

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: December 3, 2009**

SUBJECT: Zoning Map Change (ZMC09-004) – Polland Family Trust

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Joe Scott, A.I.C.P., Planner, for Richard T. Parker, Community Development Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: See attachments with Public Hearing

SUMMARY/BACKGROUND: The Town Council is being asked to consider a request by the Polland Family Trust, for a Zoning Map Change (ZMC09-004) from RCU-70 (Residential; Conditional Use Permits) and R1L-70 (Residential; Single Family Limited) to C3-PAD (Commercial; Minor Industrial-Planned Area Development.) on approximately sixteen (16) acres generally located adjacent to the west side of State Route 69, between Village Creek Blvd. and Bradshaw Mountain Road, in the Dewey area, comprising APNs 402-14-225G, 402-14-225H, and a portion of 402-14-225C. Most of the subject property was part of annexation ANX 03-J and more recently ANX09-001 for the two (2) acre parcel.

Of the total sixteen (16) acres requested for rezoning, fourteen (14) acres was already designated as Regional Commercial in the *General Plan 2020*. GPA04-002 was approved by the Planning and Zoning Commission at the June 14, 2004 meeting. Resolution 581 affecting this change was approved by the Town Council August 12, 2004. An adjacent two (2) acre parcel under the same ownership was the subject of a public hearing before the Planning and Zoning Commission on September 14, 2009 to also be designated as Regional Commercial and was recommended for approval. The Town Council subsequently approved GPA09-002 by Resolution No. 1672 at the November 19, 2009 meeting. The Regional Commercial Designation has been approved for other nearby property adjacent to State Route 69. The property is located in Tier II of the *General Plan 2020* and is considered “logical for extension of development and infrastructure being contiguous to existing development in Tier I. The requested C3-PAD zoning is appropriate in the Regional Commercial designation.

Also, at that meeting of September 14, 2009 the Commission considered a request to rezone (ZMC09-004) the subject two (2) acres along with the adjacent fourteen (14) acres from RCU-70 (Residential; Conditional Use Permits) and R1L-70 (Residential; Single-Family Limited) to C3-PAD (Commercial; Minor Industrial-Planned Area Development.) The Commission recommended approval of the rezoning request in a separate motion with the recommended conditions of rezoning contained in the attached Ordinance. Although the Commission was asked to make recommendations on the General Plan Amendment and Zoning Map Change at the same meeting, it is Town policy to first adopt a General Plan designation on certain property at a separate meeting before returning to the Council for a requested rezoning of the property.

This subject property is adjacent to existing C3 zoned property to the north and is in the vicinity of significant amounts of other C3 zoning that existed while under Yavapai County jurisdiction, portions of which are now in the Town of Prescott Valley (Exhibit “A”). The Town Council also recently approved C3 zoning (with limitations) for the site of the former Humboldt Unified School District

(HUSD) office on property located along Turquoise Drive, which is to the south of this site. In conjunction with the HUSD rezoning (ZMC03-003).

The prior annexations of this property, as well as other properties along the Dewey corridor, was approved based on past actions and policies of the Town Council for the extension of the Town's water and wastewater system along the Route 69 corridor area to accommodate new commercial business. The Town has embarked on a phased project to fund, design and construct certain improvements required to extend its wastewater system southeast, within or near, the State Route 69 right-of-way to service real property adjacent to, or near, said right-of-way.

Staff observes that the proximity to Highway 69 makes this property appropriate for commercial and light industrial uses, subject to certain limitations that control uses that could be incompatible with adjacent residential uses. Conditions of approval for C3-PAD zoning include requirements for a two hundred (200) foot open space buffer area adjacent to the Prescott Country Club, in addition to proper screening and buffering of uses and limit outside uses that would impact the residential neighborhoods.

The sixteen (16) acres comprising the subject property presently contains one structure, that being the prior "Century Productions", that had operated under a Use Permit issued by Yavapai County. The Use Permit is no longer valid; however, this existing building would be compatible with the C3 zoning and required limitations and restrictions offered as conditions of approval. Access to "Century Productions" is afforded from State Route 69 per an access permit from A.D.O.T. Any expansion of uses, or additional uses, would require review and approval by A.D.O.T., and may require other improvements or restrictions.

The property may be developed in phases involving separate parcels. Under the provision of Article 13-19, Planned Area Development Districts (PADs) are zoning districts formed on top of other zoning districts (i.e., overlay districts) which modify the regulations of the districts with which they are combined. The features of the PAD district are intended to allow some flexibility in dealing with the formation of land parcels and specific project development. Final parcel configurations will be established through the Final Development Plan (FDP) process, as opposed to creating fixed lot lines with a subdivision plat. Final Development Plans (FDP) are required for each specific development project in the PAD District and are approved by Council after approval of the PAD District by the Commission. The FDP process will allow for additional review by staff of all applicable Town Codes and conditions of approval.

"Neighborhood Consensus" is a fundamental aspect to development proposals requiring changes to the *General Plan 2020* and/or rezoning. The applicant conducted a Neighborhood Meeting with property owners on July 8, 2009 and noticed owners within a one thousand (1,000) foot radius. Both the requested General Plan Amendment and requested rezoning were both discussed. The meeting attendance represented eight (8) properties. The concerns expressed were that they did not want disturbances of noise, light, and views, or Powderhorn Pass Drive extending to State Route 69. It was explained that there would be no connection into the Prescott Country Club. It was explained that the conditions of rezoning would require a buffer for non development, and also limitation on uses, noise and lighting.

OPTIONS ANALYSIS: The Town Council may approve this Zoning Map Change, direct staff to address additional concerns prior to approval, or decline to approve this re-zoning.

ACTION OPTION: Motion to read Ordinance No. 739 by title only on two separate occasions, and then place the same on final passage, **OR** Motion not to read Ordinance No. 739. **VOTE.**

[if the vote is in favor of reading Ordinance No.739 the Mayor asks the Town Clerk to read the Ordinance once by title only for the first reading]

RECOMMENDATION: Staff recommends approval of Zoning Map Change ZMC09-004.

FISCAL ANALYSIS: Development of this project will provide direct one-time transaction privilege tax revenues to the Town through construction, followed by regular transaction privilege tax revenues based on transactions conducted by the proposed use.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____