

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

**SEPTEMBER 3, 2019
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 McCafferty led the Pledge of Allegiance.

3) ROLL CALL

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

Absent: Commissioner Robert Switzer

Staff Development Services Director Joshua Cook; Planner Alex Lerma; Public Works

Present: Director/Town Engineer Frank Marbury; Administrative Technician-videographer Kathy
Frohock; Deputy Town Clerk-recorder Vickie Nipper

4) MINUTES

- a)** Consideration and possible action to approve August 6, 2019, regular meeting minutes.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner John McCafferty to
approve the August 6, 2019 minutes.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong,
Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William
Welker

6 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible action to rezone approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential 1-acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential 1-acre minimum) zoning district with a Planned Area Development Overlay. The project proposes 152 units in four (4) stepped 2 to 3 story structures. The property is generally located 1,400 feet west of State Route 89 and 620 feet south with Assessor Parcel Number: 306-23-024C. (Alex Lerma, Planner)

Recommended Action: Continue item to the October 1, 2019, Planning and Zoning Meeting due to posting notice error.

Chair Merritt reported that Staff had recommended that the Item 6a be continued to the October 1, 2019, meeting due to a posting notice error.

MOVED by Commissioner John McCafferty, seconded by Commissioner Teena Meadors to continue item 6a to the October 1, 2019, Planning and Zoning Meeting due to posting notice error.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William Welker

6 - 0 PASSED - Unanimously

- b) Consideration and possible action to rezone approximately 2.05 acres of real property from the AR-5 (Agricultural Residential 1-Acre Minimum) zoning district to the SR-1 (Single Family Residential 1-Acre Minimum) zoning district. The property is located 460 feet east of the northeast corner of West Center Street and Sycamore Vista Drive at 1370 West Center Street, Assessor's Parcel Number 306-21-010T. (Alex Lerma, Planner)

Mr. Lerma presented the following:

- The property improvements included the main family residence, a guest home and accessory structures.
- The surrounding area consisted of medium to low density residential.
- The property was approximately 2-acres and was zoned Agricultural Residential 5-acre minimum.
- The General Plan designation for the property was medium density residential.
- The property was considered a non-conforming lot because it had been subdivided in the past without the zoning classification being changed.
- The applicant was seeking a zone change to give the correct zoning district to the property and the SR-1 was the closest zoning district to support the current property use.
- The neighborhood meeting held August 7, 2019, had no attendees.
- Staff supported the zone change after review and analysis of the application.
- The applicants had future plans of subdividing the property, and each residence would be on a new piece of property.
- The current home and guest home were hooked up to septic.
- Public Works Director Marbury explained that the property was along Center Street, which was an arterial, and it was recommended that a rezone stipulation should require an additional 25-foot right-of-way along Center Street to meet current code requirements of a 50-foot half width right-of-way. It was currently only at 25-feet.
- Staff recommends that Planning and Zoning Commission forward a recommendation of approval to Town Council to adopt Ordinance 2019-872 to rezone approximately 2.05 acres of real property from AR-5 (Agricultural Residential-5 Acre Minimum) zoning

district to (SR-1) Single Family Residential-1 Acre Minimum zoning district with the following stipulations:

- Any new construction shall be required to hook up to Town sewer.
- Any modification or expansion to existing buildings that would require the replacement of a septic tank must hook up to Town sewer.
- Applicant shall provide an additional 25' of Right-of-Way along Center Street.

Commissioners and staff discussed the following:

- The Town sewer lines were already on Center Street, and since the property abutted Center Street, the connection would be lateral. If the property were split east to west and created a public right-of-way access easement, an extension may be required. The cost of the Town sewer connection would need to be determined by Town Council, but it may be a cost incurred by the property owner. Staff explained that utilities were an expense but that the Council passed a resolution to not require existing properties to hook up to mandatory connections if the property had a functioning septic system. Staff was unsure if an existing property with a septic system would be required to hook into the Town sewer system if their septic system were to fail.
- Staff explained that the condition of requiring hook up to Town sewer if the existing home were modified or expanded was based on the County requirements which required a new septic tank if the expansion or construction of an existing building required a larger septic tank or construction required moving the exiting tank.
- Commissioners requested clarification on the third condition which required an additional 25' of right-of-way along Center Street. Staff typed the condition wording for Commissioners because it was not provided on their handout. Commissioners reviewed the condition language again.
- The 25' right-of-way requirement would most likely affect an existing fence on the subject property. Staff explained there could be a removeable permit for the fence that allowed it to remain until such time that the Town expanded the road and needed to relocate the fence. At that time the property owners would need to move the fence. Commissioners favored the fence permit and wanted to ensure it was properly noted in the conditions or through the minutes.

Open to the Public – Public Comments:

- Mary Turner – Was wondering how a property that was zoned Agricultural-5-acre minimum could only be 2.5 acres. The Commission explained the rezone was an attempt to clear up an error made in the past.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner John McCafferty to forward a recommendation of approval to Town Council to adopt Ordinance 2019-872 to rezone approximately 2.05 acres of real property from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to (SR-1) Single Family Residential-1 Acre Minimum zoning district with the following stipulations:

1. Any new construction shall be required to hook up to Town sewer.
2. Any modification or expansion to existing buildings that would require the replacement of a septic tank must hook up to Town sewer.
3. Applicant shall provide an additional 25' of Right of Way along Center Street.

Commissioners wanted to ensure it was properly noted by staff and the Council was made aware of the removable fence permit.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong,
Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William
Welker

6 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

9) PUBLIC COMMENTS

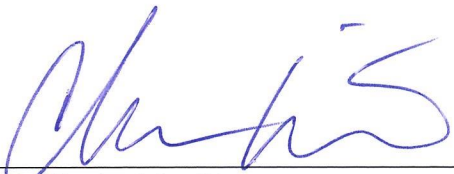
Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes 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

MOVED by Commissioner John McCafferty, seconded by Commissioner Gary Pasciak to adjourn the meeting at 6:23 p.m.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Vice-Chair Tom Armstrong,
Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William
Welker

6 - 0 PASSED - Unanimously



Chair Charles Merritt

10-1-19
Date