

**TOWN OF PRESCOTT VALLEY  
REGULAR COUNCIL MEETING  
MINUTES  
FEBRUARY 14, 2008**

Magistrate Court/Council Chambers  
Civic Center  
7501 E. Civic Circle  
Prescott Valley, Arizona 86314

1. *CALL TO ORDER*
2. *INVOCATION*
3. *PLEDGE OF ALLEGIANCE*
4. *ROLL CALL*

The meeting was called to order by Mayor Skoog at 5:30 p.m. in the Magistrate Courtroom/Council Chambers. Pastor Troy Powers, Prescott Free Methodist Church, gave the Invocation after which the Pledge of Allegiance was said in unison. The following council members were present for roll call:

Harvey Skoog	Mayor
Harold Wise	Vice-Mayor
Fran Schumacher	Council member
Bob Edwards	Council member
Mike Flannery	Council member
Mary Baker	Council member
Lora Lee Nye	Council member

5. *ANNOUNCEMENTS & PRESENTATIONS*
  - a. *30<sup>th</sup> Anniversary Poster Contest*

Anika Utke, Granville Elementary School, was presented the Grand Prize by Council member Nye for the 30<sup>th</sup> Anniversary Poster Contest put on by the Town of Prescott Valley and the Arts and Culture Commission. Also present was Anika's teacher, Sheryl Slothower and Anika's mother, Jodi Vale.

Council member Nye also announced the following award recipients: Sabrina Paris, Granville Elementary School, 1<sup>st</sup> Place Merit Award; Brent Sherwood, Granville Elementary School, 2<sup>nd</sup> Place Merit Award; Samuel Elliott, Liberty Traditional School, 3<sup>rd</sup> Place Merit Award; Daniel Ramsey, Liberty Traditional School, 4<sup>th</sup> Place Merit Award; and Levi Korakas, Liberty Traditional School, 5<sup>th</sup> Place Merit Award.

6. *PROCLAMATION*
  - a. *Arizona Statehood Day*

Town Clerk, Diane Russell, read the Arizona Statehood Day proclamation and Mayor Skoog presented the proclamation to a retired council member from the City of Phoenix.

*b. Arizona Adult Literacy Week*

Town Clerk, Diane Russell, read the Arizona Adult Literacy Week proclamation and Mayor Skoog presented the proclamation.

**7. COMMENTS/COMMUNICATIONS**

No comments were forthcoming.

**8. CONSENT AGENDA**

- a. Approval of Minutes – January 24, 2008*
- b. Approving a renewed Community Services Agreement with United Animal Friends to assist indigent dog owners to spay and neuter their animals*
- c. Accepting for recording a Public Utility Easement within the private Enterprise Parkway*
- d. Accepting for recording an easement on Parcel No. 103-38-617, Lot No. 8905, located at 4683 Calle Santa Cruz, for public drainage purposes*
- e. Approving Accounts Payable for January 18 – February 7, 2008*

Vice-Mayor Wise made the MOTION, seconded by Council member Nye to accept the consent agenda as read, by electronic vote. MOTION carried with 7 ayes and 0 nays.

**9. UNFINISHED BUSINESS**

- a. Consideration of approving the second reading, by title only, and possible passage of Ordinance No. 709 adopting by reference through Resolution No. 1558 the public record “Business License Revisions”*

The council had no further comments as this was the second reading of this ordinance.

Council member Nye made the MOTION, seconded by Council member Schumacher to approve the second reading of Ordinance No. 709 adopting by reference, through Resolution No. 1558, the public record “Business License Revisions”, and placing the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

The Town Clerk, Diane Russell, read Ordinance No. 709 for the second reading by title only.

**10. NEW BUSINESS**

- a. Consideration of awarding a construction contract to Grady’s Excavating in an amount up to \$913,809.02 for all bid schedules for the Mountain Valley Park improvements, AND approving an Amendment to the Town Engineer Agreement with Dava & Associates, Inc. for construction period services for an amount of \$75,555.00, AND approving the necessary budget transfer as detailed in the Fiscal Analysis (CIP#P303)*

Parks and Recreation Director, Brian Witty, reported that the approved budget for Fiscal Year 2007/2008 includes the improvements of Mountain Valley Park, CIP #P303, funded by Parks & Recreation Development Impact Fees. This project includes improvements and facilities to maximize services at Mountain Valley Park in order to serve the Town's increasing population. The lowest responsive bidder is confirmed to be Grady's Excavating in the total bid amount of \$913,809.02 for all four bid schedules. (Each bid schedule represents a different portion of the park and therefore a different schedule for completion of each section, so that park activities can continue as scheduled.)

This action involves a budget transfer of \$500,000.00 from the Boys and Girls Club Expansion, CIP #258 to the Mountain Valley Park Improvements, CIP #P303 project. Both projects were approved in the fiscal year and were funded by Parks & Recreation Development Impact Fees. The Boys and Girls Club project will not be moving forward within the current fiscal year and, therefore, this budget is available for transfer. Previous actions approved budget transfers from the Mountain Valley Park Improvement project, to the Mountain Valley Splash Pad, CIP #P184, and Skate/Bike Park Expansion.

This action is for consideration of award of a construction contract to the lowest responsive bidder, Grady's Excavating, for all bid schedules, in the amount of \$913,809.02, and for approval of an Amendment to the Town Engineer Agreement with Dava & Associates, Inc., in the amount of \$75,555.00, for professional services for the construction period (\$59,650.00) and engineering services (\$15,905.00), and for a budget transfer.

Council member Flannery asked what the engineering estimate was. Parks and Recreation Director, Brian Witty, responded that it was \$1,200,000.00 which is well under the bid received from Grady's Excavating. Council member Flannery also asked if the Town Engineering agreement would include all of the information that has been missed through the years for all of the park or just the construction affected areas. Witty said it would be for the entire Mountain Valley Park.

Council member Schumacher asked if we have done work with Grady's Excavating before. The response was that the Town has and Grady's is currently working on the library project. Capital Projects Coordinator, Kim Moon, confirmed that Grady's has also worked on other past projects.

Parks and Recreation Director, Brian Witty, also added that the construction schedule, if item is approved, would begin February 25, 2008. The first phase will be the 4-plex location (the ball diamond parking lot). This would be completed about March 22, 2008. On March 24, 2008 the next phase will begin. This will be the pool, amphitheatre roadway and then the Nace Lane realignment and then the realignment of the Nace Lane parking lot. The anticipated length of time on the entire project is 120 days, in time for the 4<sup>th</sup> of July celebration to be held at the park.

Council member Nye added that the parks are much loved and sometimes abused and it's time to move on with the work. She was also happy to hear that the work was scheduled to be completed in time for the 4<sup>th</sup> of July.

Council member Schumacher made the MOTION, seconded by Council member Edwards to approve award of a construction contract to the lowest responsive bidder, Grady's Excavating, in an amount up to \$913,809.02 for all bid schedules for this project, AND to approve an Amendment to the Town Engineer Agreement with Dava & Associates, Inc. for construction period services in the amount of \$75,555.00, AND to approve the budget transfer as detailed in the Fiscal Analysis, by electronic vote. MOTION carried with 7 ayes and 0 nays.

*b. Public Hearing*

*Open Public Hearing*

*Potential Community Development Block Grant Projects*

*Close Public Hearing*

Mayor Skoog declared the public hearing open.

Deputy Town Manager, Ryan Judy, stated that the Town of Prescott Valley is working with the Northern Arizona Council of Governments (NACOG) to award funding to eligible sources for Community Development Block Grant (CDBG) funds. The Town is expected to receive approximately \$740,000 from this program. The Town may also apply for a competitive grant for up to \$300,000 in additional funds. Projects must meet one of the following criteria to be considered eligible for this funding: 1) at least 51% of the persons who benefit from the project must be low to moderate income; 2) the project must aid in the prevention or elimination of sums or blight; or 3) the project must solve an urgent health hazard need.

On November 29, 2007, was the first public hearing to collect input on projects and ideas. Council met again on January 4, 2008 to prioritize the projects. At that meeting it was council's prerogative that the Town move forward with the extension of utilities and infrastructure to a proposed new industrial park as the most desired use of these funds.

Following the council meeting, a meeting was held with the Department of Commerce and the Department of Housing to discuss this concept. They said that it is possible to use CDBG funds for job creation if you have a business that will co-sign the application. Having received this information, they came back and met with Gary Marks, Prescott Valley Economic Development Foundation, and decided that instead of extending infrastructure to a new industrial park, the money would be used for an existing industrial park. What is being proposed is that the monies will be used to extend Enterprise Parkway to Hwy. 69. There are several businesses there who are interested in hiring new employees. That project is estimated to cost \$1,400,000.00. CDBG funds would be used for half of this amount and seek other grants or Town funding for the balance.

This is a second public hearing to discuss potential projects. After a meeting with the Arizona Department of Housing and the Arizona Department of Commerce, representatives of these agencies suggested that the Town hold an additional public hearing to gather input and discuss additional projects.

- Jean Lasher – New Horizons Independent Living Center – This is a non-profit agency providing services for people with disabilities. One of their projects is

transportation. This is a service that started about five years ago with a donated mini-van. This vehicle is no longer in service. Today there are two maxi-vans and two mini-vans. There are seven drivers, two of which are full time and the rest are part time, and a transportation coordinator. These services are available to people who are low income, people with disabilities, seniors who need transportation (accepting people with NACOG vouchers). She thanks Council for providing this service. January 2008 mileage on the four vans was a total of 9,153 miles, providing service to 1,307 people. The existing vans are anywhere from four to eight years old and three of the vans have over 100,000 miles on them. The request brought forward to Council is provision of another van for approximately \$40 - \$50,000.00.

Another project they would like to present before Council is a multi-service center for a variety of non-profits that would be together in one location offering community based services, centrally located that seniors, low income and people with disabilities would be able to go to and get needed services and resources. They do not know what amount they would need for this project at this time but would be able to quickly work up some figures upon request.

There being no further comments, Mayor Skoog closed the public hearing.

*c. Public Hearing*

*Open Public Hearing*

*Zoning Map Change from R1L-70 (Residential; Single Family Limited) and PAD (Yavapai County – Planned Area Development) to C2-PAD (Commercial; General Sales & Service – PAD) and RS-PAD (Residential and Services – PAD) on approximately 58 acres located on the east side of State Route 69, north and south of the intersection with Kachina Place (ZMC07-013)*

*Close Public Hearing*

Mayor Skoog declared the public hearing open.

Planner, Joe Scott, reported that a public hearing to take comment on a request by Rod Spray, Owner and Agent, for a Zoning Map Change from R1L-70 (Residential; Single-Family Limited) and PAD (Yavapai County – Planned Area Development) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) and RS-PAD (Residential and Services – Planned Area Development) on approximately fifty-eight (58) acres generally located on the east side of State Route 69, north and south of the intersection with Kachina Place.

The subject property was part of Annexation ANX04-C that comprised a total of two hundred twenty-four (224) acres on April 29, 2004 (Ordinance No. 585). The original zoning on the annexed property was designated as R1L-70 and PAD (Yavapai County – Planned Area Development) as existed in Yavapai County at the time of annexation.

At the time of annexation all of the property within the annexation boundary was outside of the Prescott Valley *General Plan 2020* boundary. However, at its November 13, 2006 meeting, the Planning and Zoning Commission recommended approval of a Major General Plan Amendment that, among other things, included the expansion of the Tier II boundary and the PAD 5-II boundary to include all the annexed lands (along with certain State Lands). GPA06-001 was approved by the Town Council at its December 7, 2006 meeting. Recognizing the proximity to State Highways, the amendment also included various text changes defining the Chapter as: *Offering diverse housing, commercial, office and employment opportunities for people working or living in the vicinity of the Highway 69 corridor and to serve the surrounding communities.* PAD 5-II defines Land Uses as: *Low density residential, Medium Density Residential, Medium High Density Residential, Regional Commercial, Community Commercial and Neighborhood Commercial and Open Space.*

The requested rezoning and proposed land uses illustrated on the conceptual Preliminary Development Plan are consistent with the recommendations of the Town's *General Plan 2020*. The requested C2-PAD and RS-PAD zoning is intended to provide the most development flexibility for the property. The applicant desires to rezone several contiguous parcels into a comprehensive mixed-use development consisting of multi-family and commercial retail (utilizing the RS-PAD and C2-PAD zoning, respectively).

Planned Area Development Districts (PADs) are zoning districts established over underlying zoning districts which modify the regulations of the districts with which they are combined. PADs allow groups of structures to be designed for construction as a "unified" project under a "plan". The purpose of PADs is to help develop large areas and encourage variations in environments, commercial facilities, building styles, lot sizes, lot arrangements, site plans, streets and utilities. A Final Development Plan is approved by the Town Council following approval of a Preliminary Development Plan.

The area in consideration is west of State Route 69 and Kachina Place and goes to the west bank of the Agua Fria River. The northern portion is desired to be multi-family and the southern portion is intended as retail commercial. In addition, the developers are requesting a maximum building height of up to seventy (70) feet within the proposed RS-PAD areas to accommodate building heights to include a maximum of five usable levels approximately eleven (11) feet per story (with additional height for structural support, roofing, and utilities). This height allowance will compensate for the proposed one hundred (100) foot right-of-way dedication that the developers will be providing along the eastern boundary. It is the intention of the developers to participate in a Community Facility District in order to provide the sewer and water infrastructure.

The anticipated circulation for the project consists of the existing signalized intersection at State Route 69 and Kachina Place in conjunction with a planned north/south regional collector, generally along the Agua Fria (on the east side of this site), extending from State Route 169 up to Bradshaw Mountain Road. This regional collector is part of the Circulation Element of the *General Plan 2020*. Development of the collector will be based on specific requirements of this or any other project in the region, or will be partially developed through the formation of a Communities Facilities District. A preliminary Focused Traffic Study was prepared, dated November 13, 2007, providing a summary of findings and recommendations as to the roadway

infrastructure needs for different phases of this development. Any access from State Route 69 and 169 will be subject to requirements of the Arizona Department of Transportation (ADOT). A more detailed study will be required by the Town Engineer in conjunction with more specific Final Development Plans.

The applicant conducted a Neighborhood Meeting with property owners on September 7, 2007 and notified owners within a one thousand (1,000) foot radius. Approximately fourteen (14) persons attended, none of which voiced objections to the proposed rezoning application; rather, attendees expressed interest in what might be constructed at the site and the proposed schedule of construction activities.

The Planning and Zoning Commission considered this request in a public hearing at its January 14, 2008 meeting, and voted unanimously to recommend approval of the re-zoning by the Town Council. The Council is now asked to consider this request.

A letter was received by the Community Development Department this week from the one adjacent property owner. This property is not involved in the rezoning. Mr. Andrist, voiced objections. He also voiced objections at the Planning and Zoning Commission meeting and stated his concern for the horses on his property that would be disturbed or injured in conjunction with future construction that may take place. This letter will be made part of the public record and will be included in the minutes and is on file in the Community Development department.

Mr. Jones and Mr. Spray, partners in this project spoke briefly about the project and were available for any questions and asked for Council support.

Council member Schumacher asked to be shown where the property is located. Planner, Joe Scott, showed the area on the map. She further asked how many people were notified in that 1000' area. The response was about 30 to 40 landowners were notified. Approximately 14 people showed up for the meeting.

Council member Schumacher asked what is being built that is going to be 70' high and where would that be on the property. The response by Mr. Jones was on the north section of the property there are plans for apartments, including senior apartments. It will also include assisted living apartments, with different levels of care. The height of 70' is for the highest apartment to be five stories. The drawings show that the apartment will be very beautiful and a positive image for the entrance into Prescott Valley.

Council member Schumacher thinks that this 70' building will really stick out since everything else is low and she is concerned about the building being too high for the area. Mr. Jones stated that this is right on the highway and it is a transitional area from the standpoint that there will be single family residential dwellings north and to the east. These are quite a distance from the apartments. It is appropriate to have height there. All of the apartments are not going to be five stories. The front of Hwy 69 will have three story apartments and as you get to the back of the complex, there will be four and five story buildings, specifically for senior apartments. Council member Schumacher asked what will be behind the five story buildings. The response was the Agua Fria River is behind the five story building. Mr. Jones stated that the architectural concept

is very nice for this area. As each phase is brought in for final development plan approval, the Council will be looking at the plans.

Council member Nye said she supports mixed use projects and is very happy to see that this kind of project is going forward. The Town needs more of these types of living establishments and, as the population grows, more will be needed. She was also concerned about the height of the buildings but when she found out more about the project, she realized that it will all fit together and that it will, based on provided information, will look OK. But in light of its location, this is a perfect place for this project.

Council member Flannery asked if a traffic study will be required for the collector road. Planner, Joe Scott, responded that there was a focus traffic study done and it supported the five-lane arterial collector and Kachina Drive. Depending upon the level of the development in different phases of the project is whether most traffic can be handled through Kachina Drive or if a secondary access has to be provided up to Bradshaw Mountain Road or down to Hwy 69. With the final development plan there would be requirement for more detail to determine exactly how many lanes would have to be improved for that particular project.

Council member Flannery said he is concerned about the collector and it dumping onto Bradshaw Mountain Road and on Hwy 69. With it being so close, will there eventually be warrants for traffic signals? Planner, Joe Scott, responded that more detailed traffic studies would determine when that point would be reached. Council member Flannery said that the road is already very close to the existing lights. Scott said that a location has been approved by ADOT for a single intersection, which is far enough back from Hwy 69. It will be on the west side of Agua Fria.

Vice-Mayor Wise asked what the distance is between where the proposed four and five-story apartments “at the back of the property to across the floodplain to the next piece of ground that could be developed in the future”. Planner, Joe Scott, asked if he meant across the Agua Fria in the east. Scott Lyon, Lyon Engineering, said it is very wide open through this area. It is easily 300 feet wide from top of bank to top of bank. He would be able to provide more precise information.

There being no further comments, Mayor Skoog closed the public hearing.

*d. Consideration of approving the first reading of Ordinance No. 711, by title only, approving Zoning Map Change ZMC07-013*

There was no further discussion as all was discussed during the public hearing.

Council member Baker made the MOTION, seconded by Vice-Mayor Wise to read Ordinance No. 711 by title only on two separate occasions, then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk, Diane Russell, read Ordinance No. 711 by title only for the first reading.

e. *Public Hearing*

*Open Public Hearing*

*Zoning Map Change from RCU-70 (Residential; Single-Family Limited) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) on approximately seventeen (17) acres and, from PL (Public Lands) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) on approximately six (6) acres, all property generally located on the west side of Glassford Hill Road, along the north and south sides of Long Look Road (ZMC07-015)*

*Close Public Hearing*

Council member Baker abstained from this item due to a possible conflict of interest.

Mayor Skoog declared the public hearing open.

Planner, Joe Scott, reported that this is a public hearing to take comment on a request from Fain Land and Cattle Company, for a Zoning Map Change (ZMC07-015) from RCU-70 (Residential; Single-Family Limited) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) on approximately seventeen (17) acres and, from PL (Public Lands) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) on approximately six (6) acres, all generally located on the west side of Glassford Hill Road, along the north and south sides of Long Look Road.

That portion of the property generally north of Long Look Drive was recently annexed into the Town by Ordinance No. 706 on December 20, 2007. The original RCU-70 zoning was consistent with the General Plan designation of Low Density Residential which had existed on this portion. This property was not part of the adjacent Granville Planned Area Development and was excluded from the Granville project with the intention that it would provide future commercial services. Generally, the subject property south of Long Look Drive was already in the Town limits and is presently zoned as PL (Public Lands), consistent with the General Plan designation of Public/Quasi-Public put in place at the time of adoption of the *General Plan 2020* because it was adjacent to the Junior High and High School property. However, the property is located along the Glassford Hill corridor and, as the downtown has developed, it is now a logical extension of higher-intensity commercial uses planned in the Town Center.

Due to the location of the property, the Planning and Zoning Commission reviewed a request for a Minor Amendment to the *General Plan 2020* (GPA07-006) to change the designation of the subject twenty-three (23) acres to “Community Commercial” during its regular meeting on January 14, 2008, and voted to approve GPA07-006. At the same meeting, the Commission considered this request for rezoning to C2-PAD as consistent with the recommended General Plan designation. The Town Council considered GPA07-006 and approved it by adopting Resolution No. 1557 on January 24, 2008. The Council is now being asked to consider taking action on this rezoning request.

The location of this property and the uses allowed in the C2-PAD zoning district are complementary to the adjacent Town Center and are situated at a major intersection. Retail and professional services will be compatible with the Yavapai College Campus, residential neighborhoods and schools. The proposed zoning is also in conformance with the requested Community Commercial (CC) designation.

Kimley Horn and Associates has prepared a Traffic Impact Statement to describe traffic generation and to identify the access, circulation, and traffic control conditions which would be suitable for the subject property. The study, dated October 3, 2007, and the Addendum No. 1, dated December 17, 2007, along with comments from the Town Engineer, will serve as part of the Preliminary Development Plan and will be used in consideration of approval of subsequent Final Development Plans.

The uses at this location are consistent with the Town's intent to designate Glassford Hill Road, north of Tuscany Way to its terminus with the regional Chino Valley Connector, as a "Controlled" or "Limited" Access Roadway. Conversely, Glassford Hill Road, south of Tuscany Way to State Route 69, would be classified as an arterial collector, a designation which permits access by commercial driveways at properly justified spacing intervals.

In conjunction with this public hearing, the applicant contacted property owners by first class mail within a one thousand (1,000) foot radius in order to notify them of a meeting on October 18, 2007. No notified parties attended the meeting. Property owners within proximity of three hundred (300) feet were again noticed of the Commission's public hearing.

Planner, Joe Scott, introduced Mike Withey, representative of Fain Signature Group, who gave a brief overview of the project.

Vice-Mayor Wise asked if there was a connection from the project into Granville without going out onto Glassford Hill Rd. The response was yes there is a connection at Tuscany Way.

Council member Schumacher asked if people will need to go through Granville to get out of the area. The response was no they would go out through Glassford Hill Road. When the 1000' notification was done did it go into the homes that are alongside and also into Granville? The answer was yes there were people from Granville in attendance at the meeting but the homes alongside are currently vacant. There were about 6 people in attendance.

Council member Nye asked what type of businesses they were trying to attract. The response was that there could be sit-down restaurants and small shops such as there at the Fry's shopping center. This site, given the school district and residential next door, will focus on neighborhood, lower scale commercial.

There being no further comments, Mayor Skoog closed the public hearing.

*f. Consideration of authorizing the first reading of Ordinance No. 712, by title only, approving Zoning Map Change ZMC07-015*

Council member Baker abstained from this item due to a possible conflict of interest.

There was no further discussion as all was discussed during the public hearing.

Vice-Mayor Wise made the MOTION, seconded by Council member Flannery to read Ordinance No. 712 by title only on two separate occasions, then place the same on final passage, by electronic vote. MOTION carried with 6 ayes, 0 nays and 1 abstain (Baker).

Town Clerk, Diane Russell, read Ordinance No. 712 by title only for the first reading.

*g. Consideration of authorizing the single reading and possible passage of Ordinance No. 710, an emergency measure, approving annexation of one acre located west of State Route 69 north of Kachina Place (ANX07-006)*

Planner, Joe Scott, stated that this proposed annexation (ANX07-006) comprises approximately one (1) acre located in Section 3, Township 13 North, Range 1 East, G&SRM, generally located west of Hwy 69 and north of Kachina. It brings property into the Town that was part of a (200) foot strip of land left un-annexed between the Prescott Valley Town limits and the boundaries of Dewey-Humboldt. Annexation of this property will provide the opportunity to de-annex contiguous property currently in the Town of Dewey-Humboldt into Prescott Valley as has been requested by the owners (and approved by Dewey-Humboldt).

A blank petition for ANX07-006 was filed with the Yavapai County Recorder's Office on December 14, 2007, starting the necessary thirty (30) day waiting period prescribed in ARS §9-471. A public hearing was held on January 10, 2008, after statutory notice and public comment was received. Said notice included advertisement in the *Daily Courier*, postings in at least three (3) locations, a site posting, and mailings to listed property owners and to the Yavapai County Board of Supervisors.

Once the thirty (30) day waiting period elapsed, a signed annexation petition was obtained from the owners of property that would be subject to taxation by the Town and representing more than one-half (1/2) of the owners of the real and personal property in the annexation territory, and one-half (1/2) or more in value of the real and personal property in the annexation territory. Those signed petitions were filed with the Yavapai County Recorder's Office on February 6, 2008. This Ordinance is now prepared for Council action in accordance with ARS §9-471.

Council member Nye made the MOTION, seconded by Council member Schumacher to read Ordinance No. 710 once by title only as an emergency measure, then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk, Diane Russell, read Ordinance No. 710 once by title only as an emergency measure. Mayor Skoog asked "Shall the Ordinance pass?" Ordinance No. 710 passed with 7 ayes and 0 nays.

- h. Consideration of authorizing the Mayor to sign Resolution No. 1561 approving and adopting a Final Development Plan for the development of 28 casitas in 14 duplex structures on five acres located 600 feet south and west of Windsong Drive (FDP08-001)*

Planner, Ruth Mayday, stated that this is a request by BMA, Inc., Agent, for approval of a Final Development Plan (FDP 08-001) for twenty eight (28) casitas in fourteen (14) duplex structures on approximately five (5) acres generally located approximately six hundred (600) feet west of Windsong Drive and approximately six hundred (600) feet south of Windsong Drive. The proposed project will provide independent senior living units that will be incorporated into a campus setting with the twenty four (24) existing apartments south of the site, behind the Samaritan Care Facility.

The subject property was annexed into the Town as a result of Ordinance 287 on November 12, 1992. A Zoning Map Change (ZMC06-009) from RCU-70 (Residential, Conditional Use) to RS-PAD (Residential and Services- Planned Area Development) was initiated and adopted on January 11, 2007, and became effective on February 11, 2007. The Preliminary Development Plan (PDP) was approved concurrent with the ZMC.

This Final Development Plan calls for 14 “casitas” housing two (2) senior independent living units in each duplex-style structure, as well as a community center on the parcel immediately south of the subject parcel. The proposed casitas are a continuation of the assisted care and senior apartments previously developed on adjacent parcels by the Good Samaritan Society. This use is in conformance with Chapter 4, Land Use Element, Article 4.3.2.2, “Prescott Valley Town Center Plan”. The Mixed-Use/Limited Retail District is intended for a mix of residential, office and smaller retail uses and is appropriate for the R2, RS and C1 zoning districts to allow for residential uses as well as office and limited retail uses.

Council member Nye wants to know about the configuration of the casitas. Are they one bedroom or two bedroom units? Peter Burguois, BMA, answered that there are 28 total units in 14 buildings. The size is 1600 square feet of livable space. There is a two car garage in addition. These are two bedroom units that will also have an office/den combination, living room, dining room, kitchen and some outdoor space with each one. They are called casitas but it could be better characterized as cottage style units. The architecture is not southwest style. They are more of a craftsman mixed with a southwest style. She also asked where the porch is. The response was there are no porches but there is a back patio. Council member Nye said that the architects should rethink the porches. Mr. Burguois stated that the roadway is fairly narrow (20’) with trees on either side. It is designed to be a walkable community, not only within the community but connecting to the care center and a future community center building. He will, however, bring up the front porch issue with the architects.

Council member Schumacher said if they can not do front porches, maybe they could do a front patio. The response was that there is a front patio. She also wanted to know if people in the casitas can utilize the meals at the care center. The answer to this is unknown at this time.

Vice-Mayor Wise asked if there would be limited access in and out of the project. Will it be a gated community? Mr. Burquois said there will be three vehicle accesses: the first is Windsong, through the future professional plaza where there will be a card gate; the second is by the Community Center through Windsong (where the current entrance is). This will be improved and widened and shared by the professional plaza. There will not be a gate there; the third access will be a fire/emergency access only and will be gated.

Vice-Mayor Wise made the MOTION, seconded by Council member Schumacher to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1561 approving FDP 08-001 as stipulated, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- i. Consideration of authorizing the Mayor to sign Resolution No. 1562 approving and adopting a Final Development Plan for the Windsong Professional Center at the southeast and southwest corners of the intersection of Windsong and Lakeshore Drives (FDP08-002)*

Council member Baker abstained from this item due to a possible conflict of interest.

Planner, Ruth Mayday, stated that this is a request by BMA, Inc., Agent, for a Final Development Plan for the Windsong Professional Center located on the southeast and southwest corners of the intersection of Lakeshore Drive and Windsong Drive. The project comprises twenty-eight (28) buildings with an anticipated one hundred sixty-seven thousand, eight hundred fifty (167,850) square feet of office space and fifteen thousand (15,000) square feet of retail space. The Final Development Plan identifies the proposed buildings from A through Z along with buildings AA and BB. It is anticipated that development will occur in phases as the market dictates. However, approval is being requested for the entire development. Any substantial change would require an amendment to this Final Development Plan.

The site was recently rezoned to C1-PAD with the approval of Ordinance No. 673 on January 11, 2007. Among other things, conditions of rezoning require all off-site street and drainage improvements as recommended by the Town Engineer and Public Works Director, based on an approved Town Center circulation plan. Based on that approved plan, this section of Windsong Drive will need to be developed as a five (5) lane collector with five (5) foot sidewalks. The Town recently exchanged land with Paul Browning to eventually widen Windsong Drive between State Route 69 and Florentine Road. It is expected that other portions of Windsong Drive will be widened in the future as traffic demands increase.

Screening with a six (6) foot masonry wall will be provided the full length of the property along the east side adjacent to the residential neighborhood. Any two (2) story buildings shall be a maximum height of thirty-two (32) feet and shall be set back from the rear (easterly) lot line a minimum distance of one hundred fifty (150) feet. Single-story buildings shall be a maximum height of sixteen (16) feet and shall be set back from the rear lot line a minimum distance of fifty (50) feet. Architectural guidelines will be implemented by the developer to ensure a consistent architecture theme. This FDP has been reviewed by Town staff and meets Town Code requirements and conditions of rezoning.

Council member Nye wanted clarification that there was not going to be any buildings higher than two-story. The response was that 32' is the maximum height allowed and 150' setbacks. She wanted to know if there have been neighborhood meetings for this project. Planner, Ruth Mayday, said this was done with the rezoning. What participation was there? Peter Burguois, BMA, answered that the neighborhood meetings were held at the Civic Center. There were about 4 to 6 people who showed up for the meeting. Everyone was very positive about the project and asked about the requirements for the setbacks and building heights from the residences along the east side. It is consistent with the standards over in the Windsong area. One man was emphatic that he wants to bicycle to work. As part of the man's concern, he wanted to make sure there were adequate pedestrian ways from the neighborhoods on the east side to come into Section 14 and get to other connectors within the town. There will be walkways along Lakeshore and Windsong.

Council member Schumacher asked about one building. The response is that there is a 15,000 square foot of retail. There is no user at this time. The zoning is C1-PAD and allows for some retail uses and some commercial uses. The intent is to take advantage of the corner in the future because it will be a busy corner as Lakeshore is used more and more for traffic coming in from the east and Windsong is developed to the full 5 lanes. It also goes hand in hand with the character of the offices in the area.

Vice-Mayor Wise asked about the drainage area. This will create the distance between the neighborhoods. Will this be maintained as an open drain way? The response was yes. He also asked if the Town went in and did some floodplain work there? Town Manager, Larry Tarkowski, responded that the drainage structure was built a number of years ago. The first 600' north of Florentine has been piped. The owner adjacent to that, at their own expense, put in very large culverts. And then the Town approved parking over the top of those. In this particular area, there are significantly greater flows and there is no intention at this time to underground them.

Council member Flannery complimented staff for blading an area and putting decomposed granite down and made facility for pedestrians in this area. And they actually made it wheelchair friendly. Vice-Mayor Wise added that he also appreciates this but now we need to get people to use it.

Council member Edwards asked if the lighting has been selected for the area. Will there be special lighting? Peter Burguois said that lights have been selected for the casitas at the Good Samaritan project and the style compliments the buildings. He suspects that there will be something similar at this project. The light heights will range from 14 to 20' high. The 14' lights have more of a pedestrian feel.

Council member Schumacher asked if there will be benches along the side of the walkways. The answer was that is a great idea and they will look into it.

Council member Nye made the MOTION, seconded by Council member Schumacher to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1562 adopting Final Development Plan 08-002, by electronic vote. MOTION carried with 6 ayes, 0 nays and 1

abstain (Baker).

- j. *Consideration of authorizing the Mayor to sign Resolution No. 1563 approving and adopting a Final Development Plan for the approximately 62,000 square foot Glassford Hill Marketplace Outlots in the Glassford Hill Marketplace north of Kohl's Department Store (FDP08-003)*

Council member Baker abstained from this item due to a possible conflict of interest.

Planner, Joe Scott, reported that this is another request by BMA Architects, Agent, for a Final Development Plan for development of approximately sixty-two thousand (62,000) square feet of retail and restaurant space on approximately seven (7) acres located in the Glassford Hill Marketplace, north of Kohl's Department store. The area is divided between two building Pads along Glassford Hill Road with nine (9) possible suites and three (3) larger buildings in the rear of the parcel with seven (7) suites.

The proposed site is located in a C2-PAD (Commercial; General Sales and Services – Planned Area Development) zoning district, as established by Ordinance No. 662 in July of 2006, related to the development of the Glassford Hill Power Center on approximately seventy-five (75) acres. The applicant has provided a project narrative, shared parking plan and proposed building elevations.

Council member Schumacher asked what the height is of the tower on Retail D and the center of Retail C. The height will be approximately 32', similar to Kohl's.

Vice-Mayor Wise made the MOTION, seconded by Council member Schumacher to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1563 adopting Final Development Plan 08-003, by electronic vote. MOTION carried with 6 ayes, 0 nays and 1 abstain (Baker).

#### *10. COMMENTS FROM THE PUBLIC*

No comments were forthcoming.

#### *12. MOTION TO CONVENE INTO EXECUTIVE SESSION (PER A.R.S. 38-431.03(A)(3) and (4)) in order to discuss or consult with the attorneys or other designated representatives of the public body regarding, or to otherwise discuss or consider, the following:*

- *Prescott Valley Water District*
- *Big Chino Water Project*

Council member Schumacher made the MOTION, seconded by Council member Nye to convene into Executive Session, by electronic vote. MOTION carried with 7 ayes and 0 nays.

13. Recessed into Executive Session at 7:32pm

14. Reconvened into Regular Session at 9:30pm

*15. ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEMS*

There was no action taken related to Executive Session items.

*16. ADJOURNMENT*

Council member Nye made the MOTION, seconded by Council member Schumacher to adjourn the meeting, by electronic vote. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 9:35 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Diane Russell, Town Clerk

\_\_\_\_\_  
Harvey Skoog, Mayor

STATE OF ARIZONA)  
COUNTY OF YAVAPAI) ss:  
TOWN OF PRESCOTT VALLEY)

CERTIFICATE OF COUNCIL MINUTES

I, Candice McElhaney, Deputy Town Clerk of the Town of Prescott Valley, Arizona, hereby certify that the foregoing minutes are a true and correct copy of the Minutes of the Regular Meeting of the Town Council of the Town of Prescott Valley, held on Thursday, February 14, 2008.

I further certify that the meeting was duly called and held and that a quorum was present.

Dated this February 20, 2008

\_\_\_\_\_  
Candice McElhaney, Deputy Town Clerk