

## Planning and Zoning Commission Meeting Minutes May 2, 2023

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, May 2, 2023, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were; Chair Chuck Merritt; Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner William Welker; Commissioner Richard Zamudio. Alternate Commissioner Rachelle Fernow was in attendance.

**STAFF MEMBERS** present were Laurie Lineberry, Development Service Director; Will Dingee, Assistant Director; Bethan Heng, Associate Planner; Frank Marbury, Public Works Director; Dee Dee Moore, Process Coordinator; Laurence Diggs, Audio/Video.

**CALL TO ORDER:** Chair Merritt called the meeting to order at 6:00 p.m. Commission meeting began with the Pledge of Allegiance led by Commissioner Switzer.

**EXECUTIVE SESSION - Merritt** stated that this item would be heard later in the agenda after the public hearing.

**CONSENT CALENDAR** – A motion was made by Commissioner Meadors to accept the consent agenda as presented. The motion was seconded by Commissioner Pasclak and passed unanimously by a 7-0 vote.

**PUBLIC HEARING #E.1 - CASE# PP-2023-01** – *This is a request by Jay Bates on behalf of Right Homes LLC, to subdivide approximately 20 acres of land into 15 one acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of w Road 3 South and S Road 1 West, Chino Valley, Arizona.*

Chair Merritt asked the Commission if anyone had a disclosure to declare regarding this project. There were none.

Bethan Heng, Associate Planner presented the staff report for case PP-2023-01 and stated that staff recommended approval. There were no questions for staff from the Commission.

Applicant Jay Bates shared that this project consisted of 15 lots. The assured water supply had been received from the State. In addition, the CC&R's had been recorded and there was limited water usage stipulated per the Arizona Department of Water Resources (ADWR) approval. There were no questions from the commissioners.

Merritt opened the public hearing.

Bea Garcia shared that there are multiple projects going on along Road 1 West and that there is a current detour on that road already. She felt that the developer should wait until the other projects were completed to ease the congestion along that stretch of road.

Rachelle Fernow identified herself as the Planning and Zoning Commission Alternate and shared her concerns. She stated that, as a realtor, the disclosure to the buyers about the next door slaughterhouse was not a good sales point. She wondered what might happen if the manufactured homes were placed on the lots, and then didn't sell. She also brought up concerns about infrastructure and water usage. She wondered where the benefit was to Chino Valley and felt that this was a capitalistic venture. She felt that there should be a park, child center and other improvements. She stated, based on her realtor background, that these homes would be selling in the range of \$500,000 and expressed concern about

that price range not being affordable in this community. **Fernow** also felt this project should have curbs, gutters, and the homes should be placed on foundations. Generally, she felt that manufactured homes have small patios and would not provide a neighborhood feel for this project.

**Jim Holt, Project Water Consultant**, for Right Homes LLC, shared his background. With 25 years water consultant experience, he stated that when water is not in abundance, developers take that into account and refer to the requirements stipulated by the State to conserve water, using only state approved drought tolerant plants. He added that there is a restriction in the CC&R's to limit plants within an area 10,000 square feet adjacent to the home. Each well will be tested for contaminants and if needed, there will be home water filtration units installed.

There were no further public comments.

**Merritt** closed the public hearing.

**Merritt** asked if the commissioners had any questions. **Zamudio** asked about the building schedule for this project. **Switzer** asked what the zoning in the county area to the west was. **Heng** stated that the county had a zoning designation of RCU2, which is approximately equal to the SR-2. There were no further questions for staff.

**Jay Bates** returned to answer questions from the hearing. He began by stating that the price range of \$500,000, that was shared, was not where these homes would be priced. He provided an overview of the standard features of his homes, stating that every home had a front porch area of 12' x 12', and rear patio area minimum size of 12' x 25' (up to 50') with standard 2"x6" framing construction. He added that it is not his intent, as the developer/owner, to out-price these homes since he is in the business of selling homes. The home site is selected, and the sale is confirmed before the construction begins. He shared that his current project on the east side of town, is 25 lots and is on 40 acres, starting construction in the fall of 2023. **Merritt** asked about landscaping requirements along Road 1 West. **Bates** stated that the frontage area along that road would be landscaped similar to Mr. Fletcher's project on N. Road 1 East – Colonial Villas.

**Switzer** questioned that having  $\frac{3}{4}$  of that acre as natural is not going to look very good. **Bates** stated that when you look around the town, some 1-acre parcels look nice and some do not. **Merritt** shared that his horse landscapes his property. **Pasclak** asked about the cul-de-sac radius. **Bates** stated that the radius does meet Central Arizona Fire and Medical Authority (CAFMA) requirements.

**Merritt** asked **Bates** if they were prepared to meet all the land requirements. **Bates** stated yes, and that he is familiar with the Town of Chino Valley requirements and has already built around 75 homes in town. **Switzer** asked about the front setbacks. **Bates** shared that these homes will be set back approximately 60-70 feet. Speaking about the proximity of the homes to the slaughterhouse and if that would be a deterrent to buyers, **Bates** added that that business had been in existence a long time, and **Merritt** added he thought it had been there around 50 years, and most all the homes built around it are not that old. **Merritt** asked about the turn lane and for clarification from **Marbury**. There were no further questions for the developer.

**Marbury** spoke regarding the stipulations/conditions and wanted to clarify details. He stated that one-half of the width of the street – 40-feet – is available for future growth along Road 3 North. Construction will be along Road 1 West and whether a turn-lane will be required is to be determined during the Final Plat review of the project. Currently, there is sufficient right-of-way. A traffic study/statement might be requested later in the process; however, **Marbury** believed that the project number of lots was small and would not warrant a full traffic study. He confirmed that the cul-de-sac radius is large enough to meet fire truck and school bus requirements. **Marbury** added that the project is planned for interior roads with 24-feet of paved road and an additional 5-feet of paved shoulder on each side, making the street 34 paved feet wide. **Merritt** asked about drainage and grading. **Marbury** stated that those items were also approved during the Final Plat review. He cautioned about changing any language that would contradict the ADWR requirements.

Merritt closed the public hearing.

**MOTION - A motion was made by Vice-Chair Pasciak and seconded by Commissioner Welker to approve PP-2023-01, as presented by staff. This motion passed with a 5-2 roll call vote (with Switzer & Meadors voting no).**

Merritt asked each of the commissioners to explain their vote, they are as follows:

- **Switzer**- voted against – he felt this area should be 2-acre minimum to align with the county properties to the west. He also would like to see these types of projects on town water and sewer. This vote was consistent with his rezone vote for the property.
- **Zamudio** – voted in favor – he stated that this developer has fulfilled all his obligations and he believes the project will be developed properly.
- **Meadors** – voted against – she agreed with **Switzer** that this project should match with the county 2-acre parcels located to the west.
- **Pasciak** – voted in favor – he shared that sewer lines were more than 1-mile away and it was not cost effective (\$1,742,400) for the developer to extend them to this project. He also added that the homes in this area have all been built after the slaughterhouse business began. He believes that 1-acre lots are good for that area and that the homes will be affordable to buy.
- **Penn** – voted in favor – he did favor a 2-acre lot and had reservations that someone would buy next to the slaughterhouse, but ultimately, he thinks this will be a nice project.
- **Welker** – voted in favor – felt this project will be nice addition to the town when completed.
- **Merritt** – voted in favor – he stated that he was not concerned about the slaughterhouse since there are already existing homes on two sides of that location and it's obvious it is there. This project has the intent to maintain a rural lifestyle. The developer is meeting all the towns' landscaping and building requirements at this time. Regarding the capitalistic comment from the public, it is the property owners' right to profit from this project.

**EXECUTIVE SESSION #C.** - *An executive session pursuant to A.R.S. §38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding public hearings.*

**Chairman Merritt closed the public portion of this meeting at 6:38 pm and moved that the Commission convene into a closed executive session.** The commission, including the alternate, and staff left the town council chambers and met in the executive conference room for the executive session.

The Planning & Zoning Commission was re-convened at 6:45 pm.

**ACTION ITEMS:** There were no action items for this meeting.

**INFORMATION ITEMS – FROM STAFF: COUNCIL ACTION OF PRIOR P&Z CASES:** **Dingee** stated that the two Conditional Use Permit cases that were forwarded to Town Council were approved.

**Lineberry** provided updates for the General Plan. She encouraged everyone to make comments and that all comments received are reviewed by the steering committee. **Meadors** asked if all the zoning districts were changing. **Lineberry** stated that those designations in the General Plan are Land Use Designations, not zoning districts. The new plan has more designations to help staff and the community regulate what can happen in certain places.

**INFORMATION ITEMS – FROM THE COMMISSIONERS:** There were no items from the commissioners.

**INFORMATION ITEMS – FROM THE CHAIRMAN:** **Merritt** shared a couple of educational items.

1. **Sewer – Estimated Cost** – He shared that he recently talked with a contractor who has done road work in this town and that this contractor estimated that the cost is about \$300 per foot, and for

only pipe, it runs about \$220 per foot. These costs are part of the items taken into account by developers and determined whether it is cost-effective to move their projects forward.

2. **Grocery Stores** - **Merritt** again took advantage of talking with an acquaintance that is familiar with grocery stores and what it would take to have a second store in Chino Valley. That industry looks at things like population, overall positive 5-6 year population increase, and what type of store it would be. If the store provided other items than groceries, i.e., clothing, bbq, furniture, etc, then the pre-covid cost was estimated at \$24 Million to just build the store, and that estimate is over three years old. To operate that type of store the minimum sales per week would need to meet or exceed \$800,000 per week. That figures out to approximately \$52 per person (not families, but each person) per week to sustain that store. These figures highlight why the town currently has only one store. **Switzer** mentioned that some smaller towns have Wal-Marts, perhaps hoping for future development.

**INFORMATION ITEMS – FROM THE PUBLIC:** There were no comments from the Public.

**ADJOURN** – A motion was made by **Meadors** and seconded by **Pasciak** to adjourn the meeting at 7:06 p.m.



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Charles Merritt - Chair



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Prepared By: Dee Dee Moore