

1. Planning And Zoning Commission - Agenda

Documents:

[2018_07_03_PZ_RG_AG.PDF](#)

2. Planning And Zoning Commission - Packet

Documents:

[2018_07_03_PZ_RG_PK_WEB.PDF](#)

3. Planning & Zoning Commission - Packet Addendum

Documents:

[2018_07_03_PZ_RG_PK_AD1.PDF](#)



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
JULY 3, 2018
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. MINUTES**
 - a.** Consideration and possible action to approve June 5, 2018 regular meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Consideration and possible action regarding a request for a Conditional Use Permit for 1.38 acres of real property located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89. The request of the CUP is to allow a food truck court on a CL (Commercial Light) zoned property. (Jason Sanks, Development Service Director)
 - b.** Consideration and possible action regarding a request for a a CUP (Conditional Use Permit) for 0.55 acres of real property located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North. The requested CUP will allow the existing single family residential use within the CL (Commercial Light) zoning district. (Alex Lerma, Associate Planner)

- c. Consideration and possible action regarding a request to rezone 8.7 acres of a 15.8 acre of real property located approximately 0.75 miles east of the southeast corner of North Road 1 East and East Perkinsville Road at 1821 East Perkinsville Road, from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Associate Planner)
- d. Consideration and possible action regarding a request to rezone 6.85 acres of real property generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, from MR-1 (Multiple Family Residential-1 acre minimum) zoning district to MR-1 PAD (Multiple Family Residential-1 acre minimum) zoning district with a Planned Area Development Overlay zoning district to modify the density development standard in the MR-1 zoning district. (Jason Sanks, Development Service Director)

7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

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

Dated this 27th day of June, 2018.

By: Jason Sanks, Development Services Director

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427.

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request an accommodation to participate in this meeting.



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Planning and Zoning Commission Regular

4.a.

Meeting Date: 07/03/2018

June 5, 2018 Minutes

CASE DESCRIPTION:

Consideration and possible action to approve June 5, 2018 regular meeting minutes.

ANALYSIS:

RECOMMENDATION

Approve June 5, 2018 regular meeting minutes.

Attachments

May 1, 2018 minutes

DRAFT

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

**MAY 1, 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 Michael Bacon led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Tom Armstrong; Commissioner Michael Bacon; Commissioner John McCafferty; Commissioner William Welker; Commissioner Teena Meadors

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

4) MINUTES

- a)** Consideration and possible action to approve April 3, 2018 regular meeting minutes.

MOVED by Commissioner Tom Armstrong, seconded by Commissioner John McCafferty to approve the April 3, 2018 regular meeting minutes.

Vote: 7 - 0 PASSED - Unanimously

5) STAFF REPORTS

Development Services Director Sanks reported on the following:

- The UDO Update Subcommittee (UDO) held a meeting to review land use definitions and tables. Mr. Sanks explained the Matrix system, the consolidated land use districts and glossary of terms.
- The Economic Development Subcommittee held a meeting to review the first contract amendment for the EPS Group for Old Home Manor Industrial Park Master Plan. They will forward the plan to the Council for the expenditures.
- A preliminary meeting will be held regarding the Nighthawk project, which is near the Del

Rio project. They are looking at a rezone and a new plat.

6) PUBLIC HEARING

- a) Consideration and possible action regarding a request for a zone change for approximately 5.71 acres of real property generally located approximately 1,000 feet west of the northwest corner of West Road 1 North and North Road 1 West at 1190 West Road 1 North, 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:

- The property is located between two subdivisions: Vista Bonita to the north and Mesa Vista Estates to the west.
- The General Plan land use designation is medium density residential.
- The surrounding property zoning consists of single family residential one-acre minimum to the north and west; agricultural-residential five-acre minimum to the south; commercial light and single family residential one-acre minimum to the east. The surrounding zoning supports the applicant's request.
- The property currently has a single-family residence, guest home, workshop and shed. The applicant would like to split the property into three separate parcels.
- The applicants are working with CVID (Chino Valley Irrigation District) to abandon an easement that runs north and south.
- A land survey shows how the applicants would like to split the property into three parcels. The middle parcel would be 3.7 acres, the parcels to the east and west would both be one acre.
- The applicants will create a cross access easement on the North of the property which will be accessed through Poco Lane.
- The applicant sent out 30 notifications to the surrounding property owners. Staff received one call from a property owner to the north of the subject property with concerns regarding the property owner having access to Poco Lane that had two power poles in the area. The applicant is working with APS to resolve the issue. Mr. Lerma explained that the easement and the power poles are not a zoning issue but would be an issue with the lot split, which would be an internal staff process.

Public Comment:

Marsha Moyer, Chino Valley resident, voiced concerns that if the easement did not go through, the one-acre properties would be landlocked. Mr. Lerma explained that the property owner is required to provide a 50-foot easement, so the properties would not be landlocked.

Commissioners requested that the APS issue be resolved before this project moves forward. Staff stated that they would be working with the town engineer on the issue.

MOVED by Commissioner John McCafferty, seconded by Vice-Chair Gary Pasciak to recommend approval to Town Council to rezone approximately 5.7 acres of real property located approximately 1,000 feet west of the northwest corner of West Road 1 North and North Road 1 West at 1190 West Road 1 North from (AR-5) Agricultural Residential- 5 Acre Minimum to (SR-1) Single Family Residential-1Acres Minimum.

Vote: 7 - 0 PASSED - Unanimously

- b) Consideration and possible action regarding a request for a Conditional Use Permit for approximately 4.55 acres of real property located approximately 1,000 feet south of the southwest corner of East Road 2 North and North Road 1 East at 784 North Road 1 East. Approval of the Conditional Use Permit will allow the applicant to continue the operation and maintenance of a well drilling business consisting of storage of vehicles, machinery and supplies in the AR-5 zoning district. (Alex Lerma, Associate Planner)

Associate Planner Lerma presented the following:

- The applicant is applying to renew a conditional use permit (CUP) that expired.
- The property is surrounded by the Colonial Villa Subdivision to the east and Country West Mobile Home Park to the west.
- The subject property is located in the major community downtown core in the General Plan.
- The current land use is a single family residence with a 5,000 square foot workshop. The workshop is used for vehicle and drill maintenance. The site plan shows the main building is the single family residential home and the workshop is a maintenance shop, with the south of the property containing accessory buildings and equipment and vehicle storage. Trees and bushes provide a buffer between the property and the public streets.
- The applicant, Mr. McGee, applied for a rezone in 1996 from the AR (Agricultural) zoning district, which is equivalent to the current AR-5 zoning district, to CM-1, (Commercial Medium) which is equivalent to the current Commercial Light District. At the time, the surrounding property owners were supportive of the request, but the Planning and Zoning Commission had concerns with the potential future use of the property if the rezone was approved. Legal counsel requested that the applicant apply for a CUP instead of a rezone, which was granted in 1996 with the stipulation that the applicant renew the conditional use permit within five years. This did not happen when the business was transferred from father to son and the son did not know the conditional use had expired.
- Staff research indicated that the property has not been in violation since 1996 as far as surrounding property owners complaining about noise or esthetics of the property.

Commissioners asked if the CUP would be an indeterminate or endless time frame upon approval. Mr. Lerma explained that CUPs can have a limit such as five or ten years, but staff is not recommending a time limit for this application.

Applicant representative Ruth Mayday provided an overview of the applicant's CUP request and lapse of the previous CUP.

MOVED by Commissioner Tom Armstrong, seconded by Vice-Chair Gary Pasciak to recommend approval to the Town Council for a Conditional Use Permit for approximately 4.55 acres of real property located approximately 1,000 feet south of the southwest corner of East Road 2 North and North Road 1 East at 784 North Road 1 East to allow the continuation of the operation and maintenance of a well drilling business consisting of storage of vehicles, machinery and supplies in the AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district.

Vote: 7 - 0 PASSED - Unanimously

- c) Consideration and possible action regarding a request for a Minor General Plan Amendment to change the land use designation for approximately 9.49 of 15.9 acres of real property generally located at 1460 West Road 4 North from Medium Density Residential land use designation to Commercial/Multi-Family Residential land use designation.

Consideration and possible action regarding a request to rezone approximately 75 acres of real property generally located .25 miles west of the northwest corner of West Road 4 North and North Road 1 West. The applicant has requested to rezone 15.9 acres from CL/MR-PAD (Commercial Light/Multi-Family Residential with a Planned Area Development overlay) to 6.4 acres of SR-1 and 9.49 acres of CL (Single Family Residential – 1 acre Minimum and Commercial Light, respectively). The remaining 59 acres are requested to be rezoned from AR-5 to SR-1. (Jason Sanks, Development Service Director)

Development Services Director Sanks presented the following:

- The property was rezoned lawfully in the past. The General Plan request is a formality to sync the maps with the legal use because the property is already entitled to commercial land uses. The main focus for the application will be the zone change.
- The property includes the Windmill House off Road 4 North and an existing residence but is more or less vacant on the north portion of the property.
- The entire 75 acres is designated Medium Density Residential.
- On December 8, 2015 the Windmill House and nearby property were in a blended zoning area, with multifamily zoning and commercial zoning with a Planned Area Development (PAD) Overlay. The PAD provided use restrictions. The current proposal does not include a PAD because the district uses do not require a PAD. Rezoning the property surrounding the Windmill House will protect the area from negative impacts. Applicants and Staff would like to remove the PAD and the Multifamily Residential zoning, keep the Commercial Light for the Windmill House operation, and rezone the surrounding area to Single Family Residential one acre minimum. One-acre lots are consistent with the area.
- Mr. Sanks provided an overview of the subdivision plat layout.
- Water services will be provided through Appaloosa Water Company and there will be individual septic tanks on each lot.
- The surrounding neighbors were concerned with the traffic increase created from the project and they were hoping to get a six-foot block wall at the portion of the entry drive that extends along the west side of the Windmill House.

Commissioners asked about the wall location in conjunction with drainage. Mr. Sanks explained that the wall wasn't a necessity and not every subdivision had one in place. The fence was requested for the first two properties off Road 4 North near the drainage area. The other areas could use dense landscaping as a barrier.

Applicant Joe Cordovana provided an overview of the application. Commissioners questioned the applicant on the following:

- Wall: Mr. Cordovana stated that the wall would be a consideration when developing the plat.
- Developer: Mr. Cordovana stated that it had not been determined yet if he would act as developer or someone else would do it.

Public Comment:

- Robert Scoon, nearby property owner, was concerned about the road that will be built parallel to his house and it is the reason he wants a wall. The current landscaping is not solid and does not create a sound or light buffer and is not being maintained. The wall would be solid and maintenance free. He also considered the Windmill House as a commercial property and believed a buffer should have been put in place when it was built. He anticipated a lot of construction vehicles using the road when the properties are developed and would like a buffer.
- Wayne Moyer, nearby property owner, appreciated the proposed plan for one acre lots. He had concerns about headlights and noise and didn't believe a fence will work because of the bend in the street. He also believed heavier landscape was needed for noise reduction.
- Ronald Maines, resident (written letter provided), emphasized that the infrastructure roads and sidewalks remain a priority and he wanted the applicant to provide clarification and confirmation that all necessary steps have been taken with ADEQ for water provision and that he obtained a Certificate of Assured Water Supply as required.
- Robert McCaullay, resident, stated that when a section of property was rezoned previously, the property owners were not to have the right to a super majority at Council meetings. There was also supposed to be an easement dedication across the front of the properties and he had not found that the Council implemented the dedication. If that was true, then the other project is illegal and should never have opened. He was told that the road was not going to be used as access to the Windmill House, but it is. He was concerned because Mr. Cordovana has cleaned out all the rubble and concrete and buried it across the front of the project and it will have to be dug up for the new development. He believed that Mr. Cordovana only wanted the rezone for the Commercial Light but will never complete the one acre development unless he was required to do so.

Commissioners questioned Mr. McCaullay for clarification on his statements but were unable to answer any of his questions during the meeting.

Mr. Sanks addressed several items brought up by the public:

- Road dedication: He reviewed the road dedication process and explained that the dedication for this project would take place during the final plat and the project could not proceed without dedicating the property.
- Water: Water provisions will occur during the platting stage, not the rezone change, and was regulated by ADWR, not the Town. The Town will require a Certificate of Assured Water Supply prior to any approval of the final plat. The developer can only get water service if the water company and their infrastructure can support it, and there may need to be some adjustments to the current infrastructure to provide the water, but they will not get homes built without the provision of water.
- Infrastructure: Streets, water and dry utilities needed to be in place before the first housing permit will be issued. The Plat will come to the Commission before anything is built.
- This application was to determine if it was an appropriate land use for the area.

The Commission discussed the previous dedication and the wording for the easement being included in the zone change. Mr. Sanks explained that dedications don't immediately take place upon council approval, but they are in place for when they are needed during the platting process.

Commissioners and staff discussed:

- Access for the 52 lots on Tract A and the Windmill House: Mr. Sanks explained that the access branches off, but both would be separate and would meet the local street standards.

- Rights of Way (ROW) process: The owner has agreed to the required ROWs. When the project begins and is platted, the ROWs will be dedicated in the proper locations. Frank Marbury asked for clarification on the development and the ROW dedications and any stipulations for roadway improvements. Mr. Sanks explained that would be a housekeeping item that would be handled by staff.
- Landscaping: This will be discussed during the platting phase.
- Wall: The wall can be included in the zoning phase or can be clearly addressed in the minutes. It can be added as a condition.

MOVED by Commissioner Michael Bacon, seconded by Commissioner John McCafferty to recommend approval to Town Council of a Minor General Plan Amendment to change the land use classification of approximately 9.49 acres of the 15.9 acres lot size for parcel 306-05-031V from Medium Density Residential land use classification to Commercial/ Multi-Family Residential land use classification; and also to recommend approval to Town Council of a request to rezone approximately 75 acres of real property (APN: 306-05-030R, 306-05-031V and 306-05-031T), rezone 15.9 acres from CL/MR-PAD (Commercial Light/Multi-Family Residential with a Planned Area Development overlay) to 6.4 acres of SR-1 and 9.49 acres of CL (Single Family Residential-1 acre Minimum and Commercial Light, respectively); and the remaining 59 acres to be rezoned from AR-5 to SR-1, with the following condition of approval: that a six foot high block wall be constructed along the west side of the tract E property line, commercial area/drainage, common area.

Vote: 7 - 0 PASSED - Unanimously

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- Ronald Maines, resident, was concerned that the three-minute rule was only for things not on the agenda. Chair Merritt explained that was only for this section of the Agenda and for items not discussed earlier on the agenda because items on the agenda cannot be readdressed after the Commission has moved forward.
- Darrel Mahoney, resident, questioned if property value goes up after it is rezoned. Mr. Sanks explained there is no prohibition on a person rezoning their property. This is the first step in a long process.

10) ADJOURN

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner John McCafferty to adjourn the meeting at 7:10 p.m.

Vote: 7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

6.a.

Meeting Date: 07/03/2018

Eldredge Food Court CUP (a)

CASE DESCRIPTION:

Consideration and possible action regarding a request for a Conditional Use Permit for 1.38 acres of real property located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89. The request of the CUP is to allow a food truck court on a CL (Commercial Light) zoned property. (Jason Sanks, Development Service Director)

LOCATION:

Located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89.

FACTS:

1. Applicant: Bruce Eldredge
2. Owner: 246 Holdings, LLC
3. Parcel Number: 306-23-057
4. Site Area: 1.38 acres
5. Existing zoning: CL (Commercial Light)
6. Intended Use: Food Truck Court

ANALYSIS:

See attached Staff Report.

SITE PLAN

See Attached Site Plan

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of approval for a Conditional Use Permit for APN 306-23-057 to allow a food truck court on a CL (Commercial Light) zoned district, subject to the following conditions:

- 1) All food trucks shall be located in the designated food truck court area shown on site plan.
- 2) Food trucks shall be limited to no more than 2 trucks on site.
- 3) Trash and recycle receptacles shall be provided on site, and must be emptied and maintained.

Attachments

Eldredge Site Plan

Eldredge Staff Report



PROJECT DATA	
APN:	306-23-057
Site Address:	246 North State Route 89
Site Area:	1.38 Acres (60,112 sf)
Existing Zoning:	Commercial Light
General Plan Land Use Designation:	Commercial/Multi-Family Residential
Site Improvements:	Two (2) Commercial Buildings
Parking Spaces Provides:	21 Parking Spaces
Proposed Project Description:	Conditional Use Permit To Allow A Food Truck Court In the Commercial Light Zoning District



PLANNING AND ZONING COMMISSION STAFF REPORT

APPLICATION SUMMARY

File Number: C18-000004

Assessor's Parcel Number: 306-23-057

Site Location: Located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89.

Property Owner: 246 Holdings, LLC

Applicant: Bruce Eldredge

Request: Request for a Conditional Use Permit (CUP) to allow a food truck court on a CL (Commercial Light) zoned site.

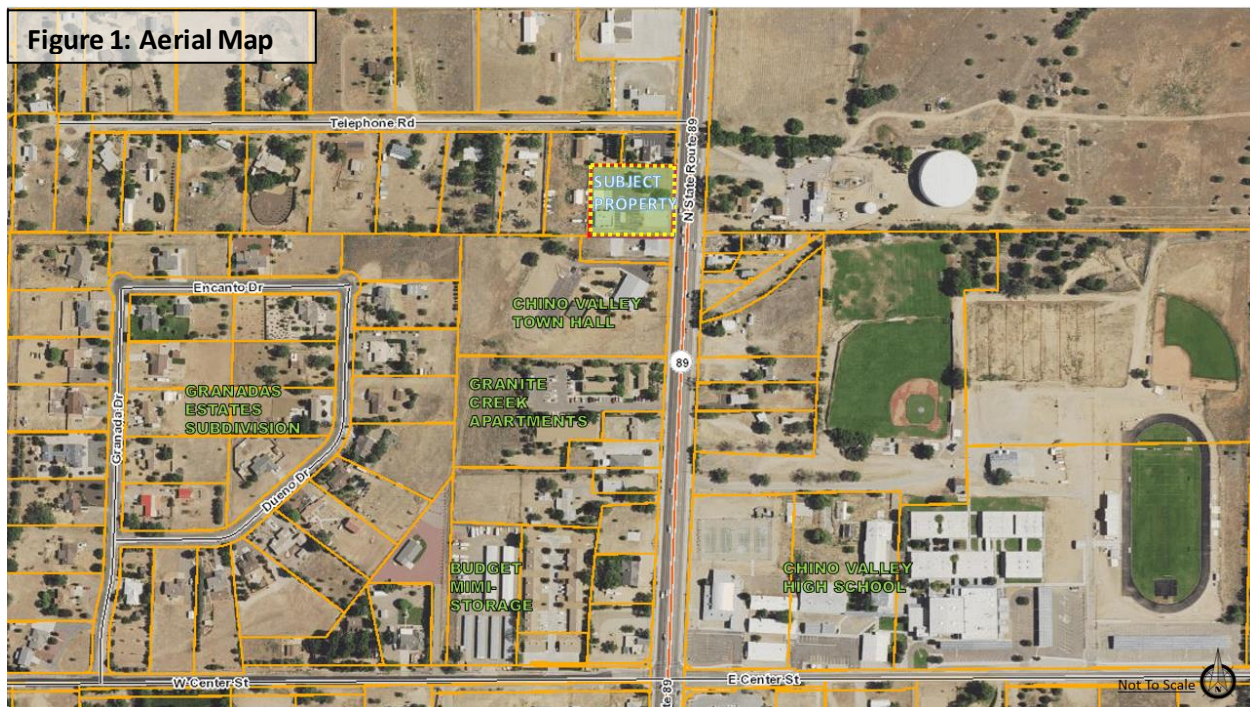
SITE DATA

Existing Zoning	CL (Commercial Light)
Lot Size	1.38 acres (approximately 60,112 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Commercial/ Multi-Family Residential
Existing Land Use	Two (2) Office Buildings

BACKGROUND

SITE DESCRIPTION

The subject property is located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89. The property is accessed by State Route 89. The site is identified with a CL (Commercial Light) zoning district under the Town of Chino Valley UDO (Unified Development Ordinance). The parcel has a General Plan Land Use Designation of Commercial/ Multi-Family Residential under the Town of Chino Valley General Plan Potential Land Use Map. Existing improvements on the property include a two (2) office buildings. The bigger office building is 2,140 sq. ft. in floor area with the smaller building being 1,260 sq. ft. in floor area. **(See Figure 1. Aerial Map)**



PROJECT HISTORY

The main building on site has been used by MDI Financial Services, offering financial assistance at this location since 2006. The other building was used as a hair salon from 2011 to 2017. Currently it is being used by Mi Phone Connection for retail. In February 14, 2018, the 5000 Food Unit applied and was issued a business license to locate on site as a mobile merchant food truck on February 14, 2018.

Mr. Eldredge, the property owner, spoke to Staff in late March of this year to inquire about locating and additional food truck on site. The location of an additional food truck on site would be considered a food court as interpreted by the Zoning Administrator and confirmed with legal counsel. In addition, Staff defines a food truck as an accessory business to the main business to the site and does not allow a second accessory business. Food trucks and food courts are not clearly defined in UDO (Unified Development Ordinance) and have become a challenge to regulate in the past.

Tiger Express Food Truck was allowed to locate on site as the second food truck on April 4, 2018 with a temporary permit which would need to be renewed every time the permit expired. The 5000 Food Unit is no longer located on site and Tiger Express Food Truck remains as the only food truck on site. Mr. Eldredge has expressed the desire to continue forward and would like to locate up to three (3) food trucks at the location on a permanent basis. Staff has directed the applicant to apply for a Conditional Use Permit.

PROJECT DESCRIPTION

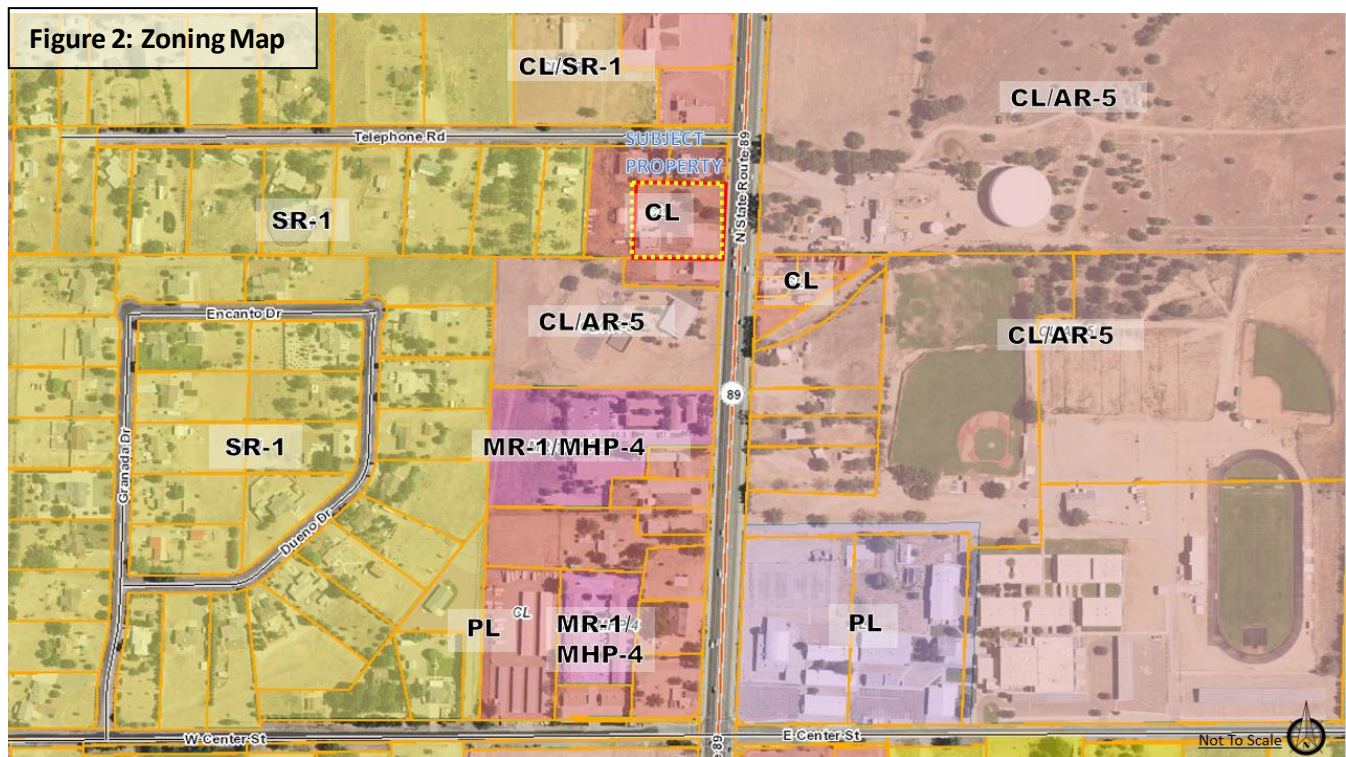
The applicant has applied for a Conditional Use Permit to allow a food court with a maximum of 3 food trailers on property zoned CL (Commercial Light). The applicant believes the site is appropriate for a food court, expressing that the site has a concrete slab with highway frontage access, power and water utilities on the slab. He has further stated that the location has secure trash cans, restrooms and adequate parking for a food court. The food trucks are not proposed to be parked in any portion of the existing parking lot.

(See Appendix A: Site Plan)

Staff has been on site on several occasions to inspect the property. The site currently provides twenty one (21) parking spaces for the two existing commercial buildings. The parking spaces are distributed between the two buildings with the larger building with eight (8) spaces and the smaller building with six (6) spaces. The additional seven (7) spaces are provided along the concrete slab. Based on the size of the lot, the only place that makes sense to locate the food trucks would be on the concrete slab located on the front of the property. Locating the food trucks outside the concrete slab will cause interior traffic flow issues and might create safety issues.

SURROUNDING PROPERTIES ZONING AND LAND USES

The property is located on the State Route 89 commercial corridor, the area is predominantly made up of a mix of commercial and residential uses. The properties directly north have a zoning classification of CL (Commercial Light) and CL/SR-1 (Commercial Light/ Single Family Residential- 1 Acre Minimum). Directly west, properties are zoned CL and SR-1 with single family residences along Telephone Road. To the south properties are zoned CL, CL/AR-5 (Commercial Light/ Agricultural Residential- 5 Acre Minimum), MR-1/MHP-4 (Multi-Family Residential- 1 Acre Minimum/ Mobile Home Park- Residential- 4 Acre Minimum) with Chino Valley Town Hall and Granite Creek Apartments to the south. To the east, across State Route 89, properties are zoned CL/AR-5 and CL with the Prescott Pump House location. (See Figure 2: Zoning Map)



AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	EXISTING LAND USE
North	CL, CL/SR-1	Commercial/ Multi-Family Residential	Commercial Properties Single Family Residence

West	CL, SR-1	Commercial/ Multi-Family Residential Medium Density Residential (2 ac or less)	Commercial Properties Single Family Residence Granados Estate Subdivision
South	CL, CL/AR-5, MR1-MHP-4	Commercial/ Multi-Family Residential	Commercial Property Chino Valley Town Hall Granite Creek Apartments
East	CL, CL/AR-5	Commercial/ Multi-Family Residential	Prescott Pump House

PUBLIC REVIEW PARTICIPATION

The Town Staff notified property owners within a 300' radius, resulting in twelve (12) letters to surrounding property owners. Property owners received information regarding the applicant's request for a CUP in the CL (Commercial Light) zoning district. To date, no responses to those letters have been received by the Town.

The neighborhood meeting was held on May 21, 2018. At said meeting, there were no property owners in attendance. The item will go before the Planning and Zoning Commission on June 5th, 2018.

The item went before the Planning & Zoning Commission as a discussion item on June 5, 2018. Staff provided some general information on the different types of rules and regulation food trucks are enforced by in different municipalities. Staff considers a food truck an accessory use to a primary business. Several food trucks clustered together on one property are considered a food truck court, which was not currently defined in the Unified Development Ordinance, and would be considered a small business.

Most of the concerns that were brought up during the discussion are regulated and enforced by Yavapai Environmental Services, any violations will be cited by County Health, not the Town.

Planning and Zoning Commission unanimously voted for a continuation of the item for consideration and possible action to the regular July 3, 2018 Planning and Zoning Commission Meeting.

STAFF ANALYSIS AND RECOMMENDATION

The proposed use is not one that is well-defined in the UDO (Unified Development Ordinance). This stated, the Zoning Administrator, with the assistance of legal counsel, has determined that the closest comparable use and related entitlement path would be to seek a Conditional Use Permit for the property to allow a Food Truck Court.

The Town currently has no cluster of food trucks in town that serve as a primary use of the property – in the form of the proposed “court” with outdoor seating and potential entertainment areas in the center of the cluster. After staff review of the proposal and experience with similar facilities, we found that Food Truck Courts are very different than a typical restaurant and are not inherently the same use classification

based solely on the fact that food is generated for public consumption. Restaurants are facilities where the following activities are conducted nearly entirely within an enclosed facility:

- 1) Food preparation with internal air handling systems
- 2) Patron/Employee interface for the purpose of food ordering, serving, consumption, and clean up
- 3) Associated refuse processing, then transported to outdoor refuse enclosures
- 4) Sites are stationary buildings with permanent utility connections, building setbacks, and other development standards

In our interpretation of the code that our legal counsel has reviewed and accepted, we find that a Food Truck Court use in the Light Commercial zoning district is most closely found in the Temporary Use Section, where a Temporary Use Permit is required for similar uses such as Outdoor Retail Sales and Swap Meets. The time limit on a Temporary Use Permit cannot exceed 15 days (by Zoning Administrator Approval), but there is a provision for the Town Council to approve the Temporary Use for as long as it sees fit. An alternative to Temporary Use Permit is the Conditional Use Permit which will allow a longer duration of time for a specific use. The Conditional Use Permit is subject to discretionary approval by Council if the location and context of the site is suitable for the requested use. The Conditional Use Permit process also offers the Town Council the ability to set specific operating parameters and mitigating limits related to hours of operation, allowance of outdoor music, periodic review assessments, and so forth. This said, we believe the use is subject to the Citizen Review process and approval by Town Council – particularly since there are adjacent residential uses to the west. With assistance by legal counsel, Staff had recommended that the applicant apply for a Conditional Use Permit.

The Town currently has (3) three active business licenses for food truck, these food trucks are located within the parking lots of commercial establishments. In the past, Staff have brought a similar item to both Planning and Zoning and Town Council Study Session, at the time that applicant intentions of having a food truck court in a different located with the possibility of locating 4 to 6 independently operated food truck with live music on special occasions. During the study session the following items were discussed:

- 1) Noise and smells related to the semi-outdoor production of food
- 2) Noise generated by the outdoor purchase and consumption of food
- 3) Access and traffic generated by the use, with vendors coming and going on a varied basis
- 4) Outdoor trash receptacles and maintenance related to disposable dinnerware and food waste
- 5) Potential noise related to outdoor broadcast and live music related to special events.

Mr. Eldredge request for a food truck court is somewhat different in nature. Mr. Eldredge does not intend to have live music on special occasions and will be strictly dedicated to providing food. Mr. Eldredge intends to only locate 2 to 3 food trucks on site which will be less impactful regarding noise and traffic compared to having 4 to 6 food trucks.

Based on the site visits Staff has done on site. The parking spaces (21 parking spaces) provided on site will only be sufficient enough to support the two commercial buildings and no more than two food trucks at a time. Furthermore the area designated to the food truck court will only be able to locate two food truck without the area becoming compacted. Staff recommends that no more than two (2) food trucks be located on site.

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of approval for a Conditional Use Permit for APN 306-23-057 to allow a food truck court on a CL (Commercial Light) zoned district, subject to the following conditions:

- 1) All food trucks shall be located in the designated food truck court area shown on site plan.
- 2) Food trucks shall be limited to no more the 2 trucks on site.
- 3) Trash and recycle receptacles shall be provided on site, and must be emptied and maintained.
- 4) Paved access shall be provided between the parking area and the food truck court.

Parliamentary Procedure

Chairman: I would entertain a motion

Commissioner: I move to recommend (approval/denial) to the Town Council of this request to for a Conditional Use Permit for approximately 1.38 acres of real property located approximately .25 mile north of the northeast corner of Center Street and State Route 89 intersection at 246 North State Route 89 to allow the to allow a food truck court on a CL (Commercial Light) zoned district, subject to the following conditions:

- 1.) All food trucks shall be located in the designated area shown on site plan.
- 2.) Food trucks shall be limited to no more the 2 trucks on site.
- 3.) Trash and recycle receptacles shall be provided on site, and must be emptied and maintained.
- 4.) Paved access shall be provided between the parking area and the food truck court.

Chairman: Do we have a second?

Commissioner: I'll second

Chairman: All in favor

Commission: Aye (or nay)

Chairman: Anybody opposed?

Chairman: Motion is carried (or denied)

Appendix A: Site Plan



Planning and Zoning Commission Regular

6.b.

Meeting Date: 07/03/2018

Peabody_Hurtado Conditional Use Permit

CASE DESCRIPTION:

Consideration and possible action regarding a request for a CUP (Conditional Use Permit) for 0.55 acres of real property located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North. The requested CUP will allow the existing single family residential use within the CL (Commercial Light) zoning district. (Alex Lerma, Associate Planner)

LOCATION:

Located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North.

FACTS:

1. Applicant: Nathan Peabody & Ana Hurtado
2. Owner: Nathan Peabody & Ana Hurtado
3. Parcel Number: 306-20-127B
4. Site Area: .55 acres (approx. 23,958 sf)
5. Existing zoning: CL (Commercial Light)
6. Intended Use: Make the existing residential use into conformance.

ANALYSIS:

See attached staff report.

SITE PLAN

See attached Site Plan.

RECOMMENDATION

Staff recommend that Planning and Zoning Commission forward to Town Council a recommendation of approval for a Conditional Use Permit for APN 306-20-127B to make the existing single family residential use into conformance in the Commercial Light zoning district.

Attachments

Peabody Site Plan

Peabody Staff Report

EAST ROAD 3 NORTH

PROJECT DATA	
APN:	306-20-127B
Site Address:	985 East Road 3 North
Site Area:	0.55 Acres (23,958 sf)
Existing Zoning:	Commercial Light
General Plan Land Use Designation:	Commercial/Multi-Family Residential
Site Improvements:	Single Family Residence & Detached Garage
Proposed Project Description:	Conditional Use Permit to make the existing use in conformance in the CL (Commercial Light) zoning district.



NORTH ROAD 1 EAST



PLANNING AND ZONING COMMISSION

APPLICATION SUMMARY

File Number: C18-000005

Assessor's Parcel Number: 306-20-127B

Site Location: Located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North.

Property Owners: Nathan Peabody and Ana Hurtado

Applicants: Nathan Peabody and Ana Hurtado

Request: Request for a CUP (Conditional Use Permit) to allow the existing single-family residential use within the CL (Commercial Light) zoning district.

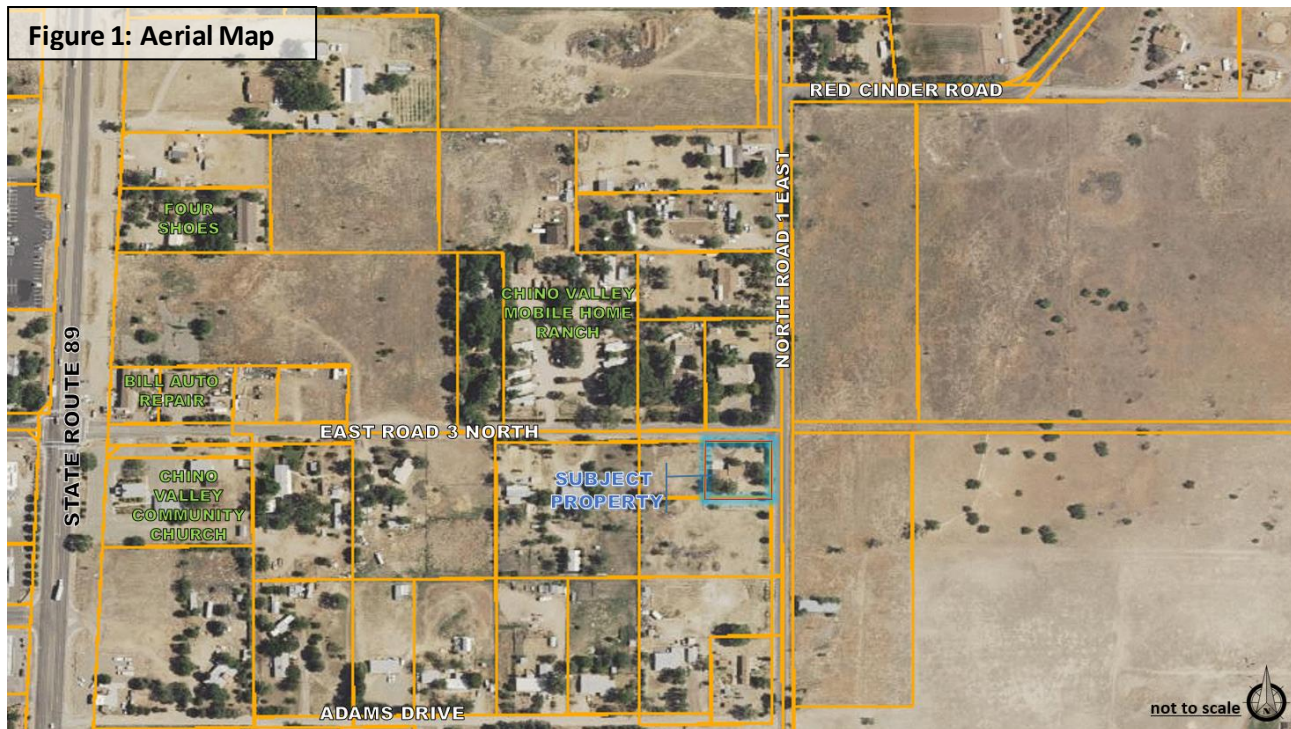
SITE DATA

Existing Zoning	CL (Commercial Light)
Lot Size	0.55 acres (approx. 23,958 sf)
Subdivision	N/A
General Plan Land Use Designation	Commercial/ Multi-Family Residential
Existing Land Use	Single family residence w/ detached garage

BACKGROUND

SITE DESCRIPTION

The subject property is located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North. The property is accessed by East Road 3 North. The site is identified with a CL (Commercial Light) zoning classification under the Town of Chino Valley UDO (Unified Development Ordinance). The parcel has a General Plan Land Use Designation of Commercial/ Medium Density Residential under the Town of Chino Valley General Plan Potential Land Use Map. Existing improvements on the property include a 1734 sq. ft. single family residential home and a detached 896 sq. ft. garage. (See Figure 1. Aerial Map)



HISTORY

The existing single family residence was constructed on site in 2000. The home was originally located on 2.20 acres. On December 15, 2005 the property owner at the time recorded a land division to the subject property creating two (2) 1.20 acre lots identified with APN 306-20-127 and 306-20-127A.

On April 27, 2006, Town Council adopted Ordinance No. 06-646 providing for the rezoning of APN 306-20-127 and 306-20-127A for SR-1 (Single Family Residential- 1 acre minimum) zoning district to CL (Commercial Light) zoning district. The effect of the rezoning converted the existing single family residential use to a legal non-conforming use.

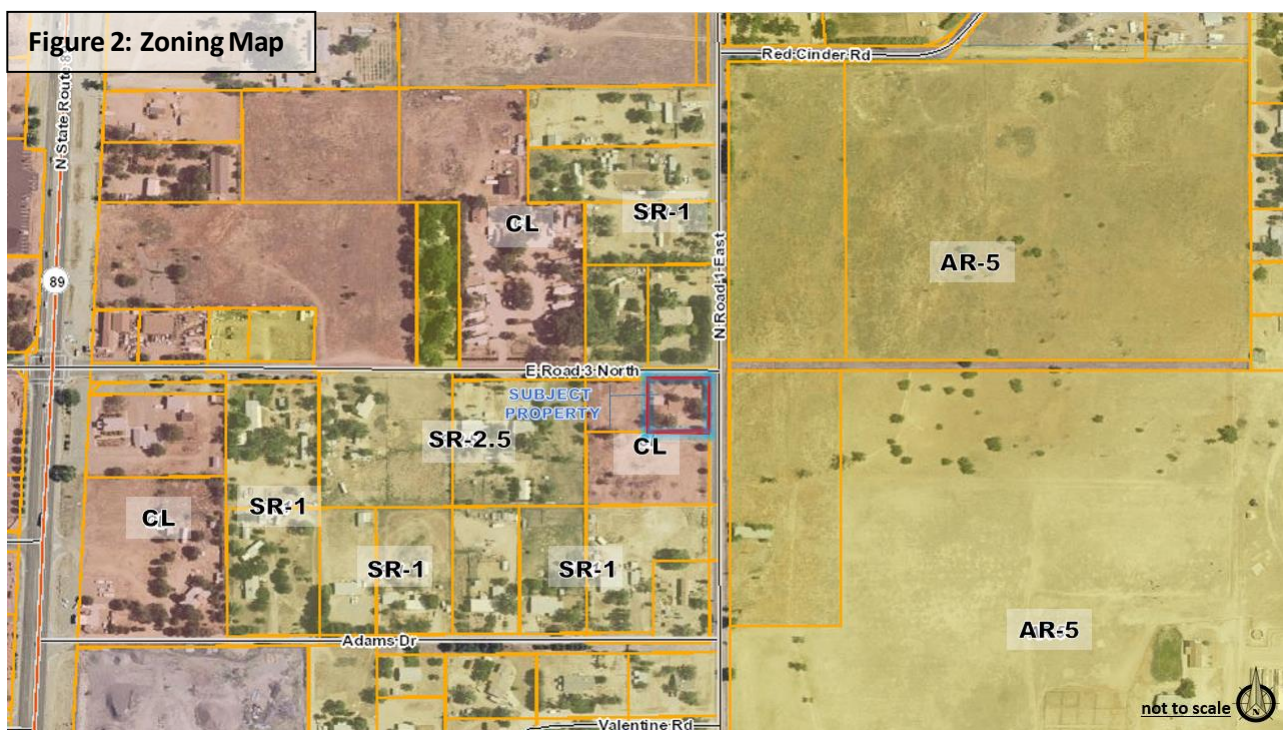
PROJECT DESCRIPTION

The applicant has applied and has requested approval for a conditional use permit to allow the existing residence use to be in conforming in the CL (Commercial Light) zoning district. The UDO (Unified Development Ordinance) regulates a legal non-conforming use or structure from expanding in any way that enlarges or reinforces the non-conformity. Base on this regulation the property owner has not been able to do site improvements on the property. **(See Exhibit A: Site Plan)**

SURROUNDING PROPERTIES ZONING AND LAND USES

The area is predominantly made up of a mix of commercial and residential uses, with commercial uses abutting State Route 89. The properties directly north have a zoning classification of SR-1 (Single Family Residential- 1 acre minimum) with residential uses. Directly west, the property is zoned CL (Commercial Light) and is currently vacant. Further west, properties are zoned SR-2.5 (Single Family Residential- 2.5 acre minimum) with residential uses. To the south the property is zoned CL (Commercial Light) and is currently vacant. Further south, properties are zoned SR-1 (Single-Family Residential- 1 Acre Minimum) with residential uses. To the east properties are zoned AR-5 (Agricultural Residential- 5 acre minimum), these areas is currently vacant and undeveloped. **(See Figure 2: Zoning Map)**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	EXISTING LAND USE
North	SR-1, CL	Commercial/ Multi-Family Residential	Single Family Residence Chino Valley Mobile Home Ranch
West	SR-2.5	Commercial/ Multi-Family Residential	Single Family Residence
South	CL, SR-1	Commercial/ Multi-Family Residential	Single Family Residence
East	AR-5	Medium Density Residential (2 ac or less)	Vacant



PUBLIC REVIEW PARTICIPATION

The Town Staff notified property owners within a 300' radius, resulting in eleven (11) letters to surrounding property owners. Those owners received information regarding the applicant's request for a Conditional Use Permit to make the current residential legal non-conforming use into conformance in the Commercial Light zoning district. To date, no responses to those letters have been received by the Town. The general public also received notification with the citizens review and public review dates.

The neighborhood meeting will be held on June 27, 2018 at Town Hall.

The item will go before the Planning and Zoning Commission on July 3, 2018.

STAFF ANALYSIS AND RECOMMENDATION

Section 2.1 of the UDO (Unified Development Ordinance) defines Non-conforming use as followed:

A structure or land which was lawfully established and maintained prior to the adoption of this Ordinance, or any amendment thereto or any annexation to the Town, which does not conform to the use regulations for the district in which it is located.

The Unified Development Ordinance definition of a non-conforming use fits the criteria of the subject property, and has been identified as such for the past few years. In 2006, when the property owner received approval for a zone change on the property, he failed to concurrently apply for a Conditional Use Permit to make the single family residence into compliance within the Commercial Light zoning district. There is no documentation in the property history file to indicate that a CUP was ever filed for the property nor is there any language in Ordinance No. 06-646 that would convey that the property would be in conformance subsequent to the rezoning.

Section 4.20.D of the UDO states as followed:

No non-conforming building, use of building or use of land shall be expanded on in any way that enlarges or reinforces the non-conformity.

Based on the non-conforming use on the property, the applicant and potential buyers of the home will not be able to add onto the home as expansion of a non-conforming status is not allowed. The applicant had originally proposed that the property be rezoned to a single family residential zoning district. From a land use perspective rezoning the property to single family residential would be considered spot zoning, which would put the desired zoning at odds with adjacent zoning districts. Furthermore the desired single family residential zoning will not be in conformance with the properties General Plan land use designation of Commercial/ Multi-Family Residential. In this case a requesting for a minor General Plan map amendment just wouldn't make sense.

Section 3.15.C.1 list Single-family residence as a permitted use in the Commercial Light zoning district with a Conditional Use Permit. The Conditional Use Permit is subject to discretionary approval by Council if the location and context of the site is suitable for the requested use. The subject property is located in a residential area with single family residence to the north and west, with the property the east being zoned for residential use.

Staff recommends that Planning and Zoning Commission forward to Town Council a recommendation of approval for a Conditional Use Permit for APN 306-20-127B to allow the existing single family residential use within the Commercial Light zoning district.

Parliamentary Procedure

Chairman: I would entertain a motion

Commissioner: I move to recommend (approval/denial) to the Town Council of this request to for a Conditional Use Permit for approximately 0.55 acres of real property located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North, to allow the existing single family residential use within the Commercial Light zoning district.

Chairman: Do we have a second?

Commissioner: I'll second

Chairman: All in favor

Commission: Aye (or nay)

Chairman: Anybody opposed?

Chairman: Motion is carried (or denied)

EXHIBIT A: Site Plan



Planning and Zoning Commission Regular

6.c.

Meeting Date: 07/03/2018

Rotering Zone Change

CASE DESCRIPTION:

Consideration and possible action regarding a request to rezone 8.7 acres of a 15.8 acre of real property located approximately 0.75 miles east of the southeast corner of North Road 1 East and East Perkinsville Road at 1821 East Perkinsville Road, from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Associate Planner)

LOCATION:

Located approximately 0.75 miles east of the southeast corner of North Road 1 East and East Perkinsville Road at 1821 East Perkinsville Road.

FACTS:

1. Applicant: David & Candy Rotering
2. Owner: David & Candy Rotering
3. Parcel Number: 306-18-013C
4. Site Area: 15.87 acres (approx. 691,297 sf)
5. Existing zoning: AR-5 (Agricultural Residential- 5 acre minimum)
6. Intended Use: Division of property

ANALYSIS:

See attached staff report

SITE PLAN

See attached staff report.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approval for a request to rezone 8.7 acres of a 15.8 acre site from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum) for APN 306-18-013C.

Attachments

Rotering Staff Report



PLANNING AND ZONING STAFF REPORT

APPLICATION SUMMARY

File Number: Z18-000009

Assessor's Parcel Number: 306-18-013C

Site Location: Located approximately 150 feet east of the southeast corner of East Perkinsville Road and Salida del Sol at 1821 East Perkinsville Road.

Property Owners: David and Candy Rotering

Applicants: David and Candy Rotering

Request: Request to rezone 8.7 acres of a 15.8 acre site from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential- 1 acre minimum).

SITE DATA

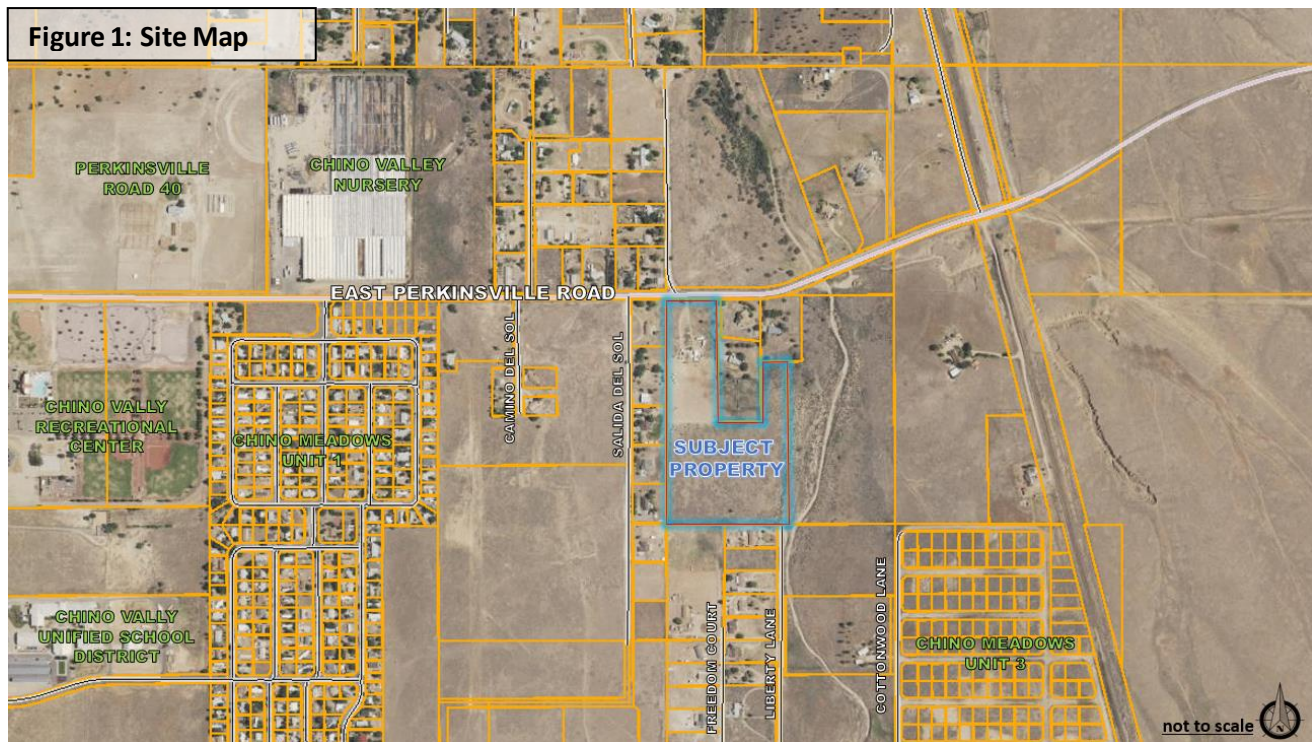
Existing Zoning	AR-5 (Agricultural Residential-5 Acre Minimum)
Lot Size	15.87 acres (approx. 691,297 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 acres or less)
Existing Land Use	Single Family Residence with accessory structures

BACKGROUND

SITE DESCRIPTION

The subject property is located approximately 100 feet east of the southeast corner of East Perkinsville Road and Salida del Sol at 1821 East Perkinsville Road. The property is currently accessed through East Perkinsville Road. The site has a zoning classification of AR-5 (Agricultural Residential-5 Acre Minimum) under the Town of Chino Valley Unified Development Ordinance. The parcel is identified with a Land Use Designation of Medium Density Residential (2 acres or less) under the Town of Chino Valley General Plan

Potential Land Use Map. Existing improvements on the property include an accessory structure. **See Figure 1.**

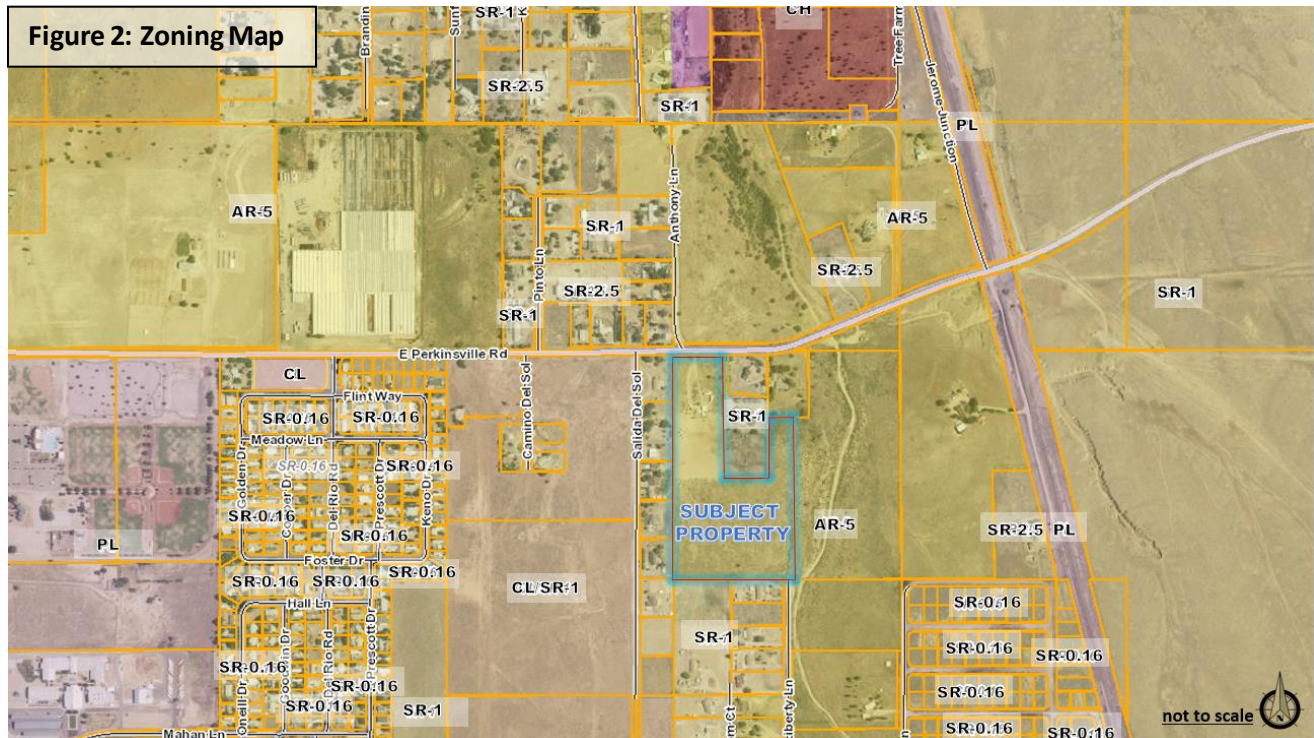


SURROUNDING PROPERTIES ZONING AND LAND USES

The area is predominantly low/medium density single family residential. The properties directly north are zoned SR- 2.5 (Single Family Residential- 2.5 Acre Minimum) and SR-1 (Single Family Residential- 1 Acre Minimum) with single family residential homes and vacant land. To the west, properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum) and CL/SR-1 (Commercial Light/Single Family Residential- 1 Acre Minimum) with single family residential homes and vacant land. Further west is the Chino Meadows Unit 1 Subdivision with a SR-0.16 (Single Family Residential- 7,000sq. ft. Minimum) classification. Directly south, properties are zoned AR-5 (Agricultural Residential- 5 Acre Minimum) and SR-1 (Signal Family Residential- 1 Acre Minimum) with single family residential homes and vacant lots. To the east of the subject parcel, properties are zoned AR-5 (Agricultural Residential- 5 Acre Minimum) and SR-0.16 (Single Family Residential- 7,000sq. ft. Minimum) with Chino Meadows Unit 3 Subdivision . **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	SR-2.5, SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant
West	SR-1, CL/SR-1, SR-0.16	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant Land, Chino Meadows Unit 1 Subdivision

South	AR-5, SR-1	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant
East	AR-5, SR-0.16	Medium Density Residential (2 ac or less)	Vacant, Chino Meadows Unit 3 Subdivision



PROJECT DESCRIPTION

The property is currently being used as a non-profit animal rescue and for the sale of hay. The applicant is requesting to rezone 8.7 acres of a 15.8 acre site from AR-5 (Agricultural Residential- 5 acre minimum) to SR-1 (Single Family Residential- 1 acre minimum) If the applicant is successful in receiving the approval of the request zone change, they intend to subdivide the 8.7 acres. **See Figure 3.**

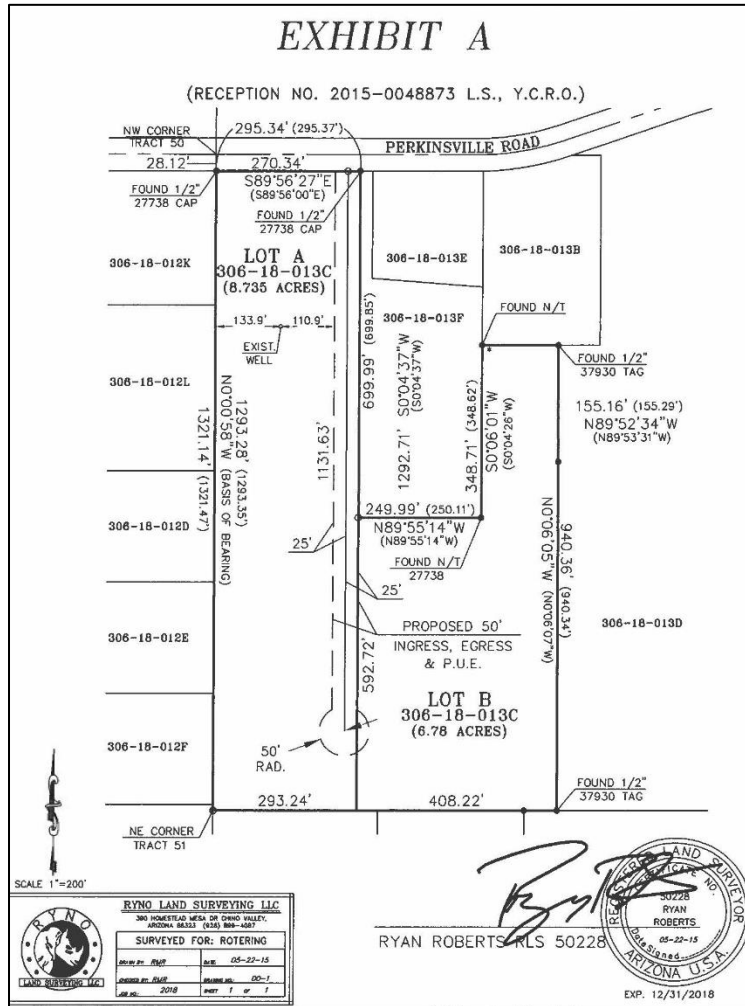
PUBLIC REVIEW & HEARING PROCESS

Town Staff notified property owners within a 300' radius, resulting in twenty-two (22) notices of the neighborhood meeting and public hearings. Property owners received information regarding the applicant request for a zone change. To date, Staff has not received any calls from a neighbor regarding the project.

The neighborhood meeting will be held on June 27, 2018 at Town Hall.

The item will go before the Planning and Zoning Commission on July 3, 2018.

Figure 3: Land Survey



STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The current (AR-5) Agricultural Residential- 5 Acre Minimum is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map which places the property in a Medium Density Residential (2 acres or less) land use. The proposed zoning of (SR-1) Single Family Residential- 1 Acre Minimum will continue to be in conformance with the Medium Density Residential (2 acres or less) land use designation.

ZONING

The parcel's current AR-5 zoning is intended to promote and preserve low-density single-family residential and agricultural development. The district's regulations and development standards are designed to protect the single-family residential and agricultural character of the district and to prohibit all incompatible activities. Development patterns in the general surrounding area show that properties that were once low-density single-family residential and agricultural have transitioned into medium-density

single-family residential properties – including the properties directly west and south of the subject property. The applicant’s request for a SR-1 zone change will be supported by the same zoning district identified to the north, west and south of the subject property. The regulations and property development standards of the SR-1 zoning district will protect the single-family residential character of the district.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward to Town Council a recommendation of approval for a request to rezone 8.7 acres of a 15.8 acre site from AR-5 (Agricultural Residential- 5 acre minimum) to SR-1 (Single Family Residential- 1 acre minimum) for APN 306-18-013C.

Parliamentary Procedure

Chairman: I would entertain a motion

Commissioner: I move to recommend (approval/denial) to Town Council of this request to rezone approximately rezone 8.7 acres of a 15.8 acre of real property located approximately 150 feet east of the southeast corner of East Perkinsville Road and Salida del Sol at 1821 East Perkinsville Road from (AR-5) Agricultural Residential- 5 Acre Minimum to (SR-1) Single Family Residential-1 Acres Minimum.

Chairman: Do we have a second?

Commissioner: I’ll second

Chairman: All in favor

Commission: Aye (or nay)

Chairman: Anybody opposed?

Chairman: Motion is carried (or denied)

Planning and Zoning Commission Regular

6.d.

Meeting Date: 07/03/2018

Brook Apartments PAD (b)

CASE DESCRIPTION:

Consideration and possible action regarding a request to rezone 6.85 acres of real property generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, from MR-1 (Multiple Family Residential-1 acre minimum) zoning district to MR-1 PAD (Multiple Family Residential-1 acre minimum) zoning district with a Planned Area Development Overlay zoning district to modify the density development standard in the MR-1 zoning district. (Jason Sanks, Development Service Director)

LOCATION:

Generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, Chino Valley, AZ 86323.

FACTS:

1. Applicant: Tim Emberlin
2. Owner: Brook Assisted Living LLC
3. Parcel Number: 306-23-024C
4. Site Area: 6.85 acres (approx. 298,386 sq. ft.)
5. Existing zoning: MHP-1
6. Intended Use: Apartments

ANALYSIS:

See attached Staff Report

SITE PLAN

See attached Site Plan

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to Town Council for a request to rezone 6.85 of real property from MR-1 (Multi-Family Residential-1 acre Minimum) to MR-1 PAD (Multi-Family Residential-1 acre Minimum with a Planned Area Development overlay) with its associated development plan with the following conditions:

1. The project shall substantially conform with the site plan, landscape plan, conceptual building elevations and other exhibits provided by the applicant, as modified by Staff's recommended conditions.
2. The applicant shall provide a second row of offset evergreen trees along the south property line to better mitigate the appearance of building mass related to the significant increase in density requested with this Planned Area Development overlay.
3. The applicant shall preserve to the extent possible the existing mature trees on the perimeter

of the project to maintain the visual buffer they provide to neighboring properties.

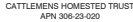
4. The applicant shall enter into a Development Agreement with the Town of Chino Valley regarding the following necessary off-site improvements.

- Water and Sewer will need to be extended to serve the property. The pipes shall be upsized for future development and the Town will participate in paying the difference in the cost of the larger pipe sizes beyond the size needed to serve the project.
- The roadway through the Heritage Place Business Park shall be constructed to connect the development to Road 2 North. This roadway shall be constructed to collector standards (28' Roadway width, Concrete Curb and Gutter, and Concrete Sidewalk on at least one side with associated ramps and other devices). The Public Works Director shall approve the final design through the plan review stage of development.
- Drainage improvements shall be constructed in order to allow all weather access and prevent depth of flow from floodwaters in the street from exceeding one foot (1') per Town standards.
- The ultimate street section for Road 2 North is intended to be a 3-lane roadway with bike lanes and sidewalk. The timing for construction has not been determined as the Hawksnest development is still pending. In the interim, the construction of a left turn lane for westbound Road 2 North traffic shall be provided with consideration given to minimize impacts to the ultimate section.
- There is no sidewalk connection from the intersection of the access road and Road 2 North to the existing sidewalk on the north side of Road 2 North just west of Walgreens. Future development along the north side (Hawksnest) will be required to extend the sidewalk along Road 2 North. As an interim measure until Hawksnest develops, the developer shall provide a fine graded granite screenings or decomposed granite pathway of sufficient width (minimum 5', possibly more), with no more than a 2% cross-slope, and utilizing an approved stabilizing agent such as Soil-Sement or equivalent to connect to the existing sidewalk to the east.
- Pedestrian traffic will need to cross Road 2 North at some point. The developer shall provide for a crosswalk, exact design to be determined and approved by The Town's Public Works Director during the plan review stage of development.

The developer shall provide, if deemed necessary by the Town's Public Works Director during the plan review stage of development, a bus pull out area for eastbound Road 2 North traffic at the access road intersection.

Attachments

Book Apartments Development Plan
Brook Apartments Staff Report

REVISIONS

PLANNED AREA DEVELOPMENT

DATE:	04/16/18
DRAWN BY:	DBS
CHECKED BY:	MRL
SCALE:	1" = 40'

SHEET
1

1 OF 4

MRL CONSULTING, LLC
P.O. BOX 642
CHINO VALLEY, AZ 86323
928.925.7543
MICHAEL.LOPEZ.PE@GMAIL.COM



PLANNING AND ZONING STAFF REPORT

APPLICATION SUMMARY

File Number: Z18-0002

Assessor's Parcel Number: 306-23-024C

Site Location: The subject property is generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, Chino Valley, AZ 86323.

Property Owner: Brook Assisted Living LLC

Applicant: Ruth Mayday, Mayday Consulting PLLC on behalf of Copper Tree Construction Group, LLC

Request: Request to rezone 6.85 acres of real property from MR-1 (Multi-Family Residential- 1 acre Minimum) to MR-1 PAD (Multi-Family Residential- 1 acre Minimum with a Planned Area Development overlay) with its associated development plan.

SITE DATA

Existing Zoning	MR-1 (Multi-Family Residential- 1 acre Minimum)
Lot Size	6.85 acres (approximately 298,386 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Major Community Core/ Downtown Core and Commercial/ Multi-Family Residential Land Use designation

BACKGROUND

SITE DESCRIPTION

The project is generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North. Access to the 6.85 acre site is via Hawksnest Trail, which extends southerly from West Road 2 North and terminates at the north boundary of the subject property. Hawksnest Trail was dedicated to the Town of Chino Valley in November of 2007 as part of the plat approval for Heritage Place subdivision, immediately north of the subject property. The site has a zoning classification of MR-1 (Multi-Family Residential- 1 acre Minimum) and is located in the Major Community Core/ Downtown Core in the Town of Chino Valley General Plan Potential Land Use Map. The site is currently vacant. **See Figure 1.**



PROJECT HISTORY

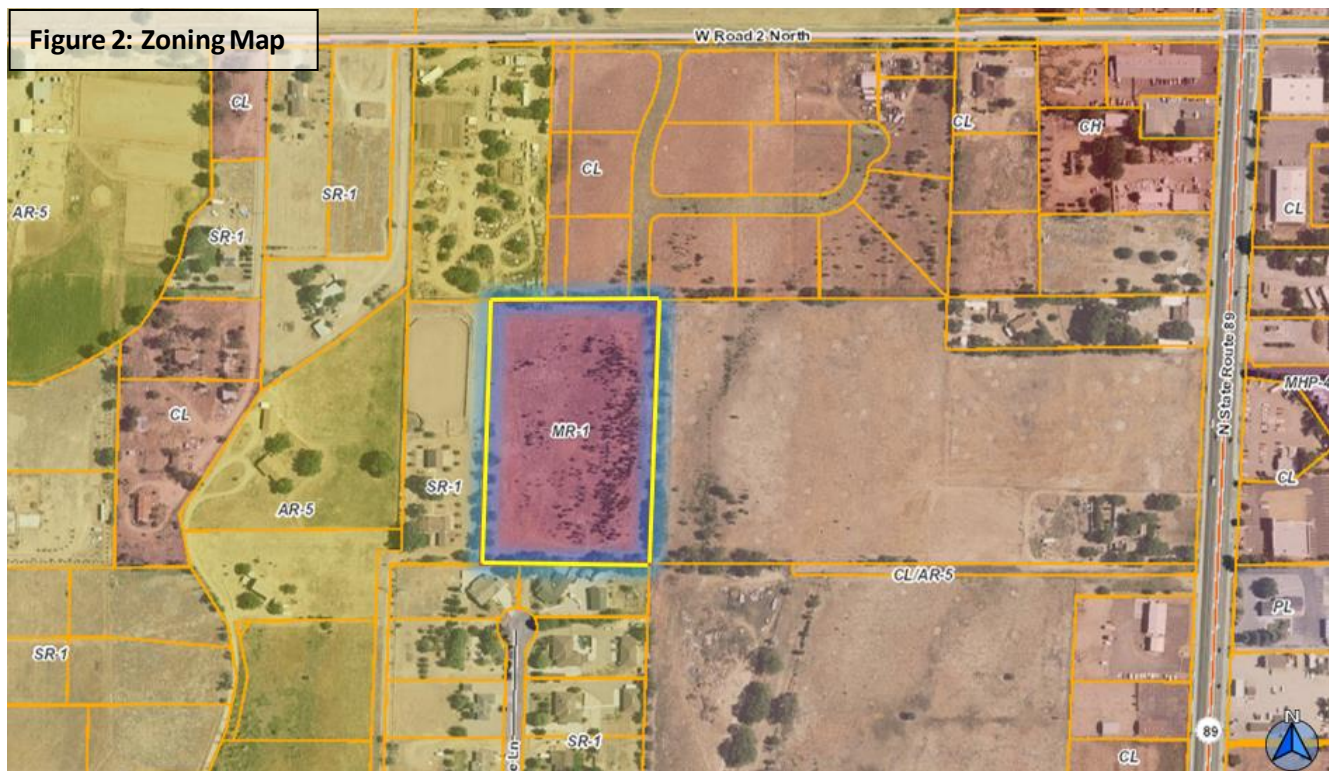
On August 10, 2006, through Ordinance 06-668 Council approved the applicant's request to rezone the property, which at the time was identified with APN: 306-24-024A from AR-5 to (Agricultural/ Residential- 5 acre minimum) to MR-1 (Multi-Family Residential- 1 acre minimum) and SR-2 (Single Family Residential- 2 acre minimum). Subsequently in November 22, 2006 the property was split to divide the blended zoning on the property and APN: 306-23-024C became APN: 306-23-024B and APN 306-23-024C, respectively.

SURROUNDING PROPERTIES AND LAND USES

The area is comprised of low and medium density single family residential properties and commercial properties. The properties to the north are zoned AR-5 (Agricultural Residential- 5 Acre Minimum) and CL (Commercial Light), the area zoned CL is known as Heritage Place Commercial Subdivision and is currently vacant. To the west properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum), AR-5

(Agricultural Residential- 5 Acre Minimum) and CL (Commercial Light). with vacant land and single family residential properties. To the south, properties are comprised of SR-1 (Single Family Residential- 1 Acre Minimum) zoned properties and are a part of Chino Grove subdivision. To the east, the property is zoned CL/AR-5 (Commercial Light/ Agricultural Residential- 5 Acre Minimum) and are currently vacant. **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5, CL	Major Community Core/ Downtown Core and Commercial/ Multi-Family Residential	Single Family Residence, Vacant
West	SR-1, AR-5, CL	Medium Density Residential (2ac or less)	Single Family Residence, Vacant
South	SR-1	Commercial/ Multi-Family Residential	Chino Grove subdivision
East	CL/AR-5	Major Community Core/ Downtown Core	Vacant Property



PROJECT DESCRIPTION

The applicant is intending to rezone the property from (MR-1) Multi-Family Residential- 1 Acre Minimum to (MR-1 PAD) Multi-Family Residential with a Planned Area Development Overlay. The intent of the PAD overlay is to increase the allowed density on the site to increase from approximately 100 units to 192 units. No other deviations to the code are proposed. The site is currently vacant with no existing structures. The proposed MR-1 PAD zoning will allow the applicant to develop the site into a multi-family

apartment project consisting of 192 units in four (4) buildings, each three (3) stories in height, the development will be considered the tallest and the largest multi-family residential development in Chino Valley. Each building will contain 48- one- and two-bedroom units in three floors, with a footprint of approximately 14,100 square feet. **(See Appendix A: Development Plan & Appendix B: Building Elevations)**. Aside from the proposed density, the project meets or exceeds the development standards set forth in the Town's Unified Development Ordinance. Staff has take special care to ensure all mitigation measures have been implemented through site design and proposed conditions to mitigate the impacts of the requested increase in density.

Building #1 is located in the northwest corner of the lot and is oriented diagonally northeast to southwest. Buildings 2, 3, and 4 are centered in the lot at and are sited perpendicular to the east/west parcel boundaries. Each building will contain 48 one- and two-bedroom units in three floors, with a footprint of approximately 14,100 square feet. The area of each building footprint and floor area are as follows:

Lot Coverage and Floor Area						
Building	Ground Floor Sq. Ft.	Second Floor Sq. Ft.	Third Floor Sq. Ft.	Total Square Footage	Lot Coverage	Floor Area Ratio
1	14,100	14,100	14,100	42,300	4.7%	14%
2	14,100	14,100	14,100	42,300	4.7%	14%
3	14,100	14,100	14,100	42,300	4.7%	14%
4	14,100	14,100	14,100	42,300	4.7%	14%
TOTAL	56,400	56,400	56,400	169,200	18.9%	57%

Site access is through the Heritage Place subdivision to the north via a 50' wide local street previously dedicated to the Town. Fire requirements for on-site circulation and turn radii have been met; the fire lanes are a minimum 26' wide and turning radii are 50' outside radius. The location and number of parking stalls have been distributed to provide convenient access for all buildings and meets the standards set forth in Chapter 4.22 Off-street Parking and Loading.

Signage

Signage for Brook Apartments will be of three (3) types: A monument sign at the entrance to the facility; free-standing directional signage, and wall signage to identify each building. The purpose of the monument sign is not only to identify the project, but to set the tone for the development. The color palette will be reflected in the signage; the brick red color will be used for the monument with contrasting letters in two (2) fonts affixed to the face of the sign. The sides of the entry sign will be stepped, with the deeper shade of brown on the bottom and the lighter shade on top. The surface in front of the sign will be decomposed granite (DG) or similar material, with irrigated landscaping to soften the overall feel of the monument sign. Similarly, directional signage will repeat the theme, carrying colors and textures through to the on-site signage. To complete the cohesive look of the project's signage, building identification (wall) signs will mimic the lettering type and fonts found on the entry signage.

(See Appendix C: Monument Sign)

Outdoor Lighting

The outdoor lighting the applicant is proposing to provide will be from Visionaire Lighting VLX series LED lighting. Three (3) types of fixtures will be used: wall mounted for exterior illumination near building perimeters, ground mounted low voltage fixtures to light walkways, and pole mounted for lighting parking areas. All fixtures are low-profile and sleek, minimizing visual impact. **(See Appendix D: Outdoor Lighting)**

Landscaping and Buffering

The landscaping plan has been revised since the time of applicant to better mitigate the visual impact of the project on adjacent properties. First, the setback and buffer on the south boundary of the project has been increased to 20' in depth from the previously proposed 10' setback/buffer. The buffer will be landscaped with a row of mixed evergreen trees in front of a 6' CMU block wall to obstruct the neighbors' view of the project. A separation distance of 99' from the property line to the face of Building 4 will further mitigate visual impact. Staff has conditioned its recommendation of approval with a requirement that the developer include a second row of evergreen trees in this buffer to provide a "green wall" that will obstruct views into the dense multi-family project in an effort to help mitigate the significant increase in density proposed.

Second, the property to the west of the project (Foley) presents challenges specific to this project. Currently, it is used as a small horse ranch (4 acres +/-); the property is fenced with field fence, which provides minimal security for trespassing onto the property. The horses on the site may present an attractive nuisance to residents of the project, especially children. To deter trespassing onto the adjoining property without posing a risk to the horses, the developer is proposing a 6' chain link fence, coated in black, brown, or green as a barrier on the property line. The fence will be supported by concrete block pilasters, further securing the property. Separation distances range from 46 feet from the building face to the property line at the north near the arena on Foley's property to 96 feet at the south end near the residence. In addition, a three-foot (3') block wall will be constructed along the west parking lots to prevent headlights shining into the property.

Third, the preservation of existing trees will be considered in the final landscape plan. There are numerous large elm and other deciduous trees on or near the perimeter of the property that may provide visual relief from the third floor of the apartments; neighbors have expressed a desire to retain the trees in their current condition. The developer will make every effort to protect existing, healthy trees in the site grading process. Those trees that are diseased, dead, or present a fall hazard will not be preserved.

Section 4.26 Landscape Requirements set forth the specific requirements for vegetative and non-vegetative materials used on site. Minimum tree sizes set forth in the UDO call for 75% of the trees to be a minimum of 15 gallons and 25% to have 24" square boxes. The plan anticipates using evergreens of approximately eight feet (8') in height to provide immediate screening of the project. The landscaping on the north side of the project will be comprised of both evergreen and deciduous trees, with scattered flowering trees to break up the vegetative mass. The density of the vegetation will meet (if not exceed) the minimums set forth in the UDO. Given the vacant status of the land to the east and its potential for a similar use, the landscape plan for that side of the project will be comprised of smaller but UDO-compliant evergreen trees and shrubs. **(See Appendix E: Landscaping Plan)**

Amenities

The applicant will provide numerous amenities for the residents of the project. Indoor amenities include laundry facilities on the first and second floors of each building; each building has a common area room that provides a different amenity in each building. An exercise/fitness center will be included on the first floor of Building 4; Building 3 will host a game room on its first floor and Building 2 will have a Wii interactive game room. Building 1 will offer a flex space that can be used for small gatherings or meetings. All indoor amenities will be available to all residents, without regard to the building in which they live.

With respect to outdoor activities, there are several options available. First, the “Triangle Park” located between Buildings 1 and 2 features a gazebo with a barbeque and seating, outdoor seating, a lawn area, and a bocce ball court. The detention basin at the northwest corner of the site will provide a turfed area for outdoor games, and is connected to the multi-use path and accessible walking route that meanders along the property line in the landscape buffer area. Exercise stations will be provided between Buildings 3 and 4, which also connects to the meandering path. Two additional gazebos with barbeques and covered seating will also be constructed in the green space between Buildings 3 and 4.

PROJECT CHALLENGES AND RELIEF

The project requests relief from one standard only: density. Unlike the initially submitted proposal, this version meets all parking, setback, buffer yard, landscaping, outdoor lighting, height, and signage requirements.

With respect to density, the project is proposing 28 dwelling units per acre or one (1) unit per 1,400 square feet of area; the UDO currently allows for only 14.5 units per acre, or one (1) unit per 3,000 square feet. The applicant believes that although it may seem counterintuitive, concentrating density in this manner will actually benefit Chino Valley, as less land area will be used to accommodate the same number of households. The proposed density will also provide much needed housing options that do not currently exist in Chino Valley, particularly in regards to market rate, all age-inclusive housing.

Density, by nature, is not considered a negative trait of all projects when placed in the appropriate location. This project is located in the densest, most commercialized area of the Town’s center where density is both anticipated and encouraged. The prospective new residents will be in closest proximity to the Town’s largest commercial services areas. Furthermore, the Town’s UDO does not offer a wide range of zoning districts to accommodate growth, hence the necessary utilization of the Planned Area Development overlay as requested with this project. Most other towns and cities offer a higher density zoning district as an option for apartment projects. Both nearby projects known as Granite Creek and Antelope Valley Apartments are income-qualified developments, funded in part with Low Income Housing Tax Credits (LIHTC). As with the other proposed market-rate multifamily housing projects in Chino Valley, higher densities are needed to ensure the project’s success and provide safe, affordable housing options in the community.

PUBLIC REVIEW & HEARING PROCESS

Town Staff notified property owners within a 300’ radius, resulting in twenty-two (22) letters to surrounding property owners. Each property received information regarding the application request for a zone change. To date, no responses to those letters have been received by the Town. Staff has received several phone calls and have met with property owners in person regarding the project.

Within the past few months, several property owners have talked to staff regarding the project and have requested copies of the site plan and supporting documents. Several surrounding neighbors have called to confirm the dates for the neighborhood and public hearing meetings.

The item went before the Planning and Zoning Commission as a study session item on the special Planning and Zoning hearing on March 20, 2018. At said meeting, the Commission were introduced to the project and received an overview of the overall project.

The Commissioners discussed traffic analysis and impacts. Staff explained that the Town would be working on a dual scope contract that will include the Traffic Study Impact of another apartment complex project

as well as a larger-scoped town traffic impact study that will address the surrounding area of Road 1 West and Road 2 North intersection at State Highway 89.

Commissioners and staff also discussed possible access road improvements to the development project to the north. The brought up issues regarding the lack of recreational facilities presented at the development stage, the lack of sidewalks and screening and buffering. The item was not opened for discussion to the public since the matter had not had any advertised public meetings at that point. The Commission also asked for additional details to be provided regarding a detailed plan of the primary amenity area in the front "triangle" of the project. The applicant neglected to prepare that plan in their resubmittal, citing that they had provided enough details already.

The neighborhood meeting was conducted on March 26, 2018 at Town Hall. The applicant representative gave a brief overview on the project and made clear that the property was already zoned for multi-family residential and that they were requesting a Planned Area Development overlay for the density.

Property owners asked if the project would be an age restricted development. The applicant responded that the project would not be age restricted but that all ground floor level units would meet ADA (American Disability Act) requirements. The property owners stated that the site plan did not show any amenities for children. Applicant stated that they were working with staff on that issue and that a revised site plan would show amenities.

Another property owner wanted to know how the developer determined the number of spaces for the project. She stated that each occupied unit would own one or two vehicles and that there would be enough parking for occupants and guests. The applicant stated the project was abiding by Town requirements that requires 1.5 parking spaces per dwelling units (one-two bedroom unit).

The property owners also wanted to know if the project would be a low income housing project. The applicant responded that this was a market rate project, that rents would be geared towards work force housing.

Surrounding property owners were concerned that their home values would be affected by the multi-family residential units. Most of the surrounding properties are agricultural in use and their owners were concerned about their horses and other farm animals next to a high density residential project. The applicant noted that the property was already zoned for multi-family development and that this project would meet all requirements of the UDO aside from their density request.

Overall the neighbors who attended the meeting were in opposition to the density of the project. They did not approve of the four 3-story buildings. They also wanted to see more buffering along the property lines between the development and the surrounding neighbors.

The item went before the Planning & Zoning Commission as a discussion item on June 5, 2018. Staff presented a brief timeline for the project and an overall description of the project. Staff indicated that they reviewed the site plan including street development, building locations, open space, setbacks, parking, signage, chain-link fencing, wall and vegetative landscape buffering and exterior and interior amenities. The applicant provided additional amenities that had been requested but were not discussed at previous meetings. Staff had added two rows of trees as a vegetative buffer as a condition on the application.

When the Planning & Zoning Chair open up the discussion up to public comments, most of the public had similar comments towards the project. Property owners to the south expressed concern about the density, apartment residents' animals, and impact to neighboring property values. Those property owners adjacent the subject property voices that it would be necessary to locate a block wall along the project

and adjacent neighbors. The density was the biggest issue that most of the public brought up. Since that time, the neighbors have requested assistance in filing a legal protest against the project, which if successful, would require a minimum of six out of seven council members in support of the project, rather than just a simple majority vote of four.

Planning & Zoning Commission unanimously voted for a continuation of the item for consideration and possible action to the regular July 3, 2018 Planning and Zoning Commission Meeting.

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The property has a General Plan Land Use Designation of Commercial/Multi-Family Residential and a portion of the property is within the Major Community Core/ Downtown Core area. Through the General Plan, the Town has identified six Community Cores and the types of land uses that support core areas. Cores should be a mixture of uses that enable pedestrian comfort, enhanced building appearances with street trees and other vegetation as aesthetic enhancements. The Cores should support housing choice as well as support local businesses while promoting future business expansion.

The Town's vision is that the Major Community/ Downtown Core should contain existing major retail, highway frontage, traffic signals, water/sewer access, large vacant adjacent lands. One of the General Plan Goals is: Focus on Development of Community Cores and on Lifestyle Choices in Land Use.

Target Strategy 1 for that goal is to encourage new variety of residential and compatible development in Community Cores for sustainable lifestyle choices, furthermore Target Strategy 2 is to: protect existing residences in large lot neighborhoods as a new lifestyle choices develop through buffering, separation, screening and other planning methods. The developer has proposed a block wall, trees, and significant setbacks to help buffer the project from adjacent residences.

ZONING

The current zoning on the property is MR-1 (Multi-Family Residential- 1 acre minimum). The purpose of the MR-1 zoning district is to fulfill the need for high density multi-family residential development. The MR zoning district allows multiple family dwellings. Each unit shall have minimum of 3,000 sq. ft. of land area, in other words 14.5 units per acre, or one (1) unit per 3,000 square feet. The subject property lot size is 6.85 acres (approximately 298,386 sq. ft.) The current development standards only allow the developer to build approximately 100 units on site. The applicant is requesting relief of this density cap with a PAD overlay. The project is proposing 28 dwelling units per acre or one (1) unit per 1,400 square feet of area (192 units).

The MR-1 (Multi-Family Residential- 1 acre Minimum) Development Standards set forth by the UDO (Unified Development Ordinance) Section 3.13.D are as follows:

Minimum Lot area:	N/A
Minimum Lot Frontage:	75 feet
Minimum Front yard Set Back:	20 feet
Minimum Side-Yard Set Back:	10 feet
Minimum Rear Yard Backs:	20 feet
Maximum Building Height:	35 feet
Maximum Lot Coverage:	40%
Accessory Building:	Shall be setback 10 feet from side and rear property lines and must conform to the front yard and street side yard setbacks.

Based on the Site Plan the following table displays the actual setback of the buildings from the property line as well as total lot coverage and building height. **(See Appendix F: Building Setbacks)**

Building Set Backs, Lot Coverage and Building Height						
Building	Front Yard Set Back	West Side-Yard Set Back	East Side-Yard Set Back	Rear Yard Set Back	Lot Coverage	* Building Height
1	20 ft.	45.8 ft.	165.5 ft.	483.8 ft.	4.7%	28'-4.5"
2	265.4 ft.	93.5 ft.	103.3 ft.	342.7 ft.	4.7%	28'-4.5"
3	410.3 ft.	95.9 ft.	103.1 ft.	197.8 ft.	4.7%	28'-4.5"
4	509.2 ft.	96.4 ft.	105.0 ft.	99.0 ft.	4.7%	28'-4.5"
TOTAL	56,400	56,400	56,400	169,200	18.9%	

*The vertical distance measured from the average grade level to the highest level of the roof surface of flat roofs, to the deck line of mansard roofs, or to the mean height between eaves and ridges for gable, gambrel, shed or hip roofs.

The buildings are setback much further than the required setbacks set forth in the development standards. Building 4, located closest to where the highest density of residences are located to the south of the subject property, is located 99 feet from the property line. Along with keeping the building as far as possible from the south property line, landscaping will also mitigate the density of the project by serving as a "green wall" buffer between the project and residents to the south. Overall the project will be mitigated by the additional setbacks and proposed walls, fences, and landscaping.

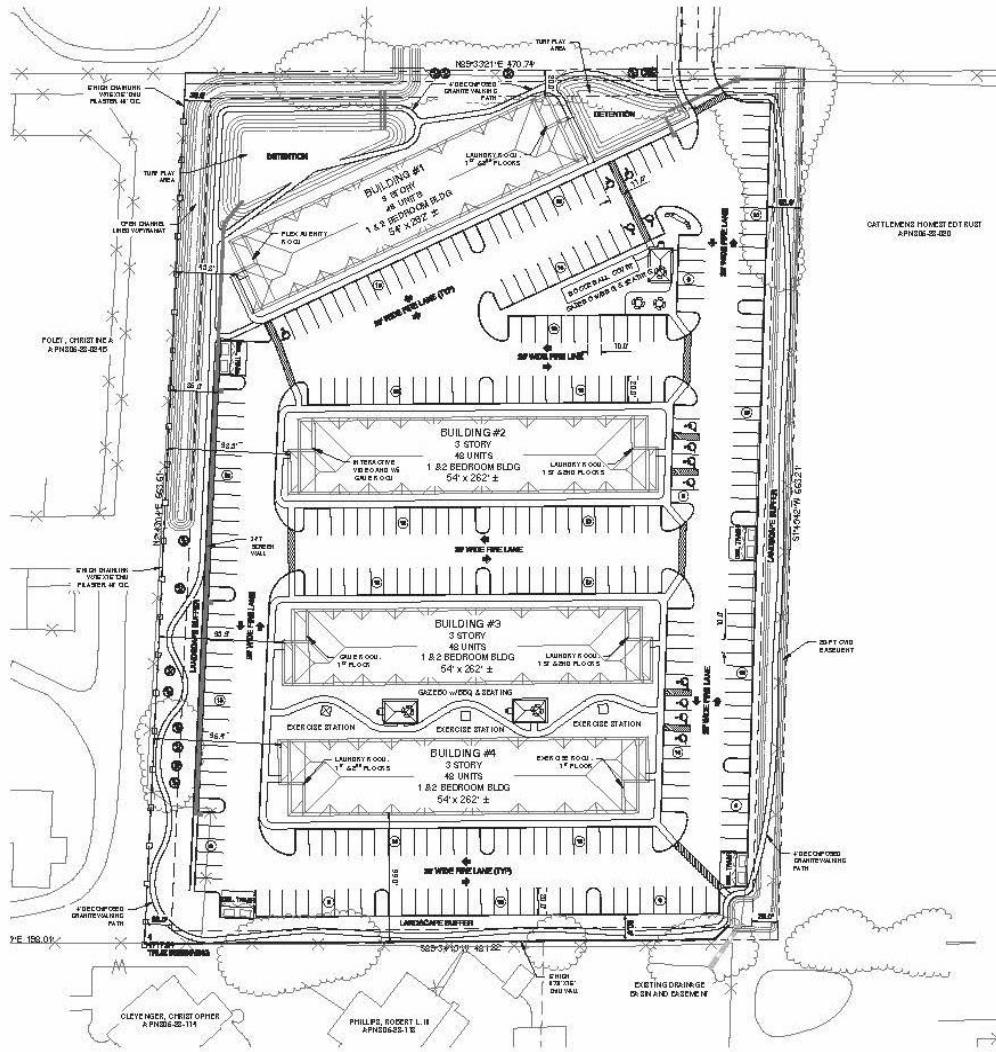
STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to Town Council for a request to rezone 6.85 of real property from MR-1 (Multi-Family Residential- 1 acre Minimum) to MR-1 PAD (Multi-Family Residential- 1 acre Minimum with a Planned Area Development overlay) with its associated development plan with the following conditions:

1. The project shall substantially conform with the site plan, landscape plan, conceptual building elevations and other exhibits provided by the applicant, as modified by Staff's recommended conditions.
2. The applicant shall provide a second row of offset evergreen trees along the south property line to better mitigate the appearance of building mass related to the significant increase in density requested with this Planned Area Development overlay.
3. The applicant shall preserve to the extent possible the existing mature trees on the perimeter of the project to maintain the visual buffer they provide to neighboring properties.
4. The applicant shall enter into a Development Agreement with the Town of Chino Valley regarding the following necessary off-site improvements.
 - A. Water and Sewer will need to be extended to serve the property. The pipes shall be upsized for future development and the Town will participate in paying the difference in the cost of the larger pipe sizes beyond the size needed to serve the project.
 - B. The roadway through the Heritage Place Business Park shall be constructed to connect the development to Road 2 North. This roadway shall be constructed to collector standards (28' Roadway width, Concrete Curb and Gutter, and Concrete Sidewalk on at least one side with associated ramps and other devices). The Public Works Director shall approve the final design through the plan review stage of development.
 - C. Drainage improvements shall be constructed in order to allow all weather access and prevent depth of flow from floodwaters in the street from exceeding one foot (1') per Town standards.
 - D. The ultimate street section for Road 2 North is intended to be a 3-lane roadway with bike lanes and sidewalk. The timing for construction has not been determined as the Hawksnest development is still pending. In the interim, the construction of a left turn lane for westbound Road 2 North traffic shall be provided with consideration given to minimize impacts to the ultimate section.
 - E. There is no sidewalk connection from the intersection of the access road and Road 2 North to the existing sidewalk on the north side of Road 2 North just west of Walgreens. Future development along the north side (Hawksnest) will be required to extend the sidewalk along Road 2 North. As an interim measure until Hawksnest develops, the developer shall provide a fine graded granite screenings or decomposed granite pathway of sufficient width (minimum 5', possibly more), with no more than a 2% cross-slope, and utilizing an approved stabilizing agent such as Soil-Sement or equivalent to connect to the existing sidewalk to the east.
 - F. Pedestrian traffic will need to cross Road 2 North at some point. The developer shall provide for a crosswalk, exact design to be determined and approved by The Town's Public Works Director during the plan review stage of development.
 - G. The developer shall provide, if deemed necessary by the Town's Public Works Director during the plan review stage of development, a bus pull out area for eastbound Road 2 North traffic at the access road intersection.

APPENDIX A: DEVELOPMENT PLAN

PLANNED AREA DEVELOPMENT



VICINITY MAP
1/12



PROJECT DATA

PROJECT NAME:	BROOK APARTMENTS PH17-000024, APN: 306-23-024C
PROJECT ADDRESS:	CHINO VALLEY, AZ
SITE AREA:	68.5 ACRES / 296,399 SF
BUILDING AREA:	14,100 SFEA x 4 = 56,400 SF
LOT COVERAGE:	12.5%
FLOOR AREA:	12,516,200 SF
PROPOSED PROJECT DESCRIPTION:	NEW CONSTRUCTION FOR A 160 UNIT 1.82 BED MULTI-FAMILY APARTMENT COMPLEX
ARCHITECT:	PERGAS AND ASSOCIATES, INC. 7227 N. 16th ST. #212 PHOENIX, AZ 85030 602 279-1893 FAX: 602 264-2323
ZONING:	MR-1, P40
UNIT MIX:	BUILDING 1, 2, 3, 4 48 UNITS EACH BUILDING 3-STORY 1-BED: 24 2-BED: 24 TOTAL: 2-BED: 56, 1-BED: 56 = 132 UNITS
PARKING REQUIRED/PROVIDED:	1.5 SPACES PER 1.82 BED UNIT 132 x 1.5 = 252 SPACES REQUIRED 1 PER 10 UNITS GUEST PARKING = 13 SPACES REQUIRED TOTAL SPACES REQUIRED = 252 + 13 = 307 TOTAL SPACE PROVIDED = 307 TYPICAL STANDARD PARKING STALL 20'-0" X 10'-0" TYPICAL ADA PARKING STALL 20'-0" X 11'-0" W/ 9' ISLE 1 ADA STALL PER 20 FOR 20 UNITS, 2 PER 25 EACH ADDITIONAL UNIT (INCLUDED IN COUNT)



MRL CONSULTING, LLC
P.O. BOX 642
CHINO VALLEY, AZ 86323
928 865 7543
MICHAELLOPEZFE@GMAIL.COM

REVISIONS

PLANNED AREA DEVELOPMENT

BROOK APARTMENTS
PH17-000024
APN: 306-23-024C

DATE: 04/18/19

DRAWN BY: DDB

CHECKED BY: MRL

SCALE: 1" = 40'

SHEET

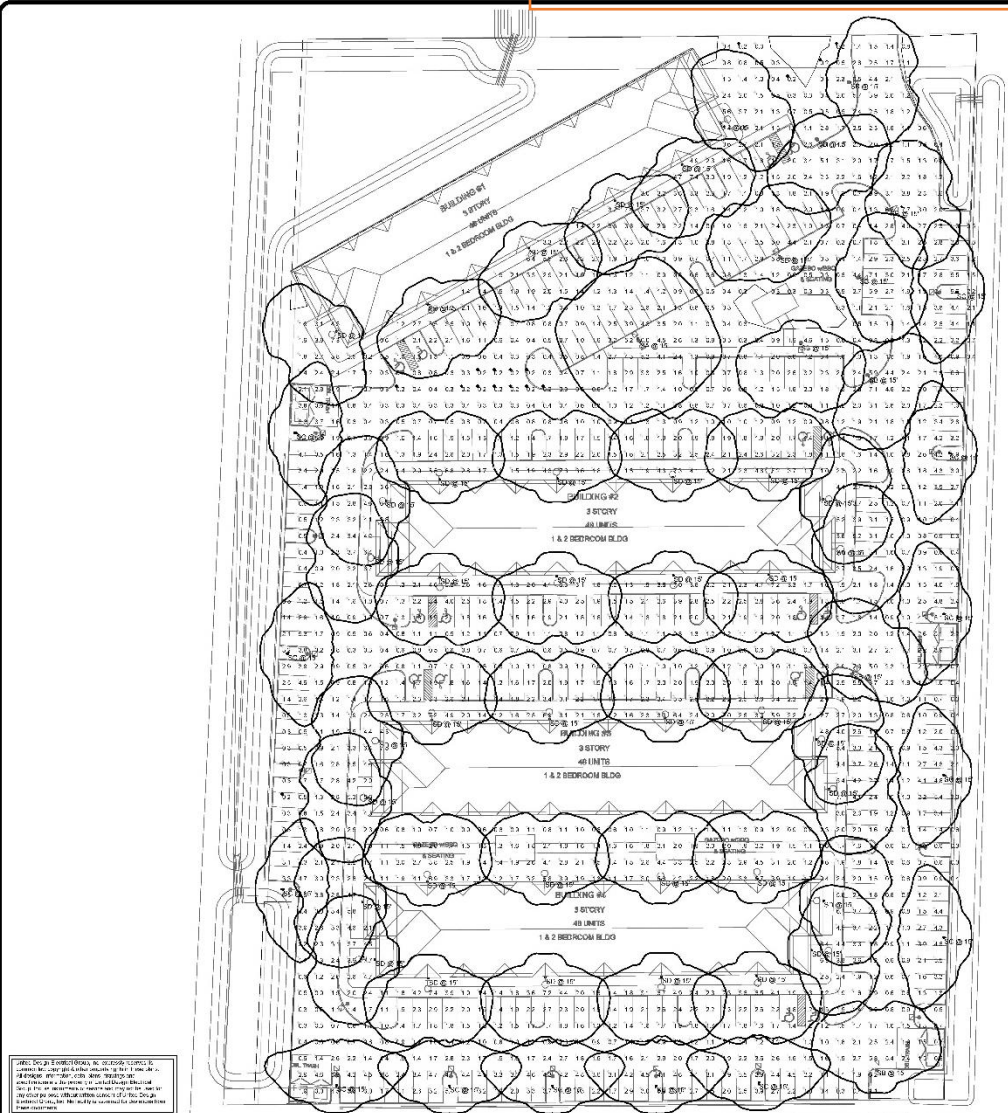
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1 OF 4

APPENDIX C: MONUMENT SIGN



APPENDIX D: OUTDOOR LIGHTING



FIXTURES SA-SC POLE MTD

[illegible]

FIXTURES SD WALL MTD

VSC LED

Pinout Diagram

Block Diagram

The VSC LED Driver IC is a high-efficiency, high-power LED driver. It is designed to drive a wide range of LED loads, from low-power indicator LEDs to high-power lighting applications. The IC features a wide input voltage range, high efficiency, and excellent thermal performance. It is available in a variety of package options, including surface-mount and through-hole.

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[illegible]

Post Office
1964
BOSTON, MA
MAY 1 1964
FBI/DOJ

SITE LIGHTING PLAN
SCALE: 1"=30'

UNITED DESIGN
ELECTRICAL GROUP, INC.
CONSULTING
UDEG18-032
600 WEST MARYLAND AVE.
PHOENIX, ARIZONA 85013
C-WIRE, DISSEMINATION@AOL.COM
PHONE 602-955-1111
FAX 602-955-1111
CELL 602-955-1111
GEORGE & R.

FERGIS ASSOCIATES, INC.
Architecture
7227 North 16 Street Suite 200
Phoenix, Arizona 85020
Phone: 604.979.1693
Fax: 604.264.2283

BROOK APARTMENTS
PR17-000024
APN: 306-23-024C

REVISIONS:

TITLE: SITE PHOTO METRICS
PROJECT:
DATE: MAR 06, 2018

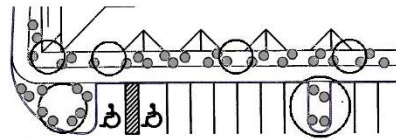
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APPENDIX E: LANDSCAPING PLAN

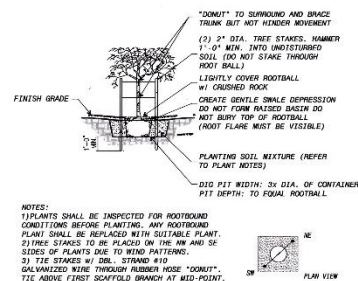
Plant Schedule

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE
Shade Trees - Total Quantity = 51 Mixed Sizes 15 Gallon (75%) 24" Box (25%)				
●	Acer x freemontii	Autumn Blaze Maple	15	Gal & 24" Box
●	Fraxinus angustifolia 'Raywood'	Raywood Ash	15	Gal & 24" Box
●	Fraxinus velutina	Arizona Ash	15	Gal & 24" Box
●	Pistacia chinensis	Chinese Pistache	15	Gal & 24" Box
●	Salix matsudana 'Nevada'	Nevada Willow	15	Gal & 24" Box
Flowering Trees - Total Quantity = 42 15 Gallon (minimum size)				
●	Cercis reniformis 'Oklahoma'	Oklahoma Redbud	15	Gallon
●	Chilopsis linearis 'Burgundy'	Burgundy Desert Willow	15	Gallon
●	Chitalpa x tashkentensis 'Pink Dawn'	Pink Dawn Chitalpa	15	Gallon
●	Prunus cerasifera 'Krauter'	Purpleleaf Plum	15	Gallon
●	Pyrus calleryana 'Chanticleer'	Flowering Pear	15	Gallon
Large Evergreen Trees - Total Quantity = 56 24" Box along West and South Property Lines				
●	Cedrus deodara	Deodar Cedar	24"	Box
●	Cupressus arizonica 'Blue Ice'	Arizona Cypress	24"	Box
●	Pinus nigra 'Oregon Green'	Oregon Green Pine	24"	Box
Small and Mid-Size Evergreen Trees - Total Qty = 51 Mixed Sizes 15 Gallon (75%) 24" Box (25%)				
●	Juniperus chinensis 'Spartan'	Spartan Juniper	15	Gal & 24" Box
●	Juniperus scopulorum	Wichita Blue Juniper	15	Gal & 24" Box
●	Wichita Blue			
Shrubs / Grasses / Accents - Total Qty = TBD 5 Gallon (minimum size)				
●	Buddleia davidii	Butterfly Bush	5	Gallon
●	Calamagrostis x acutiflora 'Karl'	Feather Reed Grass	5	Gallon
●	Foerster			
●	Cotoneaster parneyi	Parney's Cotoneaster	5	Gallon
●	Hesperis parviflora	Red Yucca	5	Gallon
●	Juniperus chinensis pfizeriana	Sea Green Juniper	5	Gallon
●	'Sea Green'			
●	Muhlenbergia capillaris 'Regal Mist'	Regal Mist	5	Gallon
●	Nandina domestica	Heavenly Bamboo	5	Gallon
●	Perovskia atriplicifolia 'Blue Spires'	Russian Sage	5	Gallon
●	Photinia fraseri	Red Tip Photinia	5	Gallon
●	Potentilla fruticosa	Potentilla	5	Gallon
●	Raphiolepis indica	Indian Hawthorn	5	Gallon

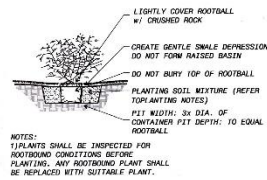
Note: All disturbed areas to be covered with 3/4" decorative stone 2" minimum depth on 3.5 ounce spun landscape fabric. Roof leaders to be lined with 2" wide 50/50 mixture of 1'-3' and 3'-6" Salt River Rock on 3.5 ounce spun landscape fabric.



1 Typical Foundation & Island Planting 1"=20'



2 Tree Planting NTS



3 Shrub Planting NTS



Preliminary Landscape Plan 1"=40'



Peter Bourgeois, LEED AP
Landscape Architect
AZ 04304
2015 Rocky Hills Drive
Prescott, AZ 86303
Tel: 928.734.0053

PAD Application
April 19, 2018

Revised Schedule

No.	Description	Date

Brook
Apartments
Chino Valley, AZ
APN 305-23-024C

OWNERS

Brook Assisted Living, LLC
1620 Willow Creek Road
Prescott, AZ 86301

Preliminary Landscape
Plan



NORTH

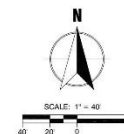


PROJECT
DRAWN
PBG
CHECKED
L210

PLANNED AREA DEVELOPMENT



VICINITY MAP



PROJECT DATA

<u>PROJECT NAME:</u>	BROOK APARTMENTS PR17-000024, CPA, 306-23-024
<u>PROJECT ADDRESSES:</u>	CHINO VALLEY, AZ
<u>SITE AREA:</u>	6.85 ACRES / 298,386 SF
<u>BUILDING AREA:</u>	14,100 SF EA x 4 = 56,400 SF
<u>LOT COVERAGE:</u>	18.9%
<u>FLOOR AREA:</u>	18,9169,200 SF
<u>PROPOSED PROJECT DESCRIPTION:</u>	NEW CONSTRUCTION FOR A 192 UNIT 1 & 2 BED MULTI FAMILY APARTMENT COMPLEX
<u>ARCHITECT:</u>	FERGIS AND ASSOCIATES, INC. 7227 N. 16TH ST., #212 PHOENIX, AZ 85020 (602) 279-1993 FAX (602) 264-2383
<u>ZONING:</u>	MR-1, PAD
<u>UNIT MIX:</u>	BUILDING 1, 2, 3 & 4 48 UNITS EACH BUILDING 3-STORY 1-BED: 24 2-BED: 24 TOTAL: 2 BED: 96, 1-BED: 96 = 192 UNITS
<u>PARKING REQUIRED/ PROVIDED:</u>	1.5 SPACES PER 1 & 2 BED UNIT 192 X 1.5 = 288 SPACES REQUIRED 1 PER 10 UNITS GUEST PARKING = 19 SPACES REQUIRED TOTAL SPACES REQUIRED = 288 + 19 = 307 TOTAL SPACE PROVIDED = 307
	TYPICAL STANDARD PARKING STALL 20'-0" X 10'-0" TYPICAL ADA PARKING STALL 20'-0" X 11'-0" W/ 5 ISLE 1 ADA STALL PER 20 UNITS, 2 PER 25 EACH ADDITIONAL UNIT INCLUDED IN COUNT



MRL CONSULTING, LLC

P.O. BOX 642
CHINO VALLEY, AZ 86323

928.925.7543
MICHAEL LOPEZ PE@GMAIL.COM

REVISIONS

PLANNED AREA DEVELOPMENT

BROOK APARTMENTS
PR17-000024
APN: 306-23-024C

DATE: 04/16/18

DRAWN BY: DBS

CHECKED BY: MRL

SCALE: 1" = 40'

SHEET

1

1 OF 4



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
JULY 3, 2018
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

ADDENDUM - 6/28/2018

<i>Item 4a</i>	<i>REPLACE the Staff Report and May 1, 2018 draft minutes in the packet with the attached corrected Staff Report and June 5, 2018 draft minutes.</i>
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1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **MINUTES**
 - a. Consideration and possible action to approve June 5, 2018 regular meeting minutes.
5. **STAFF REPORTS**
6. **PUBLIC HEARING**
 - a. Consideration and possible action regarding a request for a Conditional Use Permit for 1.38 acres of real property located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89. The request of the CUP is to allow a food truck court on a CL (Commercial Light) zoned property. (Jason Sanks, Development Service Director)

- b. Consideration and possible action regarding a request for a CUP (Conditional Use Permit) for 0.55 acres of real property located on the southwest corner of North Road 1 East and East Road 3 North at 985 East Road 3 North. The requested CUP will allow the existing single family residential use within the CL (Commercial Light) zoning district. (Alex Lerma, Associate Planner)
- c. Consideration and possible action regarding a request to rezone 8.7 acres of a 15.8 acre of real property located approximately 0.75 miles east of the southeast corner of North Road 1 East and East Perkinsville Road at 1821 East Perkinsville Road, from AR-5 (Agricultural Residential-5 acre minimum) to SR-1 (Single Family Residential-1 acre minimum). (Alex Lerma, Associate Planner)
- d. Consideration and possible action regarding a request to rezone 6.85 acres of real property generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, from MR-1 (Multiple Family Residential-1 acre minimum) zoning district to MR-1 PAD (Multiple Family Residential-1 acre minimum) zoning district with a Planned Area Development Overlay zoning district to modify the density development standard in the MR-1 zoning district. (Jason Sanks, Development Service Director)

7. NON-PUBLIC HEARING ACTION ITEMS

8. DISCUSSION ITEMS

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

Dated this 27th day of June, 2018.

By: Jason Sanks, Development Services Director

A copy of the agenda and background material provided to the Commissioners is available for public inspection at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona. Further details may be obtained by contacting Development Services Department at 1982 Voss, Chino Valley, Arizona (928) 636-4427.

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request an accommodation to participate in this meeting.

Planning and Zoning Commission Regular

4.a.

Meeting Date: 07/03/2018

June 5, 2018 Minutes

CASE DESCRIPTION:

Consideration and possible action to approve June 5, 2018 regular meeting minutes.

ANALYSIS:

RECOMMENDATION

Approve June 5, 2018 regular meeting minutes.

Attachments

June 5, 2018 minutes

DRAFT

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

**JUNE 5, 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

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Tom Armstrong; Commissioner Michael Bacon; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner William Welker

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

4) MINUTES

- a) Consideration and possible action to approve May 1, 2018 regular meeting minutes.

MOVED by Commissioner Tom Armstrong, seconded by Vice-Chair Gary Pasciak to approve the May 1, 2018 regular meeting minutes.

Vote: 7 - 0 PASSED - Unanimously

5) STAFF REPORTS

Development Services Director Sanks reported on the following:

- Several meetings had been held on the Village North Project, an apartment building behind Safeway, but plans have been abandoned. A feasibility meeting was held regarding the land owner's new proposal to facilitate the development of a mobile home park and self-storage building, which would require a rezone because it is a Planned Area Development (PAD).
- The department received preliminary plat applications for JC Villas and for the Century Ranch development, consisting of 172 one acre lots north of Bright Star.
- Two agenda items were listed under Discussion Items instead of Public Hearing. The items had been publicly noticed for a public hearing and the Commission could have a full discussion with comments from the public, but the Commission would be unable to make

any recommendations. Staff was proposing a special meeting on June 13th at 6:00 p.m.

6) PUBLIC HEARING

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

- a) Consideration and possible action regarding a request to rezone 6.85 acres of real property generally located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North at 740 West Road 1 North, from MR-1 (Multiple Family Residential-1 acre minimum) zoning district to MR-1 PAD (Multiple Family Residential-1 acre minimum) zoning district with a Planned Area Development Overlay zoning district to modify the density development standard in the MR-1 zoning district. (Jason Sanks, Development Service Director)

Development Services Director Sanks presented the following:

- The application was initially submitted to the Town on March 1, 2018 and it was immediately brought to the Commission in a Study Session.
- The project was referred to as the Brook Apartments, with a proposed 192 units situated on 6.85 acres. That is approximately 28 units per acre, which is a 90% density increase from what is allowed by code. The developers had met or exceeded every other development standard in the code (four structures that would be three story buildings).
- The property is located southwest of Walgreens, due south of the Hawksnest development. Because the property has no frontage on Road 2 North, a street would need to be constructed to connect the property to the road.
- The property owners of the single-family homes near the project do not support the project due to the project density as well as other concerns. The owner of the property to the west also expressed concerns and had met with staff to discuss those concerns.
- The property was zoned as multi-family in 2006 and has been vacant since that time.
- He clarified that this was a rezoning case even though the applicant publicly stated at the neighborhood meeting that it was not. Adding a PAD on top of the zoning creates a customized new zoning district, specifically modifying the density for this property.
- Adjacent zoning is SR-1, which is relatively low-density residential zoning. The project is south of the commercial subdivision and is in the Town's largest community core, which is typically comprised of denser housing and intense commercial use with excellent access to Highway 89 or any arterial roads.
- Hawksnest, a nearby approved development consisting of 15 acres, was rezoned multi-family with about 15 units per acre as allowed by MR-1 standards. It was not developed and there had been discussion for other projects including senior housing or possible lower density housing and possible development of single family housing on the residual portion of the property.
- The Village North PAD project had fallen out of escrow and the developer was no longer involved. The landowners wanted to proceed with development but as a higher end mobile home park and mini self-storage units.
- He reviewed the site plan including street development, building locations, open space, setbacks, parking, signage, chain-link fencing, wall and vegetative landscape buffering and exterior and interior amenities. The applicant provided additional amenities that had been requested but were not discussed at previous meetings. Staff had added two rows of trees as a vegetative buffer as a condition on the application.
- Key concerns were about the aesthetics of the building mass as well as the increased activity and noise.

- Staff had not received confirmation from the applicant that they would agree to the application conditions set by staff. Staff would request that the project enter into a development agreement to assure the necessary offsite improvements would be completed to help mitigate the proposed density. The improvements included paving, sidewalk, curbs and gutter out to Road 2 North and an improved pathway to connect to the sidewalk that ended behind Walgreens. Staff informed the applicant that without those improvements, staff would not support the project. If the applicant did not agree to the improvements, the Commission could take that as a recommendation of denial from staff. The applicant had also requested financial reimbursement for the offsite conditioned improvements and staff would recommend a denial to that request because development pays for itself.
- Staff recommended that conditions include: paving through the commercial subdivision, connection to Road 2 North, a left turn lane, and improvement of a pathway that is walkable to connect to the sidewalk that runs across the Hawksnest boundary (minimum decomposed granite stabilized pathway).

Commissioners and staff discussed:

- The fact that the applicant was not in attendance at the meeting and was unable to answer any questions.
- The lack of transition from properties inside the core district to those that lie outside the core district, which is low density. The applicant believed that the large setbacks and wall would buffer those types of properties. The new UDO rewrite would address all district issues including multi-family development.
- The type of housing that the project would be providing would be market rate housing and not age restricted or income assisted housing.
- The buildings would be sprinkled and would not pose any fire department related issues. The police did not have any formal comments on the design safety. All rental rates include a 3% tax that is intended to cover operational impacts for town services.
- Concerns included the increased traffic, access, and having only one ingress/egress area. The traffic impact analysis for the area requested improvements to Road 2 North and the accessibility to the commercial subdivision street. The applicant provided a traffic study and the Town hired an engineer to look at the impacts of all the proposed developments in the area.
- The area due east of the project, a 27-foot parcel that came within 300 feet of the project property and was designated for a future roadway, as well as the vacant land south of the project that was for sale. Commissioners questioned if the applicant had considered purchasing the property to bring another access into the complex from the southeast corner. Lack of more than one access point to the property was a concern. Mr. Sanks stated that the Commission could require in a PAD that the applicant design another emergency access point in the southeast corner that could be built in the future if needed. The applicant would need to reach out to the private owner of the property for a legal easement.
- Commissioners questioned if the complex entrance occurred in the school zone and if the speed limit would need to be reduced to 15 mph. Mr. Marbury stated that he believed it fell outside the school zone and he would research it further.
- Controlling the density could include control of the building height and the number of stories, larger setbacks, traffic improvements within the project, or other additional mitigation tactics. The Commission may also require certain outdoor amenities such as playgrounds, dog walking areas, etc.
- Possible drainage issues, working with neighboring properties for offsite drainage

improvements, and abiding by Town standards for a 100-year flood event. Addressing the project drainage is a condition requirement.

- The Town had discussed with the applicant reducing the outer buildings to two stories with a three-story building in the center, reducing the density by 48 units and mitigating the building mass to the surrounding homes but the applicant said they could not do it.
- The total square feet for the project buildings is 169,200 sf with one or two-bedroom units for approximately 750-950 sf per unit. The ratio of the amenities provided compared to the total square footage of the complex seemed small for the density and commissioners questioned if the apartments would have washer and dryer hookups within the units. The Commission could require more or larger amenities. The Commission requested that staff provide the ratio percentage of money making square footage compared to the residential amenities and then compare those numbers to other multi-family projects in the area.
- Commissioners requested that legal counsel attend or Skype the next meeting.
- Commissioners requested clarification as to whether a supermajority of council members would be needed to approve something if more than twenty percent of adjoining property owners were in opposition. Mr. Sanks stated that he had a brief discussion with the applicant and she was made aware that some of the residents had obtained legal counsel and he anticipated hearing from that legal counsel to discuss the legal provisions for a protest. The current UDO is out of date for legal protest provisions because the State passed a House bill last year that could require a supermajority council vote if more than 25% of property owners oppose the project, which would mean a $\frac{3}{4}$ vote or six out of seven votes would be needed by Council.

Public Works Director/Town Engineer Marbury provided a summary of the traffic impact report and explained that if every project in the area was developed, the recommendation would be a three-lane section in each direction with a center turn lane to accommodate the turning movements in the different areas. There was also a recommendation for adjustments at Highway 89 and the traffic signal. He provided an overview of the current conditions in the area. The recommendation for this project was a dedicated left turn lane coming off Highway 89 to access the apartments until the town develops a newer roadway section. There was no other level of traffic that warranted adjustments but there was a need for crosswalks depending on where the sidewalks would be located. Without sidewalks, there cannot be a crosswalk.

Public Comments:

- Carolyn Stickroth opposed the entire project as it did not fit into the area, and she had concerns about lack of medical services for so many new residents, fencing locations, and increased traffic. She believed that there should also be a requirement for a six-foot fence on the west side of the property. Mr. Sanks explained that there would be a six-foot vinyl coated chain link fence near the equestrian center, and a six-foot block wall on the south side of the property line. The east side did not have a fence requirement.
- Tina Harmon, nearby resident, expressed concern about the density, apartment residents' animals, and impacts to neighboring property values. She agreed with the Commissioners' concerns and desired a six to eight-foot fence for privacy and a buffer from lights.
- Wayne Moyers, resident, believed a block wall was necessary and he formally invited anyone from the Commission or the Council to come look at the impact to neighboring properties. He also expressed concern about water supply.
- Jean McFadson stated the biggest problem was the density. She expressed concern about mixed housing being more for urban, not rural, areas; the homes in the immediate area being all one acre or more; a left-turn lane into the apartments not being enough; no non-motorized plan being implemented per the General Plan; and the complex being out

of step with the General Plan's sense of place as rural and open spaces. She also asked about the Town's economic plan for the area and the ongoing commercial development plans that would employ the influx of people, and the steps being taken per the 2014 Strategic Plan to attract small and large commercial industry.

- Cindy Cole, nearby resident, opposed the project due to the negative impacts to her nearby subdivision and the increased density.
- Chris Foley, nearby resident, did not oppose the original 90 units, but opposed the double-density.
- Doug McHanson opposed the higher density.
- Anna Myslewicz spoke about the applicant not being present at the meeting to address the residents and the general public.
- Mark Levinger, speaking on behalf of his mother, a nearby resident, opposed the project due to concerns about flooding issues at the end of the cul-de-sac; traffic; pedestrian safety; and sewage plant issues that could arise.
- Mary Turner, nearby resident, spoke about not receiving any notification regarding the project and commented on the small plot size compared to surrounding developments. She asked where the dumpsters were located and if there would be flood lights on the building that could shine in her yard. Mr. Sanks reported that all property owners within 300 feet were notified and he was glad to see neighbors sharing the information. He could do a re-notice and expand the notification to 500-1000 feet. The Commission concurred. Mr. Sanks added that the Commission was not obligated to hold a June 13 meeting but could instead push the hearing out to the next regular meeting in July.
- Dan Pierce, new resident, expressed concern about the project's impacts to the area and local area kids.
- Tina Harmon, speaking on behalf of her father, Beryl Nixon, asked about studies on the water table for the 92 apartments versus 192 apartments. Mr. Marbury explained that this was not a subdivision, so they were not required to obtain a certificate of assured water supply, and the Town would provide water to the complex.
- Donna Armstrong asked about the timelines for other proposed developments in the area and properties possibly becoming landlocked. Mr. Sanks explained that they would not have to wait for other properties to develop.

Development Services Director Sanks further responded to the public comments:

- The Town was required by law to accept the zoning application, which did not mean it would be approved.
- He had not had the opportunity to respond to many of the citizen concerns because he had been waiting for follow up from the applicant.
- The Town could take availability of jobs and employment into consideration. The Town had been working to bring development into the area with the master planning of the Old Home Manor Industrial Park. Typically, housing development preceded commercial and industrial development. Commercial development would not want to come to an area unless there was sufficient housing.
- The density did not have to be approved. They could still build an apartment complex on the property without the increase in density.
- Trash enclosures were located throughout the property, typically on the perimeter. They could suggest that the trash enclosures located to the farthest south be relocated further north.
- The Town would never support flood lights on the building. Only the minimum heights necessary would be approved for lighting for security reasons.

Mr. Marbury added that staff anticipated a traffic light on Road 1 North and Highway 89 in 2023, and that could be moved up depending on availability of funds. He also stated that as a rule, drainage on another property would not be impeded.

Commissioners and staff discussed:

- Drainage – Concerns about insufficient drainage mechanisms and the design process being completed by a licensed engineer.
- Fencing requirements.
- General Plan – Target strategies and how best to use the land in the community core. Processes included revising the UDO to specifically address what properties are appropriate to protect the neighborhood's larger lots on the edge of the identified cores.
- Transitions – Mr. Sanks explained that the General Plan should be amended to address transitional strategies. The zoning code is black and white and more zoning areas are needed to address transitional zoning districts.
- Project team – Mr. Sanks explained for the record that a member of the project team was in attendance at this meeting as a citizen, not as a member of the project team.
- Concerns – The overall concerns about compromise, transitional areas, vegetative buffers, density, egress and ingress access, buildings and block wall fences, and infrastructure costs were the developer's responsibility. Development should be done at a controlled pace, but the Town needed development to continue to exist.

MOVED by Commissioner Michael Bacon, seconded by Commissioner John McCafferty to continue item 8a for consideration and possible action to the regular July 3, 2018 Planning and Zoning Commission Meeting at 6:00 pm in the Council Chambers.

Vote: 7 - 0 PASSED - Unanimously

- b) Consideration and possible action regarding a request for a Conditional Use Permit for 1.38 acres of real property located approximately .25 mile north of the northwest corner of Center Street and State Route 89 intersection at 246 North State Route 89. The request of the CUP is to allow a food truck court on a CL (Commercial Light) zoned property. (Jason Sanks, Development Service Director)

Development Services Director Sanks presented the following:

- Food trucks were considered an accessory use to a primary business. Several food trucks clustered together on one property was considered a food truck court, which was not currently defined in the UDO, and would be considered similar to a swap meet.
- The food truck court would provide a centralized location for food trucks to cluster, which could generate a hub of activity similar to a mall food court. They would provide outdoor seating which would be folded up and stored during off hours.
- Requirements included onsite restrooms, trash receptacles, at least 10 feet of space between trucks, and parking spaces for customers. The site covered all those requirements. There could be up to two or three trucks on the property.
- This needed to be a CUP because there was only a two-week temporary use permit (TUP) available that could be issued and anything beyond that required Council approval.
- Staff recommended limiting the area to two trucks onsite.
- The State passed a statute to take effect in August that significantly reduced the restrictions that can be placed on food trucks, but it did not address the issue of food truck courts.
- Staff recommended a continuance to the July 3rd regularly scheduled meeting for

recommendation to the Council.

Commission Members and staff discussed the following:

- If site improvements were made in the future, the applicant could come back and amend the CUP. Parallel parking spaces could be utilized to make room for one or two additional food trucks.
- Residential water could not be used nor could they permanently connect water to the food cart. Power must be done through power pedestals.
- The current condition of the property was unsafe for anyone who was disabled or in a wheelchair.

Applicant Bruce Eldredge related that:

- He was approached by vendors to use the property.
- He had completed electrical pedestal improvements approved by the Town and provided a gravel area between the asphalt and the concrete; and he could address ADA issues with a sidewalk.
- The site could provide space for three food carts with room to remove the carts when necessary.

Public Comments:

- Anna Myslewiec, a food truck owner who had not set up in Town but did events and caterings, stated that she had discussed a food court at one time with the Town and was given several restrictions that do not seem to have been given to this applicant. She asked about enforcement of County health regulations and requirements; truck owners dumping grey water on the cement and refilling with garden hoses or permanently connecting to spigots and using splitters; several trucks that did not seem to comply with regulations; and food trucks being regulated by the hours of the bathroom at the local business.

Commissioners and staff responded to public comment:

- Concerns expressed were correct but were regulated and enforced by Yavapai Environmental Services, not the Town.
- Site improvements, including electric and power, should be done correctly. Any violations would be cited by County Health, not the Town.
- Previous food court sites that the Town had reviewed had different issues. One did not have a commercially operating business and needed many improvements. No outdoor seating had been restricted, but the same concerns about flying trash have been stated. Mr. Sanks clarified that Ms. Myslewiec went through a feasibility meeting, but never formally applied, and he could not personally approve or disapprove a permit, as that decision was left to the Town Council, which was explained to Ms. Myslewiec during the process.
- They recommended working with the property owner, the building department, and development services to come up with a cohesive plan to improve the site.

MOVED by Commissioner Michael Bacon, seconded by Commissioner John McCafferty to recommend to continue item 8b for consideration and possible action to the regular July 3, 2018 Planning and Zoning Commission Meeting at 6:00 pm in the Council Chambers.

Vote: 7 - 0 PASSED - Unanimously

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.

Public Comment:

- Jackie Flannigan, Adair Drive resident, spoke about an issue with the ramp at West Road 2 South causing lights to shine so turn signals were not visible and the right turn lane and the straight-ahead lane being in the same lane, possibly causing accidents. The Commission stated they did not have jurisdiction over road issues and directed her to the Town Engineer.
- Carolyn Stickroth questioned the Commission about voting rules when a member of the Commission was absent. Mr. Sanks explained that the public meetings law provided the ability for members to participate from a remote location. Typically, with the Planning and Zoning Commission, there was an alternate to take the place of an absent person. A minimum of four persons must be present for a quorum.

10) ADJOURN

MOVED by Commissioner Tom Armstrong, seconded by Vice-Chair Gary Pasciak to adjourn the meeting at 8:45 p.m.

Vote: 7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date