

# City of Prescott

## Board of Adjustment



January 16, 2025 | 9:00 AM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

### AGENDA

The following Agenda will be considered by the **Board of Adjustment** at their meeting to be held **January 16, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **DISCUSSION & ACTION ITEMS**
  - A. Approval of the October 17, 2024 and November 21, 2024 Board of Adjustment Meeting Minutes.  
**Recommended Action: MOVE to approve minutes as presented**
  - B. **CUP24-006**: Conditional Use Permit to Allow a 35-Site RV Park in a BG (Business General) Zoning District. Location: 1646 Iron Springs Road, APN 115-06-112E Encompassing 2.14 Acres. Property Owner: KL HB LLC.  
Applicant/Agent: Leah Beck.  
**Recommended Action: MOVE to approve or deny CUP24-006, in general conformance with the site plan and with or without conditions**
5. **STAFF UPDATES**
6. **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 1/9/25 at 12:00 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

*Sarah M. Siep*

---

Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL  
AGENDA: January 16 Board of Adjustments Meeting  
DATE: January 16, 2025  
DEPT: Community Development  
ITEM #: 4.A  
SUBJECT: Approval of the October 17, 2024 and November 21, 2024 Board of Adjustment Meeting Minutes.

## ITEM SUMMARY

This item is for approval of the October 17, 2024 and November 21, 2024 Board of Adjustments meeting minutes. 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 minutes as presented

## ATTACHMENTS

1. October 17, 2024 BOA Minutes
2. November 21, 2024 BOA Minutes



# City of Prescott Board of Adjustment

---

October 17, 2024 | 9:00 AM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

## MINUTES

### 1. CALL TO ORDER

Chair Lamerson called the meeting to order at 9:00 a.m.

### 2. ROLL CALL

Jim Lamerson, Chair  
Tony Teeters, Vice Chair  
Tom Davis, Member  
Mary Frederickson, Member  
Miriam Haubrich, Member  
Mark Hokeness, Member  
Tom Hutchison, Member

### 3. DISCUSSION & ACTION ITEMS

- A. Approval of the September 19, 2024 Board of Adjustment Meeting Minutes.  
**MOTION BY MEMBER DAVIS TO APPROVE THE MEETING MINUTES AS PRESENTED; SECONDED BY MEMBER FREDERICKSON: PASSED (7 - 0)**
- B. **NOTICE OF CONTINUANCE – CUP24-004**, Conditional Use Permit to Allow the Inclusion of a Helicopter Landing Pad at the North Side of the Hospital Site Adjacent to State Route 69 in a BR (Business Regional) Zoning District. Property Location is 4822 E State Route 69. [Property owner: EHC Prescott LP. Applicant/Agent: BMH As-Built USA. APN: 103-15-160A, Encompassing 9.2 acres]
- C. **V24-008**, Request for a Variance to City of Prescott Land Development Code (LDC) Section 6.8.4.D to Allow for an Increase in the Maximum Retaining Wall Height of 8' to 10' in Sections due to Topographic Challenges. [Property Location: Peregrine Ridge Subdivision (West of N State Route 89 Across from Watson Lake Encompassing 24.3 acres). [APN: 106-13-034K, Property Owner: Peregrine Ridge at Prescott Lakes LLC; Applicant/Agent: Luther Kraxberger].

Community Planner Kaylee Nunez introduced the topics for discussion and stated that CUP24-004 will be continued until next month's Board of Adjustments meeting November 21, 2024. She provided the location of project V24-008 with maps and photos and added that no special privilege would be provided due to the approval of the request. All variance review criteria presented and V24-008 meets all criteria. Staff recommendation is to move to approve V24-008 as presented.

Member Hokeness asked if the variance was not granted, would it reduce the number of lots in the subdivision or make the lots smaller.

Applicant Luther Kraxberger stated that it would impede lots from being developable and reduce the storm water detention basins and require the project to be re-engineered.

Member Hokeness asked if the lots would be utilized without the variance.

Mr. Kraxberger said the lots would not be utilized and the number of lots would be decreased from the proposal.

Member Hutchison asked if this is not approved, does it kill the project.

Mr. Kraxberger stated that it would not kill the project, but it would be very detrimental.

Member Frederickson asked what the 36-foot criteria entails.

Ms. Nunez responded that the sum of the vertical runs of all retaining walls cannot exceed 36 feet.

Member Frederickson asked what is included in the total sum of retaining walls.

Ms. Nunez provided a photo from the Land Development Code (LDC) to Board Members.

Member Frederickson asked if there were plans for tiers between the retaining walls.

Mr. Kraxberger stated that all walls will be designed to a 1:1 ratio and is designed to look less than a 1:1 ratio.

Member Frederickson asked if there will be landscaping provided.

Mr. Kraxberger stated that there will be desert friendly landscaping, but it has not been finalized at this time.

Ms. Nunez added that landscaping is a requirement.

Member Hokeness asked if this would be a self-induced hardship.

Ms. Nunez stated that variances are reviewed against the land in its natural state.

Member Hokeness asked if the project was designed with the code in mind from the beginning.

Ms. Nunez provided information on the staff review process and stated that staff does not get involved in the economics of the project.

Mr. Kraxberger added that the project started with 52 units and has been reduced to 48 units to meet the hillside development requirements.

Member Davis asked if neighboring projects have variances for retaining walls or if they comply with the 8-foot requirement.

Ms. Nunez responded that neighboring projects are not asking for a variance for wall heights.

Member Davis asked how many 9-foot, and 8-foot walls will there be.

Mr. Kraxberger replied that 8-foot walls would not work for this project and there is only one 10-foot wall for the entire project.

Member Davis asked what if there were five walls that meet the 8-foot requirement.

Mr. Kraxberger stated that it would not work with the engineering.

Member Hokeness asked if it would not work because it reduces the number of lots.

Mr. Kraxberger responded that it would change the project as a whole due to the topography.

Member Hokeness stated that the project should have been designed to the code from the beginning.

Mr. Kraxberger stated that the walls originally were originally designed by Lyon Engineering with 10-foot walls and were changed to 8-foot walls due to comments received from city staff.

Member Hokeness stated that Lyon Engineering could have started the design with the code in mind.

Mr. Kraxberger stated that the project was back engineered based on the preliminary plat approved by city staff.

Ms. Nunez provided information on the preliminary plat review process.

Member Frederickson asked how staff weighs historical allowances versus current code.

Ms. Nunez stated that the LDC has been in place since 2005, and staff does consider historical context beyond current LDC. She added that this project was reviewed in context of the neighborhood.

Planning Manager George Worley stated that applications for variances are reviewed for context and reviewed only for the areas surrounding i.

Member Hutchison asked what the downside is of approving the proposal.

Ms. Nunez replied the only downside is precedent and does not feel that this proposal is problematic.

Chair Lamerson stated that due to the topography in Prescott, this type of proposal will be seen more. He added that he does not see any public health or safety issues being created. Additionally, he asked if a health or safety issue is created can staff explain what it is.

Ms. Nunez stated that there are no detrimental impacts on health and safety.

Member Hokeness stated that the code exists for a reason and that a solution can be designed that works to meet current code.

Member of the public, Jim Orr Board of Directors Prescott Lakes Community Association provided information on walls for other subdivisions within the Prescott Lakes Community. He said he is not opposed to this development and supports the project but wants it to be done in a responsible way. He provided guidelines and regulations related to the Prescott Lakes Community Association and that this project needs to meet all the guidelines. He stated that even if Board Members approved this variance, it would need to be approved by the Prescott Lakes Architectural Committee and Board of Directors and as it currently sits, would not be approved. He wants the development to be successful but stated that the rules need to be followed. Additionally he provided a packet to the Board Members that has been entered into the minutes record.

Mr. Kraxberger stated that the plans for this proposal were sent to HOAMCO and received preliminary approval from the architectural review committee. He stated that the height of the walls increases the open space. Additionally, he provided that there is only one 10-foot wall on this proposal and will not be visible by any neighboring properties.

Member of the public, Jim Orr stated that he was unfamiliar with any 10-foot walls and Mr. Kraxberger was given a preliminary approval to proceed pending other documents and requirements being provided. He added there will not be more open space created by this proposal.

Mr. Worley provided clarification to the board members that they can take into consideration any information related to the LDC but cannot take into consideration any of the HOA rules associated with the Development Agreement.

Member of the public, Kevin Paluch Prescott Lakes Club Manager stated that they are extremely pro-building but does have concerns about this proposal. Concerns he addressed are related to drainage and damage to the golf course that this proposal may create.

Member Davis thanked staff for their efforts in providing notices to property owners further than the 300 foot requirement. Additionally, he stated that he has concerns about the precedent of going outside the LDC without justification.

Member Frederickson stated that this proposal is different than most variances the Board reviews. She does not see why this variance is needed besides to allow the developer to proceed with what they have already proposed.

**MOTION TO DENY V24-008 BY MEMBER HOKENESS; SECONDED BY MEMBER FREDERICKSON: VARIANCE DENIED UNANIMOUSLY (7-0).**

**4. UPDATES**

Mr. Worley provided updates about the 2025 General Plan Open House at the Prescott library on Thursday 10/24/2024.

**5. ADJOURNMENT**

Chair Lamerson adjourned the meeting at 10:12 a.m.

---

Jim Lamerson, Chair

---

Board Secretary



# City of Prescott Board of Adjustment

---

November 21, 2024 | 9:00 AM  
201 N. Montezuma Street  
Council Chambers, 3rd Floor  
Prescott, AZ 86301

## MINUTES

**1. CALL TO ORDER**

Chair Lamerson called the meeting to order at 9:00 a.m.

**2. ROLL CALL**

Jim Lamerson, Chair  
Tony Teeters, Vice Chair  
Tom Davis, Member  
Mary Frederickson, Member  
Miriam Haubrich, Member (Excused)  
Mark Hokeness, Member  
Tom Hutchison, Member

**3. CALL TO ENTER EXECUTIVE SESSION**

**MOTION BY CHAIR LAMERSON TO CONVENE EXECUTIVE SESSION;  
SECONDED BY VICE CHAIR TEETERS: PASSED (6-0)**

**4. LEGAL MATTERS**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Prescott City Council and to the general public that the Prescott City Council will hold a Meeting at 9:00 AM on Tuesday, November 19, 2024, in the Executive Conference Room for the purpose of deciding whether to go into executive session. If authorized by a majority vote of the Prescott City Council, the executive session will be held immediately after the vote and will not be open to the public. The agenda for the meeting is as follows:

- A. **CUP24-004** – Conditional Use Permit to Allow the Inclusion of a Helicopter Landing Pad at the North Side of the Hospital Site Adjacent to State Route 69 in a BR (Business Regional) Zoning District. Location: 4822 E State Route 69, APN: 103-15-160A encompassing 9.2 Acres. Property Owner: EHC Prescott LP. Applicant/Agent: BMH As-Built USA.

**5. ADJOURNMENT OF EXECUTIVE SESSION & RECONVENING OF A REGULAR PRESCOTT BOARD OF ADJUSTMENTS MEETING FOR DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION**

Community Planner Tammy DeWitt introduced the topic for discussion and clarified that this will be a designated helistop. She showed the location of the project with maps and photos and stated that it is surrounded by residential properties. Additionally, she stated that the helipad meets Federal Aviation Administration (FAA) and Arizona Department of Transportation (ADOT) requirements and staff reviewed the project based on the Conditional Use Permit guidelines. Staff recommends the board move to approve or deny CUP24-004 per the site plan with or without conditions.

- Screening fence or wall to be placed on the North and West property line.
- Additional landscaping beyond the approved landscaping.
- All conditions must be completed prior to final of the building for the helipad and initiation of use.

Don Nicolini Vice President of Real Estate Development Exceptional Healthcare introduced his team members and invited Bruce McVay Chief Operating Office (C.O.O) to provide information on the helipad.

Bruce McVay C.O.O Exception Healthcare stated that Exceptional Healthcare is an emergency-based hospital that performs emergency and inpatient care. He stated that this is the fourth Exceptional Healthcare hospital in Arizona. He gave examples of the types of patients and care performed at their facilities.

Member Frederickson asked if the facility was coded as a trauma center.

Mr. McVay responded they are not but can handle trauma cases.

Member Frederickson stated the helicopter transport appears to be inpatient and outpatient.

Mr. McVay replied it will be mostly for transporting out with an average of 1 trauma patient going out a week.

Member Frederickson asked if there was an arrangement with Dignity Health for incoming patients.

Mr. McVay stated there will be transfer agreements set up with all hospitals in the area.

Member Frederickson asked if patients would be transported to Flagstaff or Phoenix.

Mr. McVay stated most patients would be transported to Phoenix and it is all about saving lives and they will land a helicopter wherever needed.

Member Frederickson asked how long transporting a patient out will take.

Mr. McVay responded approximately 7-10 minutes.

Member Hokeness asked if moving patients out is a scheduled activity and how far in advance that happens.

Mr. McVay stated yes, and it could be immediate, but it depends on the patient and is unpredictable.

Member Hokeness asked if there would be a helicopter stationed on site.

Mr. McVay replied there will not be.

Mr. Nicolini introduced Dr. Paul Gilbert, Medical Director, to provide information.

Dr. Gilbert provided scenarios for helicopter transportation to occur.

Member Hutchison asked what would happen to patients if there was not a helicopter.

Dr. Gilbert stated that patients would be transported via ambulance, and it is a significant delay.

Member Hutchison asked if he could provide information on the golden hour.

Dr. Gilbert stated that there is one hour to provide care to the patient in order to save their life.

Member Frederickson asked if the helistop was denied would they be able to transport the patient to a nearby hospital with a helipad in the area.

Dr. Gilbert stated it would be a significant delay to transport the patient, and a new landing zone would be created resulting in closing off roads.

Chair Lamerson asked if there was another site in the area where the helicopter pad could be placed without it going in a residential neighborhood.

Dr. Gilbert replied he is unfamiliar with the area but does not believe there is.

Member Hokeness asked if there was no helipad who would be contacted to use their parking lot as a landing zone.

Dr. Gilbert stated that dispatch would be contacted, and the closest designated landing zone is near Costco on State Route 69.

Chair Lamerson stated that the helicopter will land wherever it needs to and a helicopter pad is not a necessity.

Dr. Gilbert responded yes, but a faster response time can be the difference between life or death.

Chair Lamerson stated the board must look at the appropriateness of the site for the helicopter pad.

Member Hutchison asked if the facility would be at a disadvantage without the helicopter pad.

Dr. Gilbert replied yes, and it would delay patient care.

Member Hutchison asked if there will be an M.R.I Machine and if it affects the navigation of the helicopter.

Dr. Gilbert stated there is no M.R.I but there is a Cat Scan, but it does not affect navigation.

Member Davis asked why this was not submitted for a zoning change to have a permitted use of a helipad.

Ms. Dewitt stated that staff was unaware there would be a helipad. She added that the BR zoning allows for a helistop with a Conditional Use Permit and rezoning was not necessary.

Nikola Crim Senior Account Executive Native Air, Kaylee Lamberson Regional Aviation Director Native Air, and Andrea Carter Field Operations Manager provided a noise abatement procedure document to the board members.

Member Hokeness asked for a general operating procedure and what type of operator they are.

Ms. Lamberson stated they are a part 135 for air methods and are a national company. She added that they are not based at this location but are based in Prescott and Prescott Valley.

Member Hokeness asked if they are stationed at nearby hospitals or the airport.

Ms. Lamberson replied Prescott and Prescott Valley hospitals and provided information about the noise abatement document provided to the board members.

Member Hokeness asked if the noise abatement procedures are proposed or approved.

Ms. Lamberson stated they are approved for their company's air methods.

Member Hokeness asked if this is a voluntary noise abatement procedure their crews will follow.

Ms. Lamberson replied that is correct.

Member Hutchison asked if the additional landscaping and fencing will be obstructive.

Ms. Lamberson stated that the landing area will be 100ft by 100ft and the landscaping will not encroach.

Member Frederickson stated that the focus of this meeting should be for the conditional uses placed on this proposal if approved.

Mr. Crim stated that it is important to have a helistop to patient care and that blocking a landing zone in the road would take police and fire away from other services they could be performing.

Member Hokeness asked how long it takes to get a patient in the air.

Ms. Crim replied the average time is 10 minutes.

Member Hokeness asked why this will not be an FAA designated landing site.

Ms. Lamberson stated it is FAA approved.

Member Hokeness asked what types of helicopters are operated.

Ms. Lamerson responded that they operate AS-350 (A-Star) helicopters.

Member Hokeness asked if any other operators will be allowed to land at their facility.

Ms. Lamerson stated that any operator in Arizona will be allowed to land.

Member Hutchison stated that an additional helipad would be beneficial in case of a natural emergency.

Member Davis asked if hospital development requires a helipad.

Ms. Crim responded that it should be included, and they are pushing for new hospitals to require a helistop.

Member Davis asked if the helipad is not approved, could a helicopter be landed in the flat area for emergencies.

Ms. Crim replied yes, they could.

Member Hokeness asked if they were involved in the site selection.

Ms. Lamberson stated they were not included in the site selection.

Ms. Carter provided information that a fly-in test was performed for safety and to provide recommendations for landscaping to keep dust and noise mitigated.

Member Hokeness asked if there will be landing lights.

Ms. Carter replied there will be landing lights.

Member Hokeness stated that this will be a helipad not a helistop.

Ms. Carter stated that it will be a helistop as they are permanently on site.

Robert Donaldson Director of Architecture BMH provided handouts to the board members addressing the concerns of landscaping and fencing. He provided that there will be a 6-foot-tall wood fence with steel posts covering the North and West property lines.

Member Frederickson asked if the fence would be a solid fence with slats.

Mr. Donaldson stated yes.

Member Hutchison asked how tall the fence will be.

Mr. Donaldson said it will be 6 feet tall.

Member Hutchison asked how far it away from the center of the helipad it is.

Mr. Donaldson stated that it is at least 200 feet from the helipad.

Member Frederickson asked if it would be a security fence around the helipad.

Mr. Donaldson said yes, and it will meet FAA requirements.

Member Frederickson asked if there will be access to the water tank.

Mr. Donaldson said there will be access.

Member Davis asked if this would be a screening fence and not for sound continuation.

Mr. Donaldson stated it would mostly be screening but would provide sound continuation.

Member Davis stated that he does not believe a wood fence would not be sound mitigation.

Mr. Donaldson stated it would be more visual than for sound mitigation.

Member Frederickson asked about the landscaping along State Route 69.

Mr. Donaldson stated that an additional 10 oak trees would be provided to screen the helipad from State Route 69.

Member Frederickson asked if the hump North of the helipad will be shaved down.

Mr. Donaldson said it will stay in place and hydro mulch will be added to provide a natural landscape and the addition of rock to remove concerns about dust and debris.

Member Hokeness asked if the applicant was familiar with the helicopter pad at Yavapai Regional Medical Center.

Mr. Donaldson stated that he was not familiar.

Ms. Carter stated there is landscaping and safety security fencing and referenced a similar design used with their other locations.

Member of the public Kathy O'Boyle stated that Prescott has excellent paramedic services. She referenced the helipads at Yavapai Regional Medical Center being on flat surfaces. She has concerns with the location of the helipad being located in a hole and the precision needed by pilots to land safely in this area. She believes that there are still a lot of unanswered questions with this facility.

Member of the public Barry Golden asked if this landing pad was proposed in your neighborhood, how would you respond. Additionally, he questioned if this was really necessary for this location.

Member of the public Stephanie Bragg believes this will affect living conditions due to noise. She questioned the need for the helicopter pad due to the level of care provided at Exceptional Healthcare. She believes that the low hanging electrical lines in the area will be dangerous for helicopters landing and taking off. Additionally, she believes that an ambulance could make the trip in the same amount of time as a helicopter arriving at the site.

Member of the public Jeannette Westmoreland believes this helipad will affect her vacation rentals properties and her business. She stated that helicopters hovered over her property during test flights. She believes the applicant will land helicopters on site regardless of the outcome. She is not in favor of this location for this helipad.

Member of the public Logan Westmoreland believes a location should have been selected that can have a helipad. Additionally, he believes that helicopters will land in this area regardless.

Members of the public Jake and Glenda Vandergalien stated that helicopters will be within 80 feet of their home. They are concerned about the impacts this helipad will have on their vacation rentals. They do not believe that additional fencing will eliminate the noise impact and would like to see a real wall that can effectively mitigate the increase in noise if this project is approved.

Member Hutchison asked if this facility provides competition to Dignity Health and helps improve their care. He said that the purpose is to stabilize patients and get them the care they need quickly. He believes that the hospital and helipad are interconnected.

Member Davis expressed frustration with the process and believes this should have been reviewed with the original site plan approval by City Council. Additionally, he believes the fence should be a masonry wall.

Member Hokeness provided conditions he believes CUP24-004 should comply with in order for a motion.

Matt Podracky Deputy City Attorney stated that FAA rules and regulations have to be complied with and it is not need as a condition.

Ms. Dewitt stated that staff cannot enforce FAA rules and regulations.

Chair Lamerson asked if the FAA approval was conditional with the landing pad.

Ms. Dewitt said yes, it was for this site.

Member Hutchison stated that there will be heavy rip-rap around the site.

**MOTION BY MEMBER HOKENESS TO APPROVE CUP24-004 WITH NO CONDITIONS; SECONDED BY MEMBER HUTCHISON (DENIED 5-2).**

Roll Call for approval of CUP24-004 with no conditions

Member Frederickson – Deny

Member Hutchison – Approve

Chair Lamerson – Deny

Vice Chair Teeters – Deny

Member Hokeness – Approve

Member Davis – Deny

**MOTION BY MEMBER HUTCHISON TO APPROVE CUP24-004 WITH CONDITIONS NOTED REPLACING SCREEN FENCE OR WALL WITH MASONRY WALL ON NORTH AND WEST PROPERTY LINES, ADDITIONAL LANDSCAPING BEYOND APPROVED LANDSCAPING, ALONG FRONTAGE (SR-69) ADJACENT TO THE HELIPAD, CONSISTENT WITH THE PLAN PROVIDED BY THE DEVELOPER, THE ABOVE CONDITIONS ARE TO BE COMPLETED PRIOR TO FINAL OF THE BUILDING PERMIT FOR THE HELIPAD AND INITIATION OF USE; SECONDED BY MEMBER HOKENESS (PASSED 5-1).**

#### **4. UPDATES**

None.

#### **5. ADJOURNMENT**

Chair Lamerson adjourned the meeting at 10:52 a.m.

---

Jim Lamerson, Chair

---

Board Secretary



TO: MAYOR AND CITY COUNCIL  
AGENDA: January 16 Board of Adjustments Meeting  
DATE: January 16, 2025  
DEPT: Community Development  
ITEM #: 4.B  
SUBJECT: **CUP24-006:** Conditional Use Permit to Allow a 35-Site RV Park in a BG (Business General) Zoning District. Location: 1646 Iron Springs Road, APN 115-06-112E Encompassing 2.14 Acres. Property Owner: KL HB LLC. Applicant/Agent: Leah Beck.

## ITEM SUMMARY

This request seeks a Conditional Use Permit (CUP) for a new 35-site RV Park in a BG (Business General) zoning district. The property is approximately 2.14 acres, and the site will have an office, restrooms and showers, laundry room, and other outdoor recreation areas.

Conditional Use Permits are required for certain uses that may have impacts on other surrounding uses. The CUP allows the Board of Adjustment to apply conditions to mitigate any such impacts. Such impacts are often associated with lighting and noise generation.

## BACKGROUND

### PROPOSED USE:

A rezoning request for the proposed RV Park was reviewed by the Planning and Zoning Commission and approved by the City Council at their May 28, 2024, meeting from SF-18 (Single-Family) to BG (Business General). As part of the Council's approval, a request was made to have the property fenced and ensure that the use did not include tent camping. The applicant has accommodated both items by indicating fences, where possible, on the site plan. Further, their narrative clarifies that the intended development is for RV usage.

The narrative states there will be 1-2 employees that will run the park and there will be a park host who lives on-site.

Mitigation required by the Board is most often applied in the form of limited hours of operation or enhanced landscaping. In this case, there will be someone onsite to maintain the property and be able to address any issues that arise.

### CONDITIONAL USE REVIEW CRITERIA:

Conditional Uses require special consideration regarding the effect on surrounding properties and the use in relation to the objectives of the ordinance. A Conditional Use Permit may be granted only when the Board of Adjustment finds the proposal meets the general criteria, as detailed in LDC Section 9.3.5/Conditional Use Review Criteria.

#### Section 9.3.5.A. Effect on Environment

"The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property."

*The proposed RV Park will have full hook-ups to sewer and water. Many of the existing trees will be preserved. Access is off of Iron Springs Road.*

#### Section 9.3.5.B. Compatible with Surrounding Area

"The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the like."

*The proposed RV park is located in a Commercial Corridor Overlay district and meets all code*

requirements.

**Section 9.3.5.C. External Impacts Minimized**

“The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation response to these impacts.”

*The placement of the use away from the nearby neighborhood and landscaping will limit the impacts to adjacent uses.*

**Section 9.3.5.D. Infrastructure Impacts Minimized**

“The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.”

*The property is being developed with access to sewer and water from Iron Springs Road. There is no negative impact to the existing infrastructure.*

**Section 9.3.5.E. Consistent with General Plan and Code**

“The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.”

*The proposed Conditional Use Permit is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans.*

**Section 9.3.5.F. Parcel Size**

“The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.”

*This proposed use will not have impacts requiring additional land area.*

**Section 9.3.5.G. Site Plan**

“The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.”

*The proposed use is required to meet all applicable code requirements.*

**Section 9.3.6. Additional Conditions**

“The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use.”

*Based on Council's request during the rezoning, staff recommends the condition that no tent camping be allowed.*

**Section 9.3.7.C. Expiration/Revocation of Approval**

“The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an ongoing condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8.A.”

**Section 9.3.8. Appeal**

“An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.”

Appeals must be filed within 30 days of Board of Adjustment decision.

**HISTORIC PRESERVATION:**

The site is not located within a Prescott Preservation or National Register district.

**STAFF RECOMMENDATION:**

Move to Approve/Deny CUP24-006, in General Conformance with the Site Plan, with or without conditions.

**NEIGHBORHOOD COMMENTS:**

Staff has sent notices to all property owners within 500 feet from the property boundary and posted the property. At the time of this writing, Staff has not received any public comments regarding this Conditional Use Permit request.

**FINANCIAL IMPACT**

There is no fiscal impact associated with this item.

**RECOMMENDED ACTION**

MOVE to approve or deny CUP24-006, in general conformance with the site plan and with or without conditions

**ATTACHMENTS**

1. Narrative
2. Site Plan
3. CUP24-006 Presentation

# Conditional Use Permit Application

November 12, 2024

Site Address: 1646 Iron Springs Road

City, State, Zip Code: Prescott, AZ 86305

Applicant: Leah Beck

Owner: KL HB LLC, Leah Beck Single Member LLC.

Project Number: PAC 23-076

Description: 35 Site RV Park

City of Prescott Project reviewers,

I would like to apply for the conditional use permit for the parcel at 1646 Iron Springs Road for a 35 site RV Park. The parcel is currently zoned BG allowing our RV Park and previously attached site plan. As asked, we have included an updated site plan from our civil engineer showing the improvements requested including fencing the north east corner of the property.

### **About Our Parcel**

The current parcel is undeveloped vacant land with several mature trees and grass, etc. The parcel is relatively flat with good drainage. Utilities are near the property. With the RV Park development, the land will be graded and leveled and as many plants and trees will be kept as possible to provide shade and landscaping to sites. Utilities will be run to each site with individual pedestals. Gravel roads and pads will be made in accordance with local zoning laws.

### **Water**

We have a water agreement that will provide the necessary water for our project. We will be connecting to the water main from Iron Springs Road.

### **Sewer System**

We have a current sewer connection at the south east corner of our property, as well as a sewer line bordering the east side of our property that the civil engineer has confirmed that we can connect to by having a connected system from all our sites that will y into the main sewer system. The Park will have hookups at each site and the office/laundry/bathroom, that will connect per city code to the city sewer system.

## **Landscaping**

The property has many mature, healthy trees and grasses, wild flowers, etc. Many of these can be preserved for the park. There are several large boulders and rocks on the site that will be used for additional natural landscaping and retention as needed. The parcel is surrounded by mountains and natural rock and trees. There is a large area of rock on the west side of the parcel, several mature trees and a man-made retention wall that was built for the adjoining property out of native rocks. Our plan is to maintain this look throughout the property to keep a natural Prescott area feel, as this is what drew us to this property for our project. We want to maintain the natural landscape.

## **RV Sites**

Total number of sites proposed is 35. They will range from 1900 sq feet to 1200 square feet. The average square feet of a 5<sup>th</sup> wheel trailer are 350 sq ft to 400 sq ft. The average square feet of a full-size truck are between 108 and 160 sq ft. There will be ample space for 2 vehicles at each site, including the 5<sup>th</sup> wheel or RV, as well as a picnic table area.

## **Site Built Buildings**

There will be a 25 x 25-foot square office building that will include the office, laundry room and 2 full bathrooms with showers for residents. There will be a gathering area that will include a firepit, Bowery (covered area), space for cornhole, horseshoes, picnic tables. There will also be a dog area.

## **Parking and Business Hours**

There will be space for 2 vehicles per camp site including trailer. We will also have easy pull in temporary parking by the office either for RV's or vehicles for check in. There will also be handicap parking located at the front office. There will be one entrance/exit for the property which will minimize traffic flow off and on Iron Springs Road. This also creates a safe loop for visitors and residents to turn around without having to go back out onto Iron Springs Road.

There will be 1-2 employees that run the park from 7 am to 8 pm, winter hours vary. We will have a camp host who lives on the premise that will help with 24-hour support or an employee will be on call. There will be a website that assists with check in and out, takes payment, answers park questions, helpful tips, etc.

### **Sample RV Park Rules/Check In & Out Times**

RV check in and Park Office address is:

1646 Iron Springs Road

Prescott Arizona, 86305

- Check-in and check-out times:
  - the check-in time is any time after 1:00 p.m. Mountain Standard Time
  - the check-out time is by 11:00 a.m. Mountain Standard Time
  
- Our hours of operation are:
  - 7:00 a.m. – 8:00 p.m. during the summer
  - 8:00 a.m. – 7:00 p.m. during the winter (beginning November 4)

- Short term and long-term Rentals available
- Pads are required under all jacks or stabilizers
- Sewer hoses need to be supported on a ramp
- An air-tight sewer connector is required

### **RV Park Highlights**

- Ultra-clean and maintained with pride
- Beautiful Mature Trees, rocks, clear view of Thumb Butte
- 35 extra-wide 30' spaces, 30 and 50 amp
- 12-sites that can accommodate up to 45' RV's/Trailers
- 8-sites that can accommodate up to 40' RV's/Trailers
- 4-sites that can accommodate up to 37' RV's/Trailers
- 2-sites that can accommodate up to 35' RV's/Trailers
- 7-sites that can accommodate up to 25' RV's/Trailers
- Back in only, no pull-thru
- Water and sewer hook ups
- HDTV from DirecTV\*
- Free wireless Internet access
- Laundry facilities

- Showers
- Only 2.9 miles (8 min drive) from Prescott Courthouse Square and Whiskey Row.
- Only 1.5 miles from the Prescott Rodeo Grounds and World's Oldest Rodeo.
- Only 4.1 Miles (10 min drive) to Thumb Butte Hiking Trail and Recreational area.
- Only 6.6 Miles (14 min drive) Watson Lake with Kayaking, Hiking and Fishing.
- Within 15 min or less of shopping, hiking, boating, fishing, cycling trails, entertainment, food, and yearly activities.
- Open all year

We are very excited to continue to work on this project with you. Please contact me with any questions.

Thank you,

Leah Beck, Owner KL HB LLC, and Owner of Proposed Prescott RV Park, LLC.

[prescottrvpark@gmail.com](mailto:prescottrvpark@gmail.com)

602-326-6184

# PRELIMINARY SITE PLAN FOR PRESCOTT RV PARK

A PORTION OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 2 WEST  
OF THE GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA

## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF YAVAPAI, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT USED LOCALLY AS THE NORTHWEST CORNER OF SAID SECTION 29;

THENCE NORTH 89° 56' EAST, 835.80 FEET, ALONG THE SOUTH LINE OF THE GRANITE MOUNTAIN JR. HIGH SCHOOL TRACT, TO THE TRUE POINT OF BEGINNING;

THENCE 89° 56' EAST, 200.00 FEET, ALONG THE SOUTH LINE OF THE GRANITE MOUNTAIN JR. HIGH SCHOOL TRACT;

THENCE SOUTH 00° 25' 30" WEST, 422.30 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF IRON SPRINGS ROAD;

THENCE NORTHWESTERLY, 221.75 FEET, ALONG THE NORTHERLY RIGHT OF WAY LINE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 987.93 FEET;

THENCE NORTH 73° 19' 30" WEST, 79.61 FEET, ALONG SAID NORTHERLY RIGHT OF WAY LINE;

THENCE NORTH 14° 52' EAST, 323.19 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PORTION OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 2 WEST, GILA AND SALT RIVER MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN BOOK 3132, PAGE 463, OF THE OFFICIAL RECORDS YAVAPAI COUNTY, ARIZONA ALSO SHOWN AND RECORDED IN BOOK 77 OF LAND SURVEYS PAGES 43-45, ON FILE IN THE OFFICE OF THE YAVAPAI COUNTY RECORDER, YAVAPAI COUNTY, ARIZONA.

THENCE NORTH 00°26'11" EAST, 3.80 FEET;

THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CHORD BEARING OF NORTH 65°22'28" WEST, A CHORD LENGTH OF 72.45 FEET, A RADIUS OF 1093.00 FEET, AND A CENTRAL ANGLE 03°47'55", TO A POINT THAT INTERSECTS THE NORTHERLY ALIGNMENT OF IRON SPRINGS ROAD AS RECORDED IN BOOK 13 OF MAPS AND PLATS, PAGE 21 ON FILE IN THE OFFICE OF THE YAVAPAI COUNTY RECORDER;

THENCE SOUTHEASTERLY ALONG SAID NORTHERLY ALIGNMENT OF IRON SPRINGS ROAD ON A NON-TANGENT CURVE TO THE RIGHT HAVING A CHORD BEARING OF SOUTH 62°41'46" EAST, A CHORD LENGTH OF 74.08 FEET, A RADIUS OF 987.93 FEET, AND A CENTRAL ANGLE OF 04°17'53", TO THE POINT OF BEGINNING.

AND TOGETHER WITH AN EASEMENT FOR SEWER LINE FROM THE EAST LINE OF SAID PREMISES TO THE EXISTING SEWER MAIN AS DESCRIBED IN INSTRUMENT RECORDED IN BOOK 929 OF OFFICIAL RECORDS, PAGE 248.

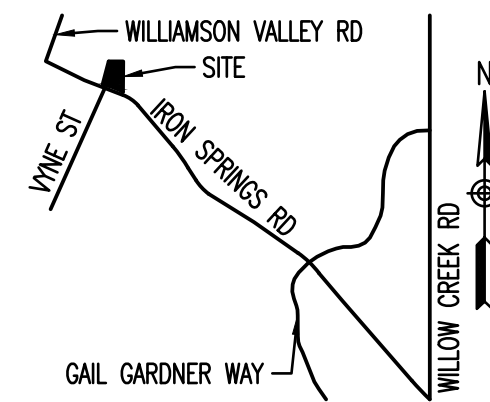
## BENCHMARK

ELEVATIONS ESTABLISHED USING GNSS OBSERVATION CHECKED AGAINST C.O.P NAVD 88 DATUM.

## BASIS OF BEARING

BEARINGS AND DISTANCES SHOWN HEREON ARE BETWEEN FOUND MONUMENTS.

BASIS OF BEARING IS PER CITY OF PRESCOTT R.O.S. IN BOOK 77 OF LAND SURVEYS, PAGE 45.



VICINITY MAP  
SCALE 1"=1/2 MILE

## SITE INFORMATION

PARCEL NUMBER: 115-06-112E  
SITE ADDRESS: 1646 IRON SPRINGS ROAD, PRESCOTT, AZ 86305  
LOT AREA: 2.14 AC  
ZONING: CITY OF PRESCOTT SF-18

## OWNER

KL HB LLC  
PO BOX 10958  
GLENDALE, AZ 85318-0958

## ENGINEER

PHILLIP C. WILLIAMS, P.E., P.L.S.  
PCW CIVIL SOLUTIONS, LLC  
455 GLENWOOD CIRCLE,  
PROVIDENCE, UTAH 84332  
TEL: (435) 770-2382  
EMAIL: PWILLIAMS@PCWENGINEERS.COM

## PROPERTY CORNER LEGEND

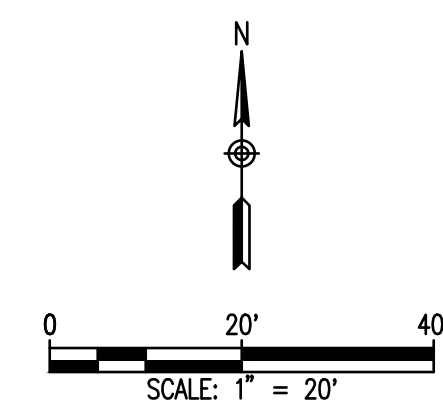
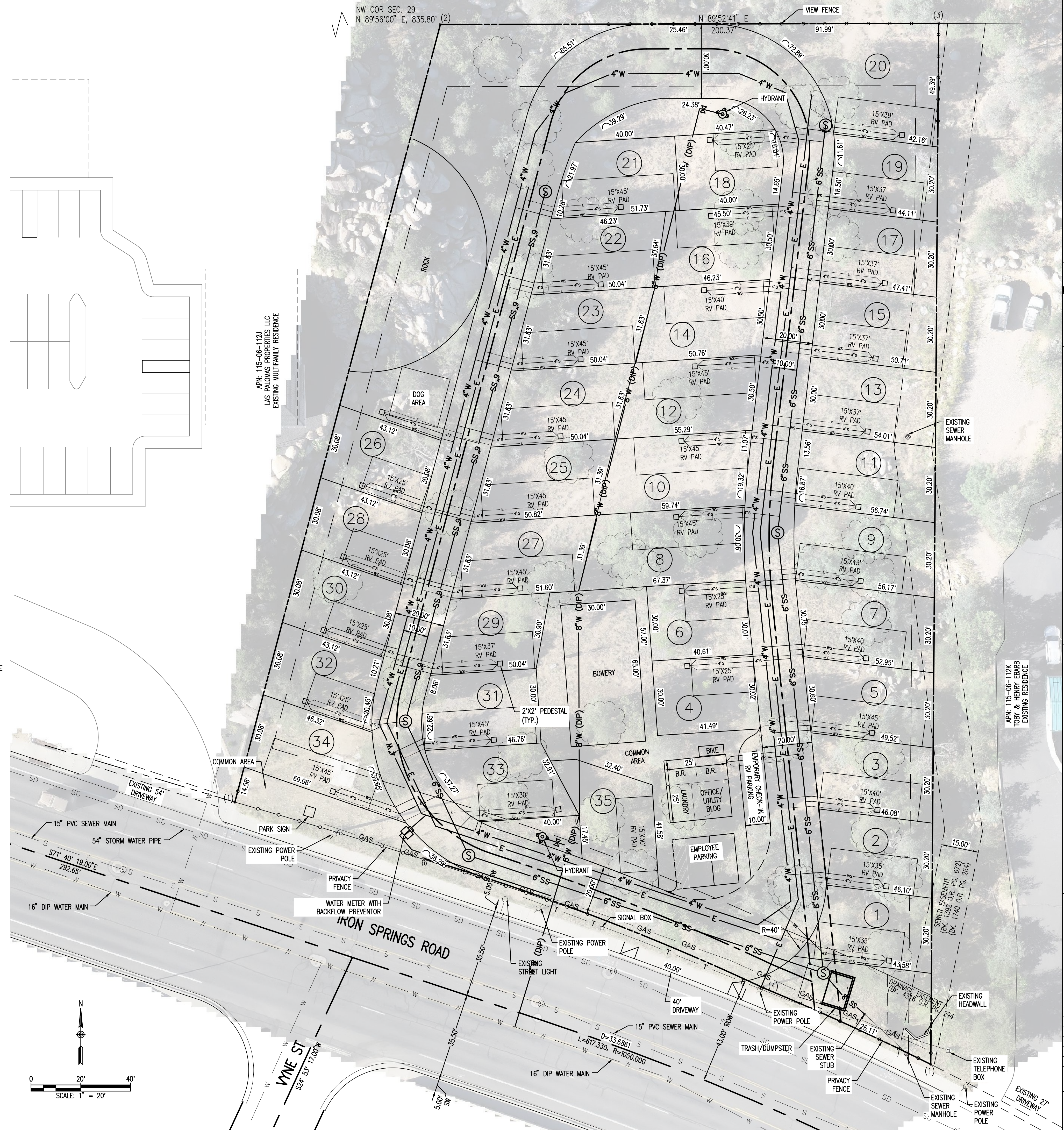
- = PROPERTY CORNER AS NOTED
- (1) = FOUND 1/2" REBAR W/ CAP LS 13941
- (2) = FOUND 1/2" REBAR W/ TAG LS 27738
- (3) = FOUND 1/2" REBAR W/ CAP LS 12005
- (4) = NOTHING FOUND OR SET DURING THIS SURVEY

## LEGEND

- MONUMENT LINE
- PROPERTY LINE
- - - EASEMENT LINE
- BUILDING SETBACK LINE
- 8" W (DIP) — PROPOSED 8" DIP FIRE LINE
- 4" W — PROPOSED 4" PVC WATER LINE
- 6" SS — PROPOSED 6" PVC SEWER LINE
- E — PROPOSED POWER LINE
- PROPOSED 4" PVC SEWER SERVICE
- PROPOSED WATER SERVICE LINE
- PROPOSED POWER SERVICE LINE
- PROPOSED VIEW FENCE

## SYMBOLS LEGEND

- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT
- ⊕ MANHOLE SANITARY SEWER
- ⊕ WATER METER WITH BACKFLOW PREVENTOR



PCW CIVIL SOLUTIONS, LLC.  
CONSULTING ENGINEERS  
455 GLENWOOD CIRCLE  
PROVIDENCE, UTAH 84332  
PHONE: (435) 770-2382  
PHILLIP C. WILLIAMS, P.E., P.L.S.

PRESCOTT  
RV PARK

PRELIMINARY  
SITE PLAN

DATE	11/12/2024
DESIGN	PCW
DRAWN	MJC
CHKD	PCW
SUB.	

SHEET NO.  
C-1

# CUP 24-006

# RV Park

TAMMY DEWITT

January 16, 2025  
Board of Adjustment



IMAGERY MAP





PICTURES OF SITE FROM APPLICANT



PICTURES OF SITE FROM APPLICANT



PAAR MLS

PICTURES OF SITE FROM APPLICANT



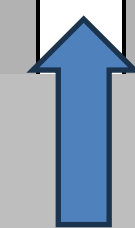
2 PAAR MLS

# Conditional Use Permit Review Criteria

- Effect on Environment
- Compatibility with Surrounding Area
- External Impacts Minimized
- Infrastructure Impacts Minimized
- Consistent with General Plan and Code
- Parcel Size
- Site Plan

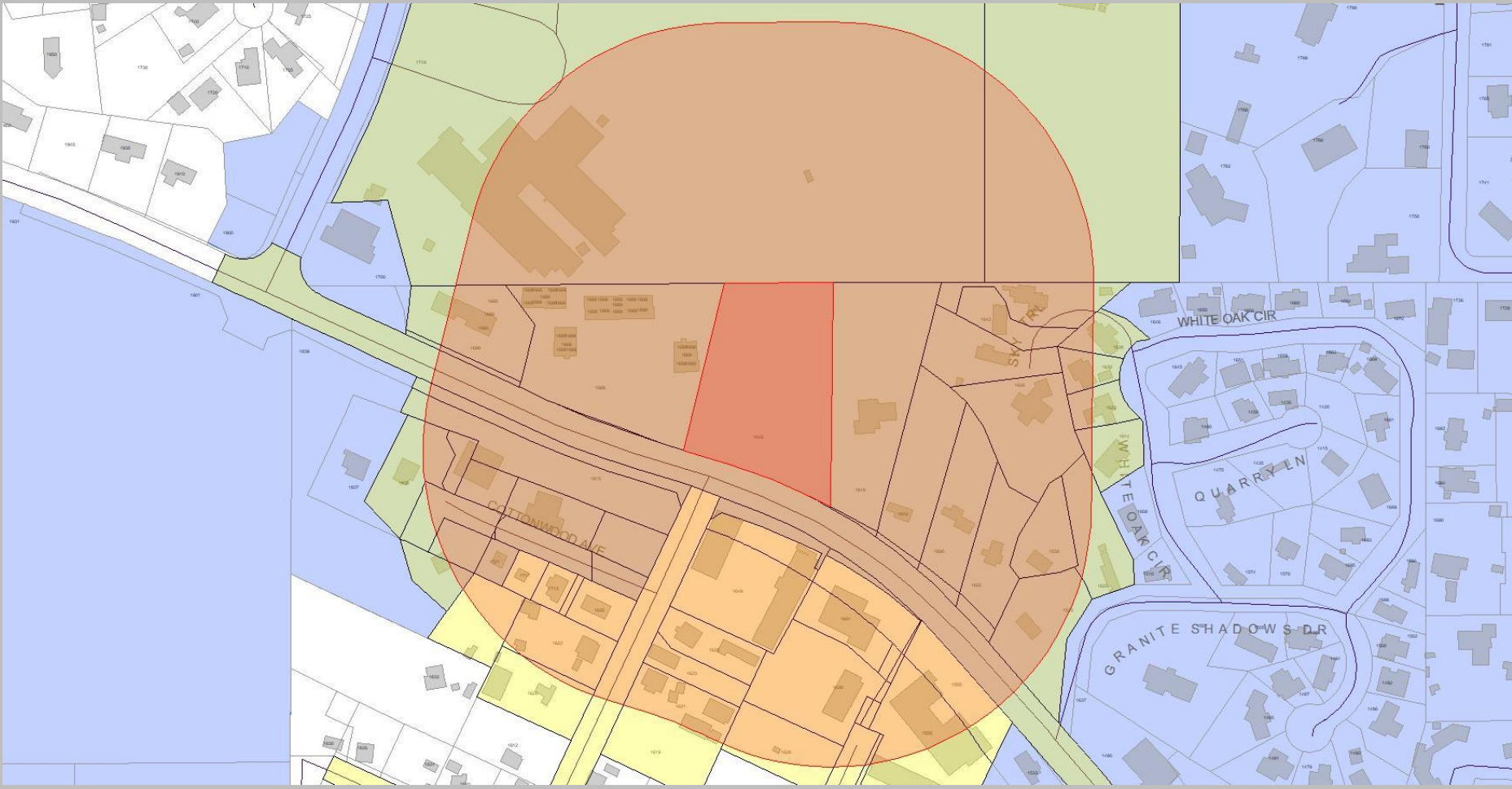
# Permitted Use Table

PERMITTED USE TABLE																						
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS										NONRESIDENTIAL BASE ZONING DISTRICTS										Use Standards	
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT	IL		IG
<b>Retail, Service and Business Use Categories (See Sec. 11.1.5)</b>																						
Broadcast Studios																						
Recreational Vehicle (RV) Parks	S											C				C	C		C	C		2.4.42



# Neighborhood Outreach

Staff has sent mailings to the owners of record within 500' of the property, posted the property, and published notices in the local paper. Staff has not received any public comments regarding this CUP request.





## ***Recommended Action***

Move to Approve/Deny CUP24-006, in General Conformance with the Site Plan, with or without conditions.

