



# City of Prescott

## Planning & Zoning Commission

July 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. Approval of the May 30, 2024 Planning and Zoning Commission Meeting Minutes.

**MOTION BY COMMISSIONER REILLY TO APPROVE THE MAY 30, 2024 MEETING MINUTES; SECONDED BY COMMISSIONER GRAHAM: PASSED (6-0)**

- B. **REZ24-002** A request for a rezoning from RE-2 Acre (Rural Estate 2 Acre) to NOB (Neighborhood Oriented Business) to allow for a mixed-use office and retail center on a total of 7.55 acres located on both sides of Pinon Oaks Drive off of Willow Creek Road. APN: 106-02-052C & D, 5900 & 5930 Willow Creek Road. Property Owner: Granite Property Investments, LLC.; Applicant: Granite Basin Engineering.

Planner Tammy DeWitt provided a presentation to the Commission for a rezoning request proposal. The property owner has requested to rezone the 7.55-acre parcel, located on both sides of Pinon Oaks Drive, from Rural Estate 2 Acre (RE-2 Acre) to Neighborhood Oriented Business (NOB). The rezone would allow for a mixed-use office and retail center.

Ms. DeWitt shared a map from the 2015 General Plan that outlined the property's designation for commercial use. Due to the high volume of traffic on Willow Creek Road (WCR), residential development of these parcels would be incompatible. The Commercial Overlay District is intended to promote quality commercial development that is compatible with the surrounding area with additional Architectural Standards per Section 5.3 in the Land Development Code.



Future building permits will need to show compliance with the development standards of the overlay district. A Traffic Impact Analysis (TIA) will also be required to determine if there are any other requirements that will be imposed at the intersection based on the proposed uses. She added that staff from various departments have reviewed the conceptual project and found that it appears to meet City Code requirements. The preliminary determinations are based upon the limited information available at the time. If the rezoning is approved, plans with more detail will be required and a thorough examination by staff will occur.

Ms. DeWitt stated that a rezoning request was brought forward in 2022 to rezone the parcels to Business General (BG) to allow a commercial center with a drive-through on the north parcel, and an indoor storage facility on the south parcel. The project was denied by City Council at the time.

She reviewed the proposed site plan and deferred to the applicant to present the proposal and explain the project.

Granite Basin Engineering Engineer, Thomas Luizzo, explained that the proposed project access points would be from Pinion Oaks Drive, and one right-in/right-out on to WCR on the north parcel. The site would provide adequate parking for the various uses and currently has more parking than is required.

Mr. Luizzo introduced the agent for the property owner, Travis Baird, as another source for questions and information.

Commissioner Reilly asked if they had done a TIA for this particular location, and if an analysis had been done to estimate an increase in traffic from the proposed project.

Mr. Luizzo responded that a preliminary TIA was completed in 2021, and one from a previous project proposal is currently being utilized, however, without having the specific uses determined, there is no additional information beyond the previous information from 2021. Should the request for rezoning move forward, a more detailed TIA would be conducted.

Commissioner Reilly asked Ms. Dewitt to provide an overview of Business Regional (BR) zoning and what uses are permitted.

Ms. Dewitt stated that BR zoning is a more intensive zoning for commercial uses not allowed in the proposed NOB zoning, such as businesses with a drive thru or convenience stores, to name a couple. NOB allows for light commercial with the only drive thru exception being that of a bank.

Commissioner Hutchison referenced previous work by the city, at Pioneer Parkway and WCR, and noted that it appears to be a problematic area. He asked of Mr. Luizzo if traffic is anticipated to become better or worse.

Mr. Luizzo stated that while he does not know for sure, odds are it will increase traffic activity.

Commissioner Davis asked Ms. Dewitt how the Commission's decision regarding the rezoning relates to the site plan.

Ms. Dewitt stated that if a recommendation for approval is provided, it will be in substantial compliance with the site plan.

Commissioner Davis asked if the intersection of WCR and Pinon Oaks Drive will be signalized, as more information is needed to recommend approval.



Mr. Luizzo responded that the answer would come from the TIA, and should it warrant traffic lights be required, a signal would be installed.

Commissioner Hutchison asked if the applicant would be willing to cover the cost for potential required upgrades, depending on the results of the analysis.

Ms. Dewitt explained that if there are improvements required from the TIA, the applicant will need to comply and address the requirements.

Mr. Luizzo added that specific traffic users could better be determined once the rezone is approved. Currently, there are no specific uses in place and therefore proper formulas cannot be applied.

Ms. Dewitt continued her presentation, reiterating that this is a preliminary site plan. If the rezone request is approved for recommendation to Council, the applicants will come back for building permits and a detailed analysis will be completed at that time. She stated that the proposed rezone meets the General Plan designation for this project. The retail and office complex being proposed is an allowed development within the NOB zoning. Landscaping adjacent to the residential neighborhood may reduce the visual impact of the building, as well as impacts from noise and lighting.

Planning Manager, George Worley, reiterated that because the property is on a major roadway and in a high traffic area, any residential uses along the front properties will not be compatible or functional. recommendations to Council from this Commission carry a lot of weight and are an extremely important part of the process. He added that today's decision is not a determination but a recommendation.

Commissioner Davis commented that he understands the need for consistency with the General Plan, however, there may be other zoning designations that may be less intensive such as Residential Office.

Mr. Worley explained that Residential Office is the only zoning designation that is less intensive than NOB. The request for zoning designation is generated by the property owner though, and NOB was requested. Staff can only review based on the request.

Commissioner Hutchison inquired about a prior proposal that came before the Commission with ingress/egress issues and asked why this was not addressed in the current proposed project.

Mr. Worley responded that staff reviews the request and makes necessary requests of the applicant, one of which is a TIA. The process also occurs within and from other departments.

Chair Michelman welcomed Transportation Manager Ian Mattingly, to address the Commission.

Mr. Mattingly referred to the traffic analysis from 2022, being utilized for the proposed project. He explained that when another applicant request is received by staff, similar but diff layouts and uses, the process is to contact them during the submittal in round one. During round two, a scope is developed, typically using the most conservative land use (highest traffic use) figures. For the proposed project, the applicant requested a conditional approval without a TIA that would be provided when further along in the process.



Staff are aware that the area will need traffic improvements provided by the applicant. There will be a list of required items once TIA is provided, but until happens, it is difficult to determine exactly will need to be required.

Commissioner Reilly commented that the existing traffic situation is poor, and asked if there is a solution being proposed for the residents of Pinon Oaks.

Mr. Mattingly explained that generally, WCR will continue to worsen with traffic regardless of the proposed project, as all commercially zoned projects in this area contribute. WCR has increasing congestion and is a major arterial in the city, and staff can only help mitigate the traffic impact. The last proposal had requirements from staff to widen the area then narrow down in the neighborhood area to discourage cut-through traffic.

Commissioner Davis asked if Mr. Mattingly could clarify the problem with a signalized left turn at this intersection.

Mr. Mattingly explained that the signal at Pioneer Parkway is too close in proximity to Pinon Oaks Drive to warrant a new light. He referred to Commerce and Sandretto as examples, as well as Gail Gardner Way and Black Drive, and resulting queuing issues. Mr. Mattingly discussed innovative traffic concepts used in other communities that included options to turn right, a 1000-foot turn pocket, and an option for a signalized U-turn. A roundabout could be used, although it would not be quite as ideal.

Chair Michelman asked about distance requirements related to traffic stacking up.

Mr. Mattingly clarified that in the previous TIA, which will likely include similar suggestions for this proposal, it was required that the entrances to the project be 400 feet from the signal at Pioneer Parkway and 290 feet north of Pinon Oaks Drive, to allow for right turn deceleration access. He referenced the lanes in State Route 69, when turning to access In n Out and Olive Garde.

Commissioner Reilly commented that allowing this proposal to move forward would allow for improving the traffic situation at Pinon Oaks Drive and WCR.

Mr. Mattingly explained that if the proposed project were to move forward, engineering permits would not be accepted until a TIA received. Staff has already made requirements beyond prior submittals, as there are ways to catch all the requirements.

Commissioner Michelman asked Ms. Dewitt how the city determines what parking requirements are needed, especially without current tenants established.

Ms. DeWitt stated that staff evaluates each business as it comes in, utilizing comparisons to other centers with similar zoning and usage.

Commissioner Reilly asked how tenant changes without parking changes are addressed.

Mr. Luizzo stated that parking requirements are based on the square footage of the buildings and calculated based on the largest proposed units.

Mr. Baird addressed the Commission and shared that the applicant has been going through the current process for about three years. The previous proposal, which was declined, was for a Dunkin Donuts and a storage facility that have a low traffic impact.



City Council recommended that they resubmit using the NOB zoning. Due to previous project being denied with a TIA, the applicant asked to wait until the rezoning was approved to provide a new TIA.

Mr. Baird clarified that they are looking to secure the rezoning, to be able to take care of the next steps under the guidelines of the city with respect to the neighborhood. The goal is to plan well for the benefit of everyone.

Commissioner Hutchison recommended that the applicant work with the community of Pinon Oaks, who will be most impacted by this project.

Mr. Baird asked the Commissioners for suggestions on how to satisfy the community, in addition to outreach they have done.

Commissioner Davis commented that he believes the RO zoning would be a better fit for the proposed project.

Mr. Baird stated that the NOB zoning was chosen based on City Council's recommendation and is the most common non-commercial zoning along the Willow Creek corridor.

Chair Michelman invited public comments on the proposed project.

Member of the public, Russel Wagner, asked the Commission to reject the proposal based on factors identified. He added that prior research indicates that there are adverse impacts to traffic flow, and the proposed banking tenant could be an issue with a decline in activity for banking branches.

Member of the public, Jerry Verplaude, stated that he recommends a motorized gate for Pinon Oaks Drive, and the property be a dedicated site for history.

Member of the public, Robbie Graves, encouraged the Commission to review the last TIA completed, as he has concerns about overflow parking going into the neighborhood.

Member of the public, Susan Wade, expressed concern about the safety issues for those walking or biking in the area. She stated that she is not opposed to the proposed project and understands that the property cannot be land locked. However, the encouragement of office buildings with stricter hours could be beneficial.

Member of the public, Marianna Van Housen, stated that she recently moved to the area and chose Pinon Oaks for a reason, including the tax revenue from the homes as a boost. She added that she is concerned about the area becoming a cut through from WCR to Pioneer Pkwy.

Member of the public, Steve Antol, stated he too is concerned about the traffic coming off of Pioneer Parkway and speeding. He added that the General Plan appears to be outdated.

Member of the public, Lyann Van Gundy, expressed concern about traffic from the water treatment plant, Embry Riddle, and other businesses.

Member of the public, Phil Regan, stated that there is no transitional buffer between the proposed use and current neighborhood which could cause issues with noise, lights, signage, and building heights.



Member of the public, Chuck Wolfe, stated that allowing additional vehicles in area, such as food trucks delivering to the proposed restaurant, is a big concern as there are no sidewalks.

Member of the public, Fran Glasper, expressed concerns about increased traffic. She stated that she has lived in the area for 10 years and would be opposed to a roundabout as the road is not a parkway.

Member of the public, Stacey Lavalley, requested the Commission decline the proposal.

Member of the public, Susan Drown, stated that she feels there will be traffic interruption with a U-turn and that the proposal requires careful consideration.

Member of the public, Chuck Taubman, stated that the community was developed with flaws, such as no sidewalks and only one entrance and exit. He suggested that the city make the property a green way.

Chair Michelman expressed thanks to the members of the public and requested information from Mr. Mattingly regarding TIA details and how determinations are made.

Mr. Mattingly stated that the Land Development Code determines when a TIA is needed. When it generates more than 100 peak hour trips, staff reviews traffic concerns and the submittal. A recommendation can then be made based on the information received.

Chair Michelman asked about a buffer between the proposed project and current area, as well as how lighting will be addressed.

Mr. Baird referred to green areas on the map shared and explained that landscaping would separate the areas. Lighting had not been reviewed as the site plan needs to be completed first. The dark sky ordinance would be adhered to.

Ms. Dewitt summarized three options for the commissioners regarding the proposal:

1. Recommend approval in substantial conformance with the site plan
2. Recommend denial
3. Recommend deferral with input to improve the application

Commissioner Whiting commented that he sees issues with traffic increasing due to the proposed project and is conflicted on a recommendation decision since the zoning likely should have been changed when purchased from Yavapai County. He expressed concern with the size of the building and parking, and recommended the city bring the zoning into conformance with the General Plan so there are no questions the next time someone comes forward with a proposal. He asked if a Commission recommendation for approval was based on the provided site plan.

Ms. Dewitt confirmed it would be based on substantial conformance with the site plan.

Commissioner Graham also expressed concerns with traffic, yet she understands the owner wanting to develop the property. She added that she would prefer more discussion on options least intrusive to the neighborhood.



Commissioner Davis agreed with Commissioners Whiting and Graham. He added that being that there is no additional site plan review after a recommendation today, a zoning of RO may be a better fit, and he also requested a TIA.

Commissioner Reilly commented he would like to see the zoning changed and the site developed in a way that is compatible with traffic on WCR, as there is no solution to traffic unless this area is developed.

Commissioner Hutchison stated that the overriding issue is safety and added that he is inclined to deny this proposal, with hearing that residents are unhappy and traffic increasing with no solution.

Commissioner Michelman asked how staff will accommodate the results of the TIA for proposed zoning.

Ms. Dewitt co that that sidewalks would need to be installed on Pinon Oaks Drive and WCR. She explained that unless a Homeowners Association was created and took over street maintenance for the public road, the community cannot be gated. Until the TIA is seen, staff is unable to determine specific improvements to be completed for the area. A fourth option for today could include deferral based on a tentative TIA requirement, according to Ms. DeWitt.

Chair Michelman commented that there is no perfect development for the site. It was designed to be commercial, and although it come through from Yavapai County as residential, most sites like that do. Traffic is not going to improve; however, a viable option would be part of the cost of improvements being covered by the proposed project development.

Ms. Dewitt reviewed the possible motions, approval in substantial conformance with the site plan, denial, or deferral.

**MOTION BY COMMISSIONER REILLY TO RECOMMEND COUNCIL APPROVAL OF REZ-002 IN SUBSTANTIAL CONFORMANCE WITH THE SITE PLAN AND A NEW TRAFFIC IMPACT ANALYSIS; MOTION DIED DUE TO LACK OF SECOND.**

**MOTION BY COMMISSIONER HUTCHISON TO RECOMMEND COUNCIL DENIAL OF REZ24-002 BASED ON THE ABSENCE OF A TIA; SECONDED BY COMISSIONER DAVIS: PASSED (4-2)  
CHAIR MICHELMAN AND COMMISSIONER REILLY DISSENTING.**

**4. UPDATES**

There were no updates provided by staff.

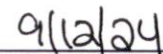
**5. ADJOURNMENT**

There being no further business to discuss, Chairman Michelman adjourned the meeting at 10:42 a.m.

  
DON MICHELMAN, Chairman

ATTEST:

  
MARIKAY WHISENAND, Senior City Clerk Specialist

  
Date