

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

**NOVEMBER 5, 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 Meadors led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Commissioner Gary Pasciak; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert Switzer; Commissioner William Welker; Alternate David Somerville

Absent: Vice-Chair Tom Armstrong

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

Present: Director/Town Engineer Frank Marbury; IT Manager/videographer Spencer Guest; Deputy Town Clerk Vickie Nipper

4) MINUTES

- a)** Consideration and possible action to approve October 1, 2019, regular meeting minutes.

Chair Merritt wanted to change the minutes to clarify his comments made at the October 1, 2019, meeting, pointing out that he moved to Yavapai County in 1979 and that his son was born in Prescott, not Chino Valley.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner John McCafferty to approve the October 1, 2019 minutes as amended.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible action to adopt Ordinance 2019-873 to rezone approximately 10 acres of real property from the AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to the SR-0.16 PAD (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay. The property is located on the southeast corner of Juniper Drive and North Road 1 East at 701 North Road 1 East, Chino Valley, AZ 86323, Assessor Parcel Number: 306-24-012. (Alex Lerma, Senior Planner)

Mr. Lerma presented the following:

- Pointed out that the Ordinance Number on the Agenda was incorrect, but the staff report had the correct number. The correct Ordinance Number was 2019-876.
- The applicant, Paul Aslanian, had applied for a Planned Area Development (PAD) for property located on the southeast corner of North Road 1 East and Juniper Drive.
- The property is adjacent to several subdivisions to the North and South. The surrounding properties were residential in nature.
- The subject property was ten acres in size and was currently zoned Agricultural Residential, five acres minimum.
- The General Plan Use Designation was medium residential density two acres or less.
- The property currently had a single-family residence and accessory structures.
- The subject property was the only property in the area that had the AR-5 zoning classification. Surrounding properties had commercial and residential zoning with smaller lot size.
- The applicant was requesting to subdivide the property into 45 lots that would be developed in two phases. Phase one would offer 20 lots and phase two would offer 25 lots.
- Lot sizes would range from a smaller lot of 4,560 square feet to the larger lots of 9,409 square feet with the average lot at 5,334 square feet.
- The density of the project would be 4.5 dwelling units per acre with 25% or 2.5 of the ten acres dedicated to open space.
- The applicant was proposing to have two ingress/egress legal access points to the subdivision, both located on Juniper Drive.
- There would be perimeter landscaping along the exterior of the subdivision on Juniper Drive and Peppertree. There would also be landscaping internally on the lot frontage.
- Sidewalks would be provided along Road 1 East, along Juniper Drive and internally into the subdivision.
- The open space and amenities would be maintained by a Homeowners Association.
- The applicant was proposing to locate fencing along Road 1 East and Juniper Drive and wooden fencing on the southern property line adjacent to the neighbors to the south.
- The subdivision would be hooked to Town water and sewer utilities.
- The homes would be site-built homes.
- The zoning requirements and setbacks and coverage for the lot locations and for the requested zone were reviewed.
- Landscaping and sidewalk zoning standards for lots abutting an arterial or collector street required a minimum 6-foot-wide sidewalk separated by an eight-foot landscaping strip. Properties abutting local streets required a five-foot sidewalk with a six-foot landscaping strip. Street standards had different requirements for residential dwelling units less than one acre in size and did not require sidewalks. Staff explained when two zoning sections of the code provided different direction, typically staff followed the more stringent standards. In this case, staff was requiring the applicant to follow the internal and external landscaping standards. Staff reviewed the various requirements for the subdivision lots based on the location within the subdivision.

- Staff reviewed the layout of the PAD request and the applicants requested deviations from the requirements. The PAD deviations addressed the following:
 - The applicant was requesting a minimum setback of 5 foot side yards instead of 10, street side yard at 8 feet instead of 20 feet, front yard with sidewalk at 16 feet instead of 20 feet, front yard with no sidewalk at 11 feet instead of 20, rear yards abutting Road 1 east were at 20 feet instead of 50 feet, lots with a side yard abutting Juniper Drive were at 10 feet instead of 20 feet.
 - The minimum lot size standards set by code was at 7,500 square feet and the applicants average lot size was at 5,334 square feet, with a maximum low of 4,560 square feet.
 - The minimum lot frontage requirement of 50 feet would be abided by except for lots 13, which be be at 35 feet and lot 14 at 34 feet, so the applicant was asking for a minimum lot coverage of 34 feet.
 - Sidewalks development standards required sidewalks for all lots abutting local or arterial streets. The applicant was requesting to have sidewalks externally only at Road 1 East and Juniper Drive but with only a walkway on one side of the street internally.
- To offset the PAD request, the developer was willing to provided 2.5 acres of open space and off-street parking near the open space area. The developer proposed a gazebo, pavilion and picnic area in the open space area. The developer was also proposing off street trails and fencing along Juniper Drive and Road 1 East along the south property line. These proposals were not required by development standards.
- Neighboring property owners were notified and a neighborhood meeting was held on October 23, 2019. Two residents were in attendance. The concerns stated included well water depletion issues and excessive landscaping water use. The developer had explained that the landscaping would be desertscape and zeroscape plans. There was also concern about street lights in the subdivision, and the developer had explained that the lighting would be lowlight and the lighting would meet all development standards. There was also concern that two-story units would be part of the development, and the applicant confirmed that there could be two story dwellings sporadically throughout the subdivision, but the units would meet the development standards. The applicant stated that there would be deed restrictions limiting the lots abutting the south property line to one story units.
- The area was adjacent to the major community downtown core, which encouraged a higher density that was more pedestrian friendly.
- Properties abutting the proposed subdivision shared higher densities. Staff reviewed lot sizes and densities.
- This was only a first step and if the applicant received approval, he would still need to go through the subdivision process.
- Staff recommended the Planning and Zoning forward a recommendation of approval to the Town Council with the following conditions:
 1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions.
 2. Developer shall provide a 6-foot fence installed at the property line of each lot, fronting on Road 1 East and Juniper Drive, in addition, a 6-foot wooden fence shall be installed along the south property line.
 3. The Developer shall provide proof of assured water supply from the State of Arizona.
 4. The Town of Chino Valley has an existing 12" water line in the Juniper Dr. right-of-way along the property's frontage. Properties will be required to connect. Additionally, the installation of fire hydrants at a maximum of 500' spacing will be

required. Also, the water main shall be extended along the property's entire frontage on Rd 1 East per Town Code 51.060.

5. The developer will be required to construct a new 8" sewer line along the properties entire frontage per Town Code 51.060. In lieu of constructing a new 8" sewer line along the perimeter of the entire frontage of the property per Town Code 51.060, an 8" sewer line that is extended through the development and terminating within the right-of-way of Road 1 East at the Southwest corner of the development is acceptable.
6. The Town of Chino Valley Area Drainage Master Study shows possible flooding potential on the east side of the property. Building designs will need to take this into account. In addition, additional right-of-way or drainage easements may be required.
7. All drainage ways that convey fifty (50) cubic feet per second or more, during the one-hundred (100)-year flood event, shall be considered a regulatory flood and shall be dedicated to the public with provisions for maintenance access ramps.
8. A drainage study that addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The drainage study shall be approved before the street improvement plans and final plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.
9. The developer shall dedicate additional right-of-way 50' east of the road centerline on Rd 1 East and 25' west of centerline on Peppertree Dr. Additional right-of-way or drainage easements may be required on Juniper Dr. pending engineering study results.
10. The developer shall improve the east half of Road 1 East and the south half of Juniper Dr. along the project limits per Town Street Design Standards. This includes, but is not limited to, new road section, pavement edge treatment, sidewalk, and utility relocations as necessary. Due to pending drainage projects, improvements on Peppertree are not recommended. Cash or other amenities in lieu of improvements is recommended.
11. A traffic Impact statement for this development will be required.
12. City of Prescott has an aerial easement for power lines. This may limit development in the vicinity of this easement.
13. A 1' non-vehicular access easement will be required along Road 1 East. This is shown in the development plan on Road 1 East and Juniper Drive. This would prevent property owners from accessing their property from the rear or side area. All access would be required to be from the front of the lot.

Planning Commission Members and staff discussed the following:

- The applicant stated there would be a six-foot wood fence along the south property line but the material for the six-foot fence along Road 1 East and Juniper had not been determined, but he could not imagine a chain link or block fence. His vision would be something more attractive such as a vinyl or wooden fence.
- Staff explained that there was a power line in the vicinity that the City of Prescott used to power their wells. Properties that had clearance issues with the power line easements would not get a building permit. The building restriction would be lifted once the power lines were rerouted.
- Any flooding and drainage issues would be contained within the open space, but the Town wanted to ensure the issue was addressed. The drainage study numbers would be refined as the applicant went through the engineering process. The lots adjacent to the open area were developable as long as the base flood elevation was one to two foot above regulatory

flood levels. An engineered and detailed plan would be provided during the subdivision stage.

- Staff explained to the Commission that there were not sidewalks in most of the area subdivisions. Staff also explained that the Commission could request through a condition that sidewalks be moved to the opposite side of the street if it was deemed more appropriate. The current plan layout for the sidewalks might allow for more off street parking.
- The sewer easement between lots 13 and 14 was underground sewer. The Town's goal was to get the sewer further down Road 1 East or into the Roadrunner Mobile Home Park. If the sewer line went through the development and through the easement, it would facilitate any future connections or extensions the Town needed without added expense and future maintenance of additional lines in Juniper and Road 1 East.
- The water rights currently granted to the property would be between the applicant and the City of Prescott. The Town had no authority or access to the rights. The applicant would need to provide a certificate of assured water supply. Staff was unclear about the status of the flood irrigation rights. The Chino Valley Irrigation District required the City of Prescott to serve up to one home per acre worth of water in exchange for the water rights.
- Staff explained that the assured water supply was the water rights. The assured water supply was the legal water that was brought to satisfy ADWR with the 100-year assured supply. The Town would be agreeing to serve the applicant the water. Where the water was pumped from was not as important as having the legal right to withdraw the water. The withdrawal right would be signed over to the Town.

Planning Commission Members, applicant, Mr. Aslanian and staff discussed the following:

- Mr. Aslanian explained that the subdivision would be a good addition to the Town and provide a price point not currently offered in the area for site-built homes.
- The streets of the subdivision were intended to be public, not private.
- The homes were smaller and the average footprint was smaller. The average house at 1200 square feet, had a building area that provided a backyard and had a footprint that only took about 1,700 square feet. The objective was to create more space than the minimums requested.
- The area of the sidewalks helped provide enough setback depth into the garage area. Sidewalks on both sides would require the homes to be setback further. The objective was to have 22 feet from backup curb to the front of the garage. This would allow enough off street parking so that large vehicles were not hanging out into the street.
- Low water usage plants would be used for landscaping and there was not a plan for zeroscape plants.
- This would be connected to Town water not Prescott. The applicant had both options because the location was in the CVID. Prescott could have provided water to 10 dwellings, but they also had fire flow issues with the existing lines. The applicant thought it made more sense to be tied into Town water and sewer.
- The style of the homes would be craftsman or cottage style and not cookie cutter homes. The smaller homes allowed for the price point.
- Commissioners suggested that the exterior fencing on Juniper and Road 1 East be added under the HOA maintenance plan so it did not fall under individual ownership.
- Off street parking would be enforced through signage and HOA requirements.
- Commissioners stated the applicant may want to consider having the one-foot non-vehicle access on lots 4, 5, 21, 28, 29 and 36. The applicant stated that too wide of a setback on those lots would require a side load garage. Staff explained that Town code only required the non-vehicular access on Road 1 East and Juniper was a plus. From a traffic point of

view, a side entrance on those lots would not make a difference and limiting access would not need to be restricted.

Planning Commission Members discussed the following:

- Commissioners discussed including a number 14 in the conditions that would require the developer to commit to utilizing the Town of Chino Valley's utilities for water and sewage. It was pointed out that was already required under condition number four.
- The applicant explained that his intention was to have Juniper Drive be included in the one-foot non-vehicular easement. Staff explained that Juniper Drive was purposely not included because it was not a requirement of the code. The applicant stated that although it was not required, it was the intention to include that as part of the development.
- The Commissioner amended the original motion removing the modification of number 13 to include Juniper Drive.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner Teena Meadors to forward a recommendation of approval to Town Council to adopt Ordinance 2019-876 rezoning approximately 10 acres of real property from the AR-5 (Agricultural Residential- 5 acre minimum) zoning district to SR-0.16 PAD (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district with the conditions as stated in the staff recommendation.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner William Welker, Alternate David Somerville

NAY: Commissioner Robert Switzer

6 - 1 PASSED

Commissioner Switzer stated that he voted nay because he wanted to see the project conform to the SR-0.16 standard conditions to match the areas around it more closely with the larger lots.

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

9) PUBLIC COMMENTS

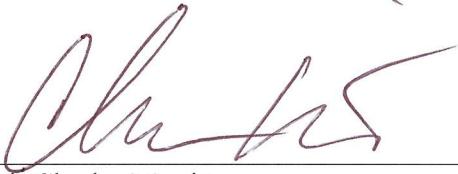
Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes 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 Teena Meadors, seconded by Commissioner Gary Pasciak to adjourn the meeting at 7:12 p.m.

AYE: Chair Chuck Merritt, Commissioner Gary Pasciak, Commissioner John McCafferty,
Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William
Welker, Alternate David Somerville

7 - 0 PASSED - Unanimously



Chair Charles Merritt



Date