one steel building that is used for manufacturing small airplane parts; the other four buildings are vacant.
- The surrounding property zoning is made up of Commercial Light and Commercial Heavy districts and one vacant parcel to the southeast is zoned Multi-Family/Mobile Home Park.
- Historically, the property uses have been commercial heavy, including cabinet manufacturing, an upholstery shop and an auto repair and services shop.
- The current manufacturing business has been onsite for ten years.

Owner Robert Parsons explained that the property had been purchased several years ago and the aircraft parts manufacturer has had a license from the Town for years. It wasn't discovered that the zoning was incorrect until the business license was being renewed. He would like to be able to rezone the property and sell a small number of automobiles, have storage, and have a fabrication, welding and machine shop and the ability to rent 12 storage buildings located on the property.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Tom Armstrong to recommend approval to Town Council of this request to rezone approximately 2 acres of real property located 960 feet south of the southeast corner of East Road 5 North and State Route 89 at 3795 North State Route 89, Chino Valley, AZ 86323 from (CL) Commercial Light to (CH) Commercial Heavy.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action regarding a request for a zone change for approximately 5 acres of real property generally located west of the southwest corner of West Road 1 South and South Road 1 West at 584 South Road 1 West, from AR-5 (Agricultural Residential – 5 Acre Minimum) zoning district to SR-1 (Single Family Residential – 1 Acre Minimum) zoning district. (Alex Lerma, Associate Planner)

Associate Planner Lerma presented the following on this item:

- The property is currently vacant.
- The zoning change would be in conformance with the general plan land use designation and would change from a low density residential designation to a medium density residential designation.
- The surrounding properties are zoned as follows: Agricultural Residential five acre minimum to the north and south; Single Family Residential one acre minimum to the northeast and east; Single Family Residential 2.5 acre minimum to the west; and Single Family Residential one acre minimum to the northwest.
- The Applicant would like the ability to split the property into three separate parcels, two parcels of one acre and one of three acres.
- The Applicant held a neighborhood meeting onsite on March 12, 2018. Three surrounding property owners attended the meeting and supported the zone change. One property owner had concerns that because the applicant would be hooking up to town water and sewer, the surrounding neighbors would be forced to do the same. The applicant assured the neighbors that was not the case and that only new property development that had utilities abutting the street would be required to hook to town water and sewer.
- The surrounding property owners were supportive of the applicant applying a deed restriction that would allow only site-built homes on the property.
- There would be a required 50' access/utility easement along the properties abutting West Road 1 South.

Commissioners asked about or commented on:

- A loop on the property as seen in an aerial photo: The owner explained it had been a race/training track.
- The access easement being a city street: Mr. Lerma explained that all applicants that create a lot split that do not have legal access to a road are required to create an access easement and sign a perpetual offer of dedication (POD), meaning that they are dedicating it to the town and the town will take ownership if they need it.
- Liability for the road: Commissioners voiced concerns about the Town taking liability for the road but understood that it was necessary for access to town water and sewer.

MOVED by Commissioner William Welker, seconded by Commissioner Tom Armstrong to recommend approval to Town Council of this request to rezone approximately 5 acres of real property located approximately 912 feet west of the southwest corner of West Road 1 South and South Road 1 West at 584 South Road 1 West from (AR-5) Agricultural Residential 5 Acre Minimum to (SR-1) Single Family Residential-1 Acres Minimum.

Vote: 6 - 0 PASSED - Unanimously

- c) Consideration and possible action regarding a request to rezone approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential – 5 Acre Minimum) zoning district to SR-0.16 PAD (Single Family Residential – 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district to modify the SR-0.16 zoning district development standards. (Jason Sanks, Development Service Director)

Development Service Director Sanks presented the following on this item:

- During a previous study session, Commissioners had commented that they wanted more detail on the open space, amenities provided, and the perimeter wall plan. The applicant provided further details on those items.
- The applicant wants to develop the 44 acres into a residential development area with 159 lots at approximately 7,000 square feet each. He would like to modify some of the development standards in the PAD overlay and in return, he will provide more detailed design documents for the open space plan, the community wall plan, and a list of the amenities. The proposed modifications are reasonable and in keeping with other residential developments of this lot size.
- The open space is centralized and designed in a useful and visually appealing way. When pulling into the community, open space would always be seen first.
- The General Plan that was updated in 2014 calls for a diverse mix of housing types and densities throughout the town, especially for those related to the community core or SR89 corridor, which this project is located near.
- The applicant proposed to modify the 50' setback off Perkinsville, which worked because the lots are flipped and are backed to the road. There would be a landscaped tract, a wall and then a home.
- There were modified development standards off Road 3 North. He was not sure if the road would ever go through. The Town Engineer could request a dedication if needed.
- The middle and front yard setbacks requirement are 25', and the applicant requested 15' to the living area and 20' to the garage, which is standard in contemporary new development.
- The side yard setback request was proposed at 5' and 10', which is typical in new design and would provide a staggered layout.
- An overview of the open space, recreational and wall plan.
- A condition of approval will give Staff discretion to move items around in the plan when a builder starts the development process, without making it necessary to go through the zoning amendment process.
- The project would be connected to the Town sewer and water.
- The Public Works Director/Town Engineer would coordinate the designation of all necessary rights-of-way along with improvements at the time the Director sees fit. That condition would be added to the Ordinance that goes before council.

Commissioners asked about the following:

- Sidewalk requirement along Perkinsville Road: Mr. Sanks explained that sidewalks were required as part of the UDO on major road corridors.
- Trend for new developments related to six-foot cement wall around the perimeter of the development: Mr. Sanks explained it was common for the smaller developments to provide a six-foot fence or wall but not necessarily with larger acreage lot developments.

Applicant Lindsay Schube, Gammage & Burnham PLC, complimented staff for their thoroughness and explained that it was not the applicant's intention to develop the property themselves, but they may consider a joint venture.

Public Comment:

Christeen Meadors, future new Planning & Zoning Commissioner, asked if there would be a crosswalk to the park for children to access. Mr. Sanks stated that it could be requested from the Public Works Director and would require enhanced signage and possibly lighting and he would relay it to the Public Works Director.

Gary Young, Chino resident close to the project site, expressed disappointment about the Town

rezoning property to 0.16 acres as Chino is a one acre town.

Ron Romley, Chino Valley resident and Chair of Yavapai Regional Transit (YRT), commented that as the Town develops more large density residential developments, people that needed transportation have been forgotten and that transportation would be necessary. YRT ran approximately 10,000 trips in a year with 70% being Chino Valley residents. He would like transportation issues to be considered without the bus having to enter into a subdivision and would like consideration for a bus pullout on either Perkinsville or preferably, Road 1 East.

Commissioners asked about the following:

- The project meeting the requirements of the General Plan: Mr. Sanks stated that the project conformed to the General Plan and although the density of this project was not suitable throughout the Town of Chino Valley, there were areas in town that were allocated for more density and this area met that requirement.
- Proximity to the Community Center Park warranting a higher density: Mr. Sanks explained that it is generally good practice to place people next to amenities.
- Safe passage to schools and parks: Mr. Sanks explained that with this development, the owner and future developer would be responsible for adjacent street improvements and anything beyond that would be the responsibility of the Town. Frank Marbury, Public Works Director, explained that the traffic impact analysis would look at some of the concerns with crosswalks, sidewalks, and the like. As traffic increased, the Town could look at those areas to determine what needed to be done.
- Pullout for the bus at the Park across the street: Mr. Sanks stated that he spoke with the applicant and the Public Works Director and they would look for a good pullout area. This could be added as a condition.
- Width of the main arterial road and concerns about the number of necessary lanes: Mr. Sanks explained that through the P&Z Ordinance and the final Ordinance, the exact right-of-way dedication widths will be added per the Town standards. The traffic impact study analysis for Perskinsville Road will specify the number of lanes necessary. Mr. Marbury added that the right-of-way width for arterial road is 100 feet.

Chair Merritt commented that this application had been before the Commission as a study session and it was advertised in the paper with numerous opportunities for the public to speak for or against the project and this was the first time any negative comments were received.

MOVED by Commissioner John McCafferty, seconded by Commissioner Michael Bacon to recommend approval to Town Council of this request to rezone approximately 44.3 acres of real property located on the northeast corner of East Perkinsville Road and North Road 1 East intersection at 1204 East Perkinsville Road from the current zoning district of AR-5 (Agricultural Residential- 5 Acre Minimum) to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) with a PAD (Planned Area Development) Overlay with the following conditions:

1. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:

- a) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
- b) Perimeter landscaping along Perkinsville Road and Road 1 East; and
- c) Location of park including that two (2) picnic tables, one (1) tot lot, and one (1) Ramada shall

be provided.

d) Developer shall work or consult with the Public Works Director or Town's Development Director in establishing a viable pullout for future transit transportation.

Commissioners discussed the appropriate location for the pullout and discussed the need for a pullout going in both directions. Mr. Sanks stated that the town would study where the appropriate spot for a pull out would be and the appropriate details for development.

Commissioners discussed future projects similar to this that are not ready to be developed and that the Commission needed to be cognizant of issues that could arise.

Vote: 6 - 0 PASSED - Unanimously

- d) Consideration and possible action regarding a request for a Conditional Use Permit for approximately 120 acres of real property located northwest of North Jasper Trail at 4820 East Perkinsville Road to allow a hot mix asphalt plant in the I (Industrial) zoning district. (Jason Sanks, Development Services Director)

Development Service Director Sanks presented the following on this item:

- The application was for a conditional use permit that was subject to discretionary approval by the Commission and Council.
- The current land use was mining and crushing hard rock and the Applicant was requesting a hot mix asphalt plant.
- There were several discretionary approvals that were required for the business, including a Class One Permit for air quality from ADEQ and water trucks to keep the dust down.
- The area has low density residential housing and should not be a cause for concern as any smell would be carried off towards state lands.
- No negative response was received at the neighborhood meeting and there was no opposition to the project received through email or phone calls.

Applicant Jim Fletcher provided an overview of the asphalt plant. He stated that they have had a rock crushing operation on the property since 1999. When the Town annexed the property in 2001, they agreed in the pre-annexation agreement to allow the uses approved by the county. The nearest asphalt plant was 26-miles away.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Tom Armstrong to recommend approval to the Town Council of this request to for a Conditional Use Permit for approximately 120 acres of real property located northwest of North Jasper Trail at 4820 East Perkinsville Road to allow a hot mix asphalt plant in the I (Industrial) zoning district, subject to the following conditions:

1. The hot mix facility will be developed in accordance with the exhibits provided by the applicant.
2. Applicant will comply with all federal, state and local regulations.
3. All required permits by State and Federal authorities will be completed before the start of the plant.

Commissioners questioned the timeframe associated with the Conditional Use application. Mr. Sanks explained that if the Commission does not state a timeframe, the permit could be in perpetuity and that there was a revocation process or they could provide a recommendation date

such as 10-years. The Commission did not implement a timeframe.

Vote: 6 - 0 PASSED - Unanimously

- e) Consideration and possible action regarding a request to amend the CUP (Conditional Use Permit) for approximately 2.82 acres of real property generally located 274 feet north of the northwest corner of West Road 3 North and State Route 89 at 2062 North State Route 89 to allow the installation and replacement of an electronic sign in the CL (Commercial Light) zoning district. (Alex Lerma, Associate Planner)

Associate Planner Lerma presented the following on this item:

- In 2013 the applicant received a CUP for an LED message board sign, but the sign is no longer onsite, and they were reapplying for a new sign with different specifications and locations.
- The proposed sign would be smaller at 15 square feet instead of 32 square feet, would be at least six feet from the property line, and it would not exceed the size requirements.
- The brightness of the sign can be reduced if necessary.
- No comments have been received regarding the application.

MOVED by Commissioner John McCafferty, seconded by Commissioner Michael Bacon to move to recommend approval to Town Council of this request for of a Conditional Use Permit for the proposed electrical display for parcel 306-14-007E, located approximately 270 feet north of the northwest corner of West Road 3 North and State Route 89 intersection at 2062 North State Route 89 subject to the following conditions:

1. The electronic sign shall not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. If the Town and/or Arizona Department of Transportation (“ADOT”) develop more stringent requirements for static and transition time code for electronic signs, the sign that is subject to this Use Permit shall be modified to comply.
2. If the Town receives complaints from community residents of excessive brightness or glare at night, the applicant shall submit sign modification plans to the Development Services Department for review and approval that ensure brightness and glare are reduced to satisfactory levels.
3. Information displayed on the electronic sign shall be exclusive to activities and events that occur only on the premises, in compliance with ADOT regulations (A.R.S. §§ 28-2901 through 28-2915 and A.A.C. §§ R17-3-701 and R17-3-701.01) and the Town’s prohibition of off-site commercial signs.

Vote: 6 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

The Commission discussed sign trends and reasonable conditions for LED signs.

9) **PUBLIC COMMENTS**

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

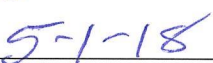
10) **ADJOURN**

MOVED by Commissioner Michael Bacon, seconded by Commissioner Tom Armstrong to adjourn the meeting at 7:30 p.m.

Vote: 6 - 0 PASSED - Unanimously



Chair Charles Merritt



Date