

1. Planning And Zoning - Agenda

Documents:

[2021_08_03_PZ_RG_AG.PDF](#)

2. Planning And Zoning - Agenda Packet

Documents:

[2021_08_03_PZ_RG_AG_PK.PDF](#)



Town of Chino Valley

MEETING NOTICE PLANNING AND ZONING COMMISSION

**REGULAR MEETING
TUESDAY, AUGUST 3, 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 June 1, 2021, regular meeting minutes.
 - b. Consideration and possible action to approve the June 29, 2021, special meeting minutes.
 - c. Consideration and possible action to approve the July 6, 2021, regular meeting minutes.
- 5. STAFF REPORTS**
- 6. PUBLIC HEARING**
 - a. Consideration and possible recommendation of approval to Town Council to rezone approximately 41 acres of real property located on the southwest corner of the intersection of West Road 2 North and North Road 1 West 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 207 lots with an approximate density of 5.05 dwelling units per acre. Applicant is Geoff Brisbin, and the parcel number is 306-21-167.

- b. Consideration and possible recommendation to Town Council of approval to rezone approximately 12.78 acres of real property located approximately 500 feet west of the intersection of West Center Street and North Road 1 West on the north side of West Center Street from SR-1 (Single Family Residential 1-Acre Minimum) to SR-0.16 with a PAD (Planned Area Development) to develop 20 half-acre lots. APN 306-21-011E. Applicant, Rosie Soto
- c. Request to rezone approximately 2.53 acres of real property from SR-2.5 (Single Family Residential 2.5 acre minimum) zoning district to SR-1 (Single Family Residential 1- acre minimum) zoning district in order to divide the property.
- d. Request for a Conditional Use Permit allowing for the construction and use of a sanctuary for house cats. Property address: 2497 North Road 1 East. Applicant: Alie Amato

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 29th day of July, 2021.

By: *Will Dingee, Senior 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: 08/03/2021

Department: Town Clerk

AGENDA ITEM TITLE:

Consideration and possible action to approve the June 1, 2021, regular meeting minutes.

RECOMMENDED ACTION:

Approve the June 1, 2021, regular meeting minutes.

Attachments

6-1-21 draft minutes

DRAFT

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

**TUESDAY, JUNE 1, 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

Commissioner McCafferty led the Pledge of Allegiance.

3) ROLL CALL

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

Absent: Commissioner Robert Switzer

Staff Present: Town Manager Cindy Blackmore; Development Services Director Joshua Cook; Senior Planner Will Dingee; Officer Roger Brown (Sergeant at Arms); Audio/Visual Technician Lawrence Digges; Deputy Town Clerk Traci Lavelle (recorder)

Attendees: Mark Holmes, Water Services Consultant, Annie Perkins, Councilmember, Eric Granillo, Councilmember, Tom Armstrong, Councilmember

4) MINUTES

- a)** Consideration and possible action to approve the May 4, 2021, regular meeting minutes.

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Gary Pasciak to approve the May 4, 2021, regular meeting minutes.

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

6 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

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Will Dingee presented the following:

- The application was to rezone 41 acres of property into a 207 lot subdivision with a PAD overlay.
- The property had been rezoned from AR-5 to SR-1 in 2001.
- An overview of the subject property location and surrounding properties was provided.
- The General Plan land use designation for the subject property and surrounding properties was Medium Density Residential 2 acres or less. One property to the north was designated as public parks and schools. To the east was the Highlands primary community core and the commercial multi-family corridor.
- The requested zoning of SR-0.16 with a PAD conformed to the Town's General Plan.
- The current property zoning was 1 acre minimum single family residential. The surrounding property zones were reviewed. There were two developments to the north, with a total of 180 acres that were zoned SR- 0.16 with PAD's with multi-family elements. The requested zoning for the subject property was consistent with the area's general zoning.
- The PAD required a conceptual plan to rezone. The applicant was requesting 207 lots on the 42 acre development. The smallest lot would be 6050 square feet and the largest 7800 square feet.
- The subdivision access would be through newly created private streets that would include curb, gutter, and sidewalks on one side. Two proposed subdivision accesses would be on Road 2 North and the other on Road 1 West. Sidewalks would be installed along Road 2 North and a multiuse pathway would be installed along Road 1 East.
- The subdivision would utilize Town sewer and either Town water or City of Prescott water.
- The homes were proposed to be one and two-story homes that varied from 1000 square feet to 3000 square feet. The developer intended to vary the traditional site-built homes that allowed for a variety of architectural styles.
- The applicant was requesting to use an average density for the development instead of a minimum lot size as required by code. With an average of 20% allocation for infrastructure, SR-0.16 zoning allowed for approximately 4.89 units per acre. The

applicant was requesting 5.05 units per acre and was also requesting alleviation from the setback requirements.

- Approximately ten percent of the total acreage would be preserved as open space, which would be landscaped with low water vegetation and little to no turf. The site perimeter along Road 2 North and Road 1 West would have additional landscaping that would be maintained by the community HOA. Town code did not have a minimum requirement for open space for developments.
- The neighborhood meeting was held on May 26, 2021. Over 40 members of the public were in attendance with concerns of water, traffic, safety, and density. The biggest concern other than the location, was water and water conservation. The Town's water resource specialist was available for questions.
- Town staff had received a letter and an email of opposition to the development to be read by the Deputy Town Clerk during the public comment portion.
- Town staff recommended the Commission forward a recommendation of approval to Town Council with the following stipulations:
 - Road improvements and dedications be made on Road 2 North and Road 1 West.
 - Road 2 North shall receive a 5-foot sidewalk and Road 1 West shall receive an 8 foot multiuse pathway.
 - Internal roads to be constructed to Town Code.
 - Extension of all Town owned utilities shall be to the furthest property line.

Commissioners and staff discussed the following:

- The internal roads would be built to Town code, but the roads would be private and maintained by the HOA.
- Town code had language that dictated open space, but it did not have a set percentage or allotment requirement for developments. The shrubs and trees would be ADWR compliant for low water usage plantings.
- Town water and sewer were not at the location and would have to be extended to the development. Staff stated there were plans to extend the utilities for some proposed apartments developing in the area. The lines were approximately a quarter mile away from the proposed development.
- The open space encompassed the proposed drainage tracts in the central portion of the development as well as two open lots.
- Staff reviewed the areas that were zoned SR-0.16 with PAD overlays. The lot sizes on the nearby developments had lot sizes of approximately half an acre, with 145 single-family homes. Hawks Nest included 150 single family homes and 240 multi-family units. The multi-family development area exceeded the 4.9 per units per acre. Commissioners were concerned that the proposed units per acre did not allow or meet the criteria for the appropriate transition level moving out from the community core. Staff explained the General Plan Land Use map showed that all the residential in the area as two acre or less. The goals and objectives were not clearly defined on how to interpret the information. The community core section was supposed to have a tiered phase in which there was the commercial, multi-family, and then single-family residential. Staff was unsure how that would apply to this development because all the residential sections of the community were designated medium density residential, which specifically called out two acres or less without guidance on what that specifically meant. If a property owner requested a rezone of two acres or less, it was consistent with the General Plan. Commissioners thought there was a Target Strategy that detailed transitioning for development planning as the Town grew. The same argument had come up during the Brooks Apartment development because there was not a development and the development had been high density. The Commissioners considered this development close to high density because of the unit per acre

threshold. Staff explained there were similar lot density developments at Highlands Ranch, Bright Star, and Craftsman Court, all of which fell outside the community core.

- There was still a question if the development would utilize Town water or City of Prescott water. If the development used Prescott water, the Town could not stipulate that the Town water lines be extended.

Commissioners, staff, and the applicant Jeff Brisbin discussed the following:

- Applicant Jeff Brisbin introduced himself and explained he was from Cambria Homes and Western Land Company
- He understood there were concerns amongst the community regarding various facets of the proposed development and would be willing to accommodate as many of the concerns as he could.
- Concern was expressed about the lack of thought given to the open spaces and not enough attention given to walking paths and playgrounds. The only open space shown was the center drainage ditch and two open lots, with everything else as tight as possible. The applicant stated that he was open to more attention to open spaces and that he was not set on the density of five units per acre. He explained the proposal included walking paths on the east side of the development, but it could be reconfigured to include walking paths through the open space areas. They typically used the drainage areas as open space that included turf and plants, but since they were in an area of drought conditions, they would not be utilizing turf. There would be amenities included in the areas that accommodated families and children.
- The goal was to keep the cost affordable, and the projected prices ranged from \$325,000 to approximately \$450,000 depending on the size of the house and market conditions.
- The development had two choices for water. The first was to bring the Town waterline a quarter of mile from the Brooks Apartment development. The other option was to utilize the City of Prescott's waterline that was already to the property line. The developers were looking at both options.
- The applicant was looking for relief on the side yard setback of ten feet to five feet from the property line. The setback was similar to the Bright Star development.

Public Comment:

- Kathy Middlestead – One reason they chose to move to the Town was the open space, and they were not limited to a small lot. She had a one acre lot and the surrounding subdivisions had lots close to an acre in size. They enjoyed the open space and if they wanted to be on top of one another, they would have moved to Prescott Valley. She thought it was extreme to go from two acres or less to 0.16-acre lot per single family residence. She wanted it to remain at one acre per single family residence because it was consistent with the surrounding developments. She was also concerned about the conditions of the roads outside the development because of the increased traffic. The water would also be impacted. She did not agree with the project and highly recommended that the Commission think about the citizens and the community, and forward a recommendation of not approving the development
- Larry Holt – According to Data USA, the average number of cars per household in Arizona was two. That would increase the traffic on Roads 2 and Road 1 West by over 400 cars at one trip per day. ADOT statistics showed that traffic accidents in rural areas were 79% lower than more urbanized areas. He thought the Town had enough accidents already. He questioned who would fund the increased police and fire department responses since the Town did not have impact fees, it would fall to the

rest of the taxpayers to pay for the additional costs. Many people had purchased their property in an R-1 zoning area to maintain a semi-rural lifestyle and the development would represent the highest density on the west side of State Route (SR) 89 and would strip the community members of the lifestyle they paid for. The current homeowner's interest should not become secondary to the developers. Just because something was allowed did not mean it was right or that it should be approved. There was not enough water pressure for fire hydrants in his neighborhood, so all the houses had to be sprinkled. There was no fire truck in Town with two story ladders and if a fire broke out in a two-story home, they would have to wait for the appropriate equipment to come from Prescott Valley or Prescott, which he had confirmed with the Fire Chief. The property was zoned R-1, and he was asking the Commission to deny the request. Forty homes were acceptable and within the existing zoning.

- Stacey Woodsum – The information from Mr. Holt she knew to be true. She concurred with the road issue and did not think the roads could support the increased traffic of 200 additional homes. The Town already had a difficult time getting the taxes to maintain the roads. Most people moved to the Town to enjoy the rural lifestyle, which could no longer be offered by the other area Towns. If they started allowing this type of development in Town, it would set a precedent that would diminish the agricultural lifestyle that the Town was built on. She requested the Town be the exception to the rule. She loved the Town and people and requested that the Commission fight for the rural lifestyle. The developer did not live in Town and would not have to live with the traffic created by the subdivision, the degrading roads, or other consequences. She was not against progress, but requested the Commission deny the zone request change and let the parcels stay at one acre.
- Helen Collins – She had read the General Plan, and it stated the Town valued clean water, clean air, no noise, dark skies, and open vistas, and it strived to maintain the rural atmosphere and lifestyle. If the development were approved, they would be going against their General Plan.
- Gene Haranczak – Moved to Town approximately one year ago. They had lived in Levine, which was a similar town to Chino, with large one plus acre lots. They learned firsthand what could happen when a City Council approved a large number of homes per acre. Within a couple of years there was more crime and traffic. They moved to Town because of how rural it was. They liked the area and the people. To put that many houses on an acre was not right, and he was totally against it.
- Linda Spangenberg – The proposed development was very close to her home. There were things the Town needed to consider. The property and housing costs were so high that people who owned large portions of land were putting their properties up for sale. It would be beneficial for the Town to consider and balance the development between all the large portions of land that would be sold to other developers. If the smaller acreage was developed for this subdivision, that was less water and more traffic. She questioned what the Town would do when the other properties sold and were similarly developed. It needed to be balanced. The General Plan needed to be looked into, not just the development. Despite where the water came from for the development, they all shared the same groundwater. They needed to do a study to learn how much pressure could be put on the aquifer. Prescott was already taking a bunch of their water and peoples wells were drying up. SR 89 through the Town could not take that kind of impact of population, and she heard a Councilmember state r they would use eminent domain for land access to widen the roads, and it was not right to take private property so that some developer could get rich.
- Yolanda Moneglia – She called the water company, and they stated the water was declining and had been declining since the late forties. Everyone would have to drill if they did not get any natural resource of water, or it was not replenished. Some wells

were as deep as 260 feet, and they were still declining. She had read that they were going to lose 1/3 of their water supply and there was concern about the dam at Lake Mead and water levels dropping. This provided electricity to millions of people and there was a possibility that Arizona would go into a level one and services could be affected. If the Town wasn't careful, they would all die of thirst or burn up like it said in the bible. Even if it were Prescott water used, everyone would be affected because everyone was using the Little Chino. Chino needed revenue, so she suggested that before anything was done that the roads be addressed.

- Randy Brummons – He noticed the developer wanted to bring in sewer to the development. The Town did not have the infrastructure, and they had a traffic problem and would ultimately have a water problem. Instead of the Town having 340 gallons for water usage per month, it would be 1,600,000 gallons per month. He questioned where the water would come from. Instead of having 207 unit parcels, the Town should consider doing the business park and get revenue into the Town.
- Leslie Stuller – Her home would be two doors down from the proposed development. She was concerned about where the next fire station would be built. With the addition of 95 apartments and the 207 family homes as proposed in the development, where would they get the additional teachers needed for the increase in students at the school? With this increase in population, she questioned where the money would come from to recruit and retain law enforcement as the crime increased. She understood development was inevitable, but thought the Town needed to be built to be prepared for the influx of people before they came in. If they moved in before the Town was ready, how would they raise their children and keep everyone safe.
- Reagan Stuller – He loved the Town seal, but they were going to have to change it because they were going to kill off all the pronghorn, and they would get rid of the mountains and views. He questioned if the next plan would be high rises, tons of homes, jail bars and criminals. At the neighborhood meeting the developer had stated that the prices of the homes were going to be \$500,000 and everyone gasped because the homes were unaffordable. He seconded the water, crime, streets, and fire resources. Every day he saw kids walking to and from school, and he saw cars going to the other side of the road because there was nowhere for the kids to walk. Even though there would be sidewalks on the one development portion, the rest of the area would still have no sidewalks. His family had moved from Quailwood, and they had a pool, basketball courts, baseball fields and other amenities. This development was only about the developer trying to make money. There was nothing offered for families or kids. It was only about getting as many houses in as possible. He thought it should be kept at one acre lots and the Town did not need that kind of development in that area of Chino Valley.
- Geneva Eads – There was the idea that taxes could pay for everything, and the Town could take care of their own, but she questioned if the Commission had driven up and down SR89 and looked at the strip malls with all the empty stores and for rent signs. There were no businesses in Town and people went to Prescott to shop because the taxes and what was available. The Town did not have the business infrastructure to support what was needed to support the development. She agreed with everyone else regarding water, density, the children because it was not what Town was designed to be.
- Kyle Mock – He moved to Town from Prescott Valley and had seen a lot of the development. The result was crime rates rising and unsafe conditions for kids. Town did not need that. Starting families could not afford those prices for homes, and it would cause the rest of the housing market to rise. The architecture was not unique.
- Eric Lablanc – Concurred with almost everything that had been said by others. He was concerned the density would cause a lot of problems on Road 2 and Road 1 West.

On Road 5, they constantly had people speeding at up to 80 miles per hour going up and down the road. They rarely saw the police on their road. Similar things would happen to the other roads with the development. There would be more accidents. He did not want to see a child get killed from the increased traffic and speed. He thought the lots should be kept at one acre.

- John Hamilton – He lived in California and saw firsthand what this type of development did to an area. Once a Town started down that road, there was no going back.
- Pamela Golubkin – Questioned why the Council felt it necessary to consider the development and if they did not like the Town the way it was. The Chair pointed out that they were the Planning and Zoning Commission and not the Council, and they were volunteers. He explained the Commission viewed what was brought before it by Town staff. They looked at applications and made decisions and did what they were supposed to do.
- Paul Golubkin – Explained he had five acres, and he could not imagine 25 homes on his five acres. There was the water issue, and the water levels were so low. There was arsenic in the water because of the low level, which required filtration systems. The area had been in a drought for many years, and the water level kept going down. He worked on 400 miles of an open aqueduct, and he could not imagine doing that in Arizona. He questioned where all the sewer sludge would go. He liked it in Town and people waved, and he wanted to keep it that way. He already had seen enough speeders.
- Tammy Shepard – One of the reasons she had moved to Town was because it was a rural community. She was surrounded by horses, chickens, and goats. Kids were riding on the dirt roads. This was part of the living in the area with the larger one acre land. Prescott Valley did not have chickens, cows, horses, or any country left. She was afraid that if the 200 homes were approved, the next property that was sold would want to put in five or six homes per acre because it had already been done. It was the opening of what more could happen and that was not what Town was.
- Deb Kirby – When a big subdivision was plopped right in the middle of a farming community, there would be smells and flies from the animals, roosters crowing in the morning, and other things involved in it. She had heard about people getting run out of their homes and ranches because of the complaints of smells. She knew of a person with five acres that constantly got complaints from the one acre subdivision nearby. She was also concerned about the kids walking to and from school on the horrible road.
- Mike Best – Development like the proposed subdivision was not intended for anyone that lived or worked in Town because it was out of their price range. It was intended to invite people from outside the area and the state who had sold property and had money in their pocket and wanted to come to a rural area. When they got done, they would not have a rural area as it would be gone.
- Debbie Finley – Reiterated everyone's concerns. Her biggest concern was that this was not what the community was. It was not why anyone moved to Town and as soon as the process started, the Town was opening the door for more. They were a culture of one house per acre or two at the most. If developers were restricted to one house per acre, they would still come, buy land, and build houses. Six houses per acre was not the culture of the community, and it was not what anyone wanted. She thought the Commission probably felt the same but just could not voice it.
- Terry Kinner – Looked at the planning and the existing zoning. The Town did not have a sewer plant that could handle this large of a development and the power plant could not manage it. With all the property already zoned at that density, they did not

need to creep out further. It was not a game of I got here first and got mine, but a matter of insufficient infrastructure.

- Dejha De la Roush – She had seen in the past that developers were looking for aquifers and places there was water. Water was being targeted and the Town was in a crisis with their water. She knew of people in and out of Town who had wells that were going dry and their property values going to zero. People were having to haul water in and spend nearly \$200 a month for water. The lady that talked about the dam and the lack of runoff was correct in that it would affect Town because they could not produce the electricity because of lack of water. They needed to protect their water supply because it was compromised.
- Mark Vucich – He agreed about the water, traffic, and crime. For a long time, people had wanted another grocery store and other commercial businesses where people could have jobs and not need to go to other area Towns. The grocery store argument was that more rooftops were needed before another would come into Town. He agreed with that, but this was not the way to make rooftops because they were too close. It was like the airport development where you could jump rooftop to rooftop. He was a real estate agent, and he had seen similar developments, but this Town was not designed for the needed infrastructure. Prescott Valley was designed as that type of community, and it was how it was developed. Town was meant to be rural, and he hoped it stayed that way. They needed growth because if the Town quit growing it dies. He thought there were other methods the Town could do to get growth without infringing on everyone else's property.
- Rick Middlestead – It appeared the front yard setback was ten feet, and he questioned where all the cars would go. It was difficult to get two cars in a two-car garage and there were already too many cars parking on the street. This could make it rougher for emergency vehicles to get in.
- Maureen Owen – Questioned if the streets were dedicated and maintained by the HOA, if there were a chance the streets could be dedicated to the Town for maintenance in the future if the HOA dissolved.

Public letters and emails: To be read by the Deputy Town clerk.

- Debbie Findley – Her comments were for the current rezone application as well as future high density rezone applications. Although there were concerns about crime and traffic, it boiled down to the community not supporting high density zoning. People moved to the community for the rural ranch lifestyle, which included elbow room between neighbors and the ability to see and hear the farm animals. Any high-density housing developments did not fit the culture and lifestyle of the community. She requested the Commission approve developments with only one or two homes per acre. The area had four distinct communities to choose from: Prescott, Prescott Valley, Dewey-Humboldt, and Chino Valley. This provided choices for people to pick the type of community they wanted to live in. The Town was at a tipping point depending on the Commission's decision. They could become a high-density community of tract houses or keep the larger properties and become another Williamson Valley and maintain the eclectic ranch environment along with growth. She requested the Commission choose the ranch lifestyle.
- Sandra Tuttobene – Wrote to express her dissatisfaction and concern regarding the requested rezone. Adding 207 homes at the corner of Road 2 North was foolhardy. Traffic was approximately 404 more cars traveling to and from the location. The site sits at single wide roads that intersected at the most important location of the community, the elementary and middle school sites. Children walked alongside the roads when going to and from school, and it would be risking their safety. Road 2 North was one of the busiest roads in the community because it led to the post office,

grocery store, and the frequented businesses. More traffic would lead to more backup and accidents. Road 1 North would become the bailout route for those leaving the development causing more traffic. Road 2 North would become the route used to access Reed Road, which already had a speed issue. More traffic meant more road rage, accidents, traffic tie-ups, honking horns and other traffic related issues. There would also be more wear and tear of the already bad roads. There would be at least 400 hundred more residents around the area, which would lead to more crime and noise. Light pollution would also increase. The antelope would be at risk. She requested the site remain SR-1, which would allow the property to conform to the surrounding properties, result in a controlled and logical development stance, result in the continuation for the community's dedication to be Arizona's redneck capital. She requested the Commission not pass the rezone.

Commissioners, Water Consultant Mark Holmes and staff discussed the following:

- Staff explained that within SR-1 zoning districts, structures were allowed to be approximately 35 foot max roof height, which was a three-story structure.
- With a preliminary plat, a traffic study was required. It would be determined during that process if turn lanes were needed or the level of improvement necessary. The typical process for a traffic study required the developer to provide an engineering traffic analysis. For a development this size, there were generally ten trips per day per single family home and 2000 vehicles per day going in different directions. The study would use that information to determine the impact to surrounding streets. There would be an impact with the larger number of homes. The most current Road 2 North study did not include a development to the east, but all the apartments and PAD developments were included. It showed that at some point there would need to be improvements on Road 2 North, including a center turn lane. A more detailed analysis would be necessary for Road 1 West in the future with the possibility of a traffic light or roundabout. Roundabouts cut down on fatalities by 95%.
- The development paid for extension of utilities. The Town could elect upon Council decision, to extend utility lines. There could be potential paybacks for other developments that were filling the gaps between developments.
- The current sewer plant treated approximately 300,000 gallons per day and was permitted for up to 5 million gallons per day but was only built to handle 500,000 gallons. The Town was already looking at plans to expand the plant based on development and potential growth. The plant should not be built before the development occurred, but instead looked at the rates of development, and then expand the plant as those rates came in. The expansion funding came from the buy-ins fees for the sewer and water. The monthly rates were for the operation of the system. It was not funded by tax dollars. The water and sewer were enterprise funds by law. Money that went into those funds, by law could only be spent on those.
- Staff was not sure where a fire building would be located. There was currently one located behind the North Campus and one on Road 3 North behind the Police Station. Staff explained that during the public hearing for the Brooks Apartments, it was made clear by the Fire Marshal that they did have the appropriate apparatus to serve up to three stories or more.
- Staff explained the application was being brought to the Commission because they could not make recommendations based on what they wished the General Plan stated or what the community thought it should be. They could only bring recommendations based on what was on the General Plan and what was adopted and voted on by the Town of Chino Valley. The current General Plan and Land Use Map showed medium density residential in the area, which was defined as anything two acres or less. SR-0.16 fell within that definition. According to the current General Plan, the

proposed development was consistent. The target strategy mentioned in the Plan was regarding the community cores, and it did not reference anything else. If the Commission found a section on target strategy, it could be discussed during the Council portion.

- The code required 20-foot setbacks for front loading garages and the applicant was requesting a 10-foot alleviation for homes with side load garages
- Any private road that went under Town maintenance would need to be proposed to Council and Council would need to accept the maintenance of the road. The current proposal had the roads built to the current Town standards.

Mark Holmes

- Provided a history of his experience with water resources in Arizona and explained he was a registered professional geologist in the State.
- All the water in the Town and the City of Prescott was groundwater, which was water that was deposited over hundreds of thousands of years or possibly millions, as the basins were created. It was a finite resource, with only a certain amount of acre feet that was available currently. It was currently being over drafted in the amount of two to one. There were many exempt wells and three large municipalities pulling water from the sub-basin.
- As the water table dropped, the water moved to the center of the aquifer or the deeper area. It was moving away from the margins of the aquifer towards the hills that were the basin boundaries. If a property had hit the bottom of the aquifer, they would be hauling water.
- Part of his goal was to help the Town get water infrastructure to those areas to help with providing assured water supply to those landowners.
- Another aspect was when the well was drilled. Many wells were drilled when the water was closer to the land surface and if the well was not deepened, it would eventually go dry as the water table dropped in the amount of 2 to 2.5 feet per year.
- The City of Prescott got most of their water from their five main productions wells in Town that pulled water from the center part of Chino. The Town's wells were very deep, and it was a high producing aquifer versus many of the exempt wells that were shallow. The municipal supply had value.
- The subject property was in the Chino Valley irrigation district that was part of the irrigation district contract where they sold the lakes to the City of Prescott. The City of Prescott agreed that the lands would only serve one home per acre, and they had water budgets established for those properties. The City of Prescott had a 30% surcharge on any customer that it served water to in the Town. The City of Prescott also did not guarantee any fire flow in their Town system. They built the system to have minimal pressures. If the development went with Prescott water, they most likely would be required to have fire sprinkler systems installed in the homes.
- Town had some of the most efficient certificates of assured water supply that were ever issued in the Prescott Active Management Area (PAMA), which was the highest regulated area within the State. Those certificates worked out to 7.5 homes per acre foot. Assured water supplies were the most rigorous requirements for any land developer in the Country. It required homes in an AMA to have 100 years of assured water supply to that home. The developer must prove the water molecules were physically there for one hundred years.
- If the development went with the City of Prescott, it would need 2 acre feet per one acre development or 80 acre feet per year for the whole development. The more water used in the Prescott system, the higher the bill would be, plus the addition of the surcharge. If the development were served by the Town, they would have guaranteed fire flow through fire hydrants with no sprinklers necessary. If the developer went

with the Town and did five homes per acre foot, which would equate to 40 acre feet, which was less than the 80 acre feet for Prescott. Six homes would equate to 33.5 acre feet for all 200 homes. The Town would meter the water as a service provider and must meet all conservation requirements within the AMA. In sustainability, high density was always more sustainable from a water resources standpoint, especially yard size decreasing. Many large lots in Town had turf, and it took 4 acre feet to water half an acre and 8 acre feet to water an acre. A higher density area returned 50% or more of the water to reclaim, recycle, and put back into the ground.

- The Town was treating the wastewater at its reclamation facility. That water was being treated and put back into the ground. It was being treated under the highest water quality standards set forth by the State, called Class A Plus Effluent, and it was potable water. The Town was recharging more reclaimed water than it was pumping to its water customers. If the development were high density, the Town would want to treat the water, so there were no health and safety issues. That water would be reclaimed and put back into the ground.
- The goal in the Prescott AMA was to eliminate the losses of water, with the biggest being outdoor water use. Outdoor water use was 60 to 70% of all water consumed in the entire area. Developments using low water landscape were efficient developments.
- There were approximately 16,000 exempt wells within the area, and that was not considered within a safe field.
- The City of Prescott had the infrastructure to serve the development, and it was tied into their system. They might have to ramp up some infrastructure, but their water supply demand had decreased from 2005 from 12,000 acre feet to about 6700 acre feet. Most likely they could handle this development and others without modifications.
- Five homes per acre would not demand any more water than one home per acre. Town was a superior water provider. The Town's biggest challenge was sprawl, with high density areas separated by one or two miles. It was challenging to stretch utility lines two miles to one acre lots and get the money back for that infrastructure costs.

Commissioners, staff, and the applicant Jeff Brisbin discussed the following:

- The property was on the corner and had extraordinary infrastructure costs, including road improvements and utilities costs. To make sense in developing the property, they had to be able to get density. He could not make the numbers work with only 2 units per acre.
- The current conceptual plan showed heavy density. The developer wanted the opportunity to come in with a revised plan with fewer units per acre and represent it to the Commission. More amenities and open spaces could be incorporated into the plan.

MOVED by Commissioner Teena Meadors, seconded by Commissioner John McCafferty to continue this matter to the August 3, 2021, Planning and Zoning meeting, and that staff re-notice the public for the hearing.

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

6 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

- a) Consideration and discussion to determine if the Planning and Zoning Commission would like to continue reviewing subdivision Final Plats.

Commissioners and staff discussed the following:

- The current code for preliminary and final plats had certain requirements.
- They had certain notification requirements for rezoning and conditional use permits, but those notification requirements were not required for plats.
- Preliminary plats were required to go to the Commission and the Council, and staff was not recommending that be changed.
- The final was only required to go to Council and notification requirements did not require the statutory 14 days as defined in ARS for rezones.
- Staff wanted the Commission to confirm they wanted to continue to see the final plats because it was not required by code.
- Members wanted to continue to see the final plats, and it would continue to go through the public process and be voted on by the Commission.
- Staff would continue to bring final plats to the Commission.

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.

- Yolanda Moneglia – Wanted the Town to put in a skate park for kids. She also wanted more interaction between the Town and businesses and wanted the Town to be more business friendly. Prescott pumped water from the same aquifer as the Town. It was suggested she meet with the Town’s water resource consultant, but she liked what she learned from her Phoenix contact, and she had disagreed with some of the Town consultant’s statements.

10) ADJOURN

MOVED by Commissioner Teena Meadors, seconded by Vice-Chair Gary Pasciak to adjourn the meeting at 8:10 p.m.

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

6 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

4. b.

Meeting Date: 08/03/2021

Department: Town Clerk

AGENDA ITEM TITLE:

Consideration and possible action to approve the June 29, 2021, special meeting minutes.

RECOMMENDED ACTION:

Approve the June 29, 2021, special meeting minutes.

Attachments

6-29-21 draft minutes

DRAFT

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

**TUESDAY, JUNE 29, 2021
6:00 P.M.**

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

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Teena Meadors;
Commissioner Robert Switzer; Commissioner William Welker
Absent: Commissioner John McCafferty; Commissioner David Somerville
Staff Public Works Director Frank Marbury; Senior Planner Will Dingee; Audio/Visual
Present: Technician Lawrence Digges; Deputy Town Clerk Traci Lavelle (recorder)

1) CALL TO ORDER

Chair Merritt called the meeting to order at 6:00 p.m.

2) PLEDGE OF ALLEGIANCE

Commissioner Welker led the Pledge of Allegiance.

3) ROLL CALL

4) MINUTES

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation of approval to Town Council to rezone parcel 102-01-219K and parcel 102-01-219M containing approximately 5.08 acres and 6.86 acres of real property Located at the northwest and southwest corners of the intersection of East Road 4 ½ South and South Road 1 East, respectfully, from the CL (Commercial Light) to CH (Commercial Heavy) with a Planned Area Development (PAD). Applicant is Keith Hughes. (Will Dingee, Senior Planner)

Will Dingee presented the following:

- The requested rezone was for two parcels from Commercial Light (CL) to Commercial Heavy (CH) with a Planned Area Development (PAD).
- This was the second time the zoning request had been presented to the Commission, but this time it included the PAD.
- An overview of the subject property location and surrounding properties was provided.
- The approximate 12 acres of land was currently vacant.
- The General Plan Land Use Designation for the two parcels was Commercial Multi-Family. The properties to the north, west, and south had the same designation. Properties to the east were State land designated as future growth areas. There were also two potential community core areas to the north and south.
- The requested CH zoning designation conformed with the General Plan.
- The surrounding property zoning designations were reviewed. The requested CH Zoning conformed with the area, which was predominately commercial.
- The neighborhood meeting had been held on April 28, 2021, and subsequently was heard for the first time by the Commission on May 4, 2021, and Town Council on May 25th. At that time, Council requested the item go back through with a PAD in order to strip the uses for the parcels because they felt some CH uses were not ideal for the particular area.
- As requested by Council, the applicant had provided a conceptual plan for the RV Park. The RV Park was proposed to be on the Southern parcel.
- The applicant requested that the CH uses be restricted to RV in nature to include Recreational Vehicle Park, recreational vehicle storage, recreational vehicle accommodating car wash, recreational vehicle maintenance, and a portion of the northern property to be utilized as a mini storage. All the uses were specific to Commercial Heavy restrictions. Commercial Heavy also allowed for all other Commercial Light uses, which was currently allowed on the property. The applicant wished to retain that portion of Commercial Heavy uses as well.
- The requested PAD was not to ask for any variation from Town code but was a request from Council that specifically restricted the intensive commercial heavy uses. There was no need for the applicant to provide anything additional other than what was required by Town code.
- Although not required, the applicant was proposing a higher level of community open space amenities such as a splash pad or pickleball court in the open space area.
- Staff recommended forwarding a recommendation of approval to Council with the following stipulations:
 - Uses for the properties be restricted to accommodate the developer's request regarding Commercial Heavy use, Commercial Light uses will still be allowed per code.
 - Right of way dedication be made along East Road 4 ½ South and South Road 1 East.
 - Street improvements be made on East Road 4 ½ South, and South Road 1 East.

Commissioners and staff discussed the following:

- The Commercial Heavy zoning had a specific section in code that allowed outright all the permitted Commercial Light and Conditional Commercial Light uses. The applicant requested to retain all the CL uses with the only restrictions on the Commercial Heavy uses specific to the RV Park and mini storage. The more intensive CL uses were associated with a conditional use permit (CUP), but the uses Council had been concerned about included petroleum storage, outdoor commercial kennels, welding shop, fabrication yards, contractor yards, bottling and packaging plants, and other uses outside the Commercial Light district. The applicant currently had the CL zoning and the right to any uses listed under the CL zone.

Commissioners, applicant Keith Hughes, and staff discussed the following:

- The applicant planned to have an RV Park with RV storage and mini storage. The applicant was not changing anything from his first application but had brought in a conceptual drawing of the RV Park. He had included green space for the leach field that would also include uses such as picnic areas.
- The RV Park would be more upscale, but the applicant wanted space for RV storage and mini storage. He also wanted his clients to have the ability to have onsite motor home vehicle maintenance.
- The applicant wanted to ensure that he maintained the Commercial Light zoning. He only wanted the CH zoning to get the RV park developed.
- The RV Park would be on the southern property. On the other parcel, the applicant wanted to do only RV related uses and the PAD would be specific to that. He wanted to have covered RV storage and mini storage. The seven acre property would be for the RV Park with 90 spaces, which was all he could do with Arizona Department of Environmental Quality (ADEQ) and the septic systems.

Commissioners and staff discussed the following:

- Under the parcels current zoning, the applicant could request a CUP for the mini storage.
- ADEQ would regulate the water and septic used for the RV car wash facility. There was a certain level of treatment and water recycling for auto wash establishments. It had to meet State regulations to use the recycled water for landscaping purposes.

Public Comment:

- John Buss – The one thing that he remembered from college classes in development and planning and zoning was buffer zones. There was never industrial next to residential. He thought that was the reason the Town had designated the zoning for the subject parcels CL. The CL zone offered restaurants, office spaces, retail, personal services, etc. The residential neighborhoods that had been there for 60 years would not be compatible with CH. If there was approval for the CH zone change on the northern parcel, then the other area parcels could also apply for the CH zone. Only three parcels away there were three residential homes with a combined value of \$3.4 million. All three properties had or were undergoing ownership changes, and all those people had the opportunity to check out the surrounding zoning. The CL zoning and what it entailed seemed good to a prospective buyer. Water usage was a secondary concern to him. Those three homes could have only 60 feet away from their west border things like manufacturing, welding shops, and commercial outdoor kennels. The static water level had dropped five feet per year. The people in the area had a major investment to have the use of the water, and they did not bargain to have CH uses. CH would be hard to stop if this were approved because those uses were not CUP's.

- Randy Covert – He had the closest residential property to the proposed development. He was concerned because he had bought and put a lot of money into his property. They had cleaned up the area and were making it nice. He was also concerned about the traffic patterns because the current roads were not designed to handle 40,000 to 50,000 pound vehicles. That was what a Class A Motor home weighed, and many of those vehicles were 65 to 75 feet long. The RV spaces looked tight. He also did not see where the septic was on the plan. There were already a lot of traffic and people out walking. He was concerned with the change what could come in.

The public portion of the meeting was closed.

Commissioners and staff discussed the following:

- The original application for the zone change was for straight CH zoning. Town Council agreed with the presumption that it could be much more intensive, which was why they requested the applicant bring it back through the process with a PAD. This crossed out the possibility of the more intensive uses ever being allowed with the rezone. This CH rezone would be specifically restricted to RV similar uses and the existing CL uses that the applicant was already entitled to. Any future developments requesting a CH rezone, would most likely receive the same Council scrutiny, and they would request that uses be more closely related to the CL zone.
- The reason the applicant requested the CH zone was because RV Parks over 26 units were only allowed in the CH zone. CL zone only allowed up to 25 units. The technical review aspect of a development would determine if the property could handle the 90 proposed RV spaces. The applicant would also need to prove they satisfied State regulations for water and septic. The applicant was only seeking approval of the zoning so that he could pursue the development going forward. He would most likely need to provide some type of traffic analysis for circulation, ingress and egress information, and other such aspects.
- Staff reviewed the proposed location of the septic system.
- The current residential areas were not located in a CL zone and were zoned SR-1 or AR-5. There was a small area that was zoned CL. The General Plan designated Commercial Multi-Family area extended completely along East Road 4 South. The solar panel plant was zoned AR-5 but since it was a public utility, it was allowed.
- The PAD overlay limited the commercial heavy opportunities for the property to strictly RV usage. Any future CH uses would need to go through the same process as the current applicant.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Teena Meadors to recommend the Planning and Zoning Commission forward a recommendation of approval to Town Council to rezone approximately 11.94 acres of real property from the CL (Commercial Light) zoning district to CH (Commercial Heavy) with a PAD (Planned Area Development) zoning district in order to develop the property with the stipulations as outlined in the staff report to include:

- That the uses on the properties be limited to only the following:
 - Recreational Vehicle Park
 - Recreational Vehicle Storage
 - Car wash that can accommodate RVs
 - Recreational Vehicle Maintenance
 - A portion of the northern property to be utilized as ministorage
- Per the Town Unified Development Ordinance § 5.3.2, Table 5-1, the minimum

required right-of-way dedications are as follows:

- Provide for a total of 60' (30' north and 30' south of the section line) for East Road 4 ½ South is dedicated for Right of way
- Provide for a total of 50' dedication of Right of Way for South Road 1 East.
- Per the Town's Unified Development Ordinance § 5.3.2, Table 5-1, the required offsite half-width (full width required when properties border north and south of East Road 4 ½ South) roadway improvements are as follows:
 - East Road 4 ½ South
 - 14' minimum roadway width without on street parking.
 - 6" vertical curb and gutter.
 - 5' minimum concrete sidewalk.
 - South Road 1 East
 - 6" vertical curb and gutter.
 - 5' minimum concrete sidewalk.
- The parcels would still retain Commercial Light zoning.

Nay was Commissioner Switzer. He thought it was a great project but thought it was the wrong area. Everything in the area was zoned CL, and it would set a precedent even with the stipulations. Councils and Commissions changed, and it could change where they did allow for Commercial Heavy if they allow the change now. He also thought a project of this magnitude should be on municipal water and sewer. He thought it was needed in Town but not at the current location.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner William Welker

NAY: Commissioner Robert Switzer

4 - 1 PASSED

7) NON-PUBLIC HEARING

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 Vice-Chair Gary Pasciak, seconded by Commissioner Teena Meadors to adjourn the meeting at 6:35 p.m.

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

5 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

4. c.

Meeting Date: 08/03/2021

Department: Town Clerk

AGENDA ITEM TITLE:

Consideration and possible action to approve the July 6, 2021, regular meeting minutes.

RECOMMENDED ACTION:

approve the July 6, 2021, regular meeting minutes.

Attachments

7-6-21 draft minutes

DRAFT

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

**TUESDAY, JULY 6, 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

Commissioner Somerville 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; Commissioner David Somerville

Staff Present: Public Works Director Frank Marbury; Senior Planner Will Dingee; Audio/Visual Technician Lawrence Digges; Town Clerk Erin Deskins

Attendees: Councilmember Eric Granillo, Councilmember Tom Armstrong

4) MINUTES

- a)** Consideration and possible action to approve the June 1, 2021, regular meeting minutes.

There was concern regarding the summarization of a letter written by Debbie Finley for Item 6(a) at the June 6, 2021, meeting, which said that Ms. Finley was voicing her concerns for the current rezone application and high density rezones in the future. It was unclear to Members how a public comment could be made that was continued onward for future meetings and based on the way Ms. Finley's email was written, her comments would need to be considered for all future high density rezones. A request was made for staff to determine if a blanket comment could be made that would continue forever. Staff would contact the Town attorney for clarification.

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner David Somerville to move the June 1, 2021, regular meeting minutes to the next meeting on August 3, 2021.

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

7 - 0 PASSED - Unanimously

5) STAFF REPORTS

6) PUBLIC HEARING

- a) Consideration and possible recommendation to Town Council of approval to rezone approximately 12.78 acres of real property located approximately 500 feet west of the intersection of West Center Street and North Road 1 West on the north side of West Center Street from SR-1 (Single Family Residential 1-Acre Minimum) to SR-0.16 with a PAD (Planned Area Development) to develop 20 half-acre lots. APN 306-21-011E. Applicant, Rosie Soto. (Will Dingee, Senior Planner)

Will Dingee presented the following:

- The applicant had requested that Item 6(a) be continued to the August 3, 2021, Planning and Zoning meeting. The decision was made after the neighborhood meeting in which the applicant received constructive criticism for the proposal and wanted to take that into consideration before it was presented to the Commission.
- Applicant Rosie Soto gave the Commissioners paperwork was, so they could see the layout of the subdivision, and the type of homes she would be building. During the neighborhood meeting, she received suggestions and critiques, which she wanted to take into consideration to try and achieve everything they wanted, so they would be happy. She also wanted to meet her goals of putting in sewer and Town water. She would be flipping the houses around to face the opposite direction. She wanted to provide site-built homes with sewer and Town water, and as much acreage per lot as she could, which would be approximately .53 acres each. She also wanted a park, and she was unclear if it would be gifted to the Town, or if the neighbors would maintain it. She needed a continuance so that she could meet with her civil engineer to rearrange the site layout.

MOVED by Commissioner William Welker, seconded by Commissioner Teena Meadors to move item 6(a) to the next meeting on August 3, 2021 per applicant's request.

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

7 - 0 PASSED - Unanimously

- b) Request to rezone approximately 2.21 acres of real property from CL (Commercial Light) to CH (Commercial Heavy) with a PAD (Planned Area Development) to develop a Recreational Vehicle Park. APN 306-23-003B Applicant: Meurs Contry West LLC

Will Dingee presented the following:

- The application was for the new Country West development phase, which was for an RV Park.
- An overview of the subject property location and surrounding properties was provided.
- The property was currently vacant, but when the current owner/applicant purchased the property in February 2020, it was an established RV park through a conditional use permit issued in 1988. Once the applicant purchased the property, they demolished all the structures and improvements because of the disrepair and returned it to the current vacant state.
- The General Plan land use designation and the surrounding parcels was community core, which was defined as a concentrated area of Town that supported various residential and mixed uses. The request of CH zone and the requested use conformed to the General Plan.
- The area supported the restrictive RV park use associated with the zone change. The properties to the east and west was the existing Country Homes mobile home park.
- The surrounding property zones were reviewed. There was existing CH property to the northeast that did not have a PAD attached, and it was open to all CH uses.
- The requested use and zone change was in conformance with the general area and surrounding zoning.
- As required, the applicant submitted a conceptual level plan for the PAD. The plan included 31 sites, with all sites graveled with a dust free material. A concrete pad for outdoor dining or activities was included at each site.
- Access to the sites would be through an asphalted one way drive through the exiting owned property of Country West, with no direct highway access.
- The property would be served by Town water and sewer.
- The PAD restricted the property use to only an RV park and all other auxiliary and CH uses would not be permissible. Any changes to the use would require an application going through the public hearing process again to request the changes.
- The only deviation from development standards was the wall height. The developer was requesting a ten-foot tall split faced CMU wall for sound attenuation along State Route (SR) 89 that would help mitigate sound for future tenants. The property was currently two feet below the grade of the road. Town code restricted wall height to eight feet. With the two feet below grade property, the wall would present more as an eight-foot wall. The wall would not be placed on the western portion of the property.
- To offset the requested deviation, the RV Park would have access to the existing Country West community center, which housed a community center, library, meeting hall and outdoor horseshoe pits. The applicant was also proposing a heavily treed frontage along SR89, which included multiple ten foot tall Italian Cypress trees.
- All property owners within 300 feet were notified, and notices were published as required.
- A neighborhood meeting was held on June 30, 2021, in which no member of the public attended. Staff had not received any written or verbal comments.
- Town staff recommended the Commission forward a recommendation of approval to Town Council with the following stipulations:

1. The project must conform substantially to the provided conceptual plan.
2. The use on this property was restricted solely to an RV Park; any subsequent uses would need to come through the public hearing process for Council approval.
3. All loading spaces, maneuvering areas, driveways, and fire lanes should be paved per UDO §4.22.4(B)(2) and all turning radii should conform to the AASHTO guidelines.
4. A water and sewer agreement would be needed between the Town and property owner.
5. An accessible path between the new development and the existing clubhouse located in parcel #306-23-003B would be required.
6. Per Town 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 subdivision should be undergrounded.

Commissioners and staff discussed the following:

- The PAD was permanent unless the applicant wanted to change it, which would require the same process currently before the Commission.
- The PAD had a plus or minus 10% variation allotment on the site, so the number of sites would be 31 plus or minus three sites.
- Mobile homes would be prohibited, and the property would be specifically tied to the use of an RV park and the submitted site plan. Any deviation would need to go through the commission to redefine their entitlements.
- The driveway access points were reviewed.
- The reason they were using the CH zone was because the UDO was incomplete in RV parks. The Town had hired a new staff member who would fill the Interim Director position, and they would begin to fix some issues in the UDO.
- With a conditional use permit, the applicant could have had a 26 site RV park in their current zone.

Commissioners, applicant, and staff discussed the following:

- Meghan Meurs parents had owned Country West for 26 years, and she had worked in the park for five years. Four construction phases had been completed over the last 26 years, which had added 120 mobile homes and 13 RV spaces to the park. This project would be the fifth phase that would expand the existing RV section.
- There was not any gate on either access point, and they had no plans to add one.
- They currently limited the RV stays to 180 days.

There was no public comment.

MOVED by Commissioner John McCafferty, seconded by Vice-Chair Gary Pasciak to forward a recommendation of approval to Town Council to approve the rezoning of approximately 2.21 acres of real property from CL (Commercial Light) to CH (Commercial Heavy) with a PAD (Planned Area Development) to develop a Recreational Vehicle Park with the following stipulations:

1. The project must conform substantially to the provided conceptual plan.
2. The use on this property is restricted solely to an RV Park; any subsequent uses will need to come through the public hearing process for Council approval.

3. All loading spaces, maneuvering areas, driveways, and fire lanes shall be paved per UDO §4.22.4(B)(2) and all turning radii should conform to the AASHTO guidelines.
4. A water and sewer agreement will be needed between the Town and the property owner.
5. An accessible path between the new development and the existing clubhouse located in parcel #306-23-003B will be required.
6. Per Town 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 subdivision should be under grounded.

Staff clarified that the intent for the paving was that all areas where vehicles would be moving were required to be paved, but the RV pads could be gravel.

Country West currently had an onsite park manager and would continue to have one. They lived onsite next to the office. There were usually several people on the property to oversee the RV Park.

Commissioner Switzer thought it was a great project. The problem was with the Town not the project. He did not want to see commercial heavy go into spot where there was no commercial heavy. Even with the PAD overlay, Council's changed, and a future Council could approve a commercial heavy zone in the area. He thought a commercial light with 26 sites was better suited. Other members shared the same concerns.

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

NAY: Commissioner Robert Switzer

6 - 1 PASSED

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

9) PUBLIC COMMENTS

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10) ADJOURN

MOVED by Commissioner John McCafferty, seconded by Vice-Chair Gary Pasciak to adjourn the meeting at 6:26 p.m.

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

7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date

Planning and Zoning Commission Regular

6. a.

Meeting Date: 08/03/2021

Z-11-21 - Subdivision PAD Rezoning - Brisban

CASE DESCRIPTION:

Consideration and possible recommendation of approval to Town Council to rezone approximately 41 acres of real property located on the southwest corner of the intersection of West Road 2 North and North Road 1 West 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 207 lots with an approximate density of 5.05 dwelling units per acre. Applicant is Geoff Brisbin, and the parcel number is 306-21-167.

LOCATION:

Located on the southwest corner of the intersection of West Road 2 North and North Road 1 West.

FACTS:

Applicant:..... Geoff Brisbin

Owner:..... Robert & Ann Wallack and Clemins Family Trust

Parcel Number..... 306-21-167

Site Area..... 41.53 acres Approximate

Existing zoning:..... SR-1

Intended Use..... 207 lot subdivision

ANALYSIS:

N/A

TECHNICAL REVIEW:

N/A

SITE PLAN

N/A

RECOMMENDATION

Staff is recommending a continuation of this item to a date in the future. Staff will re-advertise in accordance with state statute of the next public meeting.

Planning and Zoning Commission Regular

6. b.

Meeting Date: 08/03/2021

Z-14-21 - Soto Rezoning - SR-1 to SR-0.16 PAD to develop a subdivision with 20 lots half an acre in size

CASE DESCRIPTION:

Consideration and possible recommendation to Town Council of approval to rezone approximately 12.78 acres of real property located approximately 500 feet west of the intersection of West Center Street and North Road 1 West on the north side of West Center Street from SR-1 (Single Family Residential 1-Acre Minimum) to SR-0.16 with a PAD (Planned Area Development) to develop 20 half-acre lots. APN 306-21-011E. Applicant, Rosie Soto

LOCATION:

Located approximately 500 feet west of the intersection of West Center Street and North Road 1 West on the north side of West Center Street.

FACTS:

Applicant:..... Rosie Soto
Owner:..... Prescott Thirty Eight LLC
Parcel Number..... 306-21-011E
Site Area..... 12.78 acres approximately
Existing zoning:..... Single Family Residential 1-acre minimum
Intended Use..... 20 lot Site built home subdivision

ANALYSIS:

N/A

TECHNICAL REVIEW:

N/A

SITE PLAN

N/A

RECOMMENDATION

Staff is recommending a continuation of this item to the September 7th P&Z meeting . Staff will re-advertise in accordance with state statute for the next public meeting.

Planning and Zoning Commission Regular

6. c.

Meeting Date: 08/03/2021

Z-15-21 - Dillenbeck Rezoning

CASE DESCRIPTION:

Request to rezone approximately 2.53 acres of real property from SR-2.5 (Single Family Residential 2.5 acre minimum) zoning district to SR-1 (Single Family Residential 1- acre minimum) zoning district in order to divide the property.

LOCATION:

Located on the southeast corner of the intersection Red Cinder Road and Sunflower Lane with two address of 2109 Sunflower Lane and 1565 Red Cinder Road. APN: 306-17-015A

FACTS:

1. Applicant:..... Craig Dillenbeck
2. Owner:..... Craig and Cheryl Dillenbeck
3. Parcel Number..... 306-17-015A
4. Site Area..... 2.53 Acres approx.
5. Existing zoning:..... SR-2.5 (Single Family Residential 2.5 acre minimum)
6. Intended Use..... Single Family Residential

ANALYSIS:

SITE DESCRIPTION

The subject property is located on the southeast corner of the intersection Red Cinder Road and Sunflower Lane with two physical address of 2109 Sunflower Lane and 1565 Red Cinder Road. The subject property, as well as the surrounding area, has a general plan land use designation of Medium Density Residential 2 acres or less, there is a section of commercial designation to the east of the property (See General Plan Map). The property is currently used as two single family residence; one residence is a site built home constructed in 1974 and the other is a manufactured home that was placed in 2005 (see Vicinity Map). The property has a zoning classification of Single Family Residential 2.5-acre minimum (SR-2.5) and the surrounding area is a mix of SR-1, SR-2 and SR-2.5 (See Zoning Map).

PROPERTY HISTORY

This is the first time a rezoning has been applied for on this property.

PROJECT DESCRIPTION

The property owner has submitted a request to rezone approximately 2.53 acres of real property from SR-2.5 (Single Family Residential 2.5 acre minimum) zoning district to SR-1 (Single Family Residential 1- acre minimum) zoning district. The property owner's intention is to have each of the existing single family residences on their own separate parcel.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff informed the public through a legal ad In the Daily Courier and notified property owners within a 300-foot radius of the subject property, resulting in 24 mailed notices for public notification. The neighborhood meeting was held on July 28, 2021, in which no neighboring property owners attended. Town Staff has not received any other forms of communication regarding this project.

TECHNICAL REVIEW:

The rezoning request of SR-2.5 to SR-1 is in conformance with general plan's land use designation of the property as well as the surrounding area. This request is also in conformance of the zoning in the surrounding area. It is important to note that the two properties to the south of the subject property are zoned SR-2.5 but only contain approximately one acre each.

Town Staff has no stipulations to attach to this rezoning.

SITE PLAN

See attached documents

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to rezone approximately 2.53 acres of real property from SR-2.5 (Single Family Residential 2.5 acre minimum) zoning district to SR-1 (Single Family Residential 1- acre minimum) zoning district in order to subdivide the property with no stipulations.

Attachments

Supporting Documents



TOWN OF CHINO VALLEY
Town Council
August 3, 2021

APPLICATION SUMMARY

File Number: Z-15-21

Assessor's Parcel Number: 306-17-015A

Site Location: Located on the southeast corner of the intersection Red Cinder Road and Sunflower Lane with two address of 2109 Sunflower Lane and 1565 Red Cinder Road

Owners of Record: Craig & Cheryl Dillenbeck

Applicant: Craig Dillenbeck

Request: Request to rezone approximately 2.53 acres of real property from SR-2.5 (Single Family Residential 2.5 acre minimum) zoning district to SR-1 (Single Family Residential 1- acre minimum) zoning district in order to divide the property.

SITE DATA

Existing Zoning	SR-2.5 (Single Family Residential 2.5 acre minimum)
Lot Size	2.53 approx.
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential
Existing Land Use	Two Single Family Residences

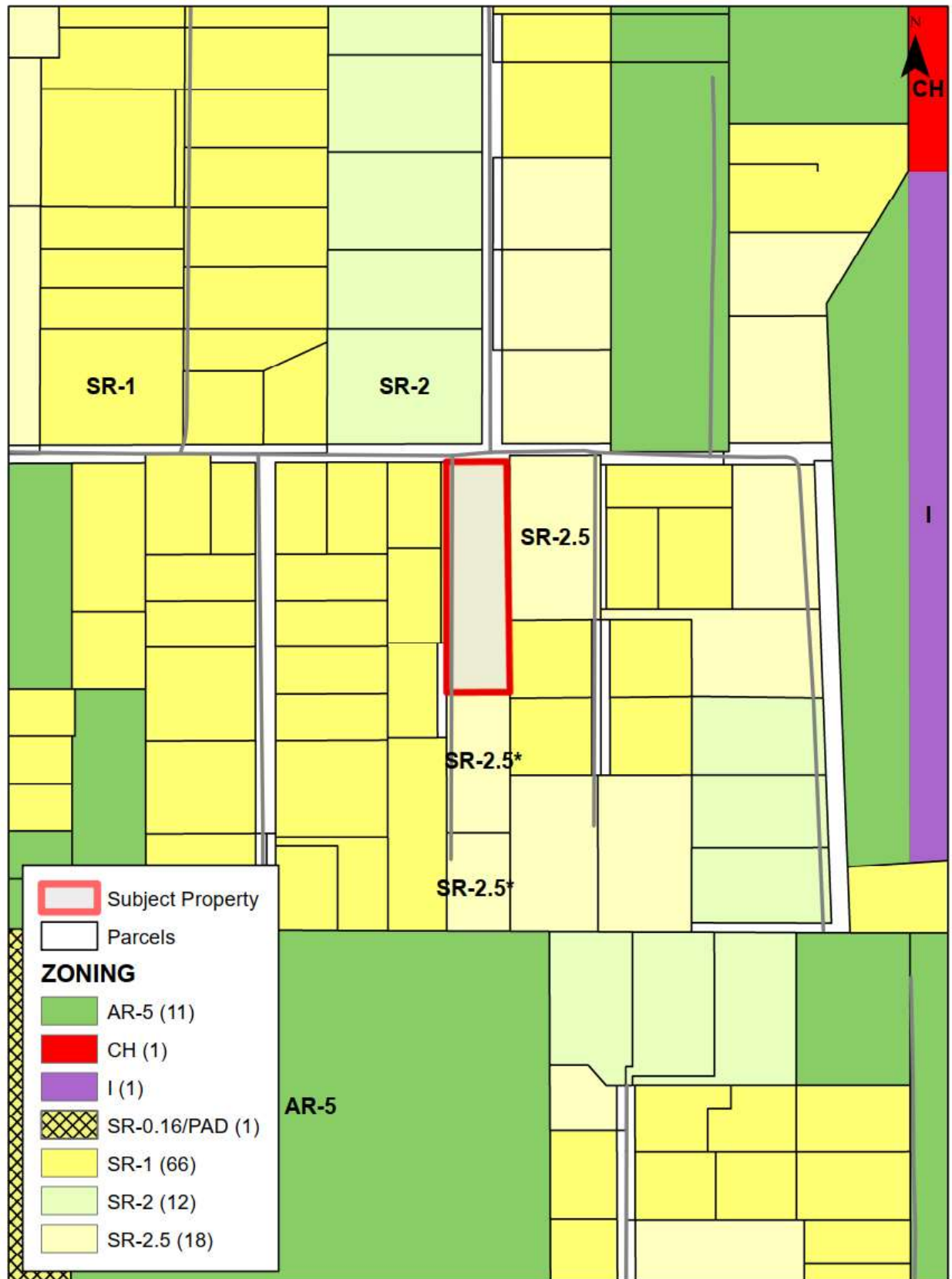
AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	SR-2	Medium Density Residential	Single Family Residential
East	SR-2.5 & SR-1	Medium Density Residential	Single Family Residential
South	SR-2.5 & SR-1	Medium Density Residential	Single Family Residential
West	SR-1	Medium Density Residential	Single Family Residential

ATTACHMENTS

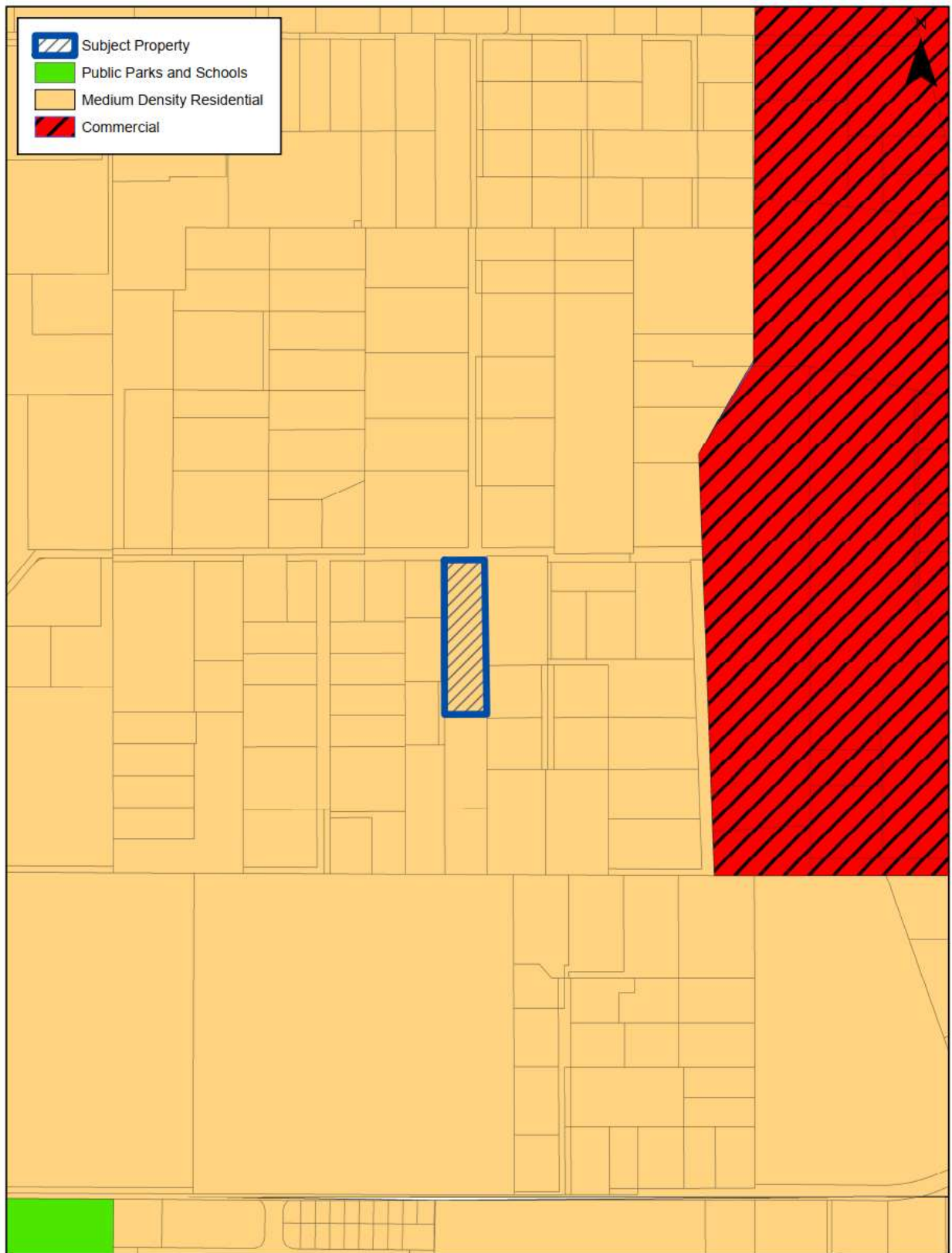
VICINITY MAP



ZONING MAP



GENERAL PLAN MAP



Meeting Date: 08/03/2021

C-01-21 - CUP for House Cat Sanctuary

CASE DESCRIPTION:

Request for a Conditional Use Permit allowing for the construction and use of a sanctuary for house cats.
Property address: 2497 North Road 1 East. Applicant: Alie Amato

LOCATION:

Located at the southeast corner of North Road 1 East and Granite Creek Lane with a physical address of 2497 North Road 1 East.

FACTS:

1. Applicant:..... Alie Amato
2. Owner:..... Bradshaw Mountain Wildlife Association Inc. (Alie Amato)
3. Parcel Number..... 306-17-007R
4. Site Area..... 5.86 acres approx.
5. Existing zoning:..... AR-5
6. Intended Use..... Sanctuary for House Cats

ANALYSIS:

SITE DESCRIPTION

The subject property is located at the southeast corner of North Road 1 East and Granite Creek Lane at 2497 North Road 1 East. The property has a zoning classification of Agricultural Residential 5-acre minimum (AR-5) and is surrounded predominantly by AR-5 and CL (See Zoning Map). The subject property is identified by the General Plan Land Use Designation as Medium Density Residential along with properties directly North, East and south of the site, to the east you have commercial/multifamily (See General Plan Map). The property is currently used a vineyard for the adjacent Whiney Cats at Granite Creek Vineyard (formerly Granite Creek Vineyard), in the surrounding area there are agricultural single family residential property as well as two medical marijuana cultivation facilities (See Vicinity Map).

PROJECT HISTORY

This is the first time a Conditional Use Permit has been applied for on this property. In 2020 the subject property was subdivided from the adjacent property to east and subsequently purchased by the property owner, along with Granite Creek Vineyards, in early 2021.

PROJECT DESCRIPTION

The applicant has submitted a request to construct a sanctuary for house cats. The proposal for this sanctuary is for three enclosed buildings each with two, fully enclosed, exercise areas which the applicant refers to as “Catios” (See attached site plan and “Catio” structure). All cats will be kept inside the designated facilities and will have accompanying security lights on the buildings. The use on the property will be limited to proposed site plan and associated area. The applicant’s business plan includes the following:

- Three (3) separate structures each with attached open air enclosures that will house the house cats.

- Each open air enclosure will be constructed of wood and wire mesh and enhanced with cat friendly features.
- Each enclosure will have no more than 15 cats at any given time for a maximum total of 45 cats on site.
- There will daily cleaning and maintenance of the enclosures to remove excrement and urine.
- The facility will be staffed at least from 10am to 6pm daily or 8am to 8pm, seven days a week.
- There will be an onsite dumpster specifically for the disposal of excrement. The excrement will be bagged prior to placement in the dumpster and the dumpster will be emptied weekly.
- Any cats that pass while in this facility will be cremated off site.

APPLICABLE ORDINANCES

The Unified Development Ordinance (UDO) does not specifically call out house cat sanctuaries as a use, staff felt that the closest related is an indoor and outdoor kennel. Undersection 3.6.C.7 of the UDO a Conditional Use Permit (CUP) may be granted for an indoor and outdoor kennel for properties that are zoned AR-5. Further, Section 1.9.3 of the UDO governs all CUPs, and allows Planning and Zoning and Council to include stipulations as follows:

1. A **Use Permit** may be granted for a designated period with a date of expiration stated therein or may be granted for an indefinite period. Should the use not be established as proposed within one (1) year, the **Use Permit** approval shall become null and void.
2. Additional conditions that may be considered, include, but are not limited to the following:
 - a. Mitigation of potential impacts on surrounding properties such as, but not limited to, noise, lighting, odor, or placement of trash receptacles.
 - b. Assurance of adequate parking, **ingress** and **egress** so as not to increase traffic congestion.
 - c. Hours of operation.
 - d. Maintenance of a positive appearance, with appropriate screening, landscaping and buffering to preserve reasonable use and enjoyment of **adjacent** properties.

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Staff notified the surrounding property owners within 300' of the proposed Conditional Use by letter. Notifications were physically posted on the subject property and published in the Daily Courier. The neighborhood meeting was held on July 28, 2021 where 11 members of the public were in attendance. The following topics were discussed during the meeting:

- What is done with the waste of the operation, will it be buried on site?
 - The waste will be placed in a dumpster, nothing will be buried on site. The internal facilities are mopped and the outside areas are raked and maintained daily.
- What made you chose this place for the operation?
 - The property met the applicant's desires, after running a Game and Fish rehab facility in Crown King she wanted to transition to something lighter and easier.
- Will the vineyard stay open, and how will this operation impact it?
 - The vineyard will stay open and the sanctuary will be separate from the vineyard.
- What kind of cats do you accept?

- The operation is primarily for cats that are sick, dying, injured or at the end of their life. None of the cats are adoptable and the vast majority will live out the rest of their life on the property.
- What happens if the applicant sells the property?
 - In Arizona, CUP's run with the land and not the ownership of the property. The next owner of the property would be able to continue the operation.
- Will there be any expansion of the facilities in the future?
 - The applicant stated that it is not her intention to expand beyond what she is proposing currently. Staff informed the public that any changes in the submitted site plan and proposed use will need to be brought back through for Council approval.
- How many cats will be on the property?
 - The applicant stated that her max is 45 cats. However, she does not desire to have more than 30 for an extended period of time.
- How is your operation ran?
 - It is a non-profit that the applicant heads. They have volunteers that help with the care of the cats.
- Will there be any preventative measures taking to avoid having people dump their cats off at your location?
 - The location will not have any signage and is not visible to the road due to the heaving landscaping along the North Road 1 East. In the event that cats are dumped, the applicant has a network of people she can call to get them cared for.
- Will it just be limited to house cats?
 - Yes, any change to this will need to be brought through Council.
- If this is approved, what if there are issues with smell, odor or other nuisances?
 - Town staff is recommending a two-year renewal period on the use. Any issues that arise during this period, will be considered during the renewal period. Staff is also including a provision to take the item back before Town Council for revisions if any significant issues arise from the use.
- How many employees/volunteers do you have, and how much traffic will they generate?
 - Currently, the applicant has two volunteers and one tends to be on site daily from 10am to 6pm for care of the animals. Most days there will only be one trip in and one trip out.

As of writing this staff report, Staff has not received any other form of communication regarding this project.

TECHNICAL REVIEW:

CONSISTENCY WITH THE ZONING ORDINANCE

Based on the subject properties current zoning AR-5, the requested use is allowable with a Conditional Use Permit. The requested use will be directly east of to two medical marijuana cultivation facilities, one of which is the largest in Town limits, it is staffs opinion that the requested use will be less of an impact than the adjacent MMJ facilities.

STAFF RECOMMENDED STIPULATIONS

Town Staff is recommending approval of the Conditional Use Permit for this use. Since this is the first time a use like this has come before the Council in recent history, staff will have limited stipulations and are as

follows:

- The Conditional Use Permit be granted for two (2) years with the ability to be renewed. During the renewal period staff will review the use again to ensure that there have been no negative impacts to the surrounding properties.
- In the event of issues arising from valid code enforcement complaints such as excess noise, odor or visual appearance, staff can bring the item back before Council within the two (2) year period for modifications or revocation.
- The operation will need to be consistent with the business plan outlined in the staff report.
- The onsite dumpster will need to be screened from public view per Town Code – (Stipulation added as a result of the neighborhood meeting).

SITE PLAN

See attached documents

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission forward a recommendation of approval to the Town Council to approve a Conditional Use Permit allowing for the construction and use of a sanctuary for house cats with the following stipulations:

- The Conditional Use Permit be granted for two (2) years with the ability to be renewed. During the renewal period staff will review the use again to ensure that there have been no negative impacts to the surrounding properties.
- In the event of issues arising from valid code enforcement complaints such as excess noise, odor or visual appearance, staff can bring the item back before Council within the two (2) year period for modifications or revocation.
- The onsite dumpster will need to be screened from public view per Town Code – (Stipulation added as a result of the neighborhood meeting).

Attachments

Supporting Documents



**TOWN OF CHINO VALLEY
PLANNING AND ZONING COMMISSION
AUGUST 3, 2021**

APPLICATION SUMMARY

File Number: C-01-021

Assessor's Parcel Number: 306-17-007R

Site Location: Located at the southeast corner of North Road 1 East and Granite Creek Lane with a physical address of 2497 North Road 1 East

Owners of Record: Bradshaw Mountain Wildlife Association Inc.

Applicant: Alie Amato

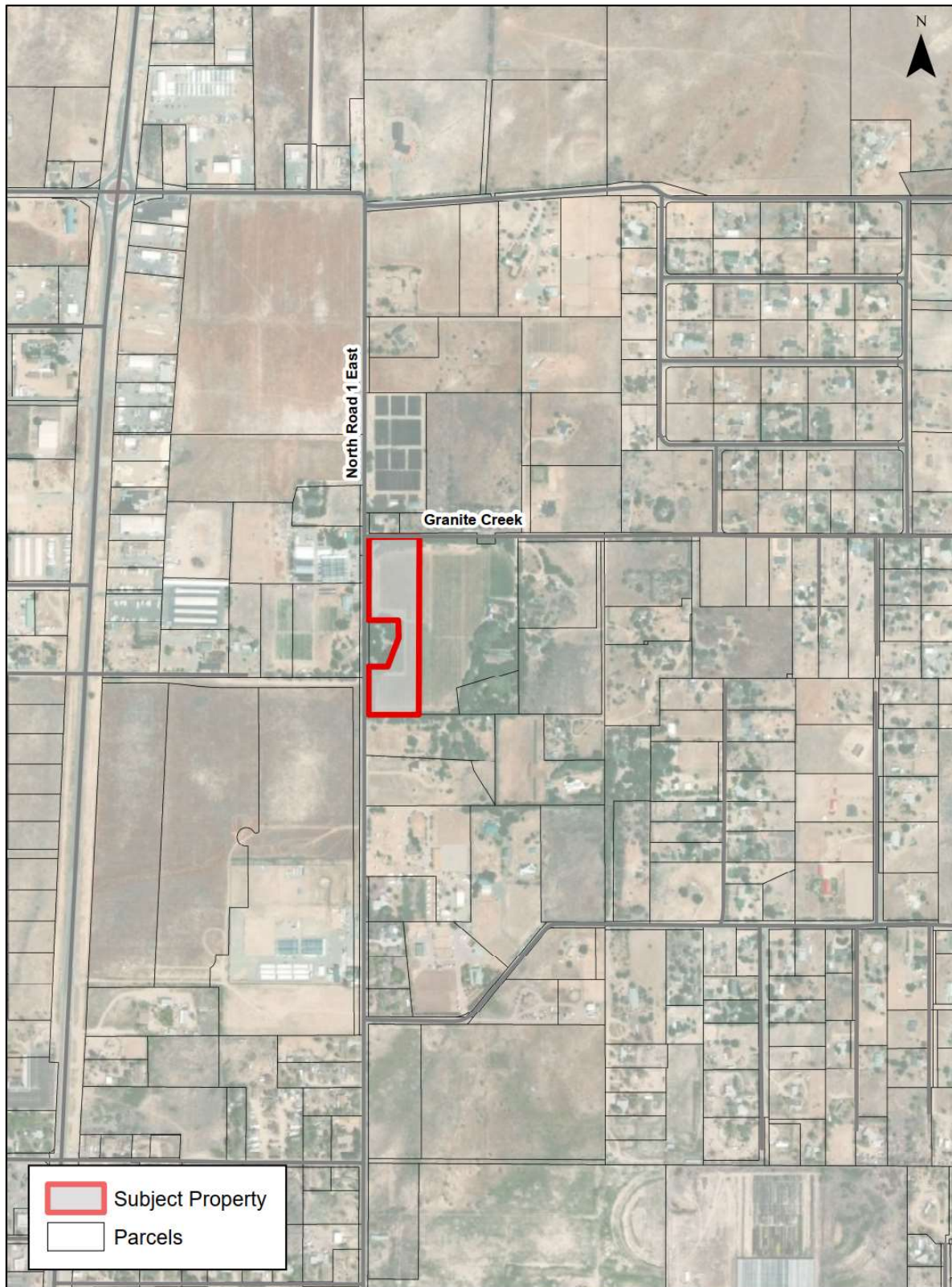
Request: Request for a Conditional Use Permit to allow for the construction and use of a sanctuary for house cats.

SITE DATA

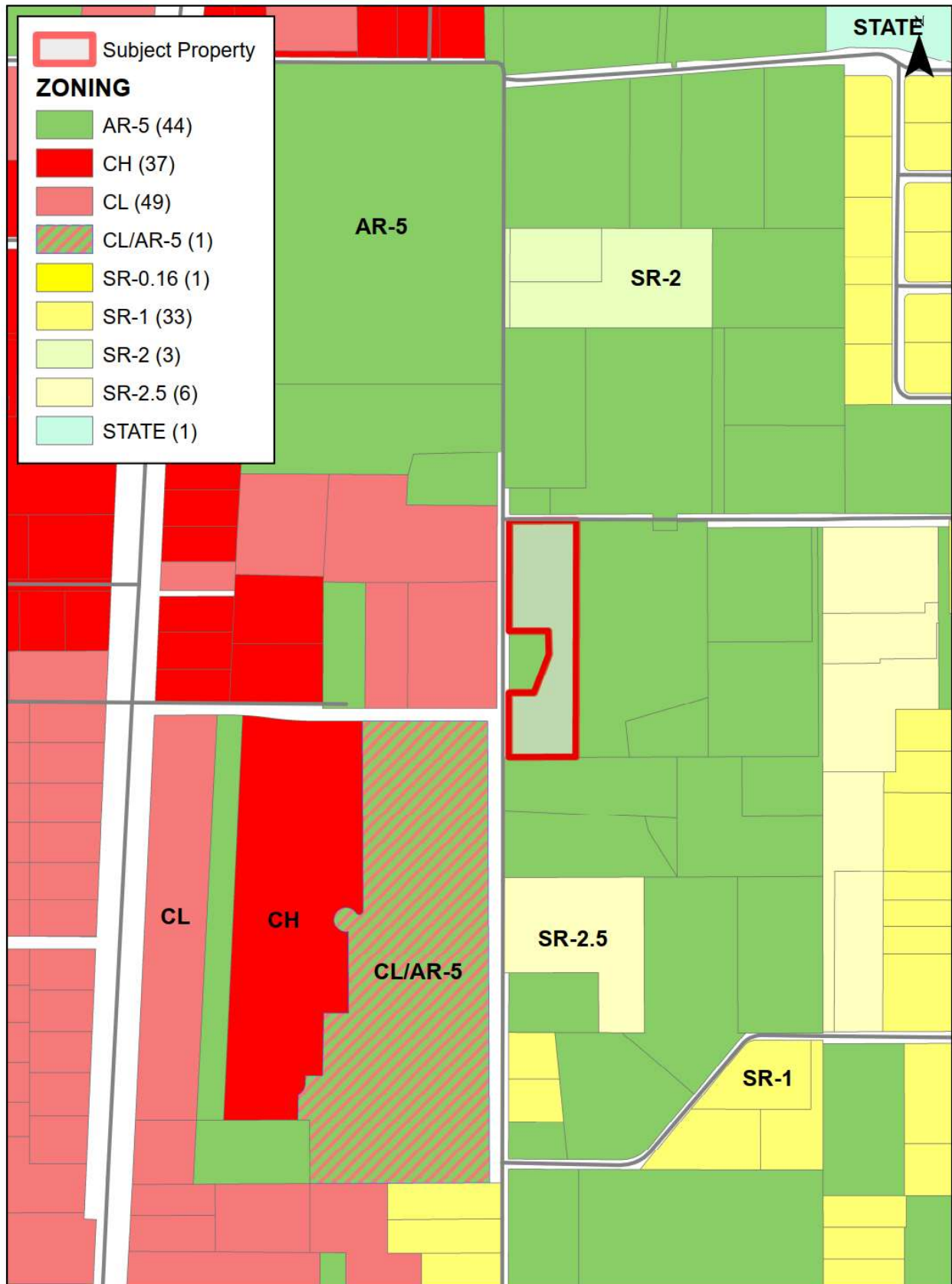
Existing Zoning	AR-5 (Agricultural Residential 5-acre Minimum)
Lot Size	5.86 acres approximate
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential
Existing Land Use	Agricultural (Vineyard)

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5	Medium Density Residential	Agricultural and Single Family Residential
East	AR-5	Medium Density Residential	Agricultural and Single Family Residential
South	AR-5	Medium Density Residential	Agricultural and Single Family Residential
West	CL, AR-5 & CL/AR-5	Medium Density Residential	Single Family Residential and two Medical Marijuana Cultivation Sites

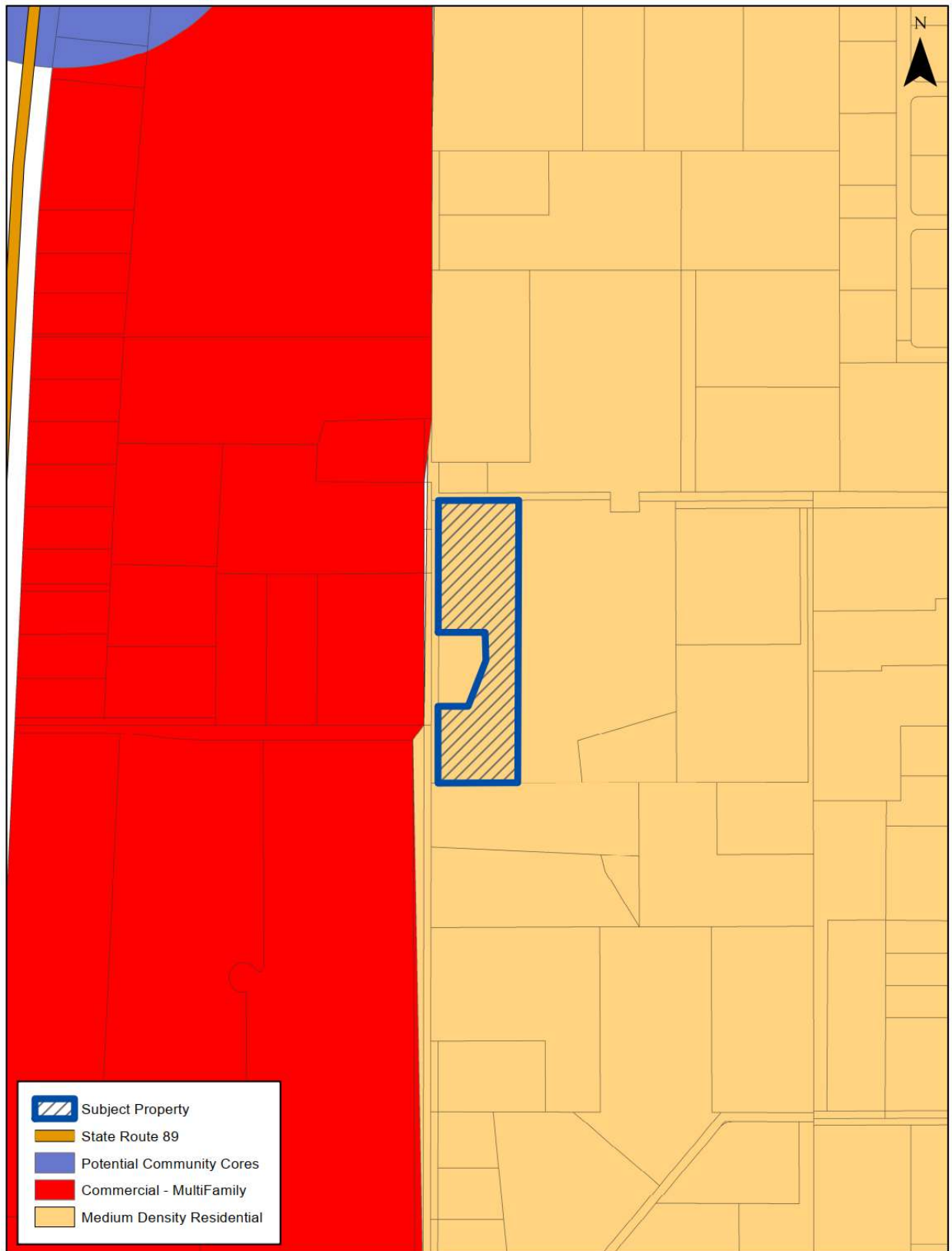
VICINITY MAP



ZONING MAP



GENERAL PLAN MAP



SITE PLAN

