



Commissioner's Agenda
Planning & Zoning Commission
Chino Valley Town Hall
202 N. State Route 89
January 3, 2023, 6:00 p.m.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. CONSENT CALENDAR – All items listed under the Consent Calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item. In which case, the Chair will pull the item from the Consent Calendar to be heard.
- C.1 APPROVAL OF MINUTES – DECEMBER 6, 2022 REGULAR MEETING
- C.2 WITHDRAWALS BY APPLICANT – NONE
- C.3 TIME EXTENSIONS – NONE
- C.4 CONTINUANCES – NONE
- C.5 APPROVALS – NONE
- D. PUBLIC HEARINGS – TWO
- D.1 **FP-2022-05** - This is a request by Tom Luizzo on behalf of Granite Basin Engineering for “Final Plat for Old Hwy 89” to divide approximately 4.17 acres into 2 lots with an average lot size of 2.09 acres. The property is located at 19997 and 20047 Old State Route 89, Chino Valley, Arizona.
- D.2 **ZC-2022-10** - This is a request by Jay Bates to rezone approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1). The property is located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona.
- E. ACTION ITEMS – NONE
- F. INFORMATION ITEMS
- F.1 Staff
- F.2 Commission
- F.3 Educational Presentation
- Prospect14 – Solar Farms – Handouts may be available at the meeting (15 minute time limit)
- F.4 Public
- G. ADJOURN

Zoom Instructions: Please use the link to join the webinar: <https://us02web.zoom.us/j/87259196175>, or by phone: 1 888 788-0099 (Toll Free) or 1 877 853-5247 (Toll Free); Webinar ID: 872 5919 6175

A copy of the agenda packet is available for viewing 12 days prior to the Planning Commission Public Hearing date, at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona.

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.

Planning and Zoning Commission Meeting Minutes December 6, 2022

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, December 6, 2022, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were; Chair Chuck Merritt; Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner David Somerville, Commissioner Robert Switzer, Commissioner William Welker. Alternate Commissioner Richard Zamudio was present.

STAFF MEMBERS present were Will Dingee, Senior Planner; Bethan Heng, Planner; Dee Dee Moore, Process Coordinator; Frank Marbury, Public Works Director; Spencer Guest, IT Manager (Audio/Video).

CALL TO ORDER: Chair Merritt called the meeting to order at 6:00 p.m. Commission began with the Pledge of Allegiance.

CONSENT CALENDAR – Commissioner Penn stated he had a correction on page 2 of the draft minutes, stating that his objection at the time was to wind farms, not solar farms, and asked for that correction in the minutes. A motion was made by Commissioner Meadors to accept the consent agenda items, with the correction to be made regarding Commissioner Penns' changes. The motion was seconded by Commissioner Switzer and passed unanimously by a 7-0 vote.

PUBLIC HEARING D.1

CASE# ZC-2022-05 - *This is a request by Jon Rocha to rezone approximately 10 acres of land from AR-5 Agricultural Residential to SF-12,000 Single Family Residential for property generally located on the north side of E. Road 2 North, between Peppertree Place and James Drive, Chino Valley, Arizona.*

Chair Merritt asked the Commission if they had any interactions with the applicant to declare. There were none.

Will Dingee, Senior Planner, presented the staff report for case ZC-2022-05 on this property situated between Chino Meadows 1 and Chino Meadows 2. This is the first SF 12,000 project for the Town. The draft plan of this development includes 24 lots, with the smallest lot at 12,000 square feet and many larger lots. There are two open space parcels that would be used for drainage. The project will take direct access to Road 2 North and the applicant will extend town water and sewer connections. The neighborhood meeting was held on July 29, 2022. All properties within 600' were notified. Four people attended the Neighborhood Meeting, expressing concerns about water, sewer, traffic and potential safety impacts. Ultimately, none of the neighbors opposed the project. Condition #2 was modified by the Town Attorney to require the owner to sign a "Waiver of Claims" form. Staff received no written comments regarding this proposal and Dingee also noted that this request was in conformance with the General Plan. Staff is recommending approval of the rezone, subject to the attached conditions. Dingee shared that the applicant, Mr. Rocha, was in attendance.

Switzer asked about the development of the road at this project. Marbury stated the easements are there, but the town does not improve just one small part of the road, they try to build the entire stretch of road at one time. The Town does take cash in-lieu for construction. That money is held in a separate account until the entire road segment is ready to be built. Any construction cost increases from that in-lieu amount are covered by the Town. Dingee shared that this developer did not own the property to the east. Marbury shared that the City of Prescott owns the property to the west.

Somerville asked for clarification/definition for "sibling". Dingee explained that in Chino Valley, the property on record as of October 2020 is called the parent parcel and any splits from that original parcel become sibling parcels. The October 2020 date coincides with changes to the Towns' Subdivision Code. Merritt asked Marbury if there was existing right-of-way (ROW) at this location. Marbury stated there was. Additional discussion about the 25' strip of land along the street took place.

Jon Rocha, applicant for this project, stated that he is excited to bring in a quality project to help address affordable housing issues in the Quad-city area. He plans to extend city water 1800 feet on Road 1 East to connect to his planned subdivision. He added that more projects like this, where he will extend the town utilities, will help other builders in this area too. He shared that he is proud of the quality of this project.

Switzer asked if he would be selling the lots. **Mr. Rocha** stated that he will be placing a manufactured home, a “cross-mod” with 2 by 6 construction and R-50 insulation, on a permanent foundation, with attached garages. He felt these homes would sell for at least \$200,000 less than a site-built home of the same size. **Mr. Rocha** explained that he has plans to create walking trails in the catch basins, and to connect through the detention on the west side to the nearby school.

Chair **Merritt** opened the public comment portion of the meeting for this case.

Heidi Anderson, stated she lives on Ken Drive. She had concerns about new wells and added that she prefers to stay on her well even if town water was available to her. She asked about sidewalks, paved roads and infrastructure. She added that the roadway and the intersection of Road 2 North and Road 1 East is a joke and it needs to be widened or repaved. Improving the road is important. **Anderson** shared that she has lived on her property since 1980 and has watched Chino Valley develop. She stated she just wants development to be done properly.

John Garden questioned if the units were single family homes for purchase. He wondered if someone would bid for the contract and questioned who was building the homes. He added that **Jon Rocha** is currently on the commission for the CCJ – Community for Compassion and Justice. He also asked if these were going to be low-income housing because he didn’t want this to contribute to crime, attracting more people to Chino Valley, and possibly the devaluation of adjacent properties. He asked if the project was a for-profit development.

Sherry Klein spoke about the need to widen Road 2 North especially if there is a new development coming, since there is nowhere to walk or ride a bike. She also had concerns about low-income housing, the need to hire police and fire employees. She doesn’t want to see Chino Valley become like Phoenix.

Ben Duran, stated he lived on James and prefers to keep his well and septic even if the town utilities are extended along his road. He also asked for clarification as to the size of the lots in this project.

There were no further public comments. **Merritt** closed the public comment period. **Merritt** listed off the issues brought up by the speakers and asked staff to respond.

Dingee clarified that this project proposal is planned to be 24-12,000 square foot single-family lots, about two homes per acre after the roads and sidewalks are installed. There will be one structure per lot with town water and sewer connections. **Marbury** added that the manufacturer of the homes would be public record. He added that the streets within the subdivision will be 24’ wide with curb, gutter and sidewalk. He shared that the road project at Road 2 North and Road 1 East is at least 5-years in the future. It will be a 3-lane road with curb and gutter, a 10-foot multi-use path on one side and a 5-foot sidewalk on the other, with the multi-use path connecting to the school and the Peavine Trail. This developer will be responsible for the portion along his property.

Marbury stated the town’s master plan identifies where future utilities will be placed. He added that if a citizen is already on a well, they do not have to connect to town utilities if they become available. He stated that in the Town of Prescott if water infrastructure is built, they require citizens to hook up to their water. Discussion of water loops will happen in the future. He also clarified that projects with less than 30 lots do not need to have a secondary access point. The roads are planned to accommodate school buses and Fire Engine Equipment vehicles. Intersections would need to line up with roads on the south side of this project. A second access is not required since this subdivision is less than 30 lots. **Merritt** shared that more people may mean more crime regardless of the income level. **Switzer** commented that an 1800 square foot home would probably be around 400k, and would like clarification from the developer. **Somerville** asked if there would be any 2-story homes.

Jon Rocha returned to the podium to address these comments. He confirmed that yes, he was on the CCJ commission, however this project is private, for profit. Some manufactured homes builders vary based on availability. Such as Carsten, Clayton, and Champion, that the developer will consider. **Switzer** asked if there would be an HOA to maintain the streets. **Marbury** answered that they were proposed to be public streets, that the Town would maintain.

With no more questions, **Merritt** closed the public hearing portion of the meeting and called for a motion. **Switzer** made a motion to approved ZC-2022-05 as presented by staff with the modification to item 2. **Pasciak** seconded the motion and passed by a 7-0 voice vote.

PUBLIC HEARING D.2

CASE# ZC-2022-07 - *This is a request by Tim Hendrickson to rezone 1 acre from the Commercial Light (CL) District to the Commercial Heavy (CH) District for the property located at 3699 N State Route 89.*

Chair Merritt asked the Commission if they had any interactions with the applicant to declare. There were none.

Bethan Heng, Planner, presented the staff report for case ZC-2022-07. This is an active code enforcement site because the current uses don't fit with the uses allowed in the Commercial Light zone. Rezoning to Commercial Heavy will resolve the code compliance issues. This property has Commercial Heavy properties to the north and south. There were no neighbors present at the local neighborhood meeting, no public comments received, and staff is recommending a motion for approval for this case. The applicants' representative was in attendance.

Barbara Harper, representative for Tim Hendrickson of TDH Investment, stated that they had purchased this property in the last year and would like for it to fit in with the other uses in the surrounding areas.

There were no questions from the commission.

Merritt opened the meeting to public comments.

David Aldridge asked for clarification regarding the differences between Commercial Light uses and Commercial Heavy uses.

There were no further questions from the public and **Merritt** closed the public comment period.

Heng explained that the commercial heavy district includes more intensive uses but also allows the uses included in the commercial light district. **Dingee** read descriptions from the code for the commercial light district uses such as neighborhood amenities, retail, offices, apartments and related uses. Commercial heavy district included those uses and heavier uses such as hotels, manufacturing, warehouses, kennels, farming, contractor yards, etc.

The applicants' representative had no further information to add.

Switzer made a motion to recommend approval of ZC-2022-07 subject to staff report and Attachment A, including the replacement of item #2 regarding the owners' signature on a Waiver of Claims Form. **Meadors** seconded the motion. A voice vote was taken and was unanimously approved by a 7-0 vote.

PUBLIC HEARING D.3

CASE# ZC-2022-07 - *This is a request by Ralph Simpson to rezone 5.83 acres from the Agricultural Residential 5-Acre Minimum (AR-5) District to the Single Family Residential 1-Acre Minimum (SR-1) District, for property located at 575 W Road 1 North.*

Chair Merritt asked the Commission if they had any interactions with the applicant to declare. There were none.

Heng presented the staff report for case ZC-2022-08. The request is in conformance with the land use map. There were three people at the neighborhood meeting that had questions as to the owner's

intention after the rezone. There were no comments received from the public. The applicant was in attendance.

Ralph Simpson stated he has lived here for 25 years and as noted on the aerial photograph, he is currently only using half of his property. He added he no longer has horses and would like to be able to sell the vacant half. Each of the future lots will be approximately 2.8 acres. He plans on splitting the property into two parcels.

The public comment period was opened but no one spoke.

Merritt closed the public comment period and opened the discussion to the commissioners. **Switzer** shared that he felt a SR2.5 zoning was more in align with the sizes of the adjacent area. **Heng** stated that they couldn't support a SR-2.5 zoning because it would be considered "spot-zoning" since it would be the only one parcel zoned SR-2.5 in the vicinity. Staff considers the General Plan and the zoning of neighboring parcels in reviewing zone change requests. **Switzer** stated that he felt the SR 2.5 zoning district was a better fit, since the majority of the surrounding lots were AR-5 and only the properties to the south were SR-1. This proposed zone would allow the parcels to be further divided which does not suit the AR-5 area. **Somerville** asked about water and sewer connections. **Dingee** stated that those items are determined during the building permit process.

There was no further discussion. A motion was made by **Pasciak** to recommend approval subject to staff report and attachment a with the replacement of condition #2, as previously noted. **Somerville** seconded the motion. A voice vote was taken with 6-1 vote to recommend approval, with **Switzer** voting Nay. Chair **Merritt** asked **Switzer** to explain his reasoning for the Nay vote. **Switzer** stated that he felt a larger zoning district, such as the SR-2.5, would fit in better with the surrounding properties and reduce the risk of further subdivision in an area predominantly AR-5.

Merritt reclused himself from the next case to be heard, stepped down from the dais, and vacated the council chambers as the applicant is a business associate and good friend. Alternate Zamudio took the empty spot on the dais. **Vice-Chair Pasciak** ran the meeting for this item.

PUBLIC HEARING D.4

CASE# ZC-2022-09 - *This is a request by Ty Scott to rezone a 250 square foot portion of property from the Single Family Residential 1-Acre Minimum (SR-1) District to the Agricultural Residential 5-Acre Minimum (AR-5) District, for property located just south of 722 W Road 2 South.*

Heng begin her presentation for case ZC-2022-09 by making a correction to the size of the rezone from 250 to 2500-square feet. This is a request by Tyler Scott to rezone 2500 square feet in order to consolidate the land into his existing property and zoning. Mr. Scott had previously built an unpermitted barn on the northwest corner of the parcel to the south of him. This rezone will correct the permit oversite and placement of the unpermitted structure and allow that 2500-square feet to be added to his AR-5 parcel and then split from the SR-1 parcel. The general plan supports this request, there were no neighbors in attendance at the neighborhood meeting, there were no public comments received, and staff is recommending approval.

Pasciak asked if the resulting parcel would be smaller than the required one-acre minimum. **Heng** shared that the parcel is currently 1.52 acres in size, so removing the 2500-square feet does not impact the parcel size for zoning purposes.

Ty Scott, applicant, stated that he would like to sell parcel B and needs to make sure the structure is attached to the correct parcel before that can occur.

Pasciak opened the public comment period. There were no public comments.

Switzer made the motion to approval the rezone according to the town report and also replace condition #2 with the provided handout verbiage. The motion was seconded by **Meadors** and passed by a 7-0 vote.

Merritt returned to the meeting at 7:05 and Alternate **Zamudio** stepped down from the dais and returned to the audience.

There were no action items to be heard at this meeting.

INFORMATION ITEMS – FROM STAFF: **Dingee** stated there was no Town Council meeting due to the holidays. All cases pending from the November 2022 Planning and Zoning meeting have been scheduled for the December 13, 2022 Town Council Meeting due to the holiday. Matrix Design Group, the General Plan consultant for the Town, held a Community meeting at Territorial Elementary School on November 21, 2022. Approximately 120 people attended. The meeting was “Open House” style, allowing citizens to participate. There were many hands-on charts and maps. Citizens were encouraged to write down any concerns they had, regardless of the subject. All of the information gathered will start to shape the general plan. There is an 11-question survey on the “Make It Chino” general plan website for anyone to answer. **Dingee** encouraged everyone to fill out the survey.

Staff reminded the commissioners that some have terms due to expire in January 2023, that re-appointments are selected by a sub-committee and council will make their appointments in January. The position expiration dates are staggered and some of the commissioners’ terms are not due to expire until 2025. The commission was reminded to re-apply if they were interested in continuing to serve on the Commission.

INFORMATION ITEMS – FROM COMMISSION: **Merritt** attended the General Plan Meeting at the school and also felt it went really well. **Switzer** echoed that sentiment.

Meadors asked about the article in the newspaper regarding the teachers housing behind the Del Rio School. **Lineberry** shared that there is a belief that having housing available will bring in more teachers to the area. She added that the school district is exempt from zoning. **Meadors** asked if the proposal was for park models. **Lineberry** shared that both modular and manufactured homes were proposed. **Lineberry** added that the town attorney felt there was a connection between the school and the use of a teacher’s housing village was a justified use on school property. The town staff met with the school district superintendent and shared planning and development items considered important to incorporate into a development of that type. The superintendent took notes of those items and staff believes those items will be incorporated into the School District project. **Lineberry** reminded the Commission that schools are a different subdivision of the state that don’t have to follow zoning rules. The town can control things like the roads. **Merritt** asked if they were required to do a subdivision with sidewalks. **Lineberry** stated, no they were not. **Marbury** added that the roads would need to support a fire truck or a school bus, contain the dust, etc. **Merritt** shared that affordable housing is needed in town, not just for police, fire and teachers. Everyone needs affordable houses. **Merritt** shared that he has two sons that can’t buy a house here, and they were born and raised in Chino Valley. It’s tough.

Somerville shared he was taking a class on Redevelopment and asked about how abandoned homes are dealt with in Chino Valley. **Lineberry** shared that the town code addressed health and safety and property maintenance codes. If there was a whole area declining, a redevelopment area could be looked at, but would need to be approved by the state. If a single house is vacated and does not become a health and safety issue, it just sits there. If taxes aren’t paid it goes to auction through the County.

INFORMATION ITEMS – FROM THE PUBLIC: **David Aldridge** shared that he currently delivered meals-on-wheels in town and the roads are in real poor shape. He added that if the town was not going to maintain the roads, then perhaps they shouldn’t pave them in the first place.

ADJOURN – A motion was made by **Pasciak** and seconded by **Meadors** to adjourn the meeting at 7:28 p.m.

Charles Merritt
Chair

Dee Dee Moore
Prepared By



TOWN OF CHINO VALLEY
Planning Commission Staff Report
January 3, 2023
File Number FP-2022-05
Final Plat

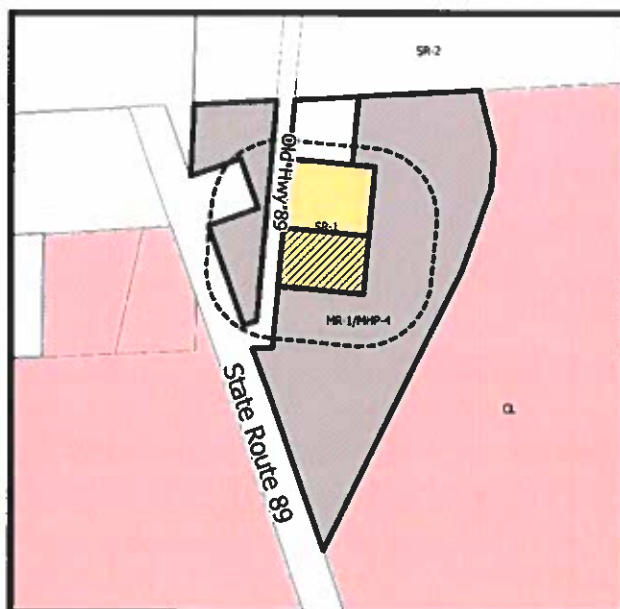
PROJECT DESCRIPTION

This is a request by Tom Liuzzo on behalf of Granite Basin Engineering for "Final Plat for Old Hwy 89" to divide approximately 4.17 acres into 2 lots with an average lot size of 2.09 acres. The property is located at 19997 and 20047 Old State Route 89, Chino Valley, Arizona.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Residential	Medium Density Residential (2 Acres or Less)
North	Single Family Residential 1-Acre Minimum (SR-1)	Residential	Medium Density Residential (2 Acres or Less)
South	Multiple Family Residential (MR) & Mobile Home Park (MHP) PAD	Vacant (Part of Del Rio Springs Project)	Medium Density Residential (2 Acres or Less)
East	Multiple Family Residential (MR) & Mobile Home Park (MHP) PAD	Vacant (Part of Del Rio Springs Project)	Medium Density Residential (2 Acres or Less)
West	Multiple Family Residential (MR) & Mobile Home Park (MHP) PAD	Vacant (Part of Del Rio Springs Project)	Medium Density Residential (2 Acres or Less)

LOCATION MAP



PRIOR SITE ACTIONS:**Annexation**

September 5, 2000 – Subject property was annexed into Town Jurisdiction as part of Del Rio Springs Area. Subject property is not part of Del Rio Springs PAD.

Land Division

March 28, 2022 – Result of split APN 306-40-028V (sibling parcel APN 306-40-028W).

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of **APPROVAL** for Final Plat for Old Hwy 89 with Conditions of Approval found in Attachment A.

SUGGESTED MOTION:

Move to **APPROVE** Final Plat FP-2022-05 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A

EFFECT OF THE APPROVAL:

By approving this Final Plat, the Planning and Zoning Commission is recommending approval to Town Council for "Final Plat for Old Hwy 89" located at 19997 and 20047 Old State Route 89, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the previously approved zoning.

Staff Analysis:

The applicant is requesting to divide the subject property located at 19997 & 20047 Old Highway 89 for two (2) Residential lots. The applicant is required to go through the Minor Subdivision process for the division of this property, rather than a lot split because of the number of resulting lots from the parent parcel is greater than three (3).

The Unified Development Ordinance defines Parent Parcel as all of the property from which a lot, parcel or tract was divided, whether by subdivision or land split. For the purposes of determining the number of lots, parcels or tracts created from a parent parcel, the parent parcel shall be any lot, parcel or tract existing pursuant to applicable law and recorded in the Yavapai County Recorder's Office on or before October 15, 2020. The requested land division will result in three (3) resulting lots from the parent parcel (APN 306-40-028V, which was split into subject parcel APN 306-40-028X and APN 306-40-028W).

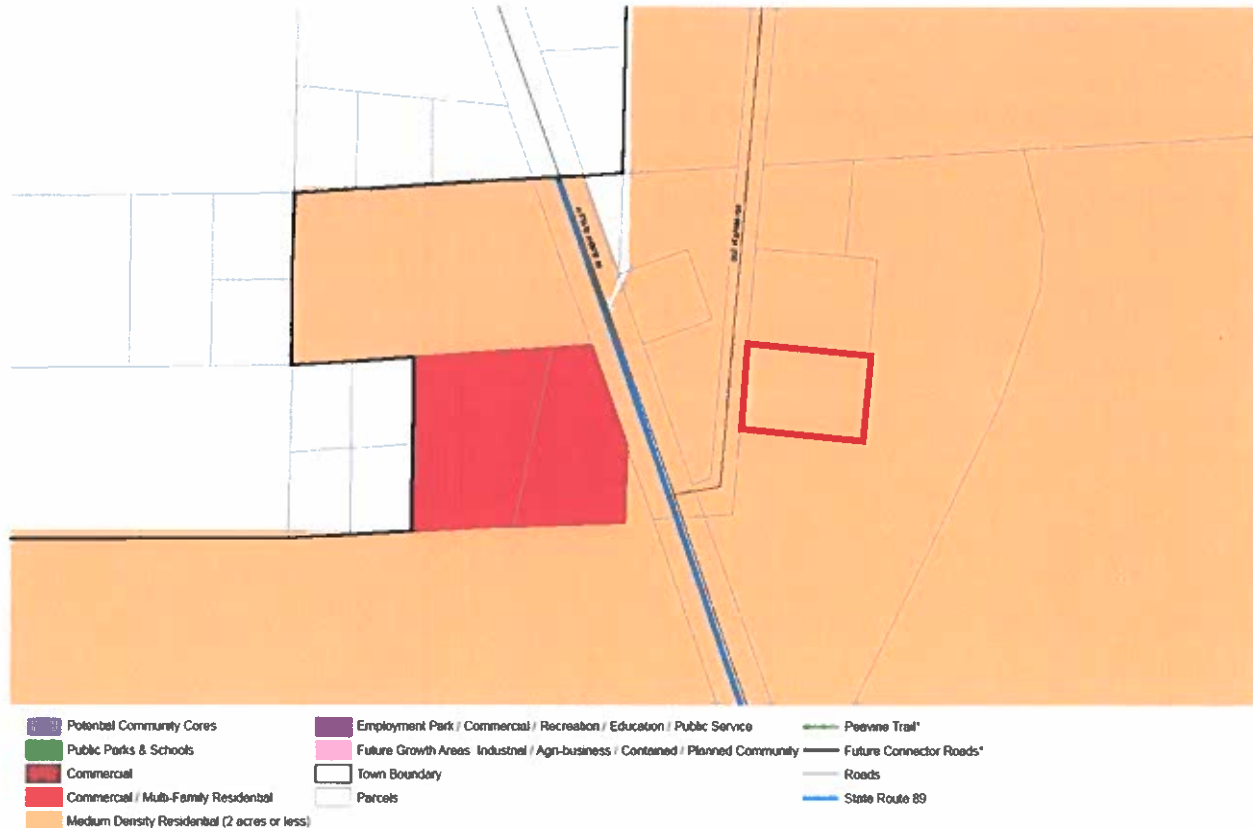
Zoning

Section 3.11 of the Unified Development Ordinance list "One (1) single-family dwelling" as a Permitted Use. Single Family Residential 1-Acre Minimum is the existing zoning for the subject property. The subject property will be for residential use.



General Plan

The General Plan designates the subject property as Medium Density Residential (2 acres or less). The applicant is requesting approval for a Final Plat within an existing zoning that is consistent with The General Plan land use designation of Medium Density Residential.



PUBLIC COMMENTS RECEIVED: None Received by Town Staff.

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: See Attachment C

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: December 1, 2022

☒	Applicant agreed with all of the conditions of approval on (December 2, 2022)
☐	Applicant did not agree with the following conditions of approval: (-)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research

PREPARED BY:



BETHAN HENG, PLANNER

(BHENG@CHINOAZ.NET)

928 636-4427 - x1295

DATE:

DECEMBER 8, 2022

APPROVED BY:



LAURIE LINEBERRY, AICP

DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate "Waiver of Claims" document.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

NO EXTERNAL AGENCY COMMENTS RECEIVED.

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: NOVEMBER 28, 2022

LOCATION: ON SITE - 19997 & 20047 OLD STATE ROUTE 89

ATTENDEES:

AGENT/DEVELOPER: TOM LIUZZO (SURVEYOR), WESTON GIBSON (OWNER)

TOWN STAFF: BETHAN HENG (PLANNER)

TWO NEIGHBORS IN ATTENDANCE - JEANNIE AND SCOTT MORSE

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- Inadequate Drainage and increased run-off on site.
- Location of access from Old Hwy 89 onto newly created lots.
- Concerns regarding if lots will be further divided in the future.
- Visual impact obstructing surrounding view.

ATTACHMENT D
SITE PLAN AND EXHIBITS

APN# 306-40-028X

ADDRESS: 19997 & 20047 OLD STATE ROUTE 89



**ATTACHMENT E
STAFF RESEARCH**



STAFF RESEARCH – MINOR SUBDIVISION

CASE #: FP-2022-05

CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	19997 & 20047 Old State Route 89					
Parcel Number(s):	306-40-028X					
Parcel Size(s):	4.17 Acres					
Total Acreage:	4.017 Acres					
Proposed Resulting Lots:	2 Lots					
Address:	19997 & 20047 Old State Route 89					
Applicant:	Tom Liuzzo					
Applicant's Agent:	Kaline Hutchinson					
Land Use Conformity Matrix:	Conforms:	Yes	X	No		
Zoning Overlay	PAD			N/A		

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Residential	Medium Density Residential (2 Acres or Less)
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West	Multiple Family Residential (MR) & Mobile Home Park (MHP) PAD	Vacant (Part of Del Rio Springs Project)	Medium Density Residential (2 Acres or Less)

Prior Cases or Related Actions:					
Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		September 5, 2000 – Del Rio Springs Area
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes		No	X	

**ATTACHMENT E
STAFF RESEARCH**

Subdivision	Yes		No	X	February 22, 2017 – “Feasibility Meeting” for 8, 1-Acre Dry Lot Subdivision of Parcel APN 306-40-028V.
Conditional Use Permit	Yes		No	X	
Pre-Application Meeting	Yes	X	No		November 10, 2021 – (PA21-11) May 18, 2022 – (PA-2022-31) October 5, 2022 – (PA-2022-75)
Enforcement Actions	Yes		No	X	
Land Division Status:	Yes	X	No		March 28, 2022 – Result of split APN 306-40-028V (sibling parcel APN 306-40-028W)
Irrigation District:	N/A				
<u>Detailed Narrative</u>	The request is to split the subject property located at 19997 & 20047 Old Highway 89 for Residential lots. The requested land division will result in 3 resulting lots from the parent parcel (APN 306-40-028V, which was split into subject parcel APN 306-40-028X and APN 306-40-028W). Therefore, applicant is required to follow the Minor Subdivision process rather than the Lot Split Process. Parent Parcel is defined as all of the property from which a lot, parcel or tract was divided, whether by subdivision or land split. For the purposes of determining the number of lots, parcels or tracts created from a parent parcel, the parent parcel shall be any lot, parcel or tract existing pursuant to applicable law and recorded in the Yavapai County Recorder’s Office on or before October 15, 2020.				

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:		
Land Use Designation:	Medium Density Residential (2 Acres or Less)	
Issues:	N/A	
Public Services Element:		
Water Facility Plan:	Source:	Closest line is about 4.5 miles to the South on Perkinsville Road. City of Prescott 8” or 6” Water Main
Sewer Facility Plan:	Treatment:	Closest line is about 4.7 miles to the Southeast, East of Granite Creek Lane. Existing 18” Gravity Main.
Issues:	N/A	
Safety Element:		
Flood Plain Designation:	FEMA Floodplain is 450’ from property.	
Issues:	N/A	
Transportation Element:		

**ATTACHMENT E
STAFF RESEARCH**

Road Classification	Rural Road without Trail
Issues:	N/A
Parks and Rec Element:	
Closest Park:	Peavine Trailhead 2.11 mi Southeast.
Within 1 mile of the Peavine Trail?	No.

NOTIFICATION

- Legal Ad Published: (12/06/22)
- 400' Vicinity Mailing: (11/14/22)
- 19 Commenting/Reviewing Agencies noticed: (11/10/22)
- Neighborhood Meeting: (11/28/22)
- Hearing Dates: (01/03/23)
- Comments Due: (11/28/22)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	N				
Samantha Alvarez – APS	N				
Richard Perez – A.D.O.T.	N				
Ralph Baker – C.V.I.D.	N				
Suzanne Ehrlich – YC ENV	N				
Jose Galvez – YC Health	N				
SparkLight Cable	N				
LUMEN	N				
Unisource Gas	N				
CVUSD	N				
United States Postal Service	N				
Town of Chino Valley Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)	N				
Will Dingee – Senior Planner (DS)	N				
Laurie Lineberry – DS Director	Y	11/28/22		X	X
Frank Marbury – PW Director	N				
Steve Sullivan – Assistant Engineer (PW)	N				
Dan Trout – CBO (DS)	N				
Damon Stanley – Code Enforcement	N				
Chuck Winn – Chief of Police (Police)	N				



TOWN OF CHINO VALLEY
Planning Commission Staff Report
January 3, 2023
File Number ZC-2022-10
Rezone

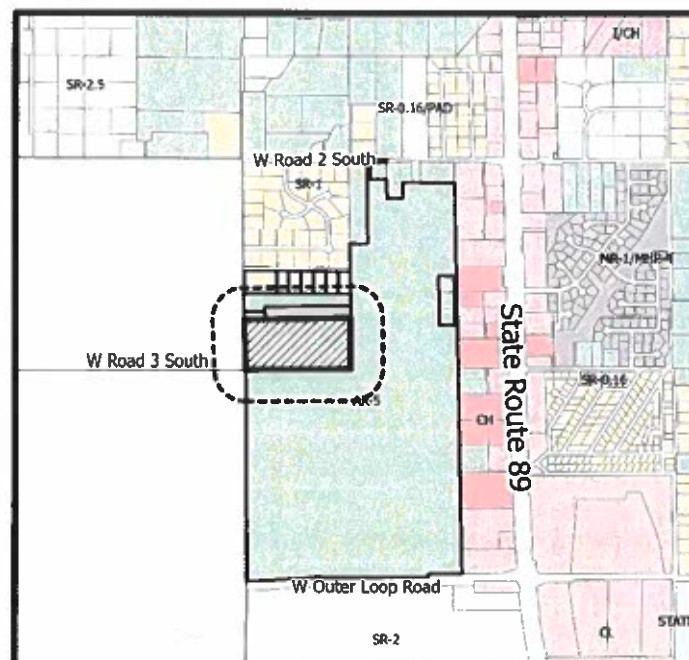
PROJECT DESCRIPTION

This is a request by Jay Bates to rezone approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1). The property is located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
North	Multiple Family Residential (MR) & Mobile Home Park (MHP) & Commercial Light (CL)	Residential and Slaughterhouse	Medium Density Residential (2 Acres or Less)
South	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
East	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
West	(RCU-2A)	Residential	Yavapai County Jurisdiction

LOCATION MAP



PRIOR SITE ACTIONS:	Land Division Status 1973 – Result of Split from APN 306-33-009 (Sibling Parcel APN 306-33-009B).
STAFF RECOMMENDATION:	Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of APPROVAL for the Rezone of approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1) with Conditions of Approval found in Attachment A.
SUGGESTED MOTION:	Move to APPROVE Rezone ZC-2022-10 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A
EFFECT OF THE APPROVAL:	By approving this Rezone, the Planning and Zoning Commission is recommending approval to Town Council to approve the Rezone of approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1), subject to the staff report and information provided during this hearing.

Staff Analysis:

The applicant is applying to rezone approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1), for a 15 1-Acre lot subdivision.

To the north of the subject property is a slaughterhouse. Town Staff was informed during the Neighborhood Meeting that during the summer, odor emitted from the activity happening in the slaughterhouse impacts the surrounding neighborhood. At the stage of Preliminary Plat submission, the applicant will need to include a disclaimer in a prominent location on the front page of the Final Plat for potential odors and noises originating from the adjacent slaughterhouse and their potential to impact future home buyers within this subdivision. At point of sales within the Subdivision, the developer must supply buyers within the Subdivision, as part of their closing documents, A Noise and Odor Disclosure Acknowledgment to sign. The buyer acknowledge that they are purchasing property adjacent to a slaughterhouse, which may generate odors and noises associated with that land use.

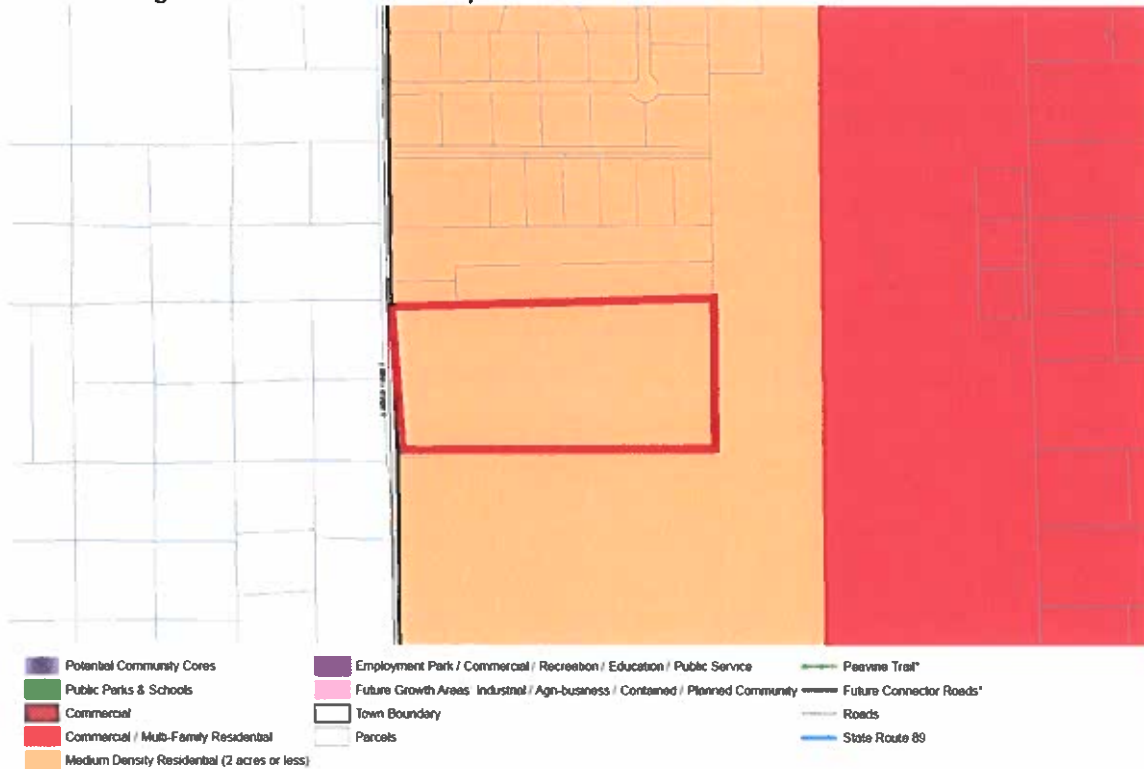
[illegible]

Section 3.11 of the Unified Development Ordinance list “One (1) single-family dwelling” as a Permitted Use. The applicant intends for a residential subdivision of 1-acre lots with a single-family dwelling on each lot.



General Plan

The General Plan designates the subject property as Medium Density Residential (2 acres or less). The requested rezone from AR-5 to SR-1 is consistent with The General Plan land use designation of Medium Density Residential.



PUBLIC COMMENTS RECEIVED: Town Staff Received 1 Public Comment.
See Attachment F

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: See Attachment C

PROPOSED CONDITIONS DELIVERED December 1, 2022
TO APPLICANT ON:

☒	Applicant agreed with all of the conditions of approval on (December 12, 2022)
☐	Applicant did not agree with the following conditions of approval: (list #'s)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research	Public Comment

PREPARED BY:



BETHAN HENG, PLANNER

(BHENG@CHINOAZ.NET)

928 636-4427 - x1295

DATE:

DECEMBER 12, 2022

APPROVED BY:



LAURIE LINEBERRY, AICP

DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the rezone being heard by Town Council.

Public Works/Engineering: Frank Marbury, Director, (928) 636-7140 - x1226

3. The owner shall dedicate right-of-way per UDO § 5.3.2 as follows:
 - a. South Road 1 West half-width: 40' east of the western line of section 34.
 - b. West Road 3 North half-width: 40' north of the east-west mid-section line of section 34.
 - c. Internal Street: Minimum right-of-way full-width is 50'. At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet. The cul-de-sac shall terminate in a circular right-of-way 60' in radius.

4. The owner shall construct half-width improvements on the east half of South Road 1 West along the subdivision's frontage per the Town's Urban and Rural Roadways map as follows:

The improvements shall include, at a minimum, a 12' paved through lane, a 5' paved shoulder and a road side ditch.

5. The owner shall construct the following onsite improvements per UDO § 5.3.2:

Internal Street: Per Rural Local Road standards that includes 24' wide minimum asphalt roadway, 5' shoulder with thickened edge. The cul-de-sac shall have a minimum improved traffic turning circle 48' in radius.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

NO EXTERNAL AGENCY COMMENTS RECEIVED.

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: NOVEMBER 30TH, 2022

LOCATION: ON SITE - NORTHEAST OF INTERSECTION AT WEST ROAD 3 SOUTH AND SOUTH ROAD 1 WEST.

ATTENDEES:

AGENT/DEVELOPER: JAY BATES (DEVELOPER), ADAM HAYWOOD (SURVEYOR)

TOWN STAFF: WILL DINGEE (SENIOR PLANNER), BETHAN HENG (PLANNER)

NINE NEIGHBORS IN ATTENDANCE - KEN KRONVOLD, GERRY GRUNBERG, SHIRLEY SCHUSTER, AL AND BEA GARCIA, STEVE KEVORKIAN, LELAND AND RENEE YARBROUGH, AND JAMES CARA

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- Inadequate Drainage and increased run-off on site. Water tends to pool on subject property during monsoon seasons.
- Increased flooding in surrounding neighborhood.
- Concerns regarding Intended parking plan - Garages or on street parking.
- Decrease in water availability, and decrease in water table level.
- Increase in traffic on and degrading the quality of S Road 1 West.
- Concerns regarding increasing density in the neighborhood.
- Concerns regarding decreasing Home values.

ATTACHMENT D
SITE PLAN AND EXHIBITS

APN# 306-33-009A

ADDRESS: NORTHEAST OF INTERSECTION AT WEST ROAD 3 SOUTH AND SOUTH ROAD 1 WEST.



**ATTACHMENT E
STAFF RESEARCH**



STAFF RESEARCH – ZONE CHANGE

CASE #: ZC-2022-10

CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	Northeast of intersection at West Road 3 South and South Road 1 West.					
Parcel Number(s):	306-33-009A					
Parcel Size(s):	20 Acres					
Total Acreage:	20 Acres					
Proposed Dwelling Units:	20					
Address:	None assigned.					
Applicant:	Jay Bates, Right Homes					
Applicant's Agent:	Adam Haywood					
Land Use Conformity Matrix:	Conforms:	Yes	X	No		
Zoning Overlay	PAD			N/A		

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
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West	(RCU-2A)	Residential	Yavapai County Jurisdiction

Prior Cases or Related Actions:					
Type	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		November 13, 1970 – 1 st Annexation
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes		No	X	
Subdivision	Yes		No	X	
Conditional Use Permit	Yes		No	X	

**ATTACHMENT E
STAFF RESEARCH**

Pre-Application Meeting	Yes	X	No		December 15, 2021 – PA21-21 “Homestead Subdivision”
Enforcement Actions	Yes		No	X	August 9, 1974 – “Violation of Zoning Codes”, although not specified what the violation was.
Land Division Status:	Yes	X	No		1973 – Result of Split from APN 306-33-009 (Sibling Parcel APN 306-33-009B)
Irrigation District:	N/A				
<u>Detailed Narrative</u>	This is a request by Jay Bates to rezone approximately 20 acres of land from Agricultural Residential 5-Acre (AR-5) to Single Family Residential 1-Acre (SR-1), for a 15 1-Acre lot subdivision.				

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:		
Land Use Designation:	Medium Density Residential (2 Acres or Less)	
Issues:	N/A	
Public Services Element:		
Water Facility Plan:	Source:	Existing City of Prescott 8” or 6” Water main located 1,460 ft North of Site.
Sewer Facility Plan:	Treatment:	12” Existing Gravity Main and 8” Existing Gravity Main located 1.11 mi North of Site.
Issues:	N/A	
Safety Element:		
Flood Plain Designation:	N/A	
Issues:	N/A	
Transportation Element:		
Road Classification	Not Designated	
Issues:	N/A	
Parks and Rec Element:		
Closest Park:	Peavine Trail 3.5 Miles from location.	
Within 1 mile of the Peavine Trail?	No.	

NOTIFICATION

- Legal Ad Published: (12/06/22)
- Neighborhood Meeting: (11/30/22)
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- Hearing Dates: (01/03/23)
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**ATTACHMENT E
STAFF RESEARCH**

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Samantha Alvarez – APS	N				
Richard Perez - A.D.O.T.	N				
Ralph Baker – C.V.I.D.	N				
Suzanne Ehrlich – YC ENV	N				
Jose Galvez – YC Health	N				
SparkLight Cable	N				
LUMEN	N				
Unisource Gas	N				
CVUSD	N				
United States Postal Service	N				
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Laurie Lineberry – DS Director	Y	11/28/22		X	X
Frank Marbury – PW Director	N				
Steve Sullivan – Assistant Engineer (PW)	Y	11/28/22		X	X
Dan Trout – CBO (DS)	N				
Damon Stanley – Code Enforcement	N				
Chuck Winn – Chief of Police (Police)	N				

ATTACHMENT F
PUBLIC COMMENTS

PLEASE SEE FOLLOWING PAGES.

December 1, 202

Attn: Planner Bethan Heng
Re: Concerns on case # ZC-2022-10

When Jay Bates purchased the property at W Road 3 So. And Road 1 West,
he knew the zoning was AR-5.

If the town of Chino Valley grants this request to rezone to SR-1, not only will it
impact the low density neighborhood, it will also impact the aquifer that is already
in a negative drawdown. Wells are already going dry in Chino Valley.

It is time to take into consideration the homes that are already here. Keep the zoning as it is..
there are lots of one acre parcels in the Chino Valley area.

Respectfully submitted,


James Caraker
1015 W Rd South