



CITY COUNCIL MEETING

STUDY SESSION MEETING MINUTES

TUESDAY, NOVEMBER 7, 2017, 1:00 PM

Council Chambers, 201 South Cortez Street

Prescott AZ 86303

(928) 777-1100

Harry Oberg, Mayor

Jim Lamerson, Mayor Pro Tem

Steve Blair, Councilman

Greg Lazzell, Councilman

Billie Orr, Councilwoman

Steve Sischka, Councilman

Jean Wilcox, Councilwoman

MINUTES OF THE STUDY SESSION MEETING OF THE PRESCOTT CITY COUNCIL HELD ON NOVEMBER 7, 2017, in the COUNCIL CHAMBERS located at 201 SOUTH CORTEZ STREET, Prescott, Arizona.

1. CALL TO ORDER

Mayor Oberg called the meeting to order at 1:04 p.m.

2. ROLL CALL

Harry Oberg	Mayor
Jim Lamerson	Mayor Pro Tem
Steve Blair	Councilman
Greg Lazzell	Councilman
Billie Orr	Councilwoman
Steve Sischka	Councilman
Jean Wilcox	Councilwoman

3. DISCUSSION

- A. Deep Well Ranch Rezoning, Master Plan and Airport Specific Area Plan text amendment.

Councilwoman Jean Wilcox led the Pledge of Allegiance.

Deep Well Ranch Rezoning, Master Plan and Airport Specific Area Plan text amendment

Mayor Oberg determined that the Study Session would include roughly an hour and one half of general discussion and thirty minutes for public discussion.

Mayor Oberg asked City Attorney Jon Paladini to share the legal responsibilities of the City Council as many people have been writing and asking the Council to vote no on the project. Mr. Paladini showed the existing zoning of the property. The property owner has a vested right to develop this property. The property owner can thus develop multi-

family, mixed use, single-family, business regional and light industrial. Planning Manager George Worley stated that Prescott zoning is considered inclusive zoning meaning what you can do could include the aforementioned development options. The current existing zoning would allow for nearly 16,000 housing units. The proposal would allow for 10,500 units.

Pro Tem Lamerson stated that the applicant is requesting a rezoning to ask for fewer housing units and inquired as to why a General Plan amendment would be needed for this proposal. Mr. Worley said the General Plan isn't intended for zoning. The Deep Well Ranch is in conformance with the General Plan. Councilwoman Wilcox stated location is a very important factor. Mr. Worley stated the primary purpose of the industrial zoning is to keep residential away from the runway.

Councilman Sischka mentioned the discussion referring to high density multi use land. However, the General Plan suggests low density which it appears many people would prefer. Councilman Sischka recited a section relating to low density pertaining to the General Plan.

Mayor Oberg asked for citizen comment related to legal questions and responsibilities for Mr. Paladini.

Chuck Queen, citizen, said his main concern is understanding how the master plan would operate if it were to be accepted in its current state. Mr. Paladini clarified the language of development agreement is not ready to be discussed at this point. Clarifications were made toward the master plan and the development agreement will propose certain amendments and modifications to city rules and regulations. In the case to which the Council agrees to therein, it would supercede the city rule. Many of the modifications or amendments are intended to be related to innocuous matters. All city rules and regulations would govern if matters are not specifically listed in the master plan. Mr. Queen recommended the language be cleaned up in the plan. Mr. Paladini agreed.

City Manager Michael Lamar provided information related to Public Works as there were a list of ninety areas regarding parameters and margin. Mr. Lamar also said that decisions are up to the Council with regard to the master plan superceding authority. The Council needs to be 100% comfortable with the master plan as it is the Council's ultimate decision.

Mr. Worley discussed the planning commission review and how private and public planners prefer a master plan approach over the standard zoning. Master plans add great flexibility for land use groups that may not be allowed under current zoning. Master reports which sets the framework of the development are currently in negotiation. A presentation of the master plan versus existing zoning was provided. Councilwoman Orr thanked Mr. Worley for highlighting the value of the master plan over traditional zoning.

Mr. Lamar highlighted the data with regard to pre planning commission consideration and post planning commission consideration. Mayor Oberg shared that considerations have been taken with regard to public input pertaining to water, traffic, growth, density, airport, infrastructure, development, master plan, open space and zoning.

Mr. Worley discussed the review and actions of the planning commission deliberations which resulted in a four to three vote with 21 conditions. As a result of the on-going negotiations between the City and Deep Well Ranch planners, many of the conditions have been addressed or will be addressed in the Development Agreement. All 21 conditions were discussed with regard to the status and development of each condition. Mr. Worley also shared that planners and the Public Works Department continue to discuss and propose modifications with development standards. Councilman Lazzell asked if they will still follow the city's road and sewer standards? Mr. Lamar stated yes.

Leslie Graser, Water Resources Manager, reviewed city and State of Arizona approved water portfolio and specifically as it relates to the Deep Well Ranch reservation which has already been accounted for. Ms. Graser discussed the water transmission line easement, pre-annexations and water settlement agreement, water settlement quantities and unit allocations. The city's assured water supply report determined the available water for Deep Well Ranch water through the city's water portfolio. Alternative water is the portion of the city's portfolio that contains the renewable supplies of recharged and recovered surface water and reclaimed water. These quantities are separate and distinct from the groundwater category of the City of Prescott's assured water supply. The accounting of the city's water resources were discussed along with reserves and availability. The Council and members of the public were encouraged to view the City of Prescott Water Management water resources online. Mr. Paladini shared with regard to the water reservation increments one and two's water allotment are legally binding contractual obligations of the city meaning it cannot be taken away and would result in a lawsuit. Councilwoman Wilcox asked when the Big Chino pipeline will be built. Ms. Graser stated an estimated three years.

Councilwoman Wilcox inquired the cost of the pipeline and if an estimate was available at this point. Ms. Graser acknowledged that an estimate is not readily available. Councilwoman Wilcox shared concerns on approving a master plan which is contingent upon the building of the Big Chino Pipeline as the voters would have to approve an excess of 40 million dollars under the city's charter and voters may not be compelled to do it. She finds it difficult to approve a master plan when there isn't a date when Big Chino water will be available. Ms. Graser said the water is available. Mayor Pro Tem Lamerson said that Prescott has sole discretion of the Big Chino which is estimated at 3,600 acre feet and acknowledge a resolution with Prescott Valley will be used for mitigation. Councilwoman Orr shared that water is not only about growth but sustainability for Prescott's future. Mr. Paladini cautioned when talking about Big Chino, we need to limit the discussion as it relates to Deep Well Ranch. Mayor Oberg inquired as to added wells. Ms. Graser said yes, the wells were added.

Jessie Baker, Assistant Airport Manager, presented information related to the airport. It was identified that the Deep Well Ranch fully meets all Federal Aviation Administration

(FAA) requirements such as runway protection zones and protection of the airport. The noise contours and aviation easements and further protections when you put residential near an airport would have a long term impact on airport funds and its employees. Mayor Oberg asked if they are looking at contouring lines based on the old master plan. Ms. Baker said that it is based on the old airport master plans as the new master plans have not been updated at this time. However, cautions have been taken into consideration and conservative routes have been taken with regard to the data analysis. It was further determined that knowledge of the contour lines will be identified in the first quarter of next year once approved by the FAA. There are concerns with regard to the land compatibility grant assurance with regard to zoning and land compatibility. Impact zones 1, 2 and 3 and encroachment were identified. Regardless of the outcome of the Deep Well Ranch there will be an increase to the airport fund due to residential being close to the airport which will result in more noise complaints and investigations, low flying aircraft calls which may impact the fund toward the airport and its employees as the grant provides no money for noise attenuation. Ms. Baker summarized that it was a better option for the airport to accept the master plan based on current zoning and what is being proposed. In addition, the possibility for near open space is better than the possibility of industrial use which could pose a safety risk to pilots, residents and businesses.

Daniel Mattson, citizen, wanted to point out that when the General Plan committee was discussing future development, the Deep Well Ranch area would be ideal for future growth and best fit for the city. If we didn't have the master plan we would be worse off. The details still need to be worked out. He acknowledged the James family and their contributions to the city. He suggested not allowing anything that would limit the growth of the airport.

Patti Shaffer, citizen, discussed global warming, climate change, polarization, the planetary boundary theory and water sheds. Ms. Shaffer suggested to keep half the water in the water shed if you want to pass on a resilient future.

Joe Gardner, citizen, has been designing multi-family plans for Prescott and other cities. Mr. Gardner identified there are restrictions which limit the zoning ordinance. Factoring in a 227 acres of high density residential, it creates limitations. Mr. Gardner believes the commercial area is overdone. He hopes the Council will listen to the people of Prescott as the density is not appropriate for Prescott.

Ted Wickstrom, citizen, has been flying out of Prescott Airport for 20 years and represents the Prescott Airport Users Association. Mr. Wickstrom shared that the Deep Well Ranch project zone 3 is adjacent to the sixth busiest runway in Arizona. In the last 20 years there has been 86 accidents at the Prescott Airport. Three of these accidents occurred in zone 3. The recommendation of the Airport Users Association is that the open space be preserved in the development agreement perpetuity otherwise more accidents will occur.

Bill Feldmeier, citizen, said there is good planning and bad planning. He said master planning is the way to go and supports it. This is a real opportunity for Prescott. It

should not be feared but rather embraced. Mr. Feldmeier supports the master plan and encourages the Council to move it forward.

Larry Meads, citizen, asked if this plan calls for water efficient housing units and how is it enforced? If this project gets the allocation as projected, it doesn't look like there will be water if the Big Chino will be installed. Ms. Graser explained the water portfolio has a limited supply in the general pool due water placement in existing contracts. This would entail further discussions and housing studies and look back to the general pool to consider.

Tom Reilly, citizen, said the water portfolios have gotten better. The opportunity to plan is unprecedented. The future is what you need to look at and the opportunity to plan that land is phenomenal.

Mr. Lamar asked the Council if they wanted to continue with the Deep Well Ranch project and development agreement. Councilwoman Orr asked to plug along with discussions and perhaps speed it up. Mayor Oberg identified the need to get through traffic and the development agreement. Mr. Paladini said the development agreement won't be ready for the November 14th Voting Meeting and suggested perhaps a study session. It was agreed that a study session occur on November 14th at 1:00 p.m.

4. ADJOURNMENT

There being no further business to discuss, the Voting Meeting adjourned at 3:00 p.m.

HARRY OBERG, Mayor

ATTEST:

MAUREEN SCOTT, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session Meeting of the City Council of the City of Prescott, Arizona held on the 7th day of November, 2017. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2017.

AFFIX
CITY SEAL

MAUREEN SCOTT, City Clerk