

MINUTES OF THE REGULAR PLANNING AND ZONING MEETING OF THE TOWN OF CHINO VALLEY

January 5, 2016
6:00 P.M.

The Planning and Zoning Commission of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona.

1) **CALL TO ORDER**

Chair Rowitsch called the meeting to order at 6:00 pm.

2) **PLEDGE OF ALLEGIANCE**

Commissioner Pasciak led the Pledge of Allegiance.

3) **ROLL CALL**

Present: Chair Gwen Rowitsch; Commissioner Gary Pasciak; Commissioner Annie Lane;
Commissioner Michael Bacon; Commissioner Chuck Merritt; Commissioner Claude
Baker

Absent: Commissioner Florence Sloan; Alternate Commissioner Julie Van Wuffen

Staff Associate Planner James Gardner; Town Clerk Assistant Amy Lansa (Recorder)
Present:

4) **MINUTES**

- a) Consideration and possible action to approve the November 17, 2015 special meeting minutes.

MOVED by Commissioner Chuck Merritt, seconded by Commissioner Michael Bacon to
approve the November 17, 2015 special meeting minutes.

Vote: 6 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve the December 1, 2015 regular meeting minutes.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner Claude Baker to approve
the December 1, 2015 regular meeting minutes.

Vote: 6 - 0 PASSED - Unanimously

5) **STAFF REPORTS**

There were no staff reports.

6) **PUBLIC HEARING**

- a) Consideration and possible action to hold a public hearing to rezone Yavapai County Assessor's Parcel Number 306-33-005D, consisting of approximately 1.38 acres, located at 1448 S. State Route 89, Chino Valley, AZ, Section 34, Township 16 North, Range 02 West, from Commercial Light (CL) to Commercial Heavy (CH). Applicant: Charlie Arnold. Staff: James Gardner, Planner

Associate Planner James Gardner presented the following information:

The following are allowed under the current CL zoning:

- Retail sales
- Pet shops
- Repair services
- Restaurants
- Personal services
- Business and professional offices, etc.

In addition to the above listed uses, the following are also allowed under the proposed CH zoning:

- Manufacturing
- Bottling and packaging
- Warehouses, mini-storage
- Welding shops
- Underground liquid petroleum retail and wholesale distribution facilities
- Commercial outdoor kennels
- Antennas and wireless communications facilities
- Contractors yards
- RV Parks with 26 or more units

Current Conditions

- A 6000 square foot building is situated on-site, and was the former Napa building
- Unpaved parking lot
- There are no ADA improvements
- 8 foot screening fence

Proposed uses and structures:

- The existing 6000 SF building would consist of 2500 SF - office space and 3500 SF - light manufacturing
- The applicant plans to build an additional 6000 SF building as part of Phase 2.
- The additional building would be primarily for manufacturing
- Parking lot improvements include hard surface all around with ADA parking spaces

Public Outreach

- The applicant mailed letters and posted the site in conformance with state statute and the UDO.
- Both the applicant and a representative of the lessees held a neighborhood meeting on December 2, 2015. One neighbor was in attendance and concerned about MMJ uses onsite.
- The applicant and lessee both assured the neighbor that no medical marijuana uses (infusion, storage, cultivation, or dispensation) would be conducted.

General Plan Conformance

The proposed rezoning is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in a commercial/mixed use corridor, part of the overall State Route 89 area. The subject property is not located within a "Community Core" area indicated by the General Plan Land Use Element. The proposed rezoning is not expected to impact circulation and traffic, due to its limited scope as an employment center, and will not affect the other focus areas of the General Plan.

Findings of Fact

The purpose of the applicants request is to change the zoning of the parcel from Commercial Light (CL) to Commercial Heavy (CH). The request to rezone will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare. The request to rezone is in general conformance with the zoning classifications in the immediate area. Surrounding uses include AR-5 to the west, CL/AR5 to the south, and CL to the east and north. The nearest CH zoning to this parcel is approximately 393 feet to the north, which is Lantana Plaza, APN 306-33-005R.

Planner Gardner responded to questions from Commissioners Bacon and Merritt.

- The screening fence around the property complies with the current code and is required on commercial properties where storage containers are on site. Conex boxes will be sold onsite and there will be a demo container onsite.
- Commissioner Merritt questioned whether the site could eventually become a MMJ facility.
- Rezoning this property does not give the owner further rights to have a MMJ sales facility.
- MMJ sales facilities are allowed in CL zoning which is the current zoning for the property.
- Without a Development Agreement, as part of a PAD, the Town cannot further restrict their use by outlawing a single use on the property.
- With the zoning in place now the chances of the site becoming a MMJ facility are small.
- If Town Council adopts the proposed changes to the UDO it would eliminate all MMJ uses from that zoning district.

Charlie Arnold is present on behalf of the property owner, Transland LLC. The property is owned by a Prescott resident. The front portion of the building will house construction offices. The owner has 4-5 contracting licenses and will be welding different applications. The owner also intends to sell Conex Containers, which is one reason for the screened fencing. The fire district required additional water tanks to provide fire flow capacity onsite. There are 14 plus employees that are local hires. The business is growing.

Chair Rowitsch opened and closed the public hearing at 6:14 pm. No one from the public spoke.

MOVED by Commissioner Gary Pasciak, seconded by Commissioner Claude Baker that the application be forwarded to Town Council with the recommendation of approval.

Vote: 6 - 0 PASSED - Unanimously

7) **NON-PUBLIC HEARING ACTION ITEMS**

There were no non-public hearing action items.

8) **DISCUSSION ITEMS**

There were no discussion items.

9) **PUBLIC COMMENTS**

Chair Rowitsch announced that this is her last meeting as a commissioner. Her 3rd term has ended. She has served as a commissioner for 9 years and will not renew her seat on the Commission. She has offered to sit as the alternate.

Commissioner Pasciak requested that voting for the new chair and vice-chair be placed on the next agenda.

10) **ADJOURN**

MOVED by Chair Gwen Rowitsch, seconded by Commissioner Gary Pasciak to adjourn the meeting at 6:17 pm.

Vote: 6 - 0 PASSED - Unanimously



Chair

2-2-2016
Date