



City of Prescott

Planning & Zoning Commission

May 9, 2024 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Planning & Zoning Commission** at their meeting to be held **May 9, 2024**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION & ACTION ITEMS**
 - A. Approval of the April 11, 2024 and April 25, 2024 Planning and Zoning Commission Meeting Minutes.
Recommended Action: MOVE to approve the minutes as presented
 - B. **REZ24-003** - A Request for a Rezoning from SF-9 (Single-Family) to MF-H (Multi-Family- High Density) to Allow for a Ninety (90) Unit Apartment Project on a 0.6-Acre Parcel. Location: APN 109-13-002E, G, and J 500 S Marina Street.
Recommended Action: MOVE to recommend approval of REZ24-003 subject to substantial compliance with the site plan
4. **STAFF UPDATES**
5. **ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated

representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));

(7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 5/2/24 at 9:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.



Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: May 9 Planning and Zoning Commission
DATE: May 9, 2024
DEPT: Community Development
ITEM #: 3.A
SUBJECT: Approval of the April 11, 2024 and April 25, 2024
Planning and Zoning Commission Meeting
Minutes.

ITEM SUMMARY

This item is for the approval of the April 11, 2024 and April 25, 2024, Planning and Zoning Commission meeting. Staff recommends approval of the minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact at this time.

RECOMMENDED ACTION

MOVE to approve the minutes as presented

ATTACHMENTS

1. April 11, 2024 P&Z Minutes
2. April 25, 2024 P&Z Minutes

City of Prescott

Planning & Zoning Commission

April 11, 2024 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Planning & Zoning Commission** at their meeting to be held **April 11, 2024**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. CALL TO ORDER

Chairman Michelman called the meeting to order at 9:00 A.M.

2. ROLL CALL

Don Michelman - Chair
Thomas Reilly - Vice Chair
Susan Graham - Member
Thomas Hutchison - Member
James Kleczewski - Member
James Whiting - Member
Thomas Davis – Member

3. DISCUSSION & ACTION ITEMS

- A. Approval of the February 29, 2024 Planning & Zoning Commission Meeting Minutes.

Chairman Don Michelman stated that at the last meeting a question was asked of the applicant if he would leave the land vacant between the store and the property owners. The applicant stated that he would. Chairman Michelman stated that he would like that added to the minutes.

MOTION BY COMMISSIONER REILLY TO APPROVE FEBRUARY 29, 2024 MINUTES WITH CHANGES; SECONDED BY COMMISSIONER DAVIS: (7 - 0)

- B. **PLN24-001:** A Preliminary Plat of Ponderosa Meadows Townhomes, a 20 Unit Subdivision on an Approximate 2.62 Acre Parcel Generally Located on Sally Lane South off of Bertrand Avenue. Zoning: MF-M (Multi-Family; Medium Density). Property Owner: Ponderosa DEVCO LLC. Applicant: Don Allison.

Tammy DeWitt, Community Planner stated that the project is a preliminary plat for Ponderosa Meadows Townhomes. She stated that they already have water that was allocated. She stated the project was originally planned to be apartments but the applicant decided to plat the lots to become townhomes so

that they can be sold individually. Ms. DeWitt stated that the plat is for 20 units and is on 2.62 acres. The zoning is Multi-Family Medium density which allows for townhomes.

Ms. DeWitt presented a zoning map that showed that the subject property is one property zoned Multi-Family Medium in the middle of Single Family properties.

Ms. DeWitt presented an aerial map and stated that the property is vacant but they have an engineering permit to put in the infrastructure so work is currently being done.

Ms. DeWitt presented the preliminary plat that showed the proposed layout of the townhomes. She stated that Sally Lane is a driveway, not a road. She stated that the plat shows that there are easements on the property for access. She stated that the individual lots meet setbacks for the district. She stated that the front of the property is off of Bertrand Lane

Ms. DeWitt presented a site plan that was submitted with the engineering permit. She stated that it shows the main access through the center of the property with a turnaround for fire. She stated that there is plenty of parking. She stated that there is secondary access off of Park Ave which is an ingress/egress easement that can be used for secondary access or for emergency.

Issues for Consideration:

- The purposes for subdivision regulations of Sec. 9.10.1
- The requirements of Sec. 9.10.6, Standards for Subdivision Approval
- The physical arrangement of the subdivision
- Adequacy of street and thoroughfare rights-of-way and alignment
- Compliance of the streets and thoroughfares with the adopted plans and the existing street pattern in the area
- Adequacy of easements for proposed or future utility service and surface drainage
- Suitability of lot size and area with respect to the minimum requirements for the type of sanitary sewage disposal proposed

Ms. DeWitt stated that the project meets all of the requirements for all of the reviewing agencies within the City.

Commissioner Tom Davis stated that there are easements that are overlapped by 3 units. He asked what the easements are for and if they will be abandoned. The units that overlap the easements are 9A, 9B, and 10A.

Ms. DeWitt stated it could be utility easement and that it has been addressed with the engineering permit.

Commissioner Davis stated that he saw a note on the site plan that says the easement has been abandoned

Commissioner Tom Hutchison asked what the Commission is approving today.

Ms. DeWitt stated that they are reviewing a preliminary plat. The configuration on the preliminary plat was originally laid out as apartments. She stated that they are platting the individual units so they can be sold separately.

Commissioner Hutchison asked if the buildings depicted on the preliminary plat are lots.

Ms. DeWitt stated that they are units and that it is a condo plat which means that they are just platting the building envelope and the rest is all common area.

Chairman Don Michelman asked if they were originally going to be apartments and asked if the site plan was the same.

Ms. DeWitt stated that the site plan has not changed.

Chairman Michelman stated that it will change from rental to ownership.

Ms. DeWitt stated that once each individual unit is platted they can be sold for individual ownership.

Commissioner Hutchison asked when the subject property became a Planned Area of Development (PAD)

Ms. DeWitt stated that the plat will be creating a PAD.

Commissioner Hutchison asked if that is a change in zoning.

Ms. DeWitt stated that it is not. In the City of Prescott, you can create a plat to reduce setbacks and the lot size requirements. It does not change the zoning. With a PAD they will have open space and common areas.

Commissioner Hutchison stated that it does not meet the setbacks for Multi-Family Medium that are in the Land Development Code.

Ms. DeWitt stated that it does meet the guidelines because each of the units are setback from the property lines. She stated that with a PAD when you do a condo plat, the walls become the property lines. The units still have to meet the setbacks for the outlying property lines which it does meet. Those setbacks are 7 feet on the sides, 20 feet in the front, and 20 feet in the rear. The plat is just for the buildings. Condo plats are common and they give a different type of inventory for the City in that they will be for purchase instead of apartments for rent.

Commissioner Hutchison asked how you get in and out of the property if Sally Lane is not a road. He stated that in the site plan it appears that ingress and egress are on Sally Lane.

Ms. DeWitt stated that Sally Lane is a driveway and each unit is off of the driveway.

Commissioner Hutchison asked if Sally Lane is the front.

Ms. DeWitt stated that Sally Lane is a driveway and that it is not a designated road.

Commissioner Hutchison stated that he saw a machine grinding up granite about 30 feet away from a house and he feels that it is too close.

Ms. DeWitt stated that it is a driveway so it can go right up to the property line.

Commissioner Hutchison stated that unit 10B is right on top of a house.

Ms. DeWitt stated that it has a 7 foot setback from the exterior property line which is what is required for the zoning district.

Commissioner Hutchison asked about unit 2A meeting the setback.

Ms. DeWitt stated that it does.

Commissioner Hutchison stated that unit 2A is at the rear.

Ms. DeWitt stated that the unit is at the side of the property. She stated that Bertrand is the front of the property and the south side is the rear of the property. The East and West sides of the property are sides.

Commissioner Hutchison asked what the front of the building is.

Ms. DeWitt stated that it does not matter what the front of the building is because they are townhomes accessed via a driveway. Ms. DeWitt stated that the front of the property is Bertrand which is the road to the north. Because this is platting the buildings themselves, they meet the setbacks for the zoning district for each of the units.

Ms. DeWitt stated that the front is off of a designated road and Sally Lane is a driveway that is maintained by the HOA.

Commissioner Hutchison stated that the front entrance is on the side of the property.

Ms. DeWitt stated that the parking spaces are in the front of the buildings.

Commissioner Hutchison asked if staff finds it incomprehensible.

Ms. DeWitt stated no that this is very typical for these type of products.

George Worley, planning manager stated that the front, side, and rear designations are determined based on the lot not the buildings. The buildings can face any direction on the property. Often there are homes facing the rear of the property because there is an access easement in the rear. Due to topography there may not be access off of the street that the property fronts. Mr. Worley

stated that in this case the exterior boundaries of the lot are not the individual buildings. He stated that you can have the fronts of the buildings facing somewhere other than the front of the property as long as the setbacks are met.

Commissioner Hutchison asked what the mailing address will be for the buildings.

Mr. Worley stated that it will most likely be a Bertrand Avenue address

Commissioner Hutchison stated that if the address is Sally Lane then there will be a problem.

Mr. Worley stated that Sally Lane was probably created as a name for mailing address purposes because there was a small house in one corner of the area that had no connection to any other property and had an easement that ran up to Bertrand for access.

Commissioner Tom Reilly stated that the buildings that are depicted on the plat have already been approved as apartments.

Ms. DeWitt stated that is correct.

Commissioner Reilly stated that the only difference between what has already been approved and the current plat is that they are platting the exterior walls of the buildings that have been approved so that they can be sold separately.

Ms. DeWitt stated that is correct and that this is happening before they get building permits because the units that are connected will have to have to meet different building and fire codes than the apartments.

Commissioner Reilly stated that the only difference between what has been approved and the current plat is paperwork.

Ms. DeWitt stated that is correct.

Commissioner Reilly stated it does not have anything to do with the physical situation.

Ms. DeWitt stated that is correct.

Commissioner Reilly stated that at the south end of the engineering drawing, there is the words retention detention basin and he stated there is no basin and it looks like it flows into the adjacent lots.

Ms. DeWitt stated that she would have to defer to the engineering permit to see what was approved.

Commissioner Reilly asked if engineering has already been approved.

Ms. DeWitt replied that it had and they have an engineering permit.

Commissioner Davis asked if they will be condos or fee simple lots.

Ms. DeWitt replied that they will be sold as condos and then there will be open space that is maintained by an HOA.

Commissioner Davis stated that it appears it will be a fee simple ownership of the envelope and asked if that is true.

Ms. DeWitt stated that they own the space in between the walls. They will own the unit not the land.

Commissioner Davis stated that townhomes can be fee simple ownership or condominiums.

Gary Kelley with Kelley Wise Engineering stated that the easement that goes through some units had an existing sewer main but they have rerouted it down the road so it will be abandoned.

Mr. Kelley stated that there is a detention behind units 5, 6A & B, 7A & B, and 8A & B. He stated they are intercepting water from a culvert that comes underneath Bertrand and putting a 36 inch pipe. He stated that they have an easement agreement with a church to the south. He stated that they built the storm drain all the way to Aspen Creek. They are taking the offsite drainage that came in to Sally Lane and running it to Aspen Creek. The detention basin on the south side of the property has a wall that acts as both retaining and screening between the subject property and the church.

Mr. Kelley stated that the plat shows dimensions of the units with units 1 and 5 being the same, unit 4 being a separate four-plex and the rest are duplexes. He stated that there are four styles of buildings. The wall in between units has to be a fire wall. He stated that they would own the footprint of the unit but everything outside of that is open space. The HOA will maintain the driveway. He stated that there are three homes to the north of unit 10B that are on the west side of Sally Lane and they have access off of Sally Lane. He stated that they will be paving the drive. Sally lane will be the private driveway with turnaround and there is emergency access to Park Avenue.

Hutchison asked if the owner of the home adjacent to 10B was notified

Ms. Kelley stated that Pine Acres owns both sides of the property and have been working with the developer.

Commissioner Hutchison asked if the owner of the home to the north of unit 10B was notified.

Mr. Kelley stated that the owner of the three homes to the north of unit 10B is the same owner of the land to the east of the property which is Pine Acres. He stated that Pine Acres has been working with the developer. They are aware of the work being done.

Commissioner Hutchison asked when the project was approved for an apartment complex and if it came before the Commission.

Ms. DeWitt stated that apartments were allowed by right and did not have to come before the Commission. She stated the project has been in the works for approximately 2-3 years.

Commissioner Kleczewski stated that with condos you do not own the land under you and the air above you. He stated for clarification that the land below the units is not owned by the person who owns the unit.

DeWitt stated that they will own from the ground up.

Chairman Michelman asked if the units would be sprinkled.

Mr. Kelley stated that individual building sprinkler systems are not required.

Chairman Michelman asked if the large rocks were going to be cleared out of the emergency access so that a fire truck can get through.

Mr. Kelley stated that the emergency exit is 20 feet wide. He stated that the road is a gravel road but he does not know about large rocks.

Ms. DeWitt stated that the road has to meet fire requirements.

Chairman Michelman stated that the fire department will have to look at it to make sure the trucks can get through.

Ms. DeWitt stated that they already did when it was approved.

Don Allison stated that the road is all weather access from Parke Avenue into the development. He stated that the road is currently being used as access for some of the rental properties on the east side of the project. He stated that Pine Acres on the east and west side of the property are rental units. He stated that there are rocks that will be removed.

Commissioner Hutchison asked what the rationale is for changing from apartments to condos.

Mr. Allison stated that it is driven partly by the current market. He stated that there are different financing products for a for sale unit than there are for a rental unit. He stated that it brings more diversity of housing to the downtown area. He stated that it gives them more flexibility to sell or rent units. He stated that it initially started with financing.

Commissioner Hutchison stated that Prescott needs housing and that apartments make more sense in that regard than condos.

Mr. Allison stated that Prescott needs all types of housing including rentals and ownership. He stated that with the multi-family medium density zoning they could

have constructed a traditional apartment building that is three stories tall with much higher density. He stated that given the nature of the site the highest and best use was to keep it lower density with more of a single family type feel. He stated that they will have to meet new building codes with the change but otherwise the project is consistent with what they originally submitted and approved.

MOTION BY COMMISSIONER REILLY TO APPROVE PLN24-001; SECONDED BY COMMISSIONER GRAHAM: (7 - 0)

4. STAFF UPDATES

Ms. DeWitt stated that the City of Prescott has been updating the General Plan for the last couple of years. She stated that they are wrapping up the review process with the last reviews done in July. She stated that in August or September they will be starting the 60 day comment period and then it will come before the Commission for a study session and two meetings starting in October. She stated that it is a different format than what has traditionally been used as it will look more like a book and will be more user friendly with a lot of hyperlinks. Staff has a consulting firm to help design it.

Commissioner Hutchison asked if the Commission will get to look at the final draft before it goes out for comment.

Ms. DeWitt stated that the Commission will see the final version in July.

5. ADJOURNMENT

There being no further business to discuss, Chairman Michelman adjourned the meeting at 9:36 A.M.



City of Prescott

Planning & Zoning Commission

April 25, 2024 | 9:00 AM
201 N. Montezuma
Street Council
Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chairman Don Michelman called the meeting to order at 9:00 a.m.

2. ROLL CALL

Don Michelman, Chair
Thomas Reilly, Vice Chair
Thomas Davis, Member
Susan Graham, Member
Thomas Hutchison, Member
James Kleczewski, Member
James Whiting, Member

3. DISCUSSION & ACTION ITEMS

- A. REZ24-001: A Request for a Rezoning from SF-18 (Single Family) to BG (Business General) Allowing for a Thirty-six (36) Unit RV Park on a 2.14 Acre Parcel. Location: APN 115-06-112E, 1646 Iron Springs Road. Property Owner: KL HB LLC. Applicant: Leah Beck.

Community Development Planner, Tammy DeWitt, presented the item and discussed the summary of the project and compatibility details. A map was shared, outlining the subject property area and adjacent properties. Per Ms. DeWitt, City staff from various departments have reviewed the conceptual project and found that it appears to meet City Code requirements. These are preliminary determinations based upon the limited information available at this time. If the rezoning is approved, much more detailed plans will be required and a more detailed examination by staff will occur.

The proposed project includes the creation of 36 RV sites with amenities consisting of full bathrooms and laundry facilities. It would be considered an infill development due to sewer and water are in the area to provide the required infrastructure for this project.

The property is bounded by apartments on the west and commercial office to the east. The area has an eclectic mix of commercial uses. Compatibility is achieved by the nature of the project, and there are pre-existing manufactured homes and RV parks on the south side of Iron Springs Road. The 2015 General Plan designated the area for Commercial for typical or regional commercial uses. The proposed rezoning meets the General Plan designation for this project.

The recommended action is to move to recommend approval of rezoning (REZ24-001) from Multifamily Medium (MF-M) to Business General (BG) subject to substantial conformance with the site plan, according to Ms. DeWitt.

Chairman Michelman invited the applicant, Leah Beck, to address the Commission. Ms. Beck shared her interest in the proposed project and provided background information. The goal is not to bring in an industrial area, but rather to keep the current environment and incorporate in the existing trees and natural landscaping, according to Ms. Beck.

Chairman Michelman invited Commissioners to question and comment.

Commissioner Hutchison inquired about a stay limit, as well as the possibility of leases or semi-permanent lease options. Per Ms. Beck, a month-to-month option is being considered, as well as longer lease options including semi-permanent.

Commissioner Reilly inquired about density and possible issues that may arise with rezoning. Ms. Beck explained that there would be a 30-foot-wide space for emergency response, which is about the size of a three-car garage. She referred to the various sizes of the lots and spaces displayed on the map. Originally, an entrance and separate exit existed, however, a loop was created instead with temporary parking for check-in. The loop option aims to reduce traffic activity from the project on Iron Springs Road.

Commissioner Kleczewski inquired if the project would be considered hospitality and would the city receive bed tax. Per Ms. DeWitt, 30 days or less is considered hospitality.

Chairman Michelman referred to the information provided regarding short and long-term rental availability and inquired about ownership of some lots or spaces. According to Ms. Beck, that may be a possibility in the future to include some vacation rentals, however, park models are not in the current vision.

Chairman Michelman invited speaker requests from members of the public. Two citizens commented on the proposed project and read aloud letters provided by their neighbors as well. He shared his concerns including environmental impacts, open space, close property boundaries to adjacent homeowners, traffic impacts, and noise. Shared recommendations included restrictions on noise, reductions of lots and spaces, and the possibility of duplexes for workforce housing in lieu of RV spaces.

Commissioner Davis inquired about the site plan process. Per Ms. DeWitt, today's meeting would be the only review of the application. Should the City Council approve the rezoning request, the applicant would then apply for the engineering permits for the site. Commissioner Davis commented that he does not have an issue with rezoning, however, is concerned about the site plan. Ms. DeWitt explained that the item being brought forward today is for business general, meets the designation, and is compliant with the General Plan.

Commissioner Hutchison commented that the project appears to be high density rather than business general and inquired about sidewalks.

Per Ms. DeWitt, high density is allowed in business general. Traffic review, sidewalks, and additional details would be addressed further in the application process. A traffic study is required when obtaining engineering permits.

Commissioner Graham expressed concern about density, the size of the sites, and RV parks deteriorating over time.

Commissioner Reilly asked about rezoning decision making.

Deputy City Attorney Matt Podracky referred to Land Development Code 9.15.5 and explained that although the Commission is a recommending body; City Council has the ultimate authority.

City of Prescott Land Development Code, Section 9.15.5, Issues for Consideration:

"In determining whether to approve, approve with modifications, or deny proposed Official Zoning Map amendments, issues for consideration shall include but not be limited to:

- A. Consistency (or lack thereof) with the Prescott General Plan, and other adopted Plans;*
- B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;*
- C. Suitability of the subject property for uses permitted by the proposed zoning district;*
- D. Suitability of the subject property for uses permitted by the existing district; and*
- E. Availability of sewer, water, and stormwater facilities."*

Chairman Michelman inquired about an option for the Commission to review a final site plan. Per Ms. DeWitt, the review process by this Commission precedes review by the Council Subcommittee on Water Issues.

Recommendations from both the Subcommittee and this Commission are then brought before City Council for final consideration.

Commissioner Reilly inquired about stipulations being made during a rezoning consideration. According to Mr. Podracky, they can be included if they are reasonable, referring to the project. Commissioner Reilly commented that a site plan review could be an option through a public meeting with the area residents. The site plan did not require review by residents, per Ms. DeWitt, as there was nothing in the City Code to trigger a review. It could be made a stipulation, however, there may be no way to enforce it.

Community Development Planning Manager, George Worley, explained that the department often receives projects requiring multiple steps, including review by multiple departments. The majority of the data needed is gathered after the rezoning has taken place. The engineering plans, water calculations and design plans can all be expensive for the applicant and come prior to the applicant receiving permits. Prior projects for consideration by the Commission have come forward with substantial conformance, similar to the site plan being discussed.

Mr. Worley continued, and explained that while conformance is close, it is not exact. Staff have the option to send the application back for review by the Commission, should there be substantial changes.

Should a recommendation be made, subject to substantial conformance to the attached site plan, it does provide an option to be reviewed again.

Chairman Michelman invited the applicant, Leah Beck, to address the Commission to make further comments.

Ms. Beck thanked the residents present for their input, and the Commission for their time and review. She added that another goal is to reside and operate on site. The concerns from area residents were noted, and some are shared. Answering additional questions of the Commission, she explained that the front lots and spaces would be at least 20 feet from the sidewalk. Gabion baskets are being considered as fencing, and the check in and out would be midday, rather than at night or early morning to aid with traffic concerns. Customer service is the main focus, according to Ms. Beck.

MOTION BY MEMBER REILLY TO APPROVE RECOMMENDATION OF REZ24-001, MOTION SECONDED BY MEMBER WHITING

Mr. Podracky requested clarification, if the motion was to include subject to site plan presented or straight out rezoning. Per Commissioner Reilly, straight out rezoning. Chairman Michelman requested further clarification on the matter, as the Commission was undecided. Ms. DeWitt explained that a motion including subject to the site plan would require a new application process should the current application be withdrawn or not approved. The Commission further discussed the current motion on the floor.

MOTION AMENDED BY COMMISSIONER REILLY TO APPROVE RECOMMENDATION OF REZ24-001, SUBJECT TO SITE PLAN SUBSTANTIAL CONFORMANCE; SECONDED BY MEMBER WHITING: PASSED (6-1) MEMBER KLECZEWSKI DISSENTING

- B. PLN23-004: A Preliminary Plat of Senator Cottages, a 37-Unit Subdivision on an Approximate 11 Acre Parcel. Location: Generally Located Off of Senator Highway on the Old Drive-in Property. Zoning: SF-9 (Single Family). Property Owner: RCJ Irrevocable Trust. Applicant: Lyon Engineering.

Ms. DeWitt presented the item, a request for Preliminary Plat approval for the Senator Cottages subdivision. The request includes creating 37 single family units platted as a PAD on approximately 11 acres with approximately 50% Open Space, located east off of Senator Highway. The currently vacant property is zoned SF-9 (Single Family).

The old Senator Highway Drive In sign would remain, and the proposed project is not expected to exceed density allowed. There is emergency response access next to Haisley Road, with main entrance access off Senator Highway. Land Development Code Section 9.10.9.A.6 was referred to.

City of Prescott Land Development Code, Section 9.10.9.A.6, Subdivision Plat Review, Issues for Consideration:

"The City shall consider the following in the review of Preliminary Plats:

- a. The purposes for subdivision regulations of Sec. 9.10.1;*
- b. The requirements of Sec. 9.10.6, Standards for Subdivision Approval;*
- c. The physical arrangement of the subdivision;*
- d. Adequacy of street and thoroughfare rights-of-way and alignment;*

- e. *Compliance of the streets and thoroughfares with the adopted plans and the existing street pattern in the area;*
- f. *Adequacy of easements for proposed or future utility service and surface drainage; and*
- g. *Suitability of lot size and area with respect to the minimum requirements for the type of sanitary sewage disposal proposed.”*

The recommended action is to move to recommend approval of PLN23-004, Preliminary Plat of Senator Cottages, according to Ms. DeWitt.

Chairman Michelman opened up discussion of the item.

Commissioner Kleczewski requested clarification regarding the rezoning of the property. Per Ms. DeWitt, the item is a Preliminary Plat and not a rezoning item.

Chairman Michelman inquired about parking issues, and if the units would be owner-occupied. The front is set back 20 feet from garage, per Ms. DeWitt. The units are platted for single family; however, the units may be rented out by the owner as they would be individually owned.

Chairman Michelman invited Engineer Scott Lyon, and Developer Sterling Johnson, to address the Commission. Mr. Lyon confirmed adequate visibility, related to traffic concerns. Left turn lanes are included in the proposal and a section of Senator Highway would be widened to the east only. Mr. Johnson thanked the Commission and staff for their consideration.

MOTION BY COMMISSIONER REILLY TO APPROVE RECOMMENDATION OF PLN23-004; SECONDED BY MEMBER DAVIS: PASSED (7-0)

4. UPDATES

Ms. DeWitt invited members and the public to attend the Old City Hall Redevelopment Project Open House, April 25, 2024, from 4:00-6:00pm. This will be an open format, where citizens can walk through, view renderings and information boards, and ask questions of the staff and the representatives of Territory Holdings. The project, entitled “The Assembly at Old City Hall”, is scheduled to go before the Prescott Preservation Commission for a Study Session on May 10, 2024.

5. ADJOURNMENT

There being no further business to discuss, Chairman Michelman adjourned the meeting at 10:12 a.m.

DON MICHELMAN, Chairman

ATTEST:

MARIKAY WHISENAND, Senior City Clerk Specialist



TO: MAYOR AND CITY COUNCIL
AGENDA: May 9 Planning and Zoning Commission
DATE: May 9, 2024
DEPT: Community Development
ITEM #: 3.B
SUBJECT: **REZ24-003** - A Request for a Rezoning from SF-9 (Single-Family) to MF-H (Multi-Family- High Density) to Allow for a Ninety (90) Unit Apartment Project on a 0.6-Acre Parcel. Location: APN 109-13-002E, G, and J 500 S Marina Street.

ITEM SUMMARY

The subject project area is currently zoned residential Single-family 9 (SF-9) and Multifamily-High Density (MF-H) located at the end of South Marina Street and totals 3.279 acres. The small area zoned SF-9 is approximately 0.6 acres of the project area. The properties around the subject site are (Multifamily- High Density) to the north, west, and south; and Single Family (SF-9) to the east. It is the request of the property owner to rezone the 0.6-acre portion to Multifamily-High Density (MF-H) to be the same as the rest of the project area and to allow the proposed 90-unit apartment project.

BACKGROUND

The property has a lot of history. It was a former children's hospital, a mental hospital, and the last use was Yavapai County Development Services offices until 2012. The building has been vacant since. A demo permit was issued in November of 2023.

Proposed Project

The proposed project includes the creation of a 90-unit apartment complex. This would be considered an infill development due to sewer and water are in the area to provide the required infrastructure for this project. Only a small portion needs to be rezoned due to the rest of the project area already having the zoning needed for the proposed project.

Code Compliance

City staff from various departments have reviewed the conceptual project and found that it appears to meet City Code requirements. These are preliminary determinations based upon the limited information available at this time. If the rezoning is approved, much more detailed plans will be required and a more detailed examination by staff will occur.

Compatibility

This property is bound by residential and office type uses. Compatibility is achieved because of the diverse uses in the area and being located close to downtown.

The 2015 General Plan designated this area for Low-Medium Residential Density (1-7 DU/acre). Adjacent designation to the north, south, and west is for Med-High Residential Density (8-32 DU/acre). This application requires a Minor General Plan Map amendment to accompany the proposed rezoning, if the Planning and Zoning Commission recommends approval. That amendment would be to change the land use designation to Medium-High density residential to match the zoning density of the MF-M district.

FINANCIAL IMPACT

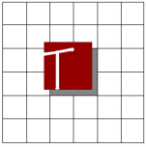
There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to recommend approval of REZ24-003 subject to substantial compliance with the site plan

ATTACHMENTS

1. Narrative
2. Site Plan
3. maps and pictures
4. Opposition Letter
5. Marina Street Development Support Letter



Michael Taylor Architects, Inc.

December 21, 2023

City of Prescott
Community Development Department
201 South Cortez Street
Prescott, Arizona 86303

Subject: 500 South Marina Street Project Narrative

This project will develop the sites at 500 South Marina Street into an approximately 90-unit apartment project. The 2-story apartment buildings will consist of 1- and 2-bedroom units as well as provide approximately 20 2-bedroom units for seniors. Parking for all of the units will be provided on each site to accommodate all of the required parking.

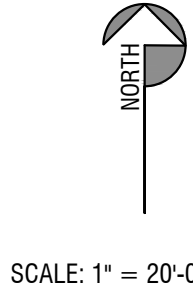
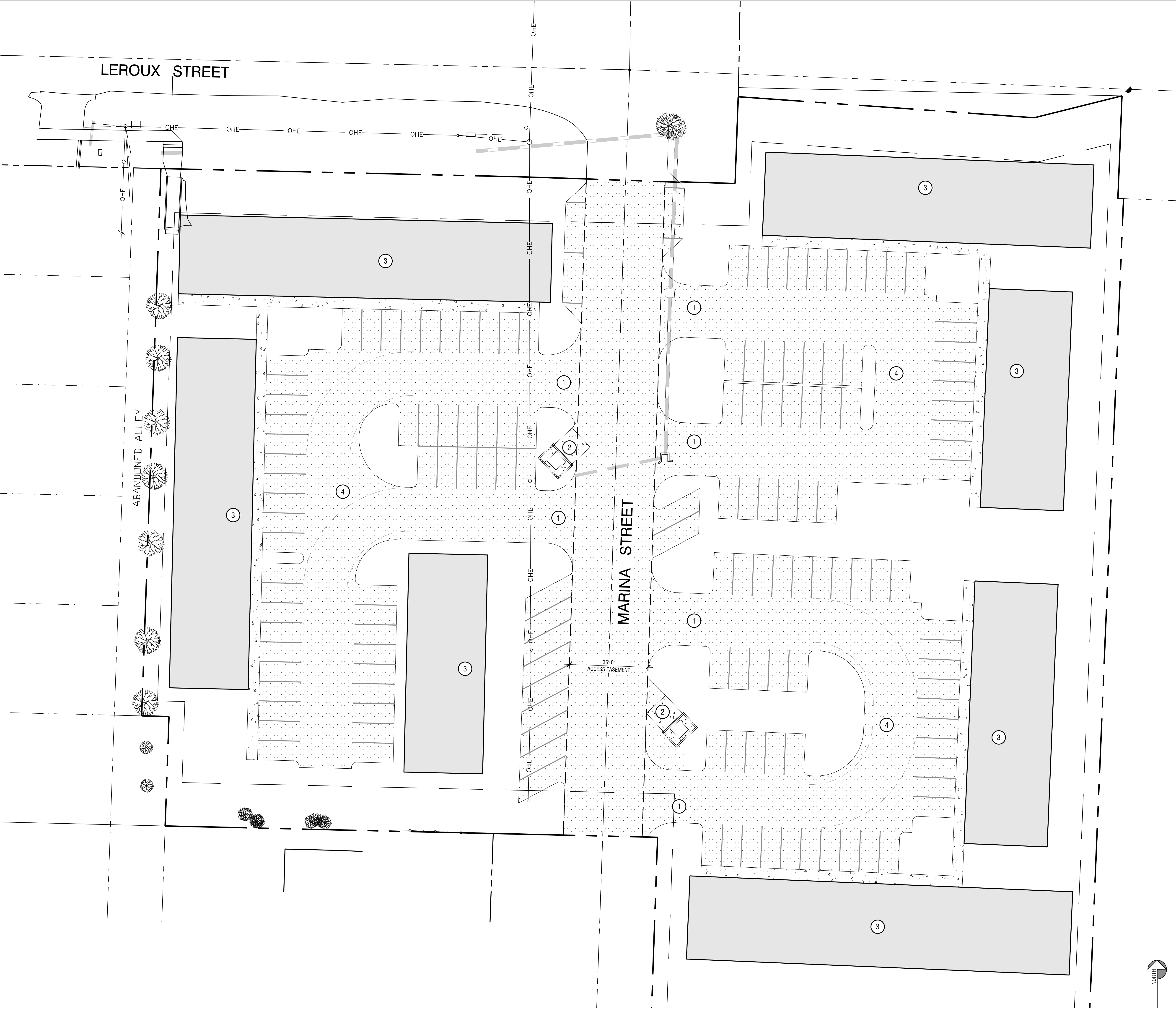
Respectfully submitted,

Johnny Stewart, AIA
Michael Taylor Architects, Inc.

THE CONSTRUCTION DOCUMENT SET FOR THIS PROJECT SHALL INCLUDE THIS DRAWING SHEET, & ALL OTHER SHEETS & ASSOCIATED DOCUMENTS LISTED ON THE DRAWING INDEX ON COVER SHEET, & ANY OTHER DOCUMENTATION AS SUPPLIED BY THE ARCHITECT & CONSULTING ENGINEERS. ALL OF THE PROJECT DOCUMENTS REPRESENT AN ALL ENCOMPASSING WHOLE, & SHALL BE USED IN THEIR ENTIRETY FOR BIDDING & CONSTRUCTION PURPOSES.

10/25/2024 10:53 AM JMTA C:\Users\jmta\OneDrive\Documents\Files\10-25-2024 Marina Street Apartments Main View\Drawings\AS101-01 Site Plan.dwg AS101-01 Site Plan.dwg

1 SITE PLAN

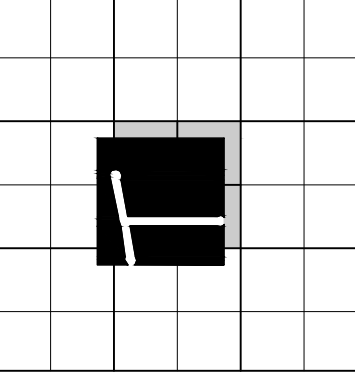


OWNER
YH DEVELOPMENT PROPERTIES LLC
1645 WEST MOORE ROAD
TUCSON, ARIZONA 85755
(928) 237-7154

ARCHITECT
MICHAEL TAYLOR ARCHITECTS, INC.
118 SOUTH PLEASANT STREET
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A NEW APARTMENT COMPLEX FOR

MARINA STREET APARTMENTS

500 SOUTH MARINA STREET
PRESCOTT, ARIZONA 86303
APARTMENT TYPE: 2-BEDROOM
SUA-138-020W
MF-H ZONING

PROJECT TEAM

PARCEL #:	109-13-001D
SUBDIVISION & LOT #:	PRESCOTT ORIGINAL TOWNSITE
JURISDICTION:	CITY OF PRESCOTT
ZONING:	MULTI-FAMILY HIGH DENSITY (MF-H) ZONING
SETBACKS:	20'-0" FRONT / REAR 7'-0" SIDES
ASSESSOR ACRES:	1.35 ACRES
PROJECT ADDRESS:	500 SOUTH MARINA STREET
PARKING REQUIRED:	1-BEDROOM: 50 UNITS = 50 SPACES 2-BEDROOM: 35 UNITS = 70 SPACES 2-BEDROOM: 5 UNITS = 5 SPACES (SENIOR) GUEST SPACES: = 20 SPACES TOTAL PARKING REQUIRED = 145 SPACES
PARKING PROVIDED:	146 PARKING SPACES

PROJECT DATA

GOVERNING BUILDING CODES

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND AMENDMENTS PER THEIR ADOPTING ORDINANCES:

2018 INTERNATIONAL BUILDING CODE
2018 INTERNATIONAL MECHANICAL CODE
2018 INTERNATIONAL PLUMBING CODE
2017 NATIONAL ELECTRICAL CODE
2010 ADA STANDARDS FOR ACCESSIBLE DESIGN
2012 INTERNATIONAL ENERGY CONSERVATION CODE

ALL PRODUCTS LISTED BY I.C.B.O./N.E.R. NUMBER(S) SHALL BE INSTALLED PER THE REPORT AND MANUFACTURER'S WRITTEN INSTRUCTIONS. PRODUCT SUBSTITUTION(S) FOR PRODUCT(S) LISTED SHALL ALSO HAVE I.C.B.O. APPROVED EVALUATION REPORT(S) OR BE APPROVED AND LISTED BY OTHER NATIONALLY RECOGNIZED TESTING AGENCIES.

APPLICABLE CODES

1. CODES AND AMENDMENTS PER THEIR ADOPTING ORDINANCES.

GOVERNING CODES

- 1 NEW SITE ACCESS
2 TRASH ENCLOSURE
3 2-STORY APARTMENT BUILDING
4 ASPHALT PARKING LOT

KEYNOTES

SITE PLAN

AS101

MTAI PROJECT NUMBER: 23045

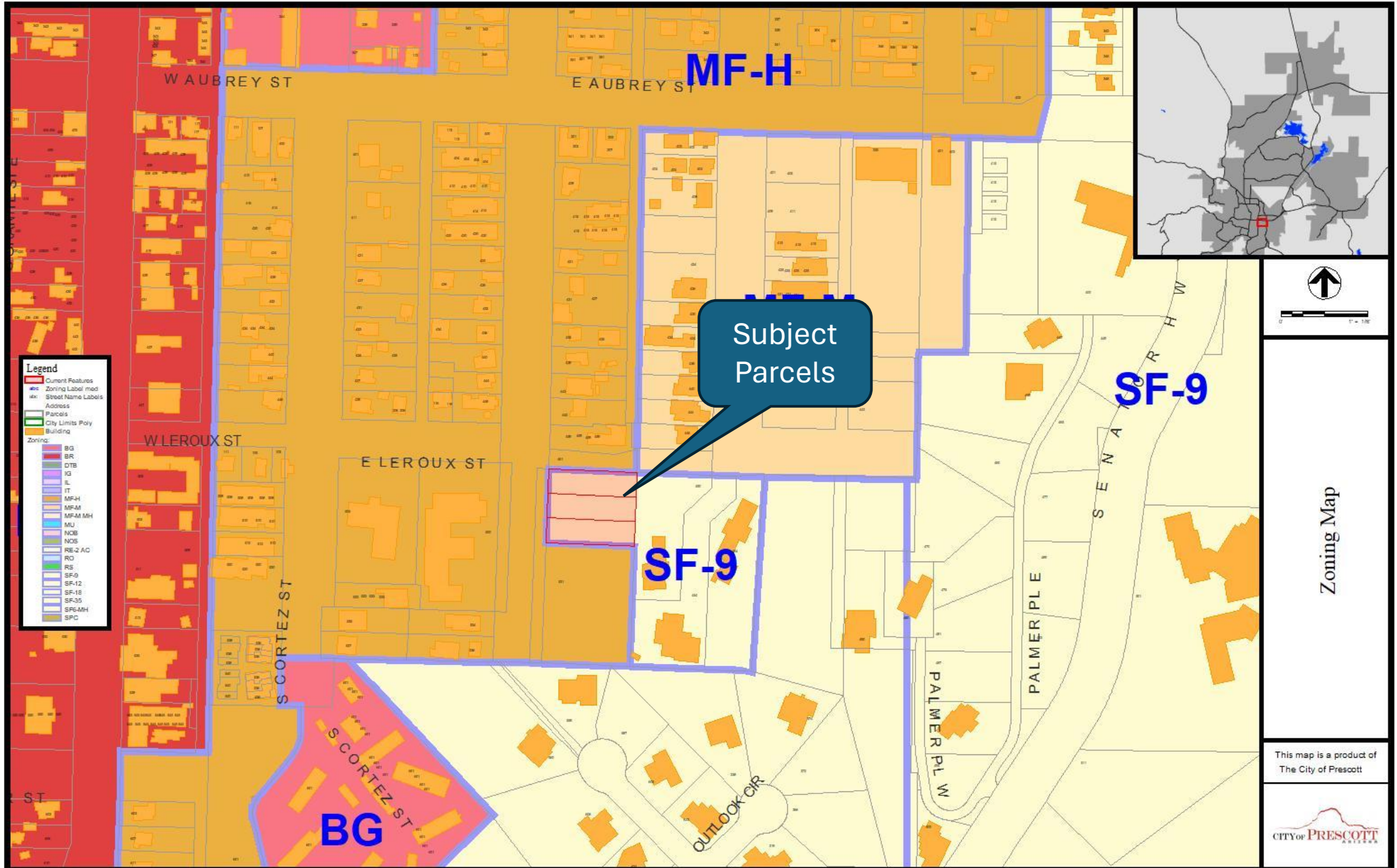
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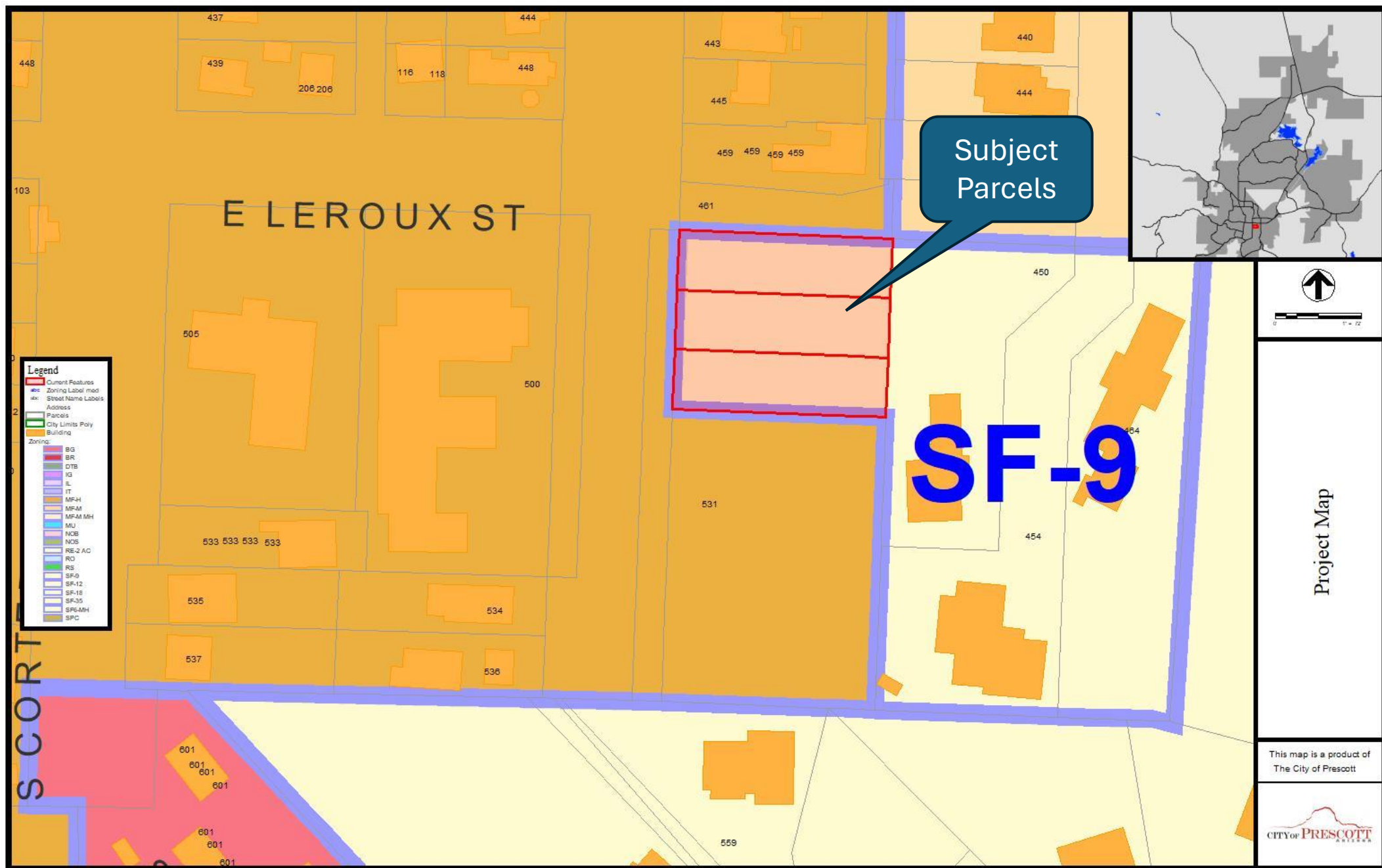
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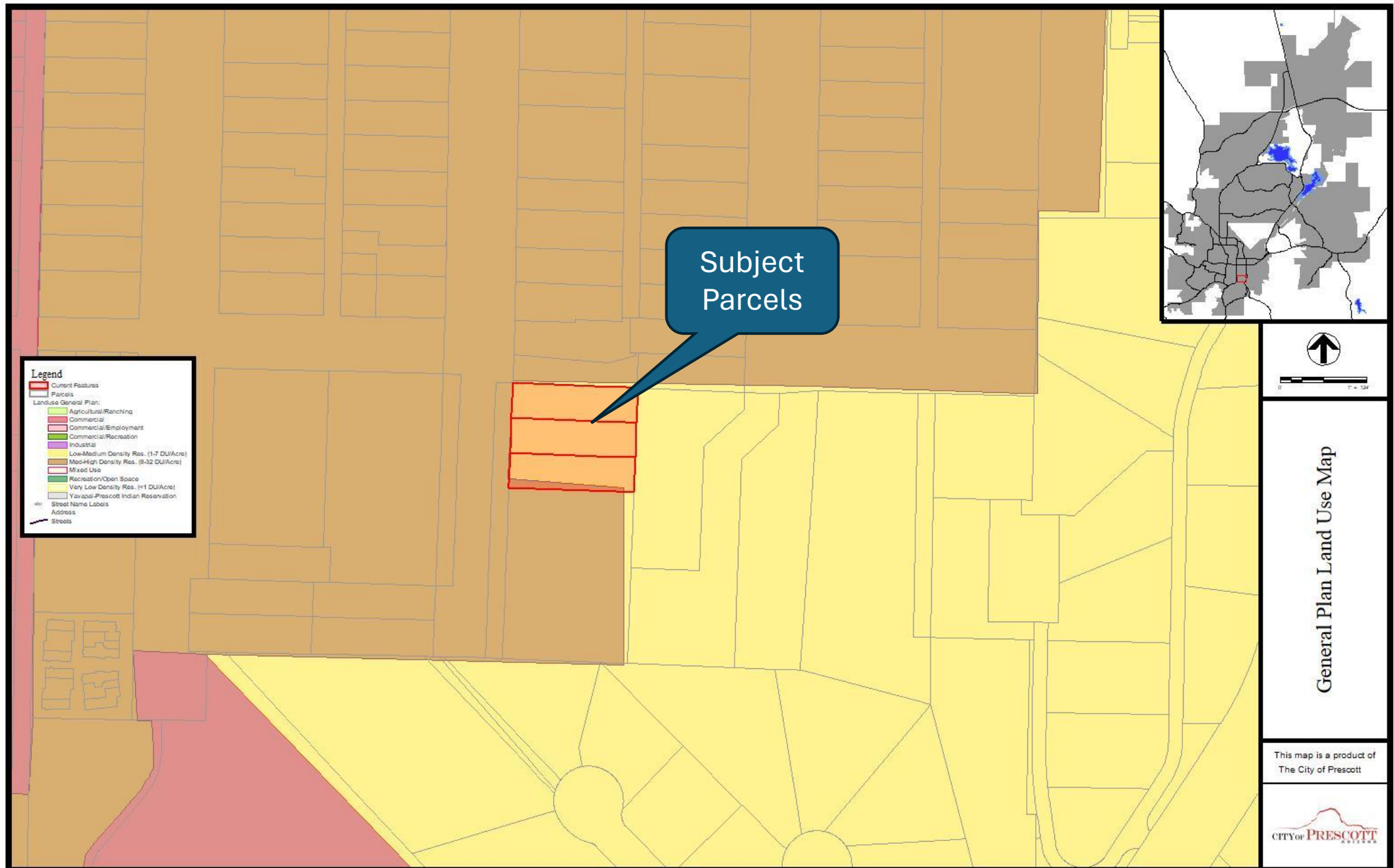


Property Imagery: 2024-04-22 13:37:27

This document is a graphic representation only of best available information. The City of Prescott assumes no responsibility for any errors.







Area to be Rezoned





Old Yavapai County Development Services Building

From: [REDACTED]
Sent: Friday, April 26, 2024 9:57 AM
To: Planning
Subject: Proposed rezoning of 500 S Marina

Dear Planning Team,

I own multiple single family homes near 500 S Marina St, and recently saw the posting of this proposed rezoning. Of course, my heart fell when I read the proposal to shift from single family to 90 units on a small, 0.6 acre lot in the middle of predominantly single family homes. My heart also fell realizing that while I've been investing in downtown Prescott to maintain the character of this beautiful, historic community, a developer can sweep in and propose a development that is absolutely incompatible with the surroundings.

A couple of points I'll make now to emphasize my strong opposition to this reclassification:

- 1) this proposal is incompatible with surroundings and therefore is in conflict with the General Plan and Land Development Code.
- 2) This proposed shift to MF will significantly de-value nearby property values.
- 3) This proposal threatens the very character of downtown Prescott. I reference the recent proposal of the Plaza hotel and suggest many of the same arguments in opposition apply here. 90 units on 0.6 of an acre is not compatible with downtown Prescott.

I'd also like to note that although I own multiple properties near this site, I've not received any notification as required by process. I realize the requirement is to notify properties within 300' and I believe at least one of my properties qualifies, yet I haven't received anything. I also understand the Planning Team may require a broader radius of notification for significant changes. I believe this proposed project qualifies and this radius should be expanded.

Finally, if possible, I'd like to access any and all publicly available documentation about this proposed project. Related, I'd like to know the status and any available information about the remainder of this parcel package which I believe exceeds 4 acres. I'll express now that I believe the Planning Team needs to consider the overall impact to the neighborhood of the developers' intentions for this entire property - not just this 0.6 acre portion.

Regards,
Veronica Grace

[REDACTED]
[REDACTED]

Marvin Yetter

Prescott, AZ 86302

500 South Marina Street Development

My name is Marv Yetter and I own the 1 acre parcel adjacent to and overlooking the proposed development. I have owned and lived on this property for the past 22 plus years, have lived in Prescott for nearly 30 years and support the development of this property.

Not only has the property been an eye sore, but it has also been a haven for abuse. Examples over the years are:

- Homeless people camping and breaking into the property.
- RV campers overnighting and urinating on property.
- People have changed engine oil in parking lot and drained oil on pavement.
- Many break ins and drug use by individuals.
- Have pictures of people setting up tents and camping overnight.
- When the public uses the parking lot for event parking, they leave trash and other unmentionables behind.
- Folks tend to use property as an off-leash dog park and do not pick up dog waste.
- Neighbors use the vacant lot for target practice with pellet guns, which may be illegal in Prescott City Limits.
- Even with the current fencing, people are still trespassing on property.

Before the property was acquired and fenced off by the new owners, the Prescott Police Dept. and Yavapai County Sheriff Dept. were on site nearly weekly due to many of the above-mentioned problems.

Downtown Prescott needs more housing to keep downtown vibrant and to support local businesses as tourism alone is not sufficient.