

1. Planning And Zoning - Agenda

Documents:

[2020_09_01_PZ_SP_AG.PDF](#)

2. Planning And Zoning - Agenda Packet

Documents:

[2020_09_01_PZ_SP_AG_PK.PDF](#)



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
TUESDAY, SEPTEMBER 1, 2020
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 the August 13, 2020, special meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Consideration and possible recommendation of approval to Town Council to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property. (Joshua Cook, Development Services Director)
 - b.** Consideration and possible recommendation of approval to Town Council to amend the final plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property. (Joshua Cook, Development Services 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 August, 2020.

By: Will Dingee, Assistant Planner

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.

Zoom Instructions:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81300464829>

Or Telephone:

888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Or iPhone one-tap :

US: +12532158782,,81300464829# or +13462487799,,81300464829#



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
TUESDAY, SEPTEMBER 1, 2020
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 the August 13, 2020, special meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a.** Consideration and possible recommendation of approval to Town Council to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property. (Joshua Cook, Development Services Director)
 - b.** Consideration and possible recommendation of approval to Town Council to amend the final plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property. (Joshua Cook, Development Services 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 August, 2020.

By: Will Dingee, Assistant Planner

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.

Zoom Instructions:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81300464829>

Or Telephone:

888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Or iPhone one-tap :

US: +12532158782,,81300464829# or +13462487799,,81300464829#

Planning and Zoning Commission Regular

4. a.

Meeting Date: 09/01/2020

Department: Town Clerk

AGENDA ITEM TITLE:

Consideration and possible action to approve the August 13, 2020, special meeting minutes.

RECOMMENDED ACTION:

Approve the August 13, 2020, special meeting minutes.

Attachments

8/13/20 draft minutes

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF CHINO VALLEY

THURSDAY, AUGUST 13, 2020
6:00 P.M.

CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ

1) **CALL TO ORDER**

Chair Chuck Merritt called the meeting to order at 6:04 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 Robert
Switzer; Commissioner William Welker

Staff Present: Town Attorney Andrew McGuire(remotely); Development Services Director Joshua
Cook; Assistant Planner Will Dingee; Public Works Director/Town Engineer Frank
Marbury; Administrative Technician Kathy Frohock (videographer); Deputy Town
Clerk Erin Deskins (recorder)

4) **MINUTES**

- a) Consideration and possible action to approve the July 7, 2020, regular meeting minutes.

MOVED by Commissioner Teena Meadors, seconded by Commissioner John McCafferty to
approve the July 7, 2020, regular meeting minutes.

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

7 - 0 PASSED - Unanimously

5) **STAFF REPORTS**

6) PUBLIC HEARING

- a) Public Hearing and consideration and possible action to forward a recommendation to the Town Council regarding an amendment to the Town of Chino Valley Unified Development Ordinance (UDO) Section 5 Subdivision Regulations and Section 2 Definitions.

Mr. Cook presented the following:

- Staff was proposing a complete rewrite of the Subdivision Regulation in Section 5 of the Unified Development Ordinance
- The UDO Subcommittee had been meeting nearly every month since December to discuss the changes. One of the Members of the P&Z had also attended most the meetings. There had been a total of seven meetings with the sub-committee and a study session with the Council.
- All the meetings had been advertised and open to the public.
- The language for the rewrite had gone through multiple changes and the current draft for the section rewrite was version nine or ten.
- The majority of the changes addressed minor sub-divisions, land splits that were actually sub-divisions, and implemented proper infrastructure including proper drainage design requirements for all identified land splits and subdivisions.
- The current lack of infrastructure and drainage design on lot splits that did not go through the proper process produced streets (easements) that had not gone through any type of design or infrastructure analysis. This is what spurred the need to address the subdivision regulations.
- The current regulations required both major and minor subdivisions to go through both a preliminary and final plat and nothing distinguished the two from those final requirements. Both required full geo-technical, full traffic studies, full drainage studies, and all subdivisions were required to produce full infrastructure improvements based on the geo-technical. This included three inches of asphalt, sidewalks, curb and gutter.
- The UDO allowed the zoning administrator to waive sidewalks on both sides and allow sidewalks on one side.
- During the rewrite a type of subdivision was added and the difference between a minor and major subdivision was clearly defined as well as the process that is to be followed for each type.
- Minor subdivisions were ten or fewer lots; major subdivisions were more than ten lots.
- Minor subdivision changes included:
 - Reducing the process requirements.
 - Reducing infrastructure and submittal requirements to make them more financially feasible.
 - Preliminary plats were not required. There would be a technical review and then final plat. They would skip the P&Z process and go straight to Council for final approval.
 - Submittals of drainage, traffic and geo-technical would be based on site conditions for each individual property. For example, if the property was not located in a flood plain, then a letter stating such would be acceptable instead of going through an entire drainage study. This would aid in reducing costs.
- Major subdivisions would still go through the entire process.
- A Rural Subdivision was created, which applied to all subdivisions created that were one acre or more. If the lots were smaller than one acre, then they would be called an urban subdivision.
- The rural subdivision's infrastructure requirements had been reduced to be more in line with a rural setting. Reduced requirements included:

- No sidewalks or curb.
 - Street widths were lessened in some instances.
 - Private streets may be used, which would encompass easements, which were also considered streets.
- The last major change from the previous version reviewed by the UDO Subcommittee and the Council, was the definition of Parent Parcel. During the review process of proposed land splits, staff did a property history assessment. If the property had been split within the last ten years, then it was required that individuals go through the minor subdivision process in order to split the properties. Staff was using the ten-year rule based on what was found in the Real Estate Division Section of AZ Revised Statutes 32.21.01, which specified a ten year period would be used to determine if there was an intent to subdivide. What staff was proposing to do instead of going back ten years, was to do a parent parcel reset with the adoption of the new language. It would make every parcel within the Town, excluding subdivisions and properties part of a subdivision, parent parcels. With that reset, the parent parcel would not reset again based on Title Nine. It was meant to help those property owners who had requested the Town to pick a date. Instead of a date in the past, staff was thinking the date of the new adopted code would be the appropriate date.
- The reset would mean that all property on or before the date determined by Council would be considered a parent parcel for purposes of determining whether they could qualify as a land split not requiring a subdivision.
- Staff was recommending that the P&Z Commission recommend approval to the Town Council.

Commission Members and staff discussed the following:

- Section 5.2.4 Final Plat referenced Maricopa Association of Government (MAG) in Section A4d(2)iii. The County also used MAG as well as the Arizona Department of Transportation, which was industry standards in the State for specs and details.
- Section 5.2.4 Final Plat B12bi referenced the use of surety bonds, and it was understood by staff that it could be difficult
- Section 5.2.7 Minor Subdivision A, the intent of removing the preliminary plat and P&Z review was to speed up the minor subdivision process. Since it included four to ten lots, staff believed that those number of lots could be reviewed administratively through technical review and that a final plat approval from Town Council would be sufficient. Major subdivisions would still be required to go through the entire process.
- Section 5.3.1 Street Location and Arrangement J, the 20 foot street requirement should be sufficient for three lots. Staff preferred 11-foot lanes over 12 foot lanes when shoulder or gutters were present except on major or more populated roadways. This section only affected roadways serving three lots and the moment that a fourth lot was added, the road would need to widen out to 24-feet.
- Page 28 was not left blank intentionally, it was a formatting error.
- Table 5.1, except for rural streets, pavement design needed to be engineered.
- Section 5.3.3 Water Facility Design D, the date of September 1, 2025 was used because it should not be a perpetual approval. Staff hoped that the new language would be approved by Town council on September 8, 2020, which would provide a five year time span.
- Section 5.3.4 Sewer Design A2, emergency power would be required for the individual grinder pump stations. Emergency generators were required, with automatic switching and communications with the Town's CSADA network.
- Section 5.3.5 Drainage Design G, a drainage basin for a 100 year flood was standard and coincided with the Towns flood prevention ordinance.
- Section 5.3.8 Easement Planning A, the lack of increase in the width of the easement for slope greater than 6% or unusual topography was an error. The current code started at 16

and 20 feet should be sufficient. Staff thought the sentence in the code referring to excessive slopes could be removed because it would be easier to make everything 20 and then work on a case by case basis.

- Section 5.4 Improvement Requirement and Specifications D, the County uses MAG as well.
- Section 5.4 Improvement Requirement and Specifications F4, the minimum pipe diameter of 12 inches was used because many older areas of town only had ditches deep enough for 12 inches. When conditions allowed, engineering required larger diameters
- Section 5.4 Improvement Requirement and Specifications H10, this was standard with the code and coincided with the Flood Prevention ordinance
- Section 1C1 Zoning Conditions, the only timing and phasing the subdivision regulations had was that once a preliminary plat was approved, the developer had one-year to submit for technical review of the final plat. That was also allowed to be extended with a letter written to staff requesting an extension. The extension did not have to be approved by P&Z and could be approved by staff for an additional year. Staff stated that this section granted the P&Z the authority to recommend conditions of approval including setting a timing or phasing of a development.
- A minor subdivision was four to ten properties. Anything over ten would be considered a major subdivision.
- The staff recommended the parent parcel reset occur at the 30-day period after the text is approved by Town Council.
- Anything under one acre, would not be considered a rural subdivision and could not technically be approved by staff for well and septic. Easements would not be deducted from the total lot area because the property belonged to the property owners and was not a right of way granted to the Town.
- This language would help address what was commonly referred to as wildcat subdivisions.
- The Rural Subdivisions rule of four lots was used because AZ State Statutes for Title Nine specified properties divided into four or more lots, were considered a subdivision. Once a fourth lot was created, it would become a minor subdivision. If a lot is split two times and a street created, it automatically became a subdivision. The County followed Title 11 and Towns and Cities followed Title Nine.
- For minor and major subdivisions, the lot size did not matter. It was the number of lots created that mattered and determined the process, whether it was urban or rural.
- The Town would rely on County and State requirements for submittals for subdivisions pertaining to septic requirements and perc tests for the subdivision. The County was involved in the approval process and it would be part of the technical review. Before the final plat is approved, a subdivision was considered a single lot and it wasn't until the final plat was recorded that one lot became individual lots. Septic perc tests for each individual lot could be addressed during the final technical review. Staff would work with the County Environmental Services for guidance and to clean up the language, and this could be a stipulation as part of the P&Z approval process. The stipulation could say to amend Section K to clearly articulate the County's regulations.
- On Page 22, Item 14 Final Plat Review, the major subdivision final plat would be brought back to P&Z after their review of the preliminary plat. Wording could be implemented that stated P&Z Commission and Council consideration would be required on the final plat. The Attorney suggested using the same language located under the Final Plat section.
- Section 5.2.7 Minor Subdivision, Item D, the geotechnical report that referred to safe and durable roads was backed up by a minimum standards table. Staff stated the road surface would fall under their discretion and eventually follow up with engineering standards that would better define the language. The Town Code had minimum constructions standards

that included some sort of chip seal surface with dust control. Dust control and drainage issues were not allowed to be waived in the review and approval process. Committee members requested that wordage be added referencing Tables 5.1 and 5.2 and safe and durable roads be removed. The attorney suggested ending the section at “as determined by the Public Works Director” and only delete the safe durable roads without referencing the two tables.

- 5.3.2 Street Design, Item A1 Cul-de-sac’s, the 60-foot radius was the radius fire trucks and school buses could safely operate. Staff was concerned because the pavement radius as specified at 41-feet was typically 45 feet. Staff would confer with the school and fire department to ensure the referenced radiuses was sufficient.
- Some members were worried about approving the new language with so many technical issues. Other members thought it could be moved forward to the Council with the knowledge that staff was ensuring the validity of the regulations. A recommendation by the Commission for approval, subject to possible changes by the Public Works Director, because the items in question were not sufficient enough to require it go back before the P&Z Commission.
- Item 5.3.2 Street Design, Item 5D, stated street jogs shall be avoided and Members were happy to see that implemented into the code.
- Staff was satisfied with the language and thought going forward it would help to clear up any confusion.
- Typo corrections on page 15, Section 4b, remove the word for; Page 10, Section A remove the word and in the sixth sentence.

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner Gary Pasciak to forward a recommendation of approval to the Town Council to amend the Town of Chino Valley Unified Development Ordinance, Chapter 154, by amending Section 5 Subdivision Regulations, and Section 2 Definitions, as amended by Commission to be addressed by the Public Works Director.

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

7 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

Congratulations to Commissioner Armstrong for his new position on Town Council.

9) PUBLIC COMMENTS

10) ADJOURN

MOVED by Commissioner Gary Pasciak, seconded by Commissioner John McCafferty to adjourn the meeting at 7:05 p.m.

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

7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

6. a.

Meeting Date: 09/01/2020

Bright Star Subdivision Planned Area Development Amendment

CASE DESCRIPTION:

Consideration and possible recommendation of approval to Town Council to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property. (Joshua Cook, Development Services Director)

LOCATION:

Undeveloped portions of the Bright Star Subdivision located off of East Road 2 North.

FACTS:

1. Applicant:..... Michael Fann
2. Owner:..... Estrella Vista Enterprises LLC (Michael Fann)
3. Parcel Number..... Multiple
4. Site Area..... Approximately 277.42 Acres
5. Existing zoning:..... MR-1/CL
6. Intended Use..... Residential Subdivision

ANALYSIS:

See attached staff report

TECHNICAL REVIEW:

See attached staff report

SITE PLAN

See attached.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the existing Planned Area Development (PAD) of the Bright Star Subdivision containing approximately 277.42 acres of real property.

Attachments

Bright Star Plat and PAD Staff Report



TOWN OF CHINO VALLEY PLANNING AND ZONING COMMISSION Staff Report September 1, 2020

APPLICATION SUMMARY

File Number: ZC20-006 & PA20-001

Assessor's Parcel Number: Multiple

Site Location: Located off East Road 2 North in the undeveloped portions of the Bright Star Subdivision.

Owners of Record: Estrella Vista Enterprises LLC (Michael Fann)

Applicant: Michael Fann

Request: Request to amend the existing Planned Area Development (PAD) of the Bright Star subdivision containing approximately 277.42 acres of real property consisting of 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671. The proposed amendment is to allow for the modification of setbacks and offsite easements.

Request to amend the final plat of the Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property consisting of 91 lots.

SITE DATA

Existing Zoning	MR-1/CL
Lot Size	Approximately 277.42 acres
Subdivision	Bright Star Subdivision Unit 2 Phase 3
General Plan Land Use Designation	Medium Density Residential (2 ac or less)
Existing Land Use	Vacant with platted subdivision

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	MR-1/CL & SR-1	Medium Density Residential (2 ac or less) and Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Storage Units & Century Ranch Subdivision
East	AR-4	Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Antelope Ridge Estates and 7 Bar Subdivision
South	State and SR-2	Future Growth Areas: Industrial / Agri-business/ Contained/Planned Communities	Vacant
West	SR-2	Medium Density Residential (2 acre or less)	Chino Meadows Unit 5

BACKGROUND

SITE DESCRIPTION

The subject property is located off the eastern most portion of East Road 2 North and is accessed through multiple local roads within the Bright Star Subdivision. The site consists of approximately 277.42 acres, has a zoning classification of MR-1/CL (Multifamily Residential and Commercial Light), and has a General Plan land use designation of Medium Density Residential (2 acres or less). The properties in question, while currently vacant, are part of the Master Plan for the Bright Star Subdivision. **(See Attachment: Vicinity Map)**

The subject properties are part of the medium density single-family residential Bright Star Development. The surrounding area consists of residential and commercial development, and vacant land. The properties to the north are zoned MR-1/CL (Multifamily Residential and Commercial Light) and contain the Bright Star ministorage complex, along with the approved Century Ranch Subdivision. The property to the east is zoned AR-4 (Agricultural Residential 4-acre minimum) and contain the Antelope Ridge Estates and the 7 Bar Subdivision. Properties to the south are zoned State Land and SR-2 (Single-Family Residential 2-acre minimum) and are currently vacant. The properties to the west are zoned SR-2 (Single-Family Residential 2-acre minimum) and are part of the Chino Meadows 5 subdivision. **(See Attachment: Zoning Map)**

PROJECT HISTORY

This project has had a long history with the Town of Chino Valley and has been in the works since the early 2000's. The project has also changed hands several times since the preliminary stages of the development. There have been multiple contributions made to the Town by the developer that includes funding for both the water reclamation plant and community pool.

PROJECT DESCRIPTION

The applicant is requesting approval of an amendment to both the existing planned area development and final plat.

Planned Area Development

The applicant is requesting setback flexibility be added to the Planned Area Development (PAD) of the Bright Star subdivision that consists of approximately 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671 (the remaining area and future phases of the subdivision). This amendment was requested to allow for the modification of setbacks and offsite easements.

Setback Modifications

Per the applicant, the setback modification is necessary for the development to continue as the current product they are now building is larger and no longer fits within the previously approved building setbacks.

Proposed Setback Table

*The yellow highlighted portions indicate setback changes

Setback Type for Lots 1-44	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Side Yard	10 feet from property line	10 feet from property line
Street Side Yard	20 feet from property line	20 feet from property line
Rear Yard	20 feet from property line	15 feet from property line

Setback Type for Lots 45-54, 73-84	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	5 feet from property line
Interior Left Side Yard	5 feet from property line	10 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lots 57-72, 86-91	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	10 feet from property line
Interior Left Side Yard	5 feet from property line	5 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lot 55	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Right Side Yard	10 feet from property line	5 feet from property line
Street Left Side Yard	20 feet from property line	20 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Setback Type for Lots 56 and 85	Current PAD Setbacks	Proposed PAD Setbacks
Front Yard	20 feet from property line	11 feet from property line or 20 feet from garage door to back of curb
Interior Left Side Yard	5 feet from property line	5 feet from property line
Street Right Side Yard	20 feet from property line	20 feet from property line
Rear Yard	15 feet from property line	15 feet from property line

Temporary Easements

The applicant is additionally asking for temporary easements for drainage, slope, sewer, water and turnarounds for encroachment from the platted phase onto the unplatted phase until such time as the new phase(s) are platted. The easements will go away at that time as they will be incorporated into the future design of the subdivision. All of these easements are contained within the subdivision and the applicant is the sole owner of all property affected by the PAD and plat amendments. **(See Attachment: Final Plat)**

Final Plat Amendment

In addition to the requested PAD amendment, the applicant is also requesting to amend the final plat of Bright Star Unit 2 Phase 3 containing 91 lots of approximately 25.8 acres. This request is to make minute or small changes to lot size and positioning as well as update the language on the plat to reflect the requested changes through the PAD amendment. **(See Attachment: Final Plat)**

CITIZENS REVIEW & PUBLIC HEARING PROCESS

As the PAD and Final Plat had previously been through the Citizens Review Process, Staff determined that the nature of these amendments did not require further Citizen Review. Staff did however physically post notices to the major ingress and egress points of the development as well as published notices in the Daily Courier.

To date only one phone call regarding this project has been received, the individual's questions revolved primarily around paving East Road 2 North, traffic and the amount of units being developed.

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The property has a General Plan land use designation of Medium Density Residential-2 acres or less. **(See attachment 5: General Plan Land Use Map)**. The applicant is requesting a modification to the existing Planned Area Development and Final Plat, both of which conform to the General Plan.

ZONING

The area where the proposed amendments are located are already zoned for a high-density development with a Planned Area Development. Both amendments conform to both the zoning entitlements and the existing PAD.

STAFF RECOMMENDATION FOR THE PLANNED AREA DEVELOPMENT AMENDMENT

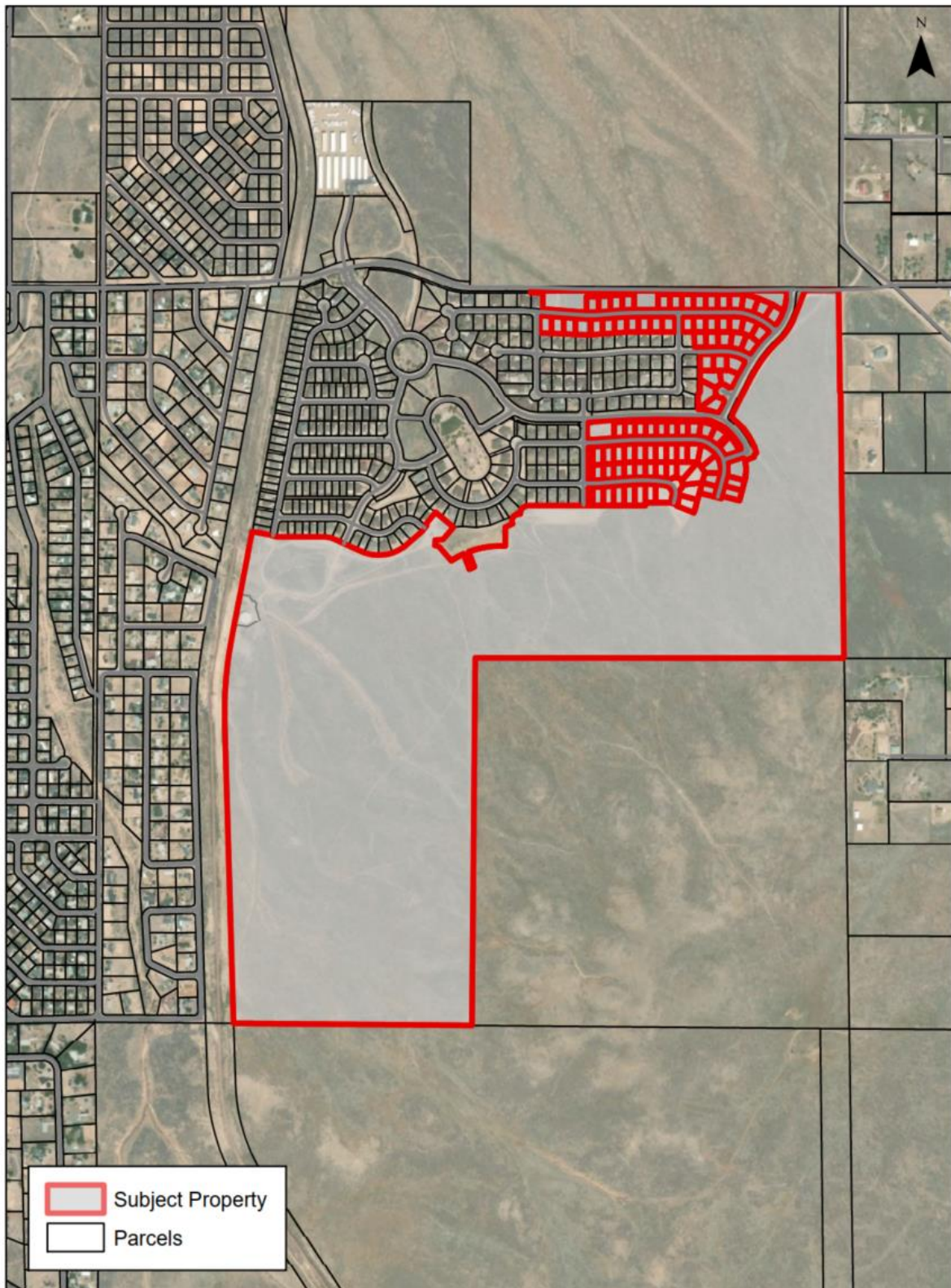
Staff recommends the Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the existing Planned Area Development (PAD) of the Bright Star subdivision containing approximately 277.42 acres of real property consisting of 91 lots in Unit 2 Phase 3 and (1) parcel with an APN of 306-02-671.

STAFF RECOMMENDATION FOR THE FINAL PLAT AMENDMENT

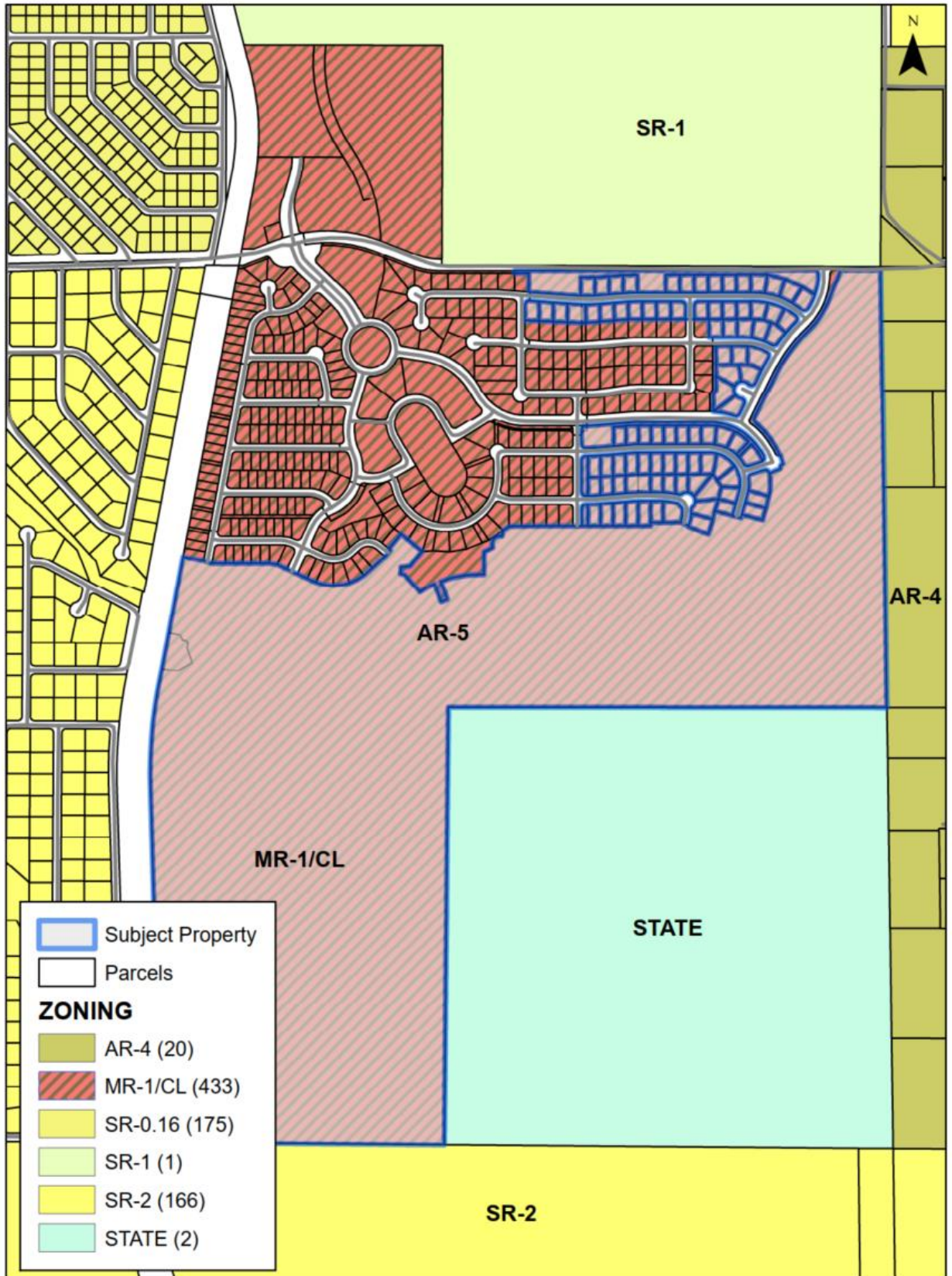
Staff recommends the Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the final plat of the Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property consisting of 91 lots with the following condition:

- Temporary Access License language on the final plat be modified in accordance with the Town Attorney's recommendation.

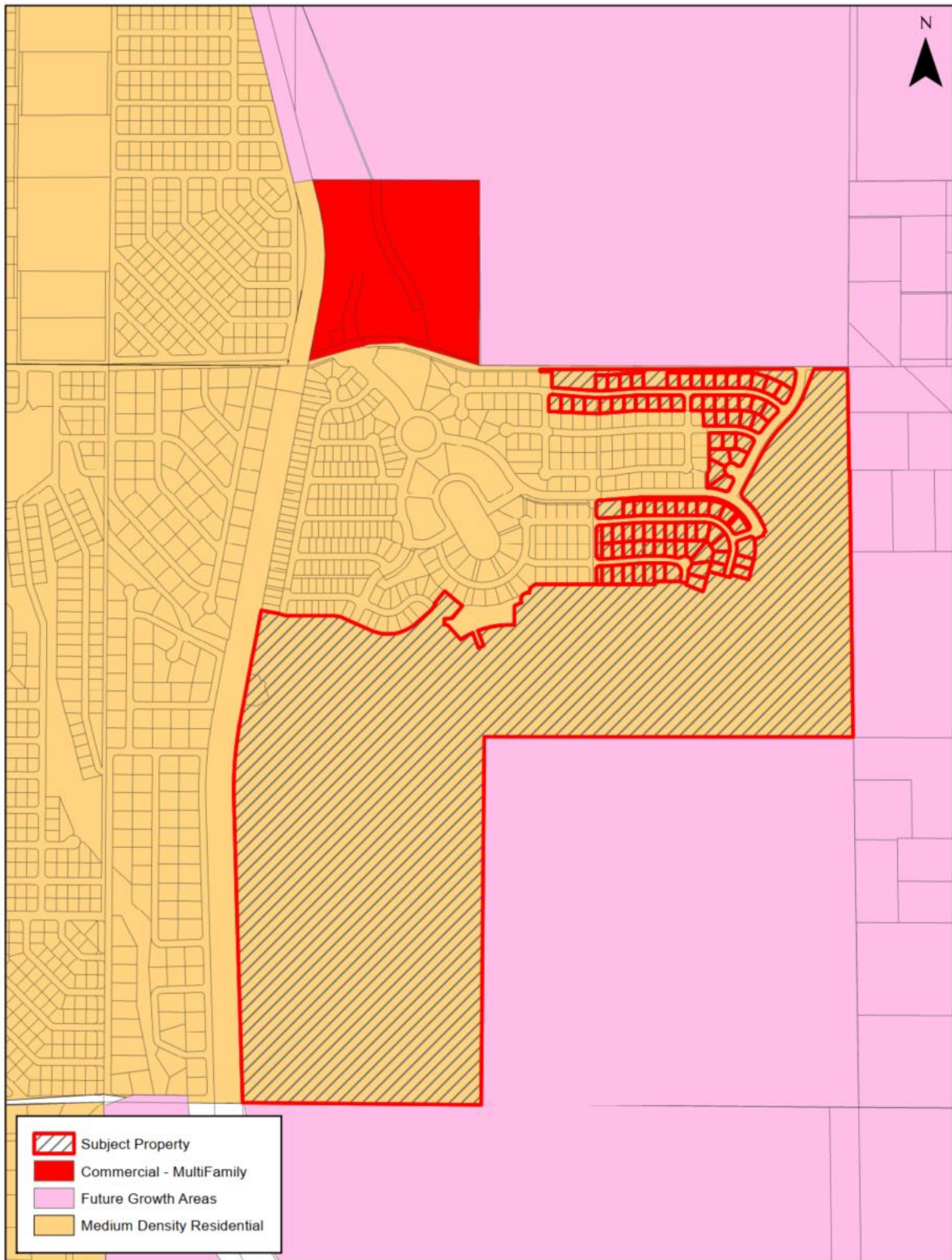
VICINITY MAP



ZONING MAP



GENERAL PLAN LAND USE MAP



DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT ESTRELLA VISTA ENTERPRISES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "BRIGHT STAR UNIT 2, PHASE 3, P.A.D., LOTS 1-44 AND TRACTS A, D AND P", LOCATED IN A PORTION OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COUNTY OF YAVAPAI, STATE OF ARIZONA, AS REFLECTED ON THIS PLAN, HEREBY PUBLISHES THIS PLAN AS AND FOR "BRIGHT STAR UNIT 2, PHASE 3, P.A.D., LOTS 1-44 AND TRACTS A, D AND P", AND HEREBY DECLARES THAT:

1. THIS PLAN SETS FORTH THE LOCATIONS AND GIVES THE DIMENSIONS OF THE LOTS AND TRACTS CONSTITUTING SAME, AND THAT EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN EACH RESPECTIVELY, AS SHOWN ON SAID PLAN.

2. THE TRACTS SHOWN PLATTED HEREIN AND DESIGNATED AS TRACTS "A", "D" AND "P" ARE RESERVED IN FEE BY THE UNDERSIGNED AS OPEN SPACE ALLOWING FOR DRAINAGE, SLOPES, UTILITIES.

3. TRACTS "A", "D" AND "P", ARE TO BE CONVEYED TO THE BRIGHT STAR HOMEOWNERS' ASSOCIATION AT SUCH TIME AS REQUIRED BY SPECIFIC DETAIL WITHIN THE BYLAWS FOR THE BRIGHT STAR HOMEOWNERS' ASSOCIATION, INC.

IN WITNESS WHEREOF, ESTRELLA VISTA ENTERPRISES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS CAUSED THE NAME OF THE COMPANY TO BE AFFIXED HERETO AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF MICHAEL FARR, MEMBER, BEING DULY AUTHORIZED TO DO SO, ON THIS _____ DAY OF _____, 2020.

ESTRELLA VISTA ENTERPRISES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____
MICHAEL FARR
ITS: _____
MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF YAVAPAI)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DID PERSONALLY APPEAR MICHAEL FARR, WHO ACKNOWLEDGED HIMSELF TO BE A MANAGING MEMBER OF ESTRELLA VISTA ENTERPRISES, L.L.C., AND AS SUCH OFFICER, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED, BEING DULY AUTHORIZED TO DO SO.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

ACCEPTANCE CERTIFICATE

THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CHAND VALLEY, ARIZONA, ON THIS _____ DAY OF _____, 2020, HEREBY APPROVES THIS PLAN AND ACCEPTS FOR PUBLIC USE THOSE DEDICATED EASEMENTS AS SHOWN HEREON.

MAYOR

TOWN CLERK

TOWN ENGINEER

TEMPORARY ACCESS LICENCE

Items A through G, as identified on Exhibit A, are located on Owner's adjoining APN 306-02-071. Owner hereby grants to Town a temporary access license over and across APN 306-02-071 to Items A through G for purposes of maintenance and repair. Town shall indemnify and hold Owner harmless from and against all claims arising from or relating to its activity thereon.

- A. Storm/Drainage
- B. Sewer
- C. Drainage, sewer, and water
- D. Temporary turnaround, sewer, and water
- E. Temporary turnaround, sewer, and water
- F. Sewer and water
- G. Temporary drainage channels/slopes



EXHIBIT A
N.T.S.

AMENDED FINAL PLAT OF BRIGHT STAR UNIT 2, PHASE 3, P.A.D. LOTS 1-91 AND TRACTS A, D AND P

ORIGINALLY RECORDED IN BOOK 61 MAPS AND PLATS, PAGE 15, YCRO
LOCATED IN THE NE 1/4 SECTION 24, TOWNSHIP 16 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
YAVAPAI COUNTY, ARIZONA.

1,124,024.80 SQ.FT. OR 25.80 ACRES



DIMENSIONS HAVE NOT CHANGED FOR LOTS 1-44, 56-84 OR TRACT "P".
REFER TO ORIGINAL PLAT FOR LAYOUT, RECORDED IN BOOK 61 OF MAPS
AND PLATS, PAGE 15, YAVAPAI COUNTY RECORDER'S OFFICE, YAVAPAI
COUNTY, ARIZONA.

DIMENSIONS HAVE CHANGED FOR LOTS 1-14, 45-55, TRACTS "A" AND "D".
SEE SHEET 2 FOR REVISED LAYOUT OF LOTS 1-14 AND TRACT "A".
SEE SHEET 3 FOR REVISED LAYOUT OF LOTS 45-55 AND TRACT "D".

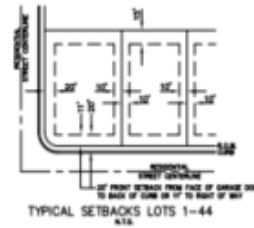
SEE SHEET 2 AND 3 FOR EASEMENT ABANDONMENT AND DEDICATION.
SEE "TRACT ACRES AND USAGE TABLE", THIS SHEET, FOR REVISED
AREA AND USAGE FOR TRACTS "A", "D" AND "P".

LOCATION MAP
NE 1/4 SECTION 24
SCALE: 1"=300'

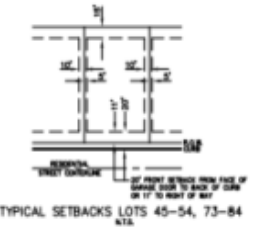
LEGEND:

- FRONT SECTION OF QUARTER CORNER AS MARK
- SECTION LINE
- YCRO YAVAPAI COUNTY RECORDER'S OFFICE
- R.O.M. RIGHT OF WAY

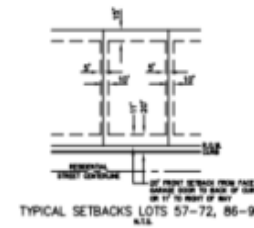
TRACT AREA AND USAGE TABLE			
TRACT	AREA (SQ. FT.)	AREA (ACRES)	USAGE
A	126,127.50	2.81	OPEN SPACE, DRAINAGE, SLOPES, UTILITIES
D	127,084.00	2.89	OPEN SPACE, DRAINAGE, SLOPES, UTILITIES
P	10,813.30	0.25	OPEN SPACE, DRAINAGE, SLOPES, UTILITIES



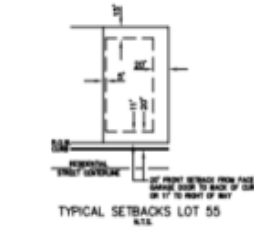
TYPICAL SETBACKS LOTS 1-44
N.T.S.



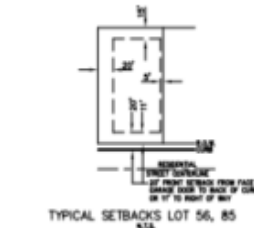
TYPICAL SETBACKS LOTS 45-54, 73-84
N.T.S.



TYPICAL SETBACKS LOTS 57-72, 86-91
N.T.S.



TYPICAL SETBACKS LOT 55
N.T.S.



TYPICAL SETBACKS LOT 56, 85
N.T.S.

REASON FOR AMENDED FINAL PLAT

REVISED LAYOUT OF LOTS 1-14 AND TRACT A (SEE SHEET 2)
REVISED LAYOUT OF LOTS 45-55 AND TRACT D (SEE SHEET 3)
REVISED SETBACKS FOR LOTS 1-14 (SEE DETAILS THIS SHEET)
TO ABANDON EXISTING TRAIL EASEMENT THROUGH TRACT A AND
TRACT P (SEE SHEET 2)
TO ADD 1" EASEMENT TO REAR OF LOT 55 (SEE SHEET 3)
TO ADD AN 8" EASEMENT TO THE REAR OF LOTS 56-85 (SEE SHEET 2)

WATER STATEMENT

THIS SUBDIVISION IS LOCATED WITHIN THE WATER SERVICE AREA OF
THE TOWN OF CHAND VALLEY AND HAS RECEIVED A CERTIFICATE OF
ASSURED WATER SUPPLY FROM THE ARIZONA DEPARTMENT OF
WATER RESOURCES, CERTIFICATE NO. 27-000000000.

C C & R's

THE DECLARATION OF RESTRICTIONS FOR "BRIGHT STAR" ARE
RECORDED IN BOOK 488 OF OFFICIAL RECORDS, PAGE 046, IN THE
OFFICE OF THE RECORDER OF YAVAPAI COUNTY, YAVAPAI COUNTY,
ARIZONA, AND IS HEREBY INCORPORATED AS PART OF THIS PLAT.

MAINTENANCE NOTE:

- TRACTS "A", "D" AND "P" ARE TO BE MAINTAINED BY THE
BRIGHT STAR HOMEOWNERS' ASSOCIATION, INCLUDING BUT NOT
LIMITED TO, DRAINAGE, AESTHETICS, WEED CONTROL, AND
FUNCTIONALITY.
- ALL SLOPES AND DRAINAGE CHANNELS STEEPER
THAN 3:1 (2% TO 3%) LOCATED WITHIN THIS SUBDIVISION AND TOWN
RIGHT OF WAYS ARE TO BE MAINTAINED BY THE BRIGHT STAR
HOMEOWNERS' ASSOCIATION, INCLUDING BUT NOT LIMITED
TO, DRAINAGE, AESTHETICS, WEED CONTROL, AND FUNCTIONALITY.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SUBDIVISION IS SOUTH
01°04'24" EAST AS MEASURED BETWEEN A OLD BRASS CAP
AT THE WEST-QUARTER CORNER OF SECTION 24, AND A OLD
BRASS CAP AT THE EAST-QUARTER CORNER OF SECTION 24,
TOWNSHIP 16 NORTH, RANGE 2 WEST, GILA AND SALT RIVER
BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, AND AS
SHOWN ON THE "RECORD OF SURVEY", RECORDED IN BOOK
73 OF LAND SURVEYS, PAGE 58 ON FILE IN THE OFFICE OF
THE YAVAPAI COUNTY RECORDER, YAVAPAI COUNTY, ARIZONA.

REFERENCES:

FINAL PLAT OF BRIGHT STAR UNIT 1, PHASE 3 AND UNIT 2, PHASE 3
BOOK 58 MAPS AND PLATS, PAGE 26, YCRO

CERTIFICATION

I, JASON CRYNEN, a duly Registered Land Surveyor in the State
of Arizona, (License #68472) do hereby certify that I prepared
this plat from an actual and accurate survey of the land, that
the survey and subdivision of the premises described and
plotted herein was made by me or under my direct supervision
during the month of July, 2020, that the survey is in
conformance with the approved preliminary plat, that the
measurements shown actually made or will be set as shown, that
their positions are accurately shown, and that said measurements
are sufficient to enable the survey to be retraced.



EXPIRES 4/30/22

Lee Lee Engineers
Civil Engineers • Land Surveyors

1650 WILLOW CREEK ROAD
PRESCOTT, AZ 86301
(928) 776-1125

DATE: 07-10-20 DRAWN BY: JCM
JOB NO: 221-28 CHECKED BY: JS
SHEET 1 OF 3

Planning and Zoning Commission Regular

6. b.

Meeting Date: 09/01/2020

Bright Star Subdivision Unit 2 Phase 3 Final Plat Amendment

CASE DESCRIPTION:

Consideration and possible recommendation of approval to Town Council to amend the final plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property. (Joshua Cook, Development Services Director)

LOCATION:

Undeveloped portion of the Bright Star Subdivision located off of East Road 2 North.

FACTS:

1. Applicant:..... Michael Fann
2. Owner:..... Estrella Vista Enterprises LLC (Michael Fann)
3. Parcel Number..... Multiple
4. Site Area..... Approximately 277.42 Acres
5. Existing zoning:..... MR-1/CL
6. Intended Use..... Residential Subdivision

ANALYSIS:

Same Staff Report as the PAD

TECHNICAL REVIEW:

Same Staff Report as the PAD

SITE PLAN

Same Staff Report as the PAD

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to Town Council to amend the existing final plat of Bright Star Unit 2 Phase 3 containing approximately 25.8 acres of real property.
