

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

**TUESDAY, SEPTEMBER 1, 2020
6:00 P.M.**

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

1) CALL TO ORDER

Chair 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; Vice-Chair Tom Armstrong;
Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert
Switzer

Absent: Commissioner William Welker

Staff Development Services Director Joshua Cook; Public Works Director/Town Engineer

Present: Frank Marbury; IT Manager Spencer Guest (videographer); Administrative Technician
Kathy Frohock (videographer); Deputy Town Clerk Erin Deskins (recorder); Deputy
Town Clerk Traci Lavelle (recorder)

4) MINUTES

- a)** Consideration and possible action to approve the August 13, 2020, special meeting minutes.

Members requested a verbiage change on the second sentence on page five, from Committee to Commission.

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Tom Armstrong to approve the August 13, 2020, special meeting minutes as amended.

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

6 - 0 PASSED - Unanimously

5) STAFF REPORTS

Staff introduced Traci Lavelle, the new Deputy Town Clerk, to the Commission. She was taking the place of Erin Deskins, who will be promoted to the position of Town Clerk.

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)

Mr. Cook presented the following:

- Several areas of Bright Star had been developed previously. This would be Phase Three and the remaining portion of the property would be for future phases.
- The property was zoned Multi Family Commercial Light (MR-1/CL) with a PAD overlay.
- The Commission would be considering an amendment to the PAD and an amendment to the final plat for the Phase Three development.
- The requested amendment included flexibility to the front and side yard setbacks and the creation of a cross access easement for drainage purposes until the future phases were developed. Once the future phases were developed, the cross access easements would go away. There would be no changes to lot layout, lot sizes, or design elements.
- The flexible setbacks would not change the subdivision and there would be no change in the use. It would be consistent with the General Plan and the previous PAD overlay. The only change was the flexible setbacks to accommodate the proposed housing product.
- Staff recommended 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 also recommended 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.

Commission Members, Developer Mike Fann of Estrella Vista Enterprises LLC and staff discussed the following:

- Members clarified that the APN of 306-02-671 was correct.
- Staff explained that the PAD amendment would affect all future phases, but not the prior phases. The amended final plat would list the new setbacks and any future phases would follow the adopted PAD amendment. The existing homes followed the current PAD and the required 20 foot setbacks. The setback adjustment did not affect the length of the driveways, which would be 20 feet from the curb to garage, but the house would be closer to the property line.
- The reason the developer was requesting a modified PAD was due to the housing product. The density of the subdivision would not change. This would change the size of the home that could be built and where it would be located on the lot.

- Craftsman Court had been approved for lot fronts with a ten foot setback. There were also some subdivisions with interior side setbacks of five feet.
- Mr. Fann explained that the Mandalay housing product was not necessarily larger but the requested setbacks provided more flexibility on housing products and where they would be located and how they would sit on the lot.
- Mr. Fann explained that there was a drainage easement on the north side of that consumed the ability to keep the housing structures back.
- Staff confirmed that the license agreement for the water drainage on the subdivision was going on and off the property at the same point, but was being rerouted to keep the property slopes at a shallow enough grade to be manageable and preventing impacts to neighboring properties.
- The only change, other than the drainage, was a small section of pavement for dust control.

Public Comment:

- Michael Novak – Questioned who would be building the houses in the development. Mr. Fann confirmed that although there was not a confirmed contract, they were negotiating with Mandalay Homes.
- Steve Hoogasian – Was a resident of Bright Star and had found the common areas were not being maintained. Commission explained that they were only able to address items that were specifically on the agenda, but that later on in the meeting, the public could speak on items not on the agenda. It was also explained that although Commissioner's would not be able to address any questions he had; items of concern would be directed to staff members

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner Gary Pasciak to 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.

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

NAY: Commissioner Robert Switzer

5 - 1 PASSED

Commissioner Switzer voted Nay because he thought the setback should remain the same as phases one and two.

- 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)

MOVED by Vice-Chair Tom Armstrong, seconded by Commissioner Gary Pasciak to 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.

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

6 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

It was questioned if the changes to UDO changes had been before the Council. Staff explained it would be presented to the Council at the September 8th meeting.

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 Speakers:

- Steve Hoogasian – The common areas in Bright Star needed to be addressed. The homes had values from \$300,000 to \$500,000 and outside the walls was dirt and weeds. It would be an asset to the community if it were maintained. The area in question was less than three quarters of an acre. It looked bad. Staff explained some weeds were a code enforcement issue and the Town's Code Enforcement staff could be contacted, but the subdivision's HOA should be contacted for maintenance of the private space. The HOA would have been part of an agreement the homeowners signed when purchasing the property.
- Cindy Hoogasian – Questioned when construction of the new homes would begin and if there would be a specific route for the trucks and construction vehicles. Staff stated they would address her concerns after the meeting.

10) **ADJOURN**

MOVED by Commissioner Teena Meadors, seconded by Commissioner Gary Pasciak to adjourn the meeting at 6:30 p.m.

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

6 - 0 PASSED - Unanimously


Chair Charles Merritt

10-6-20
Date