

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

APRIL 4, 2017
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**

Commissioner Merritt called the meeting to order at 6:00 p.m.

2) **PLEDGE OF ALLEGIANCE**

Commissioner Armstrong led the pledge of allegiance.

3) **ROLL CALL**

Present: Chair Chuck Merritt; Vice-Chair Gary Pasciak; Commissioner Tom Armstrong;
Commissioner Michael Bacon; Commissioner Claude Baker; Commissioner William
Welker; Commissioner Julie Van Wuffen

Staff Development Services Director Ruth Mayday; GIS/CAD/Web Technician Jan Mazy
Present: (videographer)

4) **MINUTES**

- a) Consideration and possible action to accept the February 7, 2017, meeting minutes.

MOVED by Commissioner Claude Baker, seconded by Commissioner Michael Bacon to approve the February 7 meeting minutes with correction State Route 82 should read State Route 89.

Vote: 7 - 0 PASSED - Unanimously

5) **STAFF REPORTS**

- a) Report on current status of proposed Motor Sports Facility at Old Home Manor.

Development Services Director Mayday advised she gave a report to Town Council on the motor sports facility and is waiting for an application from motor sports facility.

6) **PUBLIC HEARING**

- a) Consideration and possible action regarding the final Development Plan for Village North Apartments.

Development Services Director Mayday reported on Village North Apartments' zoning, land use designation and changes to the site plan. She presented a design map showing emergency access, units' scale and color, landscape plan.

The commission advised that the site plan documentation shows a 40-foot Right Of Way (ROW) on top of a 60 foot Public Utility Easement (PUE). Development Services Director Mayday advised she would bring Council the changes to the ROW and PUE.

The commissioners discussed the following items:

- Suggested a basketball court.
- A playground.
- Emergency exit change instead of through Safeway parking lot.
- Handicap parking lots in the corner.
- Grass courtyard area separation between buildings.(Approximately 30 feet.)

Commissioner Bacon expressed concern regarding by granting the 27 additional units the Planned Area Development (PAD) design layout and quality of amenities affecting water, foot and auto traffic impact.

Vice-Chair Pasciak regarding State Route 89 it is the State who will want to review impact on intersection and may have comments on the development, those improvements are the onus of the developer to construct.

Commissioner Baker previous review addressed needs

Development Services Director Mayday advised the developer is constructing a 40-foot street with PUE built to, Central Yavapai County Governments Unified Construction (YAG) / Uniform Standard Specifications and Details for Public Works Construction (MAG) Yag/Mag standard providing interior circulation to adjoining streets.

Mr. Karsie advised the following

- It is not the commission's job to redraw plans.
- He is dedicating road to the Town providing access to the parcels to the north.
- Three extra units per acre is not an enormous high-density project.
- If the State requires the developer to improve Road 2 North from the highway to project would kill deal due to cost effectiveness.

Public comments open

Bill Hitt, Chino Valley, advised his property is directly east of proposed project is currently trespassed by people. He expressed concerns regarding the roadway, telephone poles on corner need moving, and additional trespassing on his property.

Public comments closed.

Commissioner Bacon requested clarification on the YAG requirements for widening the street. Development Services Director Mayday clarified 1000 feet of roadway is built it would be dedicated to the Town.

Vice-Chair Pasciak requested clarification on the development of Road 2 North to the highway. Development Services Director Mayday advised currently Road 2 North from the car wash to the highway is built out to its full width and any improvement would be road striping.

Commissioner Merritt asked about additional development east of proposed project. Development Services Director Mayday presented information of current development and its effect on the roadways.

Commissioner Merritt asked developer Mr. Karsie about the trespassing issue and installing a fence directing people back to property. Mr. Karsie advised with the changes they have made the economics of the project is affected the additional expense of block fence is not feasible and a property owner concerned with trespassing can put up their own fence.

Development Services Director Mayday presented market feasibility in Chino Valley housing.

Commissioner Van Wuffen asked what could be done to help the problem. Development Services Director Mayday advised block wall would block view. Field fence wire fence is something to investigate.

MOVED by Commissioner Claude Baker, seconded by Commissioner William Welker to forward to the Council to recommendation to approve ordinance # 17-830 approving the development plan for the Village North planned area development and changing the zoning from MR/MHP-4 (mobile family residential mobile home park 4-acre minimum) zoning district to MR/MHP-4 (multi-family residential/mobile home park 4 acre minimum) zoning district with a planned area development overlay zoning district subject to the conditions set forth in the ordinance.

Vote: 7 - 0 PASSED - Unanimously

- b)** Consideration and possible action regarding an application by Mike O'Conner-Masse for a proposed change in zoning of his property from AR-5 (Agricultural/Residential- 5 Acre Minimum) to CL (Commercial Light).

Development Services Director Mayday presented the request for change of property zoning, which is in conformance with the General Plan. She further add that the rezoning action does not join the property to protected development rights plans properties.

Mr. O'Conner-Masse advised his property change request make it easier if he tried to sell a portion of his property, as other properties surrounding are Commercial Light.

Commissioner Merritt confirmed Mr. O'Conner-Masse was giving the Town a Right of Way enabling extension of Road 3 ½ North.

Public portion opened and closed without comments.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Tom Armstrong to forward to Town Council for approval of a zone change of Parcel: 306-14-001N for AR-5 (Agricultural/ Residential five-acre minimum) to CL (Commercial Light) with a condition of 25 feet of right of way dedication on East Road 3 1/2 North.

Vote: 7 - 0 PASSED - Unanimously

- c) Consideration and possible action regarding an application by Corey and Robin Mendoza for a conditional use permit to allow the use of a medical marijuana research and development facility on site.

Development Services Director Mayday presented the request for a Conditional Use Permit (CUP) property, which complies with the General Plan.

The commissioners questioned the possibility of hazmat materials and the public visiting the site. Mr. Mendoza advised there should not be hazmat materials on site and the fire department inspects for compliance. He stated that the security surrounding the facility is treated the same as a growing facility with fencing and cameras, the public is not allowed on the property, and no objections were raised at the neighborhood meeting.

Public comment portion:

Mr. O'Conner-Masse asked if an exception was being made on zoning requirements for facilities that are housing medical marijuana. As it is still cultivation and are we expanding to allow commercial (property) for cultivation purposes and distinguishing cultivation for sale vs cultivation for research.

Development Services Director Mayday advised that State regulations deal with cultivation and distribution of Marijuana, nothing regarding research. This request is for a research facility and as the Town does not having zoning designation or district, which deals with any type of research this item is being put forward as a CUP, which is revocable for non-compliance.

The Commissioners discussed stipulations to add to the CUP.

- The site would have same security requirements as any other marijuana growing facility.
- Limited facility of an existing building.
- Destroy Non-pharmaceutical portions of the product before leaving the site.
- No advertising on building reference use of building.
- Short time limit on this CUP use (10 year).
- Research purposes only.

MOVED by Commissioner Michael Bacon, seconded by Commissioner Julie Van Wuffen to forward to Town Council with recommendation of approval of conditional use permit for the use of a medical marijuana and development facility according to the four conditions we just discussed.

Vote: 7 - 0 PASSED - Unanimously

7) NON-PUBLIC HEARING ACTION ITEMS

- a) Consideration and possible action to initiate text amendments to Unified Development Ordinance Chapter 154, Section 5 Subdivision Regulations, Subsection 5.5 Modifications, Appeals, and Enforcement.

Development Services Director Mayday reported on request to initiate text amendment, as currently there are no regulations for reversion, amending or revising of a plat.

MOVED by Commissioner Julie Van Wuffen, seconded by Commissioner Claude Baker to initiate text amendments to Unified Development Ordinance Chapter 154 Section 5 Subdivisions; Subsection 5.5 Modifications, Appeals, and Enforcement, and hold a Citizen Review meeting (Neighborhood Meeting) at the May 2, 2017 regular meeting of the Planning and Zoning Commission.

Vote: 7 - 0 PASSED - Unanimously

- b) Consideration and possible action to initiate text amendments adding clarifying language to Unified Development Ordinance Chapter 1 Administration, Section 1.9.4 Planned Area Development Overlay District: PAD to include the abbreviation "PAD" in the zoning district title for those properties that have approved Development Plans.

Development Services Director Mayday explained the reasoning for adding the PAD abbreviation.

MOVED by Commissioner Tom Armstrong, seconded by Commissioner Claude Baker to initiate text amendments to Chapter 1 Administration, Section 1.9.4 Planned Area Development, and hold a Citizen Review meeting (neighborhood meeting) during the regular meeting of the Planning and Zoning Commission on May 2, 2017.

Vote: 7 - 0 PASSED - Unanimously

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.

No response at call to the public.

10) ADJOURN

MOVED by Vice-Chair Gary Pasciak, seconded by Commissioner Michael Bacon to adjourn the meeting at 7:27 p.m.

Vote: 7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date