

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: March 8, 2012**

**SUBJECT:** Zoning Map Change (ZMC11-003) – Mountain Rose

**SUBMITTING DEPARTMENT:** Community Development Department

**PREPARED BY:** Joe Scott, Planner, for Richard Parker Community Development Director

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

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**ATTACHMENTS:** a. Ordinance No. 768, b. Refer to Attachments “a” – “j” as part of the Public Hearing for this item.

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**SUMMARY/BACKGROUND:** This is a request by Mountain Rose Properties, L.L.C., for a Zoning Map Change (ZMC11-003) from R1MH-10 (Residential; Single-Family Mobile/Manufactured Home) and R2-6 (Residential; Multiple Dwelling Units) to R2-3 PAD (Residential; Multiple Dwelling Units - Planned Area Development) on approximately three (3) acres located at the northwest intersection of Navajo and Lakeshore Drives. [Exhibit “A”] The requested zoning change to R2-3 PAD would allow for 1 unit per three thousand (3,000) square feet of land area which will accommodate the proposed forty-three (43) multi-family units as illustrated on the accompany Preliminary Development Plan (PDP12-001). [Exhibit “B”]

In September of 2004, Mountain Rose Properties, L.L.C. requested a Minor Amendment (GPA03-005) to the Prescott Valley *General Plan 2020* to change the land use designation from Medium Density Residential to Medium-High Density Residential on approximately one (1) acre located on the west side of Navajo Drive north of Lakeshore Drive. There was also a separate application submitted for a Zoning Map Change (ZMC04-014) from R1MH-10 and R2-6 to R2-3 PAD on the total three (3) acre site. At the November 8, 2004 meeting, the Planning and Zoning Commission approved GPA 04-005 which was subsequently approved by the Town Council December 2, 2004 by Resolution No. 1316 (Exhibit “C”).

At the December 2004 meeting, the Planning and Zoning Commission also considered the rezoning request on the subject three (3) acres with the same preliminary development plan. Access to the property was indicated at a location based on the Navajo and Lakeshore Drive improvements being designed by the Town that included a signalized intersection, widening of Navajo Drive with turn lanes among other things. Then Chairperson Bourdon indicated that he would like further information from the Town’s Engineering Department on whether this proposal needed a traffic impact analysis, or if the Engineering Department supported the proposed configuration for site access in light of proposed roadway improvements for this area. As a result of the concerns related to access and traffic congestion, the item was deferred until further information could be garnered. A Traffic Assessment for the project was subsequently prepared by Lee Engineering dated December 1, 2005 with recommendations (Exhibit “G”). At the same time, the Town was working on improvement plans for the section of Navajo Drive north of Lakeshore Drive with the intent to incorporate the best location for an access drive into the proposed project based on the study. Because of the economy, the project was subsequently put on hold by the owners. When the prior application became over two-years old, it was no longer considered active.

The owners have recently submitted a new rezoning application (ZMC11-003) to seek zoning entitlement for the property consistent with the General Plan 2020.

This project has considerable prior history. It is comprised of portions of Lots 2729, 2730, 2731, 2732 and a portion of Tract "A" of Prescott Valley Unit 8. The original zoning on the lots and Tract "A" at the time of the Town's incorporation was R1MH-10 (Residential; Manufactured and Mobile Home). Subsequently, Tract "A" was subsequently split into two (2) parcels, with the northerly portion (approximately six (5.7) acres) being sold by Prescott Valley Incorporated to Miner, et., al., and the southerly portion (approximately thirteen (13) acres) being sold to the Town of Prescott Valley. The northerly portion was later conveyed from Miner to Sparks in 1983 and was rezoned from the original R1MH-10 to R2-6 by Ordinance No. 108 on July 10, 1985.

Around that time, the Town wished to realign and extend Lakeshore Drive through this area and acquired approximately two (2) acres of the northerly acres in September of 1993 to provide for this extension. This created two (2) segregated parcels owned by Sparks (Exhibit "D", remaining "Areas D & E"). In conjunction with the deeding of the property, the Town entered into a development agreement with the property owner by Resolution No. 507 to provide cash payment and other considerations in the form of property improvements (i.e. road work, culverts, fill and grading and drainage work, as well as a possible FEMA map change). The agreement indicated that the remaining parcel to the north (identified as "D") could support thirty-one (31) multiple-family units, and the remaining parcel to the south (identified as "E") could support eleven (11) multiple-family units. This was based on the fact that the Town Code previously allowed parcel size calculations for density purposes to be made to the centerline of adjacent roadways. However, development of the property was never completed and the Code provision for allowing calculations to the centerline of roads was later changed. Parcels "D" and "E" were eventually sold to Mountain Rose Properties, L.L.C., in October of 2001 with the intent to follow through with the original development plan contained in Resolution No.507.

In 2004, the Town again needed property in the vicinity to widen Lakeshore Drive and install drainage features in the area. But, this would further diminish the usable area of the property. A Letter of Agreement was eventually approved by the Town Council that allowed for acquisition of the needed right-of-way in return for Town support of a rezoning of the property to R2-3 PAD to allow the number of units agreed to earlier (Exhibit "E"). Of course, since lot calculation to the centerline is no longer in effect, the original number of units would not fit on the property so Mountain Rose Properties has acquired portions of adjacent oversized mobile home lots to be combined to the parcel by a Reversionary Plat. Such a Preliminary Reversionary Plat was considered at the September 2004 Planning and Zoning Commission Meeting and approved, but later expired when the project did not go forward. In 2009, Mountain Rose Properties submitted a new application for a Reversionary Plat (RP09-002) to combine the portions of Lots 2729, 2730, 2731, 2732 and, a portion of Tract "A". The Planning and Zoning Commission reviewed this item during regular session on August 10, 2009 and voted to approve RP09-002 (Exhibit "F") and forward it to the Council with a recommendation for approval. And, Reversionary Plat (RP09-002) was approved by the Council at its September 10, 2009 meeting. The property was removed from the Floodplain per FEMA Case No. 06-09-B060P in 2006.

In attempting to revive this long-standing project, site access and driveway issues must still be resolved. Navajo Drive north of Lakeshore Drive is impacted by the El Paso Natural Gas (EPNG) main line that runs adjacent to the subject property and underneath Navajo Drive. This affects grades, alignment and sight distance due to the rather shallow depth of the gas line. Previous discussions with El Paso Natural Gas (EPNG) about lowering the actual depth of the pipeline to allow flattening and straitening of the roadway have not borne fruit. Therefore, the Town has worked with Civiltec Engineering to prepare improvement plans that account for these limitations. A Traffic Assessment for the project was prepared by Lee Engineering (December 1, 2005) based on the current Navajo Drive configurations and full build-out of the planned improvements set forth in the Civiltec plans. The Assessment recommended speed

reductions and certain signage and lane configurations on Navajo Drive. [Exhibit "G"] The Assessment concluded that the drive access and design was adequate to serve the project traffic volumes and traffic movements if all of the plan improvements were in place. An update to the Civiltec plan was made in 2010 to include the recommended driveway location. With re-design of the roadway profile and access location according to the plan, the Town can recommend approval of the project. However, the Town currently does not have funding for these improvements so any approval of the rezoning would require as a condition that if the improvements are not made by the Town then the developer would have to make them.

The Preliminary Development Plan approved by the Planning and Zoning Commission at the same time it recommended approval of this rezoning (Exhibit "C") provides the guidelines for development of the three (3) acre site to accommodate forty-three (43) apartment units compatible with Density District 3. The Town would provide water for the project at an agreed price and participate in infrastructure per the prior agreement. If this is approved, Final Development Plans (FDPs) showing details of site infrastructure and buildings will need to be provided to the Council for review after evaluation of Subdivision Code requirements by the Town Engineer.

It should be noted that the applicants conducted a Neighborhood Meeting with nearby property owners on December 7, 2011, after providing notice within a one thousand (1,000) foot radius. It was reported that ten (10) people signed in. Comments were made about the height of the buildings, the number of cars on the property, traffic lights and traffic. One suggestion was that the Town not approve the project but simply buy the property for purposes of extending Mountain Valley Park. [Exhibit "H"]

At the Planning and Zoning Commission meeting on February 13, 2012, the Commission voted unanimously to recommend approval of rezoning ZMC11-003 and forwarded it to the Town Council for action. The Commission believes it is in conformance with the General Plan and is consistent with past agreements and actions of the Town Council.

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**OPTIONS ANALYSIS:** The Council may approve this Zoning Map Change (ZMC11-003), direct staff to address additional concerns prior to approval, or decline to approve this Zoning Map Change (ZMC11-003).

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**ACTION OPTION:** Motion to read Ordinance No. 768 by title only on two separate occasions, and then place the same on final passage, AND to sign any agreement under Proposition 207. **OR** Motion not to read Ordinance No.768. **VOTE.**

[if the vote is in favor of reading Ordinance No. 768, the Mayor asks the Town Clerk to read the Ordinance once by title only for the first reading]

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**RECOMMENDATION:** Staff recommends authorizing signature of Ordinance No. 768 approving Zoning Map Change ZMC11-003.

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**FISCAL ANALYSIS:** The potential development of this property may eventually provide additional residential housing opportunities and provide related transaction privilege/use tax revenue for the Town.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved    Denied    Tabled/Deferred    Assigned to \_\_\_\_\_