

Planning and Zoning Commission Meeting Minutes August 6, 2024

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, August 6, 2024, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner William Welker and Commissioner Richard Zamudio.

STAFF MEMBERS present: Laurie Lineberry, Development Service Director (via Zoom), Will Dingee, Assistant Director, Jessica Barragan, Senior Planner, Gerreann Froberg, Senior Processing Coordinator, Lawrence Digges, Audio/Video.

CALL TO ORDER: Chair Merritt called the meeting to order at 6:00 p.m. A quorum was declared. The Commission meeting began with the Pledge of Allegiance led by Commissioner Zamudio.

CONSENT CALENDAR – A motion was made by Commissioner Meadors to accept the consent agenda. The motion was seconded by Vice-Chair Pasciak and passed unanimously by a 7-0 vote.

PUBLIC HEARING #D.1 – Case # ZC-2024-03 — This is a request by Bill Villani, on behalf of Lazar-Villani Living Trust, for a rezone of approximately 1.5 acres of vacant land from Commercial Light/Agricultural Residential, minimum 5 acres (CL/AR-5) to Commercial Heavy (CH). The property is located at 3381 N State Route 89, Chino Valley, Arizona.

Chair Merritt stated that he knew the applicant, recused himself, and turned the hearing over to Vice-Chair Pasciak, as he left the chambers.

Vice-Chair Pasciak asked if anyone on the Commission had a disclosure to declare regarding this project. There were none.

Senior Planner Jessica Barragan presented the staff report and recommended approval.

Vice-Chair Pasciak asked if anyone had questions for staff. There were none.

Bill Villani – The applicant stated that he did not have anything else to add and would be available for questions.

Vice-Chair Pasciak asked if Commission had any questions for the applicant. There were none.

Vice-Chair Pasciak opened the meeting for public comments. There were none.

Vice-Chair Pasciak closed the public hearing.

Motion was made by Meadors, seconded by Switzer to approve ZC-2024-03, as presented, subject to the staff report and information provided during the hearing, and the Conditions of Approval in Attachment A. A vote was taken, and the motion passed with a 6-0 vote (with Merritt recusing). Merritt returned to the chambers.

PUBLIC HEARING #D.2 – Case # ZC-2024-04 – This is a request by Augustin Baugier, on behalf of Meadowview North LLC, for a rezone of approximately 10 acres of land from Agricultural Residential, minimum 5 acres (AR-5) to Single Family Residential, minimum 12,000 square feet (SF-12,000). The property is located on the north side of E. Road 2 North, between Peppertree Place and James Drive, Chino Valley, Arizona. APN: 306-18-017C and 306-18-017D

Chair Merritt asked if anyone on the commission had a disclosure to declare regarding this project. Merritt stated that he had discussed it with Switzer wondering why the Commission was hearing the case again.

Senior Planner **Jessica Barragan** presented the staff report and recommended approval.

Merritt asked if anyone had questions for Town staff.

Penn asked if the applicant would be connecting to Town water and sewer.

Barragan replied yes.

Switzer asked if the applicant would be widening Road 2 North.

Barragan responded that the Conditions of Approval stated that there would be some widening of Road 2 North and the plans would be presented at the preliminary plat stage.

Meadors asked about Condition 11 and observed major power lines going through the area, and asked if the applicant would be moving the power lines or putting them underground.

Barragan replied that the applicant would be working with APS to determine what would be needed to be done with the power lines and that APS' recommendation and conclusion would be presented at the preliminary plat stage.

Switzer asked if the land to the West of the subject property was a City of Prescott well facility.

Dingee stated that there was a City of Prescott small utility well house on the property directly to the North including vacant land owned by the City of Prescott, which was zoned public land.

Augustin Baugier - the applicant stated that he had nothing further to add and was available for questions.

Merritt asked if the Commission had any questions for the applicant.

Switzer stated that one of the concerns from the neighbors was if there would be an HOA for maintaining open spaces and landscaping and asked if the applicant had any plans for facilities in the retention basins and would they be open or fenced.

Baugier replied yes, there would be an HOA and they had no plans for facilities in the basins, and that they would be open.

Switzer asked if the HOA would include road maintenance and stated he would like to see the HOA include road maintenance inside the subdivision.

Baugier replied that the plan would be for the roads inside the subdivision to be made public roads.

Pasciak stated a point of order that the Commission cannot require an HOA to maintain roads.

Switzer replied that the developer could require the HOA to maintain the roads.

Pasciak stated it would then need to be a private road.

Switzer agreed.

Merritt stated that when the Town dedicated a road it must meet the Town standards. He asked if there would be a way for the developer to be responsible for the maintenance of the roads inside the subdivision.

Dingee replied that it would be a question for the Public Works Department during the preliminary plat stage.

Meadors asked the brand of mobile home the developer and the starting price for homes.

Baugier replied they typically used Cavco or Fleetwood. They hoped the price would start in the 300,000 range and be affordable.

Meadors asked when the developer planned on starting the project if it passed.

Baugier replied that if it passed and they could get through Final Plat by January or February, they would start right away.

Switzer asked if there was a sunset clause in the Conditions of Approval and stated he would like to see a sunset clause in the Conditions of Approval and asked what a reasonable timeframe would be.

Dingee replied that Staff did not recommend one because the project conformed to the Town General Plan, however the Commission could include one if they chose.

Baugier replied they would agree to whatever is recommended.

The Commission agreed on a 4-year time limit for the rezone.

Meadors asked about the improvements to Merritt Lane.

Dingee showed a slide of the Conditions of Approval, and replied the improvement was 25', with a total of 50' for the right-of-way.

Merritt stated it would be decided in final plat and that all roads would meet civil engineer specifications.

Switzer asked if the developer planned low water use landscaping.

Baugier replied yes, most likely front yards would be gravel and not too many plants, but with HOA rules on types of plants.

Penn asked if the open space would benefit people, with a playground for kids or places to walk dogs.

Baugier showed a slide of the walking path and sidewalk, which would include benches, pet disposal station, and promote pedestrian circulation. The had no plans for open parks.

Chair Merritt opened the meeting for public comments.

Mark Stokes stated he was new to Chino Valley and lived on Tumbleweed. He was concerned with the groundwater and flooding. He asked if the collection ponds would be adequate for the water run-off. He stated the water pressure in his house was low.

Andi Strange stated she was concerned that the construction would close off the access to Safeway and Route 89 and was concerned with the traffic it would cause, and asked if the developer was widening only in front of the subdivision.

Merritt stated the developer would only be required to widen one side of the road in front of the area to be developed.

Strange asked how many homes were planned.

Meadors replied 23.

Strange reiterated that the roads were very narrow, and she was concerned about traffic detours during construction that could last two to five years.

Chair Merritt closed the public hearing.

Merritt asked the Staff to talk about the drainage issue.

Barragan stated the drainage concerns would be addressed during the Final Plat stage. The applicant had been working with the Town Staff, and a detention basin had been added to the plan.

Merritt stated that for any new subdivision, all drainage, roads and infrastructure are designed by a licensed civil engineer and approved by the Town engineer.

Dingee stated correct, water comes in and leaves at the traditional spot and at the traditional capacity.

Meadors questioned the drainage flow of water on the site, noting a low point at Road 2 North.

Baugier stated the developer would be mass grading the entire site, and a house had been replaced on the plans with a detention basin and open space to hold water.

Merritt stated that the two open spaces shown on the plans were for the primary function of retention areas.

Dingee reiterated that the hearing tonight was for the zoning entitlement and the technical aspects would be addressed with the platting process.

Switzer asked if the retention basins would serve as a reclamation source for water.

Dingee replied that reclamation could be discussed at the platting process.

Baugier added the developer planned on building 1000 linear feet of line to attach to the Town water and sewer. The subdivision to the South was supplied by a private water company, so the new subdivision would not affect the water pressure of that development.

Merritt stated that most of the traffic during construction would not be in the road right of way, but on the strip in front of the subdivision to bring utilities up with daily traffic until completed.

Baugier replied that the developer would have all necessary traffic control practices in place so it would have the least impact as possible.

Motion was made by Switzer, seconded by Pasciak to approve ZC-2024-04, as presented, subject to the staff report and information provided during the hearing, and the revised Conditions of Approval in Attachment A to include a four-year sunset clause. A roll-call vote was taken, and the motion passed unanimously with a 7-0 vote.

ACTION ITEMS: There were no action items for this meeting.

INFORMATION ITEMS – FROM STAFF: **Dingee** reminded the Commission there would be a Special Meeting on Tuesday, August 27, 2024, **TA-2024-01** - Metal Storage Containers/Conex Boxes. **Dingee** shared information on the Draconis Interconnection solar project and stated that it was not a Town led initiative or project but was between Draconis and APS. The Town was not involved at this stage. He shared the Solar Advisory Committee would continue to meet and hoped to get a proposal to the Commission by the end of 2024.

Meadors asked if the solar facility would be located in the Town limits.

Dingee replied yes, that was their understanding.

Merritt cautioned the Commission to receive information on this project only from the Town staff and to avoid any conflict of interest. The Town staff would provide all legal and accurate information on the project.

Pasciak commented that if a quorum of the Commissioners were to show up at any of these meetings, it would be a violation of open meeting law. (Pasciak acted as the Commission Parliamentarian).

Dingee stated that the Staff would be attending these meetings and reporting to the Commission.

Merritt stated the Commission expected the Town Staff to come to the Commission and report accurate information, so the Commission would be fully prepared when the item was presented to the Commission.

INFORMATION ITEMS – FROM THE COMMISSIONERS: no comment.

INFORMATION ITEMS – FROM THE CHAIR: **Merritt** – stated that Commissioner **Switzer** was elected to Town Council, and that being on the Planning and Zoning Commission was a good path towards Council. He shared he felt **Switzer** had done an excellent job on the Planning and Zoning Commission and would do an excellent job as Town Councilmember. **Merritt** congratulated him on his new position.

INFORMATION ITEMS – FROM THE PUBLIC:

Barbara Savia asked if this meeting had to do with house solar and stated she had concerns.

Merritt stated she should speak with Town Staff regarding solar, that the Commission would not be able to answer any of her questions. He directed her to speak with **Dingee** or **Barragan**.

ADJOURN – A motion was made by **Meadors** and seconded by **Pasciak** to adjourn the meeting at 6:45 p.m.



Charles Merritt - Chair

Prepared By: Gerreann Froberg