

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: February 24, 2011**

SUBJECT: ZMC10-004 - Arizona Agribusiness and Equine Center (AAEC)

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Ruth Mayday, Planner, for Richard T. Parker, Community Development Director

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

ATTACHMENTS: a) Ordinance No. 755 with attachments b) Site Plan c) Location Map d) Prop. 207 Waiver

SUMMARY/BACKGROUND: Consideration of a request by DLR Group, Agent for the Arizona Agribusiness and Equine Center, a request to rezone approximately five (5) acres north of Civic Circle, East of Civic Drive, South of Long Look, and East of Viewpoint Drive from C2-PAD to C3-PAD. The rezoning will allow for use of the premises as a hospital or clinic for animals, including boarding and lodging facilities in completely enclosed, soundproofed buildings as a use by right. The use of this site for an education facility is a use by right; the ancillary use of the facility for animal boarding and lodging purposes is allowed once a use permit is approved under existing zoning. In this case, the applicant requests the zoning change to C3-PAD as the Use by Right secures the right to the use in perpetuity.

The land use designation for this parcel is set forth in the Prescott Valley Town Center plan which must be considered in determining whether the requested zoning change is supported by the existing land use designation. Exhibit 2 is the Land Use Map from the Prescott Valley Town Center Plan. The area under consideration for rezoning under this application currently carries a Land Use designation of Mixed Use, Limited Retail (MU-LR). As defined in the General Plan and the more specific Town Center Plan, this designation supports residential and employment uses, along with a limited amount of convenience retail. It is upon the inclusion of employment opportunities and limited retail establishments that commercial zoning of this area has been supported in the past to achieve the current C2 –PAD zoning classification.

Article 13-19 sets forth the purpose and procedure for the Planned Area Development overlay district, which is also requested for the site. By definition this overlay district allows for flexibility in design while maintaining consistency with the purpose and intent of the General Plan and zoning classifications. The definition for hospitals and clinics for animals found in 13-15-020 A 2 (a) stipulates that any boarding or lodging facilities are within completely enclosed and soundproof buildings. The purpose of this stipulation is to minimize noise from barking dogs and meowing cats that are boarded or otherwise lodged at an animal hospital or clinic. Unlike dogs and cats, horses do not vocalize communication frequently; once they have determined who is in the herd and where they are located, they tend to communicate via body language rather than vocally. In strictly applying the zoning requirement that boarding and lodging facilities be contained within completely enclosed soundproofed buildings, the desired effect of mitigating animal noise by completely enclosing the barn and arena facilities would not be achieved as there is little animal noise to constrain. Thus, Applicant's request for relief from this stipulation is warranted. The site is laid out to meet the one hundred (100) foot setback from adjoining residential uses. Additional screening has been added to further buffer this use from surrounding properties.

A neighborhood meeting was conducted by the applicant on December 10, 2010 after notifying all property owners within a one thousand foot radius of the proposed location by first class mail. It was reported that four (4) persons attended the meeting, were informed of the rezoning request and that three (3) expressed concerns about horses at this location.

A public hearing for ZMC10-004 was held at the regular meeting of the Planning and Zoning Commission on January 10, 2011 and the Commission voted unanimously to approve ZMC10-004 as submitted and forward the same to Town Council with a recommendation for approval.

OPTIONS ANALYSIS: The Council may approve this Zoning Map Change (ZMC10-002), direct staff to address additional concerns prior to approval, or decline to approve this Zoning Map Change (ZMC10-002).

ACTION OPTION: [The Mayor asks the Town Clerk to read Ordinance No.755 once by title only for the second reading, then asks "Shall the Ordinance Pass?"] VOTE.

RECOMMENDATION: Staff recommends authorizing signature of Ordinance No. 755 approving Zoning Map Change ZMC10-004.

FISCAL ANALYSIS: Development of this property will provide direct one-time transaction privilege tax revenues to the Town through construction, and provide additional education and employment opportunities for the community.

REVIEWED BY:

Management Services Director _____ Town Clerk _____
Town Attorney _____
Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____