

1. Planning And Zoning - Agenda

Documents:

[2021_03_02_PZ_RG_AG.PDF](#)

2. Planning And Zoning - Packet

Documents:

[2021_03_02_PZ_RG_AG_PK.PDF](#)

DUE TO THE COVID-19 PANDEMIC AND THE PHASED RE-OPENING PLAN, MEETINGS WILL NOW BE OPEN TO THE PUBLIC WITH A MAXIMUM OF 25 ATTENDEES IN THE AUDIENCE. MEETINGS WILL STILL BE LIVE STREAMED ON SOCIAL MEDIA AND ACCESSIBLE VIA ZOOM. PLEASE REFER TO PAGE 2 FOR INSTRUCTIONS.



Town of Chino Valley

**MEETING NOTICE
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
TUESDAY, MARCH 2, 2021
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 February 17, 2021, special meeting minutes.**
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**

- a. Consideration and possible recommendation to Town Council of approval to rezone approximately 8.56 acres of real property located on the southeast corner of the intersection of South Road 1 East and East Center Street from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property. (Will Dingee, Planner)
- b. Consideration and possible recommendation to Town Council of approval to rezone approximately 5.66 acres of real property located on the northwest corner of the intersection of South Road 1 West and West Road 2 South, from the SR-1 (Single Family Residential 1-acre Minimum) zoning district to the SR-0.16 (Single Family Residential 0.16-acre Minimum) zoning district with a PAD (Planned Area Development) to develop ten (10) lots with individual lot areas greater than one half acre. (Will Dingee, Planner)

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 25th day of February, 2021.

By: *Will Dingee, 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 accommodation to participate in this meeting.

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Webinar ID: 883 1019 5270

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Planning and Zoning Commission Regular

4. a.

Meeting Date: 03/02/2021

Department: Town Clerk

AGENDA ITEM TITLE:

Consideration and possible action to approve the February 17, 2021, special meeting minutes.

RECOMMENDED ACTION:

Approve February 17, 2021, special meeting minutes.

Attachments

02-17-21 draft minutes

DRAFT

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

**TUESDAY, FEBRUARY 17, 2021
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

Vice-Chair Pasciak led the Pledge of Allegiance.

3) ROLL CALL

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

Absent: Commissioner David Somerville

Staff Present: Town Manager Cindy Blackmore; Councilmember Cloyce Kelly; Development Services Director Joshua Cook; Public Works Director/Town Engineer Frank Marbury; Planner Will Dingee; Deputy Town Clerk Traci Lavelle (recorder); Town Clerk Erin Deskins

Attendees: Paul Aslanian, Applicant / Developer

4) MINUTES

- a)** Consideration and possible action to approve December 1, 2020, regular meeting minutes.

MOVED by Commissioner John McCafferty, seconded by Commissioner Robert Switzer to approve the December 1, 2020, regular meeting minutes. Chair Merritt abstained because he was not present at the previous meeting.

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

5 - 0 PASSED

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation to Town Council of approval to amend the adopted Planned Area Development (PAD) associated with Bright Star Subdivision Ordinance 489 adopted by Town Council on January 10, 2002, to remove the existing commercial entitlements on Parcel 306-58-222 (as granted by Ordinance 489), located along Meridian Parkway East, Meridian Parkway North, and Galileo Court, and to replace those entitlements with the right to construct patio or cluster homes as allowed on the adjacent parcels identified as 306-02-006C and 306-02-006A and the subsequent reduction in required front setbacks. Item Z-02-21. (Will Dingee, Planner)

Will Dingee presented the following:

- Staff wanted to present both Item (a) and (b) together since they were connected. Chair Merritt read Item (b) for the record.
- The applicant was requesting to amend the Bright Star Planned Area Development (PAD) and the subsequent preliminary plat approval for the Park View at Bright Star Subdivision. The applicant, Paul Aslanian was in attendance.
- The location of the subject property and the surrounding subdivision properties were reviewed with the commission.
- The subject properties were 0.76 acres, 1.76 acres, 2.34 acres with a total of 4.47 acres.
- The properties were zoned Multi-Family Commercial Light with a PAD Overlay.
- The entitlements for the properties were determined by the Bright Star Development Agreement and the final masterplan for Bright Star.
- The properties were currently vacant and undeveloped.
- The General Plan designated the area as medium density residential two acres or less. The surrounding areas had the same designation. Staff reviewed the surrounding area designations.
- The applicant was proposing single-family residential development under two acres, which fit the intent of the general plan land use map.
- The zoning classification for the properties did not dictate all the entitlements for the parcel, because they were covered under the PAD.
- The zoning classification did dictate density, building height requirements, and setbacks. The subject property and all Bright Star had a zoning classification of MRCL-PAD. Staff reviewed the surrounding property zoning designations.
- The entitlements for the entire Bright Star Development were dictated by three items: zoning, the 2001 Meadow Ridge Ranch at Chino Valley development agreement, and the final masterplan Bright Star Land Use Map.
 - The map showed the subject parcels as Tract A and B and a Village Commercial parcel. The applicant wanted to remove the entitlements for the Village Commercial parcel and replace the entitlements with the same

entitlements as Tract A and B.

- The development agreement document dictated the housing types that had been proposed and approved in 2001. The housing types to the East were large homes on large lots, to the West were patio and cluster type homes, and central homes were single or cluster unit homes. The applicant was proposing single-family attached homes.
- The applicant's preliminary plat showed the site at 4.47 acres with 32 single family attached homes proposed, and with an average lot size of 2695 square feet.
- The applicant proposed 2.5 acres of dedicated open space, which put the density at approximately 7.1 homes per acre.
- Numerous letters written to Town staff, Planning and Zoning Commission and Town Council, shared concerns that the density was high and uncharacteristic in nature for what was previously developed in the Bright Star Subdivision. The subject parcels had a density of one dwelling unit per 6098 square feet, which was less dense than several of the lots located throughout the Bright Star Development on the western portion, which had a density of one dwelling unit per 5663 square feet.
- The applicant was not tied to the exterior appearance of the homes, which would be similar to the existing Bright Star homes. The applicant was tied to the floorplan, as it made the development possible.
- The masterplan did not define any density minimums or maximums for the development in regards to lot size, so the density defaulted to the requirement stated in the multi-family zoning district, which defined the minimum lot size as non-applicable.
- For relief from the required development standards, the applicant was asking for a setback variation, which was a modification from the minimum 20- foot front yard setback to a 10 foot setback. To offset the modification, the applicant was proposing open space and community amenities in the form of 2.5 acres of open space or 56% of the total site area. A community gazebo area and an internal meandering pathway was also proposed within the open space.
- There had been concern about the length of the driveways with the proposed 10 foot setbacks, but none of the driveways had a length less than 20 feet, which was the minimum requirement to ensure cars could park off the roadway. The smallest driveway was roughly 22 feet and with some driveways as long as 53 feet.
- The applicant was proposing a no parking zone along Meridian Parkway North and Meridian Parkway East.
- The surrounding property owners were notified, and a neighborhood meeting was held on February 8, 2021. Approximately 50 community members were in attendance. Items that were discussed were provided in the staff report and would be reviewed with the Commission. Staff also received multiple letters, which were provided for the Commission as was a response letter from the applicant. A petition in opposition to the development had been submitted to the Town clerk, which required a super majority vote for approval at the time of the Town Council meeting.
- Staff summarized the points of the application.
- The submitted preliminary plat for Park View conformed and met all requirements set forth by Section 5.2.3 of the UDO.
- Access to the development would be through Meridian Parkway North, Meridian Parkway West, and Galileo Court.
- The development would hook to both Town water and sewer.
- Development Services and Public Works Departments had completed the initial review of the plat.
- Following approval of the preliminary plat, the project would go through a technical review process and then come back for the public hearing process for approval of the

final plat.

- Staff recommended that the Commission forward a recommendation of approval to the Council to amend the adopted PAD associated with the Bright Star Subdivision adopted by the Council in 2002, to remove the existing entitlements and to replace them with the right to construct patio or cluster homes as allowed in the adjacent parcels, and subsequently allow for a reduction in front yard setbacks from 20 feet to 10 feet.
- Staff also recommended that the Commission forward a recommendation of approval to Council to approve the Bright Star preliminary plat s for the subject parcels.

Commission Members and staff discussed the following:

- The 20 foot driveways included portions of the right-of-way. Staff reviewed the proposed driveways and explained they were the same as any driveway on a residential lot that went beyond the driveway to access street frontage.
- There were no sidewalks included in the PAD. There would be an internal pathway and there was an existing sidewalk on the eastern portion of the development.
- There was an error on the preliminary plat regarding the required and proposed minimum lot requirements. There was an additional error stating there was an existing one foot easement along Road 2 South, which was not applicable with the development. The applicant would be submitting a revised preliminary plat to Council.
- The plat process was not to the point where traffic issues and detours were addressed. Any traffic detours or plans would need to be approved by Public Works.
- There was a PAD amendment in the previous year for a property in Bright Star to reduce the 20 foot front yard setback to 10 feet. There was also a reduction in the front yard setback for one of the phases due to the proposed home models that had side loaded garages or garages that were farther back. In no case would the 20 feet impede on the road improvements. Some properties with the 20 foot driveway had approximately 7 feet over the right-of-way. The applicant had the room to move the homes back onto some of the open space to meet the minimum setback requirements, but in doing so it would reduce the available and useable open space for the Bright Star subdivision. To maximize the useable open space area for the entire subdivision, instead of using the space for driveways, the applicant was requesting a 10 foot reduction to the setbacks. Properties on Meridian would also have a culvert, which would essentially give the property a 30 foot driveway.
- Any developer or landowner could request a rezone to SR 0.16 and if it was in conformance with the General Plan, the Town needed to recommend approval for it because it complied. Code section 3.12 stated the Town would not actively create SR 0.16 and had never acted to formally create that zone. That code did not preclude a developer or landowner from requesting that zoning district because the UDO includes it as an available district for development. In this case, the PAD predated both the existing General Plan as well as the Town's existing UDO. The entitlements were granted back in 2002 with a couple amendments through the years. Those entitlements never expired.
- If the road needed to be widened by the driveways that intruded into the right-of-way, it would be treated like any other road with the right-of-way. Staff did not anticipate the need to widen these particular roads because they were at ultimate design for the 1200 home development. The current density was less than what was originally proposed in the master development plan. When the development was completed to capacity, they would still be under what it was designed to handle.

Commission Members and applicant Paul Aslanian discussed the following:

- Mr. Aslanian explained the development met the general plan, the UDO and the masterplan of the Town. It also fulfilled a need within the community because home prices had risen and driven many people out of the market. The attached housing and patio homes brought a savings in cost that would be passed to the home buyer.
- The reason for the setback request was to keep private backyards and open space. If the units were pushed close together, it would become more of an alley than a nice open space landscaped area. All driveways had to connect to the street, and in this case many of the driveways had plenty of parking and could have double car parking. He would be open to the idea of no on street parking on any of the streets surrounding the development. There was also an overflow parking area.
- If the roads needed to be widened at a future date, the applicant's engineer explained that an extensive storm drain system would need to be installed to replace the development's culvert system, and neither the development nor the Town had that.

Public Comment:

- Jim Manly – He was concerned because North Meridian was a very busy road, and the main problem was that all community mailboxes were in the middle of the south western portion of the tract. It was a very busy mailbox stop and adding 32 additional boxes would make it busier. It was also dangerous to back out from the driveways onto North Meridian and Galileo. He noticed in the original drawings that Meridian was an actual parkway and had trees going down the middle of the road. The road was never built to handle trees in the middle and the road wasn't wide enough for the current traffic, let alone for people backing out. The rest of the community had walls along all the other housing areas, and it didn't appear there would be any wall around the new development. Someone was going to get hurt.
- JoAnn Savage – The proposed change would be in the middle of the existing neighborhood, and the area should be set aside for a playground and a community center as described in the current description of the Bright Star Community. Her large lot home would sit immediately beside the proposed change. The attached homes would devalue her home by an estimated \$50-\$75,000, leaving her in a negative position for her house value. The additional traffic of 32 homes would bring at least 60 vehicles in a limited area and would overwhelm the roundabout and would increase the possibility of accidents and noise to an otherwise quiet neighborhood. Additionally, a large percent of the driveways opened on to Meridian Parkway East and North, which could lead to additional accidents as people tried to pull out of their driveways into oncoming traffic around a blind curve. There was no place for pedestrians to walk. There were other areas this type of development could go.
- Rodney Davis – He asked the developer why he was building in this particular area and received a flippant answer, and he did not care for his attitude. The developer turned it around and asked where he lived and for how long. There were a lot of other developers that could develop the area better than the current developer. He did not care if people had to back out onto Meridian and possibly get hit. Before the Commission changed anything, they needed to take into consideration who they were dealing with. There was heavy traffic going through the edge of Bright Star towards Utility Road that did not stop in Bright Star, and the Commission needed to consider that as well.
- Barbra Taylor – She had concern that there was not a single two-story home in the entire development and to suddenly put three homes that had two stories would change the entire character of the community. They strongly disapproved of the two-story homes.
- Robert Blackmore – He had the same concerns as everyone else. He was also

concerned about the new development having their own HOA to maintain their property and open space, but the rest of Bright Star residents paid for all the maintenance on the entrance, the park, and commons area. The developer said that he may throw money at their HOA, but if the Town was going to force the new development, they should have to pay the same dues the rest of the residents paid because they were enjoying all the benefits from it.

- Dennis and Kathleen Ritz – Concurred with everyone's thoughts and wanted to express their deep concern about the two-story buildings being put up. They were also concerned about the traffic and potential accidents and property damage. They would like the traffic taken off Meridian and the garages accessed through an alley behind the houses.
- Mike Rowe – What was proposed for maintenance was not any different than a condominium. They would need to form their own association where the Bright Star Association would be the master association, and the new development would be under that umbrella where they would pay for their own maintenance, but they would also have to pay the Bright Star Association for the common area's maintenance. He also wanted to know what impact fee the Town would charge the developer. There would be an impact on the roads and the money to maintain the roads. Also, he wanted to know what type of surety bond the developer would need to put up. He lived in a Mandalay Home and was still waiting to get stuff done. The petition showed that 65% of residents did not want the project. They moved to the Town for open space and if they wanted this, they would live in Prescott Valley.
- Janis Daubert – She agreed with everything said earlier. People were very concerned about what was going on and the decision the Commission would be making for the safety and esthetics of the development that they lived in.

Public Letters read for the record:

- Elise King and Frank Spangler – When they purchased their home in Bright Star, they were told the location of the proposed development would be a clubhouse. They would not have bought a home there if they knew that townhouses or condominiums would be built in the middle of the neighborhood. The rezoning would produce nothing favorable but would increase traffic, decrease property values, cause water retention issues, etc. The development would be better suited in another area in Town or another city. Several neighbors were getting attorneys involved.
- Jeff and Bernadette Lambeth – Expressed their opposition to the development for the following reasons: Overcrowded conditions, building townhomes in such a small area, and the fact they would not blend with the existing community; Inadequate roads to serve the new and existing residents of Bright Star; The destruction of wildlife habitat for the native habitat.
- Deborah Maier – She was against the rezoning in Bright Star for attached homes. The homes would be built in the middle of Bright Star and would congest the area with traffic. A traffic study and environmental impact study needed to be done. The only homes that needed to be built in Bright Star were single-family homes, so the values of the existing homes did not depreciate.
- Jeffery and Pamela Buttikofer – As recent new home owners in Bright Star, they objected to the new development because the area in question was supposed to be a green area; The traffic was an issue and adding more vehicles would be a disaster; Bright Star was supposed to be a single family development; The value of the Townhomes would lower the value of other homes in Bright Star and would lower the taxes paid by everyone; The increased property taxes of the new homes would be offset by the lower property taxes assessed to current Bright Star residents; The effect on all of the new homes in the area would create a problem for everyone as the

services in Town can hardly keep up with the current population; Bright Star had become mostly retired people and bringing lower priced homes into the area would affect the affluent clientele in the future and would stop the influx of money into the community.

- Robyn Miller – She was against the project going through. They bought their home in a single-family dwelling community. Adding the townhouses was outrageous and they would not go structurally or visually with the area and would bring home values down. The additional traffic would be dangerous. There was not any room on the roads for garbage or delivery trucks. It would create drainage problems. It did not fit the Town's master plan.
- Sonja Sockyma – She was against the build because it would disrupt the peaceful community. The traffic problem was an issue and would put pedestrians in danger. Prescott owned the water, so why build more homes. The builder could build somewhere else.
- Harley Armentrout – It was the understanding of the Bright Star community that it was a community of single-family homes. The Homeowners Association was trying to change that by selling property to a developer who would build townhomes and change the zoning. This would increase traffic through the entire subdivision. The subdivision would go in the center area where many enjoyed the park with family and animals. The traffic would add to the noise, the pollution and danger. There would be injuries and possibly death. There was also the possibility the new development consisting of renters with no emotional attachment to the area. The citizens of Bright Star would consider legal action against the developer, the HOA, and the Town as defendants in the event someone was injured or killed as the result of the added traffic. It was a risk the Town would take if they allowed the zoning change and added development to take place.
- Ed Griffin – Respectfully requested that the Commission not recommend approval of the development for the following reasons: The masterplan called for parcel 306-58-222 to be used as neighborhood commercial for the benefit of the community. This future commercial use could be a wellness facility, café or coffee shop, community center or professional services. All the uses or others would benefit the community more than the proposed residential high density cluster townhomes. The original plans called for the central area of the development to be single family or cluster homes. The current Bright Star community was all single-family and single-story homes. The new townhome development was an affront to the existing community. The approval of the proposed development would decrease property values due to increased crime, density, traffic and loss of open space characteristic with quality of life of rural Chino Valley. The development proposed to have driveways off of Meridian Highway, which would impede traffic along the main arterial. There were no driveways onto Meridian currently. Request the Commission deny the development and send it back to the developer to redesign the project to be entirely on parcels 306-02-006 A and C with a project total of eight single family, single story homes with two to three garages and extra parking spaces and driveways not on Meridian. A traffic study needed to be completed.

Commission Members and staff discussed the following:

Staff and Commission:

- Staff agreed that there were currently no driveways on Meridian Parkway. Meridian was currently two way traffic, with no divider, and no lots fronted the parkway with the currently platted lots. The only driveways exiting onto Meridian were the proposed subject lots.
- Bright Star had already developed approximately 350 homes, but they had approval

for 1200 homes. The remaining portion of the lots were planned for the 800 plus homes for the Bright Star Subdivision. Those homes, unless the masterplan was modified, would most likely have driveways on Meridian based on the adopted PAD conceptual plan. The current subject property, based on the location, would have the brunt of all the traffic when the subdivision was expanded. Staff explained that Bright Star would also have an additional exit on Road 1 North or Center Street. There was also an emergency access road towards the Perkinsville Road area.

- One remedy that could be considered would be to perform a traffic impact analysis, including looking at the driveways. Typically, a traffic impact study would not be required for developments of less than 500 trips per day. A single-family home was typically 10 trips per day. It would be left to the discretion of the Commission if they wanted to recommend to Council to add the stipulation. The developer would do the traffic study and it would be reviewed by the Town at the time of the plat.
- Meridian Parkway was a two way road, with the right-of-way width at approximately 68 feet. If it were to be a five lane roadway, with a dedicated turn lane, the width required would be 100 feet. To obtain that, the Town would need to acquire at least 32 to 40 feet of right-of-way. The capacity of a two way arterial road was generally 12,000-15,000 cars per day. The last count in 2017 on Road 2 North in front of Chino Meadows, was 4,000 cars per day. The road was able to handle triple the capacity of what was currently happening. Residential roads saw about 1000 cars per day. Currently, Meridian was not an arterial road, and functioned more as a collector road than a local road.
- Two parcels currently had entitlements for patio homes or cluster units and fell within the guidelines and entitlements granted in the PAD adopted in 2002, if the developer wanted to put those types of homes into the development. What the developer had requested to do was to remove the commercial designation from the one parcel to allow for patio and cluster homes. By doing so, it would reduce the intensity of the development on the property because commercial generated more traffic. The item requested was the flexibility on setbacks on all three lots. The PAD already entitled the developer to put patio or cluster homes on those two parcels. The central and western portion of the Bright Star development included the opportunity to do cluster or patio type homes. There was also nothing in the PAD prohibiting driveways on Meridian.
- Zoning entitlements for the properties allowed up to three story buildings. The developer was proposing two stories on six of the 32 units.
- These were not townhomes or condominiums, but single-family homes that were on their own lots that would be sold separately. Each would have a front and rear yard and a private garage. The only difference was that they shared walls. This was not a condominium with multiple units inside or townhomes with two or three units on a single lot.
- The green area on the conceptual masterplan was open space. The designated areas for open space were still in the conceptual drawings. Future phases would also include additional park retention areas. There were also two other commercial areas in the development.
- The PAD did not specify the number of homes that could be built on the lots. The underlying zoning of the entire Bright Star development was commercial multi-family zoning, with a PAD overlay. For anything not specifically defined in the PAD or on the conceptual development plan, the underlying zoning would be used to determine the actual development entitlements. When determining density for this property, if the developer were putting apartments on the lots, he could have as many as 68 units. The developer was proposing less than half that number. Since the units would be single-family, there was no minimum lot size requirement. The General

Plan for the entire development showed medium density residential, which was any development that had lot sizes less than two- acres. The proposed development was in conformance with the General Plan, which had been adopted 12 years after the PAD had been approved. The density of the development was the same density as those developments surrounding it.

- Mailbox locations were discussed. The area was busy with people walking and riding bikes, and had the potential for accidents with the addition of new driveways. Staff again suggested doing a traffic study. It was also something that could be stipulated through the technical review process under health, safety, and welfare for the Town. Staff could ask for an engineer's statement or a consideration of an impact of the driveways on the roadway.
- Staff could not speak to what Mandalay representatives may or may not have said to residents regarding the use of the parcel 306-58-222. It was a civil matter between residents and the people that sold them the homes.
- Towns did not enforce HOA's. It was a civil matter between property owners.

Mr. Aslanian and Commission:

- He had done several developments in Town and always tried to do it the right way. He apologized if some people thought he was flippant on his answers. He wanted to be a good neighbor and do the right thing. He understood people's objections, but he could not answer for things that were promised and did not happen. He wanted to point out that every private property had private property rights, which was a fundamental right in the Country. He had to work within the parameters of zoning regulations, general plans and community plans just as everyone else did.
- He had had a dialogue with the Homeowners Association Manager. He realized the subject property benefited from existing amenities, and he wanted to be a good neighbor and contributor. He was looking at the possibility of joining the HOA. They were having their own HOA to maintain the greenspace, landscaping, walkways, and buildings. The exteriors of the homes, because they were attached, would be maintained by the development.
- He was looking into changing the two-story units because of the concerns.
- The commercial zone that was in the original plan would bring significantly more traffic. Businesses like a Circle K would be permissible and would bring people from outside the community into the community, and things like business hours into the night and lighting could become an issue. He did not feel like a commercial zone was the highest and best use for the property.
- If the development were done correctly and with good quality, it would not negatively affect the property values and would help the community as a whole.
- He took exception to the statement that this type of home brought crime to the community. He lived as a real estate professional with a code of ethics and followed federal fair housing laws, and as community talking about that or segregating based on price was unethical and dangerous for the community. Many of the existing homes were in the same price point only a couple years ago. To suggest that because someone wants to buy a home for \$275,000 they were riffraff or crime ridden, could not stand.
- The lower road that went around the park and was a continuation of Galileo, would be a great road to have one way.
- The two RV parking spaces was required by code. It was temporary RV parking, not long term. The parking was for the entire community.
- During final plat preparation would be the appropriate time to take care of the traffic issues on Meridian because they would have to come with complete engineering for everything they were doing. Any necessary adjustments could be made at that time.

- The homes would all be designed locally. The information provided in the application was for the footprint of the homes only.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner John McCafferty to forward a recommendation of approval to Town Council to amend the adopted Planned Area Development (PAD) associated with the Bright Star Subdivision Ordinance 489 adopted by the Town Council on January 10, 2002 to remove the existing commercial entitlements on Parcel 306-58-222 (as granted by Ordinance 489) and to replace those entitlements with the right to construct patio or cluster homes as allowed on the adjacent parcels identified as 306-02-006C and 306-02-006A and subsequently allow for a reduction in front yard setbacks from 20 feet to 10 feet.

Commissioner Switzer and Commissioner Meadors voted no because of the setback issues.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner John McCafferty, Commissioner William Welker

NAY: Commissioner Teena Meadors, Commissioner Robert Switzer

4 - 2 PASSED

- b)** Consideration and possible recommendation to Town Council to approve the Park View at Bright Star Preliminary Plat for parcels 306-58-222, 306-02-006C and 306-02-006A located along Meridian Parkway East, Meridian Parkway North, and Galileo Court to subdivide approximately 4.47 acres of real property into 32 lots with a density of 7.1 units per acre developed over a single phase. (Will Dingee, Planner)

Commission Discussion: If the traffic impact study found the 10 foot setbacks were detrimental, a reorganization of the lots would need to be done before the final plat could be approved.

Chair Armstrong explained that at the zoning commission meetings, topics that were consistently addressed were traffic, water, lack of stores, the Town could not support the impact of more people, etc. The Town did not have authority over the water because it was under ADEQ authority. For another grocery store to come to Town, there had to be the demographics for them to bring an additional store. The roads could not be fixed without tax dollars and as far as the Town not being able to support the population that it had now was because of the low tax dollars collected. The money for Town infrastructure had to come from the residents, and the more people that lived in the Town, the less each person individually owed. Managed growth could help fix the infrastructure of the Town. For these reasons, he was voting yes, because it was a good development and the developer had brought good developments to Town.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner John McCafferty to forward a recommendation to Town Council to approve the Park View at Bright Star Preliminary Plat for parcels 306-58-222, 306-02-006C and 306-02-006A to subdivide approximately 4.47 acres of real property into 32 lots with a density of 7.1 units per acre developed over a single phase, with the stipulation that a traffic impact study be performed specifically to address the access to Meridian Parkway and Galileo Court prior to final plat.

Commissioner Switzer voted no because of the setback issues and because something that is allowed isn't necessarily safe or prudent and he did not think the plan was either safe or prudent for the Town.

Commissioner Meadors voted no because although she thought there needed to be more affordable housing in Town, she did not think it needed to be in the center of the roundabout area.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner John McCafferty, Commissioner William Welker

NAY: Commissioner Teena Meadors, Commissioner Robert Switzer

4 - 2 PASSED

7) NON-PUBLIC HEARING ACTION ITEMS

Staff wanted to ask if the Commission would be open to another special meeting on March 10th to discuss and make a recommendation for a text amendment change to the manufactured home based on a current litigation situation the Town had. It would fix issues with the current definitions. There was no objection from the Commission.

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 John McCafferty to adjourn the meeting at 8:23 p.m.

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

6 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

6. a.

Meeting Date: 03/02/2021

Z-03-21 Rezoning of 8.56 acres from AR-5 to SR-1

CASE DESCRIPTION:

Consideration and possible recommendation to Town Council of approval to rezone approximately 8.56 acres of real property located on the southeast corner of the intersection of South Road 1 East and East Center Street from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property. (Will Dingee, Planner)

LOCATION:

Located on the southeast corner of the intersection of South Road 1 East and East Center Street.

FACTS:

1. Applicant:.....Allen Foster
2. Owner:.....John and Karen Gin
3. Parcel Number.....306-25-003
4. Site Area.....8.56 acres (372,873.6 square feet)
5. Existing zoning:.....AR-5
6. Intended Use.....Single Family Residential Minor Land Division or Minor Subdivision.

ANALYSIS:

See attached Staff Report

TECHNICAL REVIEW:

See attached Staff Report

SITE PLAN

N/A

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to rezone approximately 8.56 acres of real property located on the southeast corner of the intersection of South Road 1 East and East Center Street from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property with the following stipulations:

1. Per the Town Code of Ordinances § 51.158(B), *Where property borders public rights-of-way or public easements containing an existing serviceable town wastewater main, the property, when developed, shall be connected to the town CTR system. Sewer taps shall extend at right angles from the main to the property, unless otherwise specifically authorized for unusual conditions, and shall be installed in accordance with the most current edition of the YAG standard specifications and details for public works construction, unless otherwise modified and approved by the Town Engineer.*
2. Per the Town Unified Development Ordinance § 5.3.2, Table 5-1, the minimum required right-of-way dedications are as follows:

- a. 40' south of the section line on Center St.
 - b. 40' east of the section line on Road 1 East
3. Per the Town's Unified Development Ordinance § 5.2, Table 5-1, the required offsite half-width roadway improvements are as follows:
- a. Center St.
 - i. 25.5' minimum roadway width w/o on street parking
 - ii. 6" vertical curb and gutter
 - iii. 5' minimum concrete sidewalk
 - b. Road 1 East
 - i. 25.5' minimum roadway width w/o on street parking
 - ii. 6" vertical curb and gutter
 - iii. 5' minimum concrete sidewalk
4. Per the Town's Unified Development Ordinance § 5.3.1(F), *Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one (1) foot non-vehicular access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from traffic hazards occurring on the major route.*
5. Per the Town's Code of Ordinances §150.081, *Except as exempted in § [150.082](#), all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential, commercial or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.*

Attachments

Staff Report



**TOWN OF CHINO VALLEY
PLANNING AND ZONING
March 2, 2021**

APPLICATION SUMMARY

File Number: Z-03-21

Assessor's Parcel Number: 306-25-003E

Site Location: Located on the southeast corner of the intersection of South Road 1 East and East Center Street

Owners of Record: John and Karen Ginn

Applicant: Allen Foster

Request: Request to rezone approximately 8.56 acres of real property from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property.

SITE DATA

Existing Zoning	AR-5 (Agricultural Residential 5-acre Minimum)
Lot Size	8.56 acres (372,873.6 square feet)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential 2 acres or less
Existing Land Use	Single-Family Residential

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	CL/AR-5	Medium Density Residential	Agricultural Residential
East	AR-5	Medium Density Residential	Vacant & Agricultural
South	AR-5	Medium Density Residential	Agricultural Residential
West	AR-5 & SR-2.5	Commercial Multifamily	Agricultural Residential

BACKGROUND

SITE DESCRIPTION

The subject property is located on the southeast corner of the intersection of South Road 1 East and East Center Street and has a physical address of 45 South Road 1 East. The site currently has a zoning classification of AR-5 (Agricultural Residential 5-acre Minimum) and is identified by the General Plan Land Use Designation as Medium Density Residential 2 acres or less. The property has a 1460 square foot single family residence that was constructed in 1956 and a 819 square foot barn that was constructed in 19856 as well. (See attachment 1: Vicinity Map).

The surrounding area is predominantly agricultural residential zoned property however to the northeast you have the high density, undeveloped portion of Chino Meadows Unit 4 that is zoned SR-0.16 and to the northwest you have the Chino Valley High School. (See attachment 2: Zoning Map).

PROPERTY HISTORY

This is the first time a rezoning has been attempted on this property. However, the Town has previously acquired Right-of-Way from this property along East Center Street and North Road 1 East.

PROJECT DESCRIPTION

The applicant is requesting to rezone approximately 8.56 acres of real property from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property. The applicant is unsure of whether he wants to proceed with a minor land division or a minor subdivision.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300-foot radius of the subject property, resulting in 16 mailed notices for public notification. The neighborhood meeting was held on February 24, 2021, in which four (4) members of the public attended. The questions asked pertained to the following:

- Will the new lots be on well and septic?
 - The applicant would like to have wells but due to the close proximity of sewer it is required that lots/homes will connect to Town sewer.

- Will the applicant be required to do a water study?
 - This will be depended upon how many lots are created. Six (6) or more lots will require an assured water supply by the Arizona Department of Water Resources. If they applicant proposes five (5) or less this is not needed.
- How will the new lots/homes gain access?
 - This will depend on if the applicant does a minor land division or a minor subdivision. The minor land division that results in the creation of three (3) or less lots would allow for the new lots to have driveways on Center Street. If the applicant proceeds with a minor subdivision and creates four (4) or more lots a frontage road or new local road will need to be created to provide access to the lots.
- What kind of homes will be built here?
 - The applicant stated that he would like them all to be stick built homes however he has no problems with manufactured homes.

STAFF ANALYSIS AND RECOMMENDATION

The zoning request of the SR-1 zoning district is in conformance with the area's General Plan Land Use Designation of Medium Density Residential (See Attachment 3: General Plan Map). The entitlements associated with this zoning district would allow for the subject property to be further subdivided

Town Staff is also recommending that the following stipulations be attached to this item:

1. Per the Town Code of Ordinances § 51.158(B), *Where property borders public rights-of-way or public easements containing an existing serviceable town wastewater main, the property, when developed, shall be connected to the town CTR system. Sewer taps shall extend at right angles from the main to the property, unless otherwise specifically authorized for unusual conditions, and shall be installed in accordance with the most current edition of the YAG standard specifications and details for public works construction, unless otherwise modified and approved by the Town Engineer.*
2. Per the Town Unified Development Ordinance § 5.3.2, Table 5-1, the minimum required right-of-way dedications are as follows:
 - a. 40' south of the section line on Center St.
 - b. 40' east of the section line on Road 1 East
3. Per the Town's Unified Development Ordinance § 5.3.2, Table 5-1, the required offsite half-width roadway improvements are as follows:
 - a. Center St.
 - i. 25.5' minimum roadway width w/o on street parking
 - ii. 6" vertical curb and gutter
 - iii. 5' minimum concrete sidewalk
 - b. Road 1 East
 - i. 25.5' minimum roadway width w/o on street parking
 - ii. 6" vertical curb and gutter
 - iii. 5' minimum concrete sidewalk

4. Per the Town's Unified Development Ordinance § 5.3.1(F), *Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one (1) foot non-vehicular access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from traffic hazards occurring on the major route.*
5. Per the Town's Code of Ordinances §150.081, *Except as exempted in § 150.082, all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential, commercial or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.*

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to rezone approximately 8.56 acres of real property from the AR-5 (Agricultural Residential 5-acre minimum) to SR-1 (Single Family Residential 1-Acre Minimum) in order to further subdivide the property with the following stipulations:

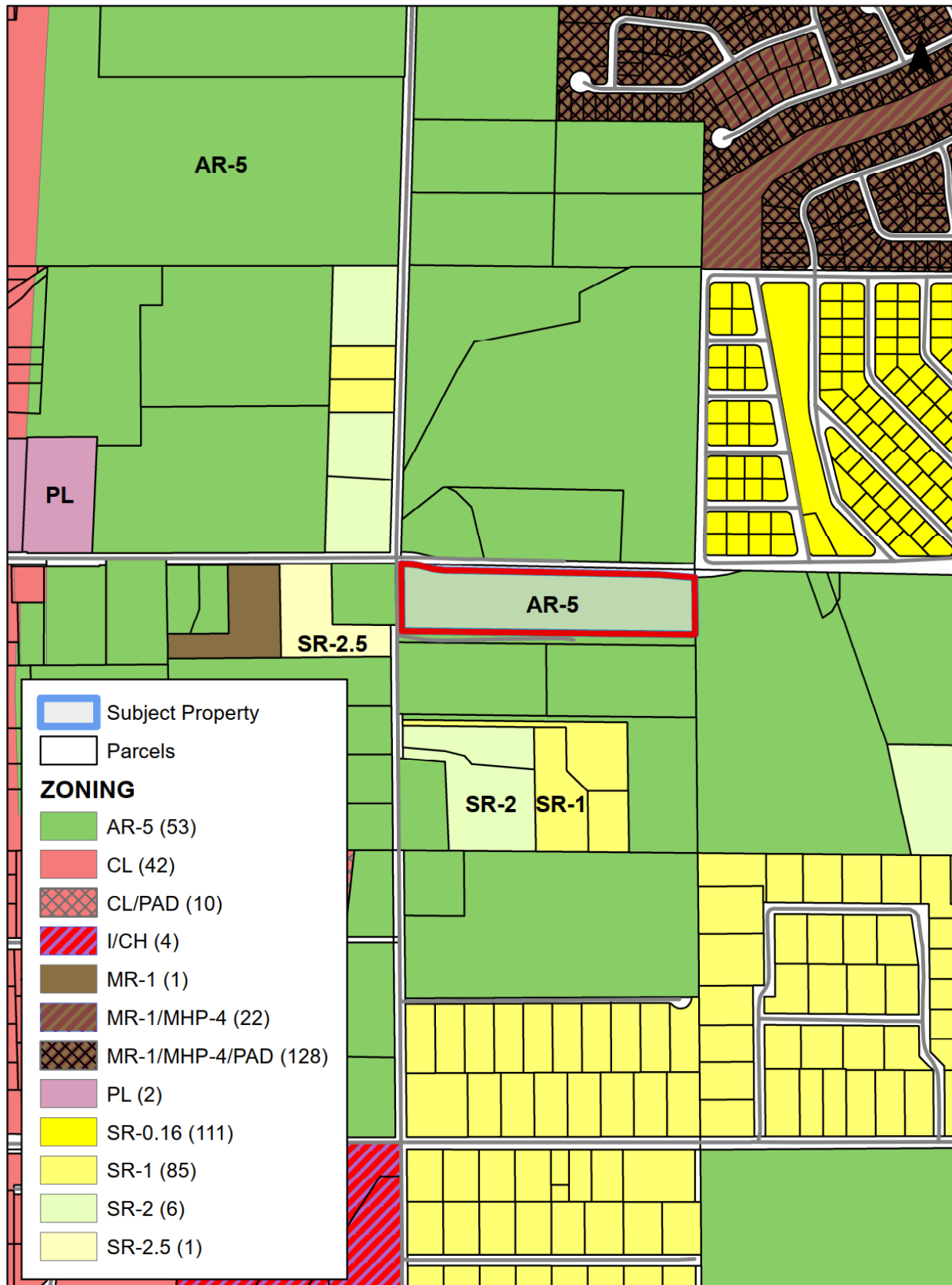
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4. Per the Town's Unified Development Ordinance § 5.3.1(F), *Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one (1) foot non-vehicular access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from traffic hazards occurring on the major route.*
5. Per the Town's Code of Ordinances §150.081, *Except as exempted in § 150.082, all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential, commercial or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.*

ATTACHMENTS

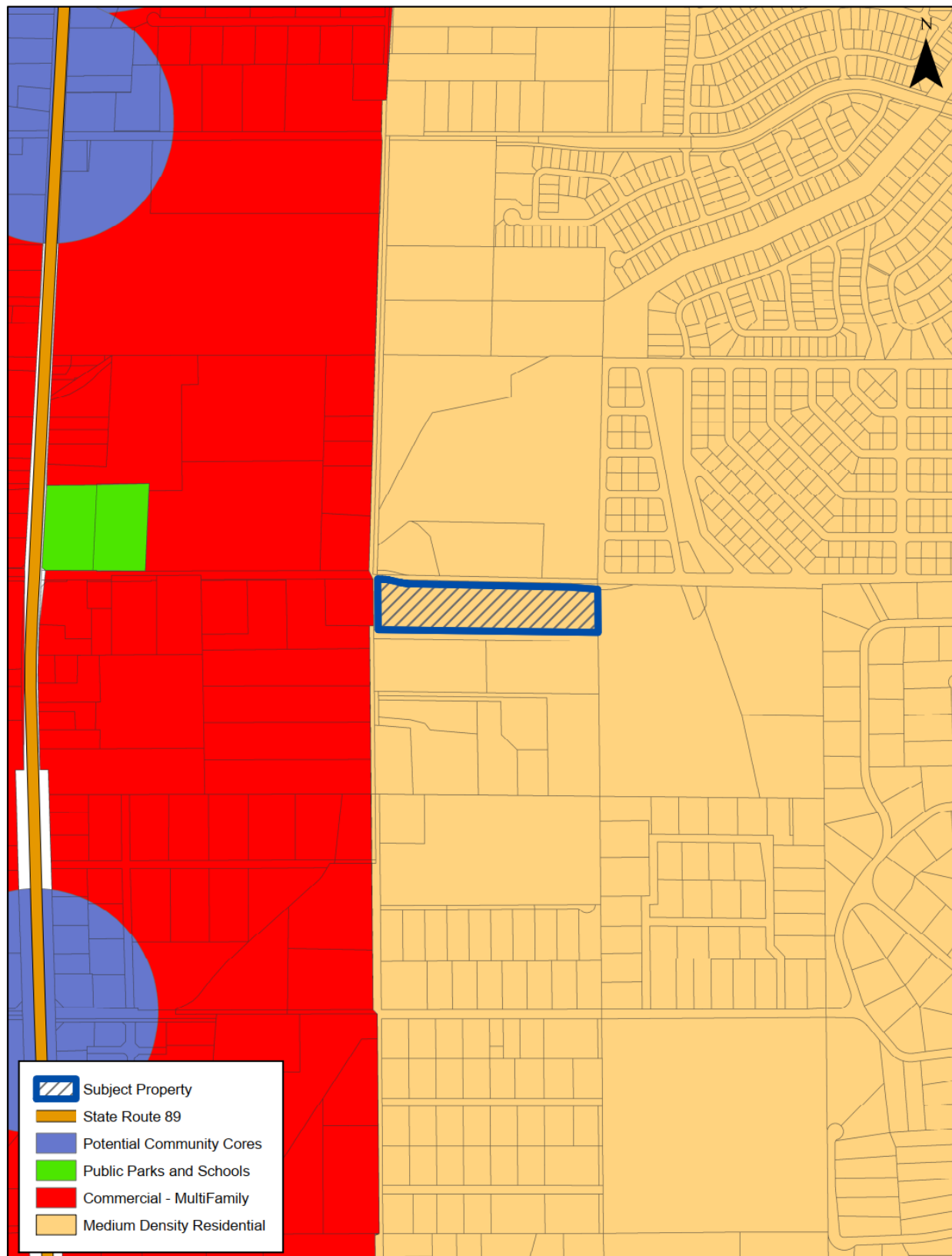
VICINITY MAP



ZONING MAP



GENERAL PLAN MAP



Planning and Zoning Commission Regular

6. b.

Meeting Date: 03/02/2021

Z-01-21 Rezoning of 5.66 acres from SR-1 to SR-0.16 with a Planned Area Development

CASE DESCRIPTION:

Consideration and possible recommendation to Town Council of approval to rezone approximately 5.66 acres of real property located on the northwest corner of the intersection of South Road 1 West and West Road 2 South, from the SR-1 (Single Family Residential 1-acre Minimum) zoning district to the SR-0.16 (Single Family Residential 0.16-acre Minimum) zoning district with a PAD (Planned Area Development) to develop ten (10) lots with individual lot areas greater than one half acre. (Will Dingee, Planner)

LOCATION:

Located on the northwest corner of the intersection of South Road 1 West and West Road 2 South.

FACTS:

1. Applicant:..... Southwest Homes LLC (Jon Rocha)
2. Owner:..... Southwest Homes LLC
3. Parcel Number:..... 306-31-006S, 306-31-006Q & 306-31-006R
4. Site Area:..... 5.66 Acres
5. Existing zoning:..... SR-1
6. Intended Use:..... 10 lot Minor Subdivision

ANALYSIS:

See Staff Report

TECHNICAL REVIEW:

See Staff Report

SITE PLAN

See Attached Conceptual Plan

RECOMMENDATION

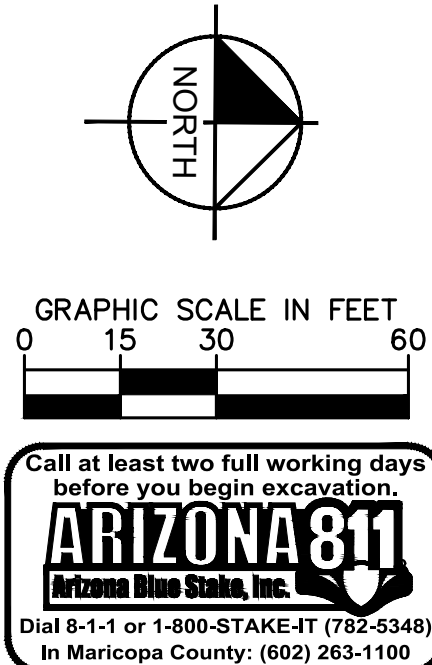
Town Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to approve the rezoning of approximately 5.66 acres of real property located on the northwest corner of the intersection of South Road 1 West and West Road 2 South from the SR-1 (Single Family Residential 1-acre Minimum) zoning district to the SR-0.16 (Single Family Residential 0.16-acre Minimum) zoning district with a PAD (Planned Area Development) to develop ten (10) lots with individual lot areas greater than 0.51 acres and allow for the reduction in street side yard setbacks on lot 5 and lot 6.

Attachments

Conceptual Plan

Staff Report

Cassie.Kussow

[illegible]



**TOWN OF CHINO VALLEY
PLANNING AND ZONING COMMISSION
Staff Report March 2, 2021**

APPLICATION SUMMARY

File Number: Z-01-21

Assessor's Parcel Number: 306-31-006S, 306-31-006Q & 306-31-006R

Site Location: Located on the northwest corner of the intersection of South Road 1 West and West Road 2 South

Owners of Record: Southwest Homes LLC

Applicant: Southwest Homes LLC (Jon Rocha)

Request: Request to rezone approximately 5.66 acres of real property from the SR-1 (Single Family Residential 1-acre Minimum) zoning district to the SR-0.16 (Single Family Residential 0.16-acre Minimum) zoning district with a PAD (Planned Area Development) to develop ten (10) lots with individual lot areas greater than one half-acre.

SITE DATA

Existing Zoning	SR-1 (Single Family Residential 1-acre Minimum)
Lot Size	5.66 acres (246,549.6 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 ac or less)
Existing Land Use	Vacant

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5	Medium Density Residential (2 ac or less)	Agricultural Residential with a Single Family Residence
East	AR-5	Medium Density Residential (2 ac or less)	Agricultural Residential with a Single Family Residence
South	RCU-2A (Yavapai County Zoning)	Yavapai County Jurisdiction	Single Family Residential
West	AR-5	Medium Density Residential (2 ac or less)	Agricultural Residential with a Single Family Residence

BACKGROUND

SITE DESCRIPTION

The subject property is located on the northwest corner of the intersection of South Road 1 West and West Road 2 South. The 5.66 acre site consists of three separate parcels with a current zoning classification of SR-1 (Single Family Residential 1-acre Minimum). The General Plan Land Use designation for the subject properties and the surroundings is Medium Density Residential (2 acres or less) the property is currently vacant land. **(See Attachment 1: Vicinity Map)**

The area is predominantly agricultural residential with a single family residential subdivision directly to the southeast. The properties directly north, east and west of the subject property are zoned AR-5 (Agricultural Residential 5-acre Minimum). To the southeast, the properties are zoned SR-1 (Single Family Residential 1-acre Minimum) and are part of the Wagon Wheel Ranch subdivision. To the south of the subject property you have parcels that fall under the jurisdiction of Yavapai County. **(See Attachment 2: Zoning Map)**

PROJECT HISTORY

The subject properties were rezoned when they were a single parcel from AR-5 to SR-1 in 2018 under Ordinance 18-853 for the sole purpose of subdividing the land.

PROJECT DESCRIPTION

The applicant is requesting to rezone approximately 5.66 acres of real property from SR-1 to SR-0.16 with a Planned Area Development with an associated conceptual development plan. The applicant is proposing to develop ten (10) single family homes on individual lots within the 5.66 acres. The lot sizes will be greater than one half acre (0.51 acres or greater). The homes will be craftsman style manufactured homes. **(See Attachment 3: Conceptual Elevation Plan)**

The project will have access on South Road 1 West and will utilize a newly constructed local road with sidewalk, curb and gutter on both sides. The project will be providing perimeter landscaping along South Road 1 West and West Road 2 South. In order for this subdivision to be approved, the applicant is asking for a PAD overlay for relief only from the side yard setback requirements on lot 5 and 6. To offset this

alleviation the applicant proposes approximately 20% of the 5.66 acres be designated open space contained in the front yard of each individual lot and sidewalks on either side of the newly created local road. **(See Attachment 4: Conceptual Development Plan)**

Open Space & Landscape Design

The Open Space areas will be landscaped with drought-tolerant, native plant materials and the subdivision will feature a landscaped front entry. The applicant is proposing eight foot tall trees along the frontage of both South Road 1 West and West Road 2 South. All lots will be fenced with ranch-style fencing at either a four or five feet in height. The applicant is also proposing locating benches along the internal sidewalks.

General Conditions

The development will be utilizing the newly refined minor subdivision process as this development is only ten lots and is proposed to be developed over a single phase. The development will be served water by the City of Prescott and will be utilizing private septic systems as the Town sewer is approximately half a mile north of the development. The proposed local road will be constructed to Town Code and subsequently dedicated to the Town of Chino Valley.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified the public by placing an ad in the Daily Courier on Sunday January 10th. Staff also physically posted the properties and notified property owners within a 300-foot radius of all three of the subject parcels which resulted in fourteen (14) mailed notices. The neighborhood meeting was held on January 27, 2021 in which two neighboring property owners showed up. Their main concerns were density, utility questions regarding well and septic, would there be an HOA and the CVID easement/waterline that is located on the property.

The project was re-notified in the Daily Courier on February 14 as there were a couple of modifications to the conceptual plan that the applicant needed to make. Since the neighborhood meeting was already held staff did not need hold a second meeting. Property owners were notified within 300 feet of the subject properties with the updated meeting dates.

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 zone change from SR-1 to SR-0.16 with a PAD overlay, remaining under the General Plan Medium Density Residential land use designation. The Applicant proposes residential development at a density that meets the intent of the Medium Density Residential designation with an average lot size of greater than one half acre.

ZONING

The general area supports the medium density single-family residential development based on the general areas current land uses. The existing development will complement the developers desire to

develop the half-acre single-family residential lots. Although the applicant is requesting the medium-density zoning of SR-0.16, the proposed lots will be greater than one half acre.

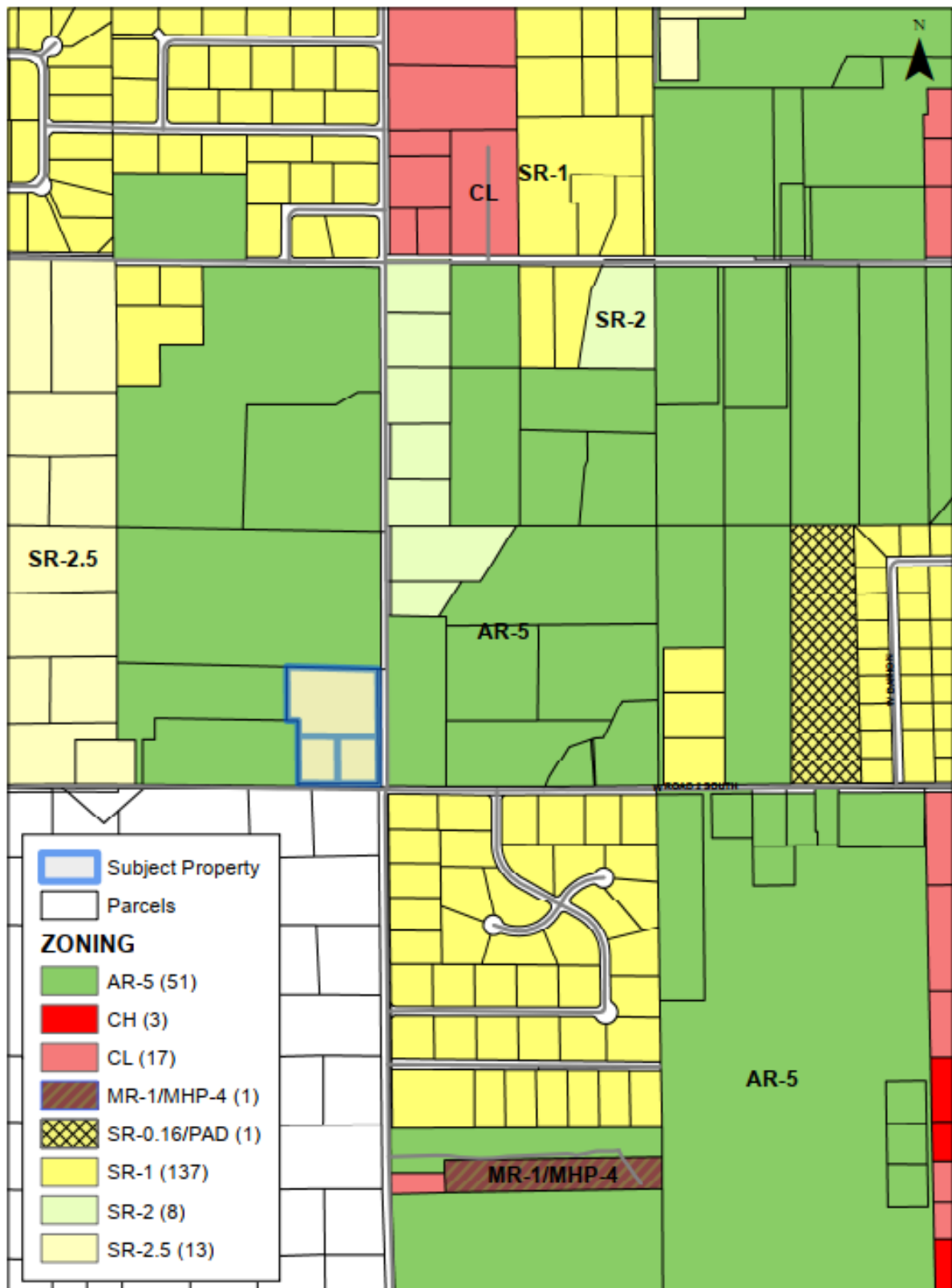
STAFF RECOMMENDATION

Town Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to approve the rezoning of approximately 5.66 acres of real property from the SR-1 (Single Family Residential 1-acre Minimum) zoning district to the SR-0.16 (Single Family Residential 0.16-acre Minimum) zoning district with a PAD (Planned Area Development) to develop ten (10) lots with individual lot areas greater than 0.51 acres and allow for the reduction in street side yard setbacks on lot 5 and lot 6.

VICINITY MAP



ZONING MAP

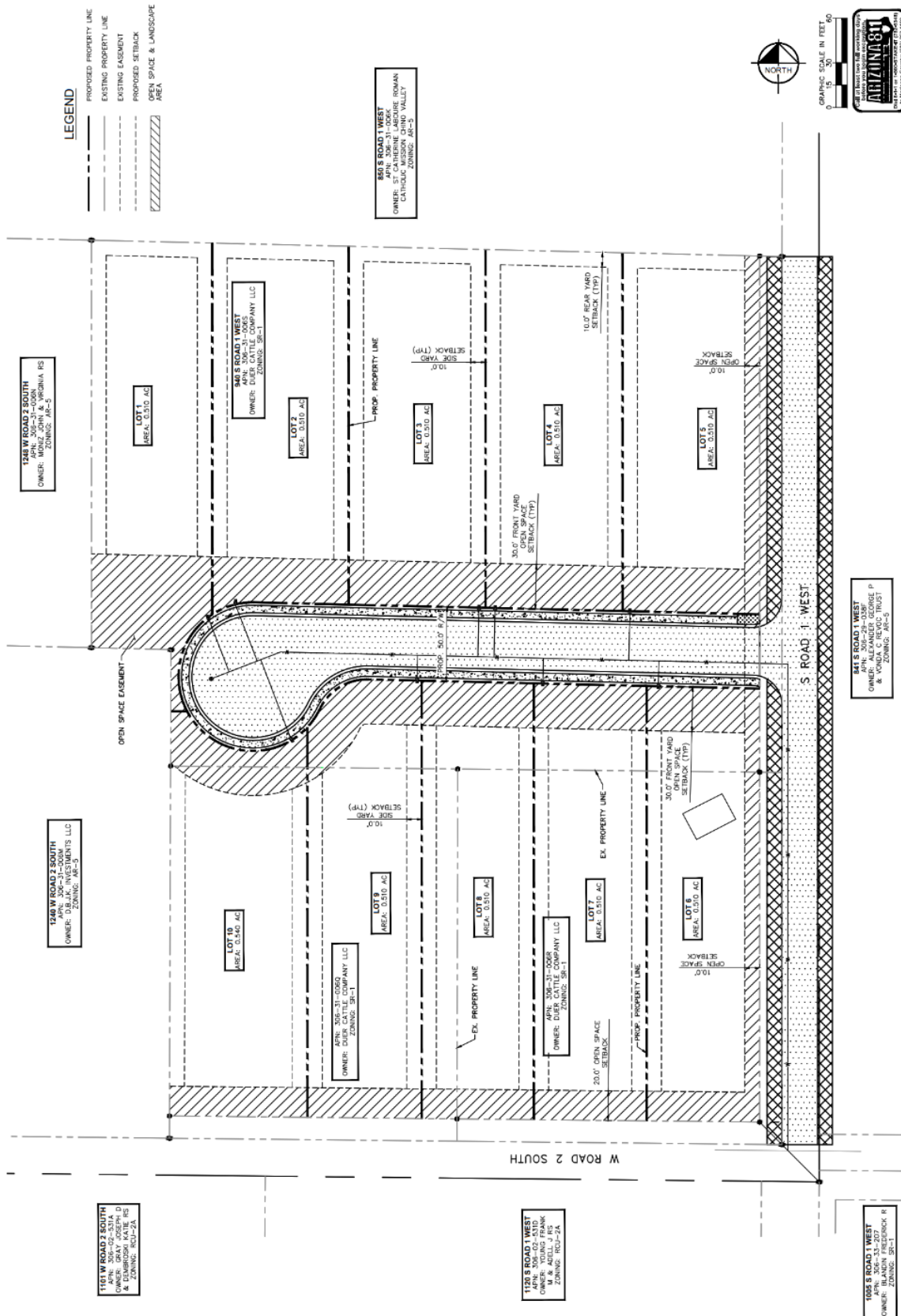


CONCEPTUAL ELEVATION PLANS



LEGEND

	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	PROPOSED SETBACK
	OPEN SPACE & LANDSCAPE AREA



GENERAL PLAN LAND USE MAP

