

DRAFT

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

**JULY 2, 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 Armstrong led the Pledge of Allegiance.

3) ROLL CALL

Present: Chair Chuck Merritt; Vice-Chair Tom Armstrong; Commissioner John McCafferty; Commissioner Teena Meadors; Commissioner Robert Switzer; Commissioner William Welker; Alternate David Somerville

Absent: Commissioner Gary Pasciak

Staff Development Services Director Joshua Cook; Planner Alex Lerma; Public Works

Present: Director Frank Marbury; Administrative Technician/Videographer Kathy Frohock; Deputy Town Clerk/Recorder Vickie Nipper

4) MINUTES

- a) Consideration and possible action to approve June 4, 2019, meeting minutes.

MOVED by Commissioner Teena Meadors, seconded by Commissioner John McCafferty to approve the June 4, 2019, minutes.

AYE: Chair Chuck Merritt, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

Vote: 7 - 0 PASSED - Unanimously

5) STAFF REPORTS

Alex Lerma reported on the following:

- Staff would be presenting the Town's sign code amendments to the Commission for consideration at the next Planning and Zoning meeting. The Unified Development Ordinance (UDO) Subcommittee had several work sessions and would bring their recommendations to the Commission.

6) PUBLIC HEARING

- a) Consideration and possible action regarding a request for a Conditional Use Permit to allow the use of automotive repair and automobile sales within the CL (Commercial Light) zoning district. The one (1) acre property is located .33-mile north of the northeast corner of Road 2 North and State Route 89 at 1351 North State Route 89. (Alex Lerma, Planner)

Mr. Lerma presented the following:

- Corrected the following items in the staff report: The owner of record was Federwisch Living Trust and the applicant was Raymond Federwisch.
- The property was located in the commercial corridor along State Route 89.
- The property was surrounded by similar businesses including automotive, tire, storage and furniture businesses. Chino Valley Park was located south of the subject property.
- The property was a one-acre commercial light zoned property.
- The General Plan land use designation was Commercial/Multi-Family Residential.
- The current use of the property was residential. Improvements to the site included a commercial building to the west, an accessory building and a residence to the rear of the property.
- Photos were shared of the property, the current buildings, property access points and the surrounding area.
- There was a portion of the property fenced with a five to six-foot wooden fence. Fenced areas included the entire rear of the property with a wall along the south property line and a partial fence on the north property line.
- The property had two driveways with an ingress/egress access point on the north side and an additional ingress access point on the southwest property portion. Due to ADOT requirements, the applicant would close the ingress only access point and update the other access point that provided both ingress and egress access.
- The residence and business would be used and managed by the applicant and the applicant's spouse.
- The applicant proposed the following for the site plan:
 - The south driveway would be removed and the north driveway would be updated to reflect all ADOT specifications requirements.
 - Add a three-foot wall along the front of the property and remove an existing well structure where the cars would be displayed.
- The applicant planned to use the property for selling and repairing used vehicles to the public. The existing commercial building would be used as an office building and the accessory building would be used as a repair shop.
- The applicant had requested the use of new and used automobile sales, including trucks and recreational vehicles, which was only allowed in Commercial Light District by a Conditional Use Permit (CUP). The repair of automobiles was not a specific use listed in the UDO in any zoning district but was similar to the CUP allowed use of small engine repair and similar shops where all work was done inside enclosed walls in the Commercial Light or Commercial Heavy District.
- Staff thought it was better to apply for a CUP in the Commercial Light district because a zone change to Commercial Heavy would have a negative impact to the surrounding

neighbors and would impact the applicants residential use of the property.

- The neighborhood meeting held in June had no attendees.
- If the application was approved, staff would do a site plan review on an updated site plan with any required improvements.
- Staff recommended the following:
 - Planning and Zoning forward a recommendation of approval to the Town Council for the CUP to allow the use of an auto repair that is done within a closed building and auto sales on a one-acre site in the Commercial Light zoning district with the following conditions:
 1. No more than ten vehicles would be onsite at any given time for the sale and repair purposes.
 2. Applicant will comply with all ADOT requirements.
 3. Additional landscaping shall be located to the rear of the property (east boundary line) abutting residential usage.
 4. A three-foot wall shall be constructed along the front property line for street view screening purposes.
 5. All vehicle repair shall be done within an enclosed building.
 6. All vehicles not being displayed for sale shall be screened from public view with property screening.

Commissioners and Town staff discussed the following:

- Other auto sale businesses in the Town were located in Commercial Heavy Districts, which was an allowed use, but it required a CUP in the Commercial Light District.
- Staff explained that auto repair was not a listed use in any zone but had been defined in the code. Small engine repair was not defined, but was listed as an approved use in the code. This will be remedied in future amendments to the UDO.
- Staff stated the requirement of no more than ten vehicles did not include the applicant's private vehicles. The proposed screening would also shield the private vehicles.
- Landscaping was required for properties adjacent to residential use properties. The applicant was allowed the perimeter fence but was also required to provide landscaping on their side of the fence. There were no additional front landscaping requirements.
- Staff explained to Commissioners that parking would be designated striped parking spots and the surface had to be dust free. There were three additional parking spots for customers.
- The culvert to the east was ADOT property.
- The applicant would be buying, repairing and selling the cars onsite.

Commissioners, applicant and Town staff discussed the following:

- The applicant clarified that the auto repair would only be for the company vehicles and not a public auto repair business.
- The applicant explained that the onsite well was for esthetics only and was not water producing.
- The applicant stated they had been encouraged to use a dust free parking surface, but had planned to use AB material for the parking area and add millings to the surface when they could.
- Mr. Marbury explained that a dust free parking surface would typically have the top two inches have a particle size of ¼ inch and ¾ inch material. It would be more of a gravel than a base course and had no fines included. A surface could also have chemical stabilizations, millings, paving or chip seal. It was not defined in the code. The driveway gravel mix was a reasonable alternative for a dust free surface. The applicant was correct that the code encouraged but did not require a dust free surface.

MOVED by Commissioner John McCafferty, seconded by Vice-Chair Tom Armstrong to forward a recommendation of approval to Town Council to approve a Conditional Use Permit to allow the use of automotive repair and automobile sales on a one (1) acre site within the CL (Commercial Light) zoning district for a one (1) acre site with the following conditions:

1. No more than 10 vehicles will be on site at any given time for sale or repair purposes.
2. Applicant will comply with all ADOT requirements.
3. Additional landscaping shall be located to the rear of the property abutting residential usage.
4. A 3-foot wall shall be constructed along the front property line for street view screening purposes.
5. All vehicle repair shall be done within an enclosed building.
6. All vehicles not being displayed for sale shall be screened from public view.

AYE: Chair Chuck Merritt, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

Vote: 7 - 0 PASSED - Unanimously

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 Commissioner Teena Meadors, seconded by Commissioner Robert Switzer to adjourn the meeting at 6:32 p.m.

AYE: Chair Chuck Merritt, Vice-Chair Tom Armstrong, Commissioner John McCafferty, Commissioner Teena Meadors, Commissioner Robert Switzer, Commissioner William Welker, Alternate David Somerville

Vote: 7 - 0 PASSED - Unanimously

Chair Charles Merritt

Date