

DRAFT

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

FEBRUARY 5, 2019
6:00 P.M.

The Planning and Zoning Commission of the Town of Chino Valley 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 Chuck Merritt called the meeting to order at 6:00 p.m.

2) **PLEDGE OF ALLEGIANCE**

Vice-Chair Pasciak led the Pledge of Allegiance.

3) **ROLL CALL**

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Tom Armstrong; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert Switzer; Alternate Welles Geary

Absent: Commissioner William Welker

Staff Planner Alex Lerma; Public Works Director/Town Engineer Frank Marbury;

Present: Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

4) **MINUTES**

- a) Consideration and possible action to approve January 15, 2019 special meeting minutes.

MOVED by Commissioner Tom Armstrong, seconded by Vice-Chair Gary Pasciak to approve the January 15, 2019 minutes.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Alternate Welles Geary

PASSED - Unanimously

5) STAFF REPORTS

Alex Lerma reported that:

- The Planning and Zoning training video was available on the town website and Commissioner training would continue once a development services director was hired.
- There were no upcoming agenda action items in March but there would be a study session meeting to review a new business zoning district at Old Home Manor.

6) PUBLIC HEARING

- a) Consideration and possible action to approve Ordinance 2019-865 to rezone 2.85 acres of real property located approximately .25 miles east of the southeast corner of East Center Street and South State Route 89 from SR-2.5 (Single Family Residential-2.5 acre minimum) zoning district to MR-1 (Multiple Family Residential-1 acre minimum) zoning district, Assessor's Parcel Number 306-29-002N (Owner of Record: Clatterbuck Jared Shaun) (Alex Lerma, Planner)

Mr. Lerma presented the following:

- The Center Street Duplex project had been presented to the Commission at a study session approximately a year ago and to the Council in the fall. Modifications were made to the plan based on comments that had been received.
- Plan revisions included two car garages with driveways 22-24 feet deep with a four-car parking capacity, and the addition of Guest parking
- The General Plan land designation was commercial/multi-family residential. The surrounding properties were medium and low-density residential zones.
- The property would be developed with nine duplexes or 18 separate units. Water utilities would be provided through a well and water storage tank. Sewer would be connected to the Town sewer line.
- Amenities would include a community gathering green space with park benches, retention basin, 26-28-foot-wide road, and landscape buffer around the development.
- The Neighborhood meeting was held in January with approximately 12 attendees. Their concerns and the Town and applicant's response were:
 - Water levels for the area and the increased number of residential units: ADWR regulates wells and the applicant would need to prove the water was sufficient to cover the development.
 - Chain link fences: The chain link fences were changed to block walls.
 - Density and assurance that the applicant would not exceed 18 units: Although the requested zoning allowed a higher density, the applicant did not have the intention to exceed 18 units.
- Higher density developments already in the area included Granite Creek Apartments with 31 units, Pueblo de Centro with four duplexes and two triplexes for a total of 16 units, and the recently approved Town Center Project active adult park model community with 200 units located only 850 feet south of the applicant's property.
- Staff recommended approval with the following conditions:

1. The property would conform to the site plan. This would hold the density to that as shown on the plan. The applicant would need further Town approval for any additional units.
2. A block wall would be located along all property lines except the front property line.
3. If the property was developed in phases, the block wall shall be completed in the first phase.

Commissioners, Frank Marbury and Alex Lerma discussed the following:

- The block wall height was not yet determined, but typically was a minimum of six feet to a maximum of eight feet. The wall would need to be up before the first building permit was approved. Staff recommended the block wall be on all sides except the street front of the development. The applicant had not agreed to this, but would discuss it with the Town Council.
- The property was within the commercially designated corridor area of the General Plan.
- Conformance to the site plan would limit the density but would not prohibit the applicant from any uses allowed by code.
- Water run off would be addressed during the development and permitting stages. All developments were required to detain the post-development drainage to the pre-development water levels. The water levels could not increase. Offsite water must be accepted and released at historic rates and locations so adjacent properties were not impacted. Drainage plans would need to be done through a licensed engineer.
- The road and well system would be maintained privately.

Public Comments:

- Ronnie Bunker – the applicant’s development would abut two sides of her property and she was concerned about drainage across the property. She presented a 100-year flood map which showed that up to four feet of water was possible in locations of the applicant’s property. The culverts on Center Street could not handle the volume of water, so water would be backed up. The density was higher than any in the immediate neighborhood and with the addition of rentals, there would be an extensive change in the neighborhood. She would like the applicant to be locked into the current proposed density. The property had been farmed over 30-years ago but had not used water from the aquafer but had used CVID water that came from Watson and Willow Lakes.
- Karen Archibald – The project would significantly impact her property. Her concern was the amount of water the development would use. There was only about 2.5 useable acres because of the wash, which was extremely deep and ran into her own property making half her property unusable. Significant modifications would need to be done to the wash area. Previous owners of her property had been told by the Town that the wash area could not be modified. She was concerned how a block wall could be constructed over the wash. Also concerned about the increased traffic. The project did not fit with the nature of the neighborhood.
- Jim Clark – He had lived at his property for 30-years. The wash also went through his property and he had seen many times the wash overflowing on Center Street and onto the property to the North. The culverts plug up during heavy rainfall. His well level had decreased fifteen feet in fourteen years. This development would be a new usage to the water basin and would affect the water basin levels. This would be a disruption of the culture of the neighborhood and would be impactful to the neighboring properties.

Commissioners, Frank Marbury and Alex Lerma related that the 100-year flood map was actually an exhibit from an area drainage study the Town had commissioned. It showed a worst-case scenario, making assumptions on water levels, but was a good measure and tool to use when determining water levels. The project engineer would be tasked with designing a system that would handle and carry the water offsite. It would be the Town’s job to review the design and ensure the water flow was handled. Any design or modification must be natural, historic and properly handle the water flow and could not adversely impact adjacent properties. If the property

were in a FEMA floodplain, there were specific development requirements. Approved developments required a one-foot higher elevation of livable space above the possible high-water level.

MOVED by Commissioner Tom Armstrong, seconded by Commissioner John McCafferty to recommend a recommendation of approval to Town Council to adopt Ordinance 2019-856 rezoning 2.85 acres of real property from SR-2.5 (Single Family Residential- 2.5acre minimum) zoning district to MR-1 (Multi- Family Residential- 1 Acre Minimum) zoning district with the following conditions:

- 1) The property shall generally conform to the attached site plan.
- 2) A block wall shall be located along all property lines except for the front property line.
- 3) If the project is developed in phases, the block wall shall be completed during the first phase.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer

NAY: Alternate Welles Geary

PASSED

Commissioner Geary explained he voted Nay because the surrounding infrastructure did not support the increased density and the block wall was unappealing.

7) NON-PUBLIC HEARING ACTION ITEMS

8) DISCUSSION ITEMS

9) PUBLIC COMMENTS

Call to the Public is an opportunity for the public to address the Commission on any issue within the jurisdiction of the Commission that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Commission action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

10) ADJOURN

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner John McCafferty to adjourn the meeting at 6:49 p.m.

AYE: Chair Chuck Merritt, Vice-Chair Gary Pasciak, Commissioner Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Alternate Welles Geary

PASSED - Unanimously

Chair Charles Merritt

Date