

**CITY OF SAFFORD
PLANNING AND ZONING COMMISSION MEETING
THURSDAY, JANUARY 24, 2008 – 5:30 P.M.
PHELPS DODGE ROOM - LIBRARY
800 S. 7th AVENUE, SAFFORD, ARIZONA**

“The mission of the City of Safford is to make Safford a great place to live, work, and visit”

MEMBERS PRESENT: Dr. Ray Tuttle, Chairman; Gene Fowler, Vice-Chairman; Commission Members Dalton Overstreet; Patricia Cervantez; Gherald Hoopes; and Jim Moser.

MEMBERS ABSENT: Commissioner E.C. “Buff” Cunningham.

CITY STAFF PRESENT: Pete Stasiak, Community Development Director; Sandra Findley, Administrative Assistant; and Dustin Welker, Planner/Downtown Coordinator.

VISITORS: Donald Griffin, John Hubly, Jane Dugan, H.D. Owens, Randa Owens McKinney, Richard Barnes, Scott Evans, Tucker Lucas, Jonie Burge and Richard Barnes.

Chairman Tuttle called the Meeting of the Planning and Zoning Commission to order at 5:30 p.m.

3. **PUBLIC COMMENT ON AGENDA:**

Chairman Tuttle stated he had one request regarding case Z-48-07; William E. Mullett-Commonwealth Capital Corporation which will be addressed upon discussion of that case.

4. **MINUTES:**

Review and approval of minutes of the January 10, 2008 Planning and Zoning Commission Meeting.

It was moved by Vice Chair Fowler, seconded by Commissioner Cervantez, and carried unanimously (6-1 absent) to approve the Minutes of January 10, 2008.

MOTION APPROVED

5. **PLANNING AND ZONING CASES:**

Chairman Tuttle stated that it had been requested to move item 5.3 on the agenda to the first item if there is no opposition from the Commission (no opposition).

5.3 Case Z-48-07; William E. Mullett – Commonwealth Capital Corp. Applicant is requesting a rezone (zoning amendment) of parcel No. 103-02-046 approximately 7 acres generally located at the Southeast corner of 20th Avenue and 26th Street for the purpose of

building approximately 64 apartments. Rezone to exclude the north 40 feet along 26th Street and west 50 feet along 20th Avenue. Rezone is located in that part of the NW corner of lot 3, Section 19, Township 7 South, Range 26 East of the Gila and Salt River Base and Meridian, Graham County, Arizona. The applicant is requesting a rezoning from C-1 (General Commercial) to R-2 (Multi Family Residential) for the purpose of developing an apartment complex with a small area for Commercial Development.

Mr. Stasiak stated that the property is located on the Southeast corner of 20th Avenue and 26th Street and is an approximate seven acre parcel currently zoned C-1 (General Commercial). He added that it is a similar complex to the Pinaleno Apartments. He presented a map and said the site plan meets all codes for parking, ingress and egress, and that the units will have two stories that will not exceed the thirty foot height limit. He stated that there will also be a clubhouse, pool, playground and possibly a Jacuzzi. He added that the apartments are unsubsidized which are needed at this time within the community. He stated that the only discussion at the Development Review Committee meeting on January 22, 2008 was the fact that there is a City transmission line that runs through this property that Commonwealth Capital Corporation will be responsible to move. He added that the proposed plan was to move the line down 20th Avenue and across 26th Street but the Development Review Committee favored moving the line along the edge of the property so it would not be on the street and at risk of being hit causing a major City power outage.

Vice Chair Fowler questioned the notice that stated that the rezone would exclude the north 40 feet along 26th Street and west 50 feet along 20th Avenue. Mr. Stasiak stated that was a mistake and should read a 200' section by a 500' section to be left as C-1 (General Commercial) and that he would like to add that correction as a part of the request for approval in this meeting.

Mr. Stasiak introduced Mr. Donald Griffith and asked him to address the Commission with any questions they may have. Mr. Griffith stated that they currently have 13 projects throughout the Southwest, mostly in Arizona, and that their projects are designed to retain their value using tiled roofs and stucco products.

Vice Chair Fowler asked if there will be an on-site Manager. Mr. Griffith stated they will have a business hour Manager, not a 24 hour Manager.

Commissioner Moser asked if there will be a wall around the property and Mr. Griffith stated that it has not been discussed at this point and that he was not really in favor of it.

Commissioner Overstreet asked if Police Chief Griffin had any problems with the project and Mr. Stasiak stated the only discussion that came about was the transmission line relocation.

Vice Chair Fowler asked if the access to the property lined up with the street and Mr. Stasiak stated it did not. Vice Chair Fowler asked where on the map the Presbyterian Church was located and Mr. Stasiak stated it was a few hundred feet down 20th Avenue.

Chairman Tuttle asked Richard Barnes to address the Commission under the Call to the Public. Mr. Barnes stated that he has two concerns; the first concern is that the apartments will be built on two of the busiest streets in south Safford and he thinks there would be better areas for the project. The second concern is that it mentions manufactured housing in the notice and that he is not in favor of manufactured homes in that area.

Mr. Stasiak stated that Mr. Barnes is referring to the actual permitted uses in an R-2 (Multi Family Residential) zoning and that the developer has no intention of placing manufactured homes, only the apartment complexes that they are being discussed. He added that when the developer receives site approval he cannot change that plan without again coming before the Planning and Zoning Commission.

Commissioner Moser stated that he did not see a traffic problem and made a motion to approve the site plan with the stipulation of a decorative wall defining the east, west and south side of the project and to leave the 200' x 500' strip at the C-1 zoning. Commissioner Cervantez seconded the motion. Commissioner Hoopes asked for clarification if the request was for a rezone and preliminary site approval and Mr. Stasiak that stated it was for a rezone approval. Commissioner Hoopes stated that Commissioner Moser's motion had included approval of the site plan. Commissioner Moser asked if the site plan will be approved at a later date and Mr. Stasiak stated the site plan for an apartment complex did not require approval from the Planning and Zoning Commission, only approval from the City Engineer and the Chief Building Inspector. Commissioner Moser stated that he would like to withdraw his previous motion and make a motion to approve the rezone subject to leaving the 200' x 500' strip as C-1 and subject to the addition of a decorative wall on three sides of the complex. Commissioner Cervantez seconded the motion. Commissioner Overstreet stated that he disagreed with the motion concerning the addition of the perimeter wall. Chairman Tuttle stated he thought it would be a good idea to have a wall dividing the residential and commercial areas of the project but that the other walls would be optional. Vice Chair Fowler stated that at this point we have no idea what will be going in on all three sides of the project and it would be good for security if there was a wall, but he inquired from Mr. Stasiak if the wall is a proper thing for them to be discussing at this time. Mr. Stasiak explained that at the zoning stage it was probably not proper to discuss the site plan and stated that the wall was something that could be negotiated with the developer in a development agreement. He added that if the Commission decided that they want to see a wall placed on the west side between the commercial and residential property that can be negotiated with the commercial developer when the time comes. Chairman Tuttle stated that the minutes from this meeting stating their observations and concerns should go forward to the Council since the Commission will not see the site plans. He added that it would be in the best interest of the owner to have a wall to control any tumbleweed problems. Commissioner Overstreet stated that he thinks the Commission is out of order to discuss anything other than the rezone. Mr. Stasiak stated that he will take the comments to the developer. Chairman Tuttle disagreed that the Commission was out of order and stated that the concerns should be stated here so they may be

known and brought to the Council. Vice Chair Fowler stated that since this was a rezone request he did not think it would be proper to attach the stipulations but that they could certainly attach the comments and concerns for City Staff to pursue. Commissioner Hoopes asked Commissioner Moser if he did not approve of the rezone without the wall stipulation and Commissioner Moser stated that was how he had made his motion. Mr. Stasiak stated that the wall stipulation can be brought up to the developer but that he will need to know if the Commission wants the wall on all three sides.

Chairman Tuttle stated that there should be a roll call on the vote: Commissioner Hoopes – aye; Commissioner Overstreet – nay; Chairman Tuttle – nay; Vice Chair Fowler – nay; Commissioner Cervantez – nay; Commissioner Moser – aye. Chairman Tuttle stated that the motion fails (4 nays and 2 ayes – 1 absent).

It was moved by Commissioner Overstreet, seconded by Vice Chair Fowler to approve a rezone (zoning amendment) of parcel No. 103-02-046 approximately 7 acres generally located at the Southeast corner of 20th Avenue and 26th Street for the purpose of building approximately 64 apartments. The rezone is located in that part of the NW corner of lot 3, Section 19, Township 7 South, Range 26 East of the Gila and Salt River Base and Meridian, Graham County, Arizona. The applicant is requesting a rezoning from C-1 (General Commercial) to R-2 (Multi Family Residential) for the purpose of developing an apartment complex with the exception of a 200' strip along 26th Street and a 500' strip along 20th Avenue to remain C-1 (General Commercial).

Vice Chair Fowler suggests that along with the vote a request be made that the Development Committee will look at putting some type of a wall in appropriate places around the property whether it is one or three sides, whichever they see proper for security and privacy.

Commissioner Overstreet stated that he did not want that to be part of his motion and Vice Chair Fowler said it was not part of the motion, only their wish.

Chairman Tuttle stated that there should be a roll call vote: Commissioner Hoopes – aye; Commissioner Overstreet – aye; Chairman Tuttle – aye; Vice Chair Fowler – aye; Commissioner Cervantez – aye; Commissioner Moser – aye. The motion carries unanimously (6-1 absent).

MOTION APPROVED

5.1 Case Z-47-07 : Heavy Owens; (Tierra Bonita II) Applicant is requesting Preliminary Plat Approval for a proposed single family detached residential subdivision of approximately 60 lots having a minimum lot size of 6,000 square foot located within a R1-6 (Single Family Residential) zoning district. The property is located in the SE of Section 19, Township 7 North, Range 25 East (Graham County Parcel No. 103-02-037A. This property is located north of 26th Street and west of 8th Avenue. The purpose of this zoning district is to promote and preserve urban single-family residential development on lots with a minimum area of six thousand (6,000)

square feet. The principal use permitted in this zoning district is single-family dwelling with customary accessory buildings and uses.

The applicant is also requesting a street width variance for 24th Place for thirty (30) feet of asphalt. This is a connector street between Shadow Drive and 10th Place. The primary use of 24th Place will be for circulation of public facilities vehicles and no homes will face or have access from 24th Place.

Mr. Stasiak explained that the applicant is requesting Preliminary Plat Approval for Tierra Bonita II which is 60 lots zoned at an approved R1-6 zoning. He added that in addition to the Preliminary Plat Approval the applicant is requesting a street variance of thirty (30) feet of asphalt instead of the normal thirty six (36) feet of asphalt on 24th Place. He stated that the applicant is making the request for circulation purposes. He added that originally there were three cul-de-sacs in the subdivision and that they redesigned 24th Place to be a circulation connector primarily for City utility vehicles. He stated that cars park incorrectly in many of the cul-de-sacs in the community making it difficult for utility vehicles to turn around in the cul-de-sac resulting in destruction to the asphalt on the streets. He said that the Development Review Committee has recommended that "No Parking" signs be placed and red painted fire lane curbs which will deter parking and allow for emergency vehicles. He added that the Chief of Police was happy about the circulation aspect of the road, not the width however he thought it would be okay if the road was signed and curbs were painted red. He stated that the road would be thirty feet of asphalt with a five foot sidewalk. Vice Chair Fowler asked what would be on the other side of the street between the canal and Mr. Stasiak stated it would be the walking trail. Vice Chair Fowler asked what would be between 24th Place and the walking trail. Mr. Stasiak asked the property owners to answer that question. Mr. Owens stated that the water retention areas abutting to the houses will be walled and there will be chain link fence between the properties and the power lines. Commissioner Overstreet asked if the sidewalk will be all around 24th Place and Ms. Owens McKinney stated that was correct. Commissioner Moser asked if the plat has been reviewed and conforms to City requirements and Mr. Stasiak stated that it has been reviewed and does conform. He added that there will be one change which is a 10' City utility easement that runs through the property will be moved to the north on City property for easier access. Vice Chair Fowler asked if there was anything in that easement now and Mr. Owens stated there was a gas line on his property. Mr. Stasiak stated that this project will be built in phases with Tierra Drive being the first phase, 24th Street the next and 26th Street will be advanced as the properties are built.

It was moved by Commissioner Hoopes, seconded by Commissioner Moser and carried unanimously (6 to 1 absent) to approve the Preliminary Plat for a proposed single family detached residential subdivision of approximately 60 lots having a minimum lot size of 6,000 square foot located within a R1-6 (Single Family Residential) zoning district. The property is located in the SE of Section 19, Township 7 North, Range 25 East (Graham County Parcel No.

103-02-037A. This property is located north of 26th Street and west of 8th Avenue, and to approve a street width variance for 24th Place for thirty (30) feet of asphalt. This is a connector street between Shadow Drive and 10th Place and to approve the variance for 24th Place which will be used for circulation of public facilities vehicles and no homes will face or have access from 24th Place.

MOTION APPROVED

5.2 Case Z-27-07: Scott Evans, (Township) Applicant is requesting Preliminary Site Plan Approval for a single family detached residential subdivision of approximately forty five (45) single family lots having a minimum lot size of 4,500 sq. feet and approximately forty five (45) – 4-plexes on approximately 21 acres located within a PUD (Planned Unit Development) zoning district. This Planned Unit Development is located in the NW ¼ of Section 20, Township 7 South, Range 26 East, Gila and Salt River Meridian, (Graham County Parcel No. 103-08-005,103-08-058a, 103-08-058b, 103-08-059a, 103-08-59b) and the SW ¼ of Section 20, Township 7 South, Range 26 East (Graham County Parcel No. 103-09-025a).

Mr. Stasiak explained that this was the third time Mr. Evans has brought his project before the Commission and that the property has been rezoned to a PUD (Planned Unit Development). He presented a map and explained that Mr. Evans has worked with ADOT for approved access into the property. He stated that this will be a phased development with 5 phases, the first phase being two story townhomes that are approximately 1700 sq ft. He explained that Mr. Evans would like to have the entire plat approved as the preliminary site plan and be able to phase the project. As the infrastructure on each phase is complete, the City will issue a Certificate of Occupancy. He added that the street at the end of the first phase is the same radius as a cul-de-sac.

Commissioner Moser thanked Mr. Evans for working with the City on 26th Street.

Mr. Evans addressed the Commission and asked if they had questions for him. Vice Chair Fowler asked if all of the units were two stories. Mr. Evans stated that was correct and presented an elevation plan. Chairman Tuttle asked if they were townhomes on two levels. Mr. Evans explained that they have a garage, living, dining, kitchen area on the ground floor, two bedrooms, and two baths with a balcony on the second floor. Mr. Evans presented a picture of how the homes will look with wood frame, tile roofs and stucco. Vice Chair Fowler asked Mr. Evans to explain how a condominium differed from a townhome? Mr. Evans stated that a condominium has another owner on the second floor and that a townhome has the same owner on the second floor.

Commissioner Moser asked if there will be a wall around the property as the projects are built. Mr. Evans stated there will be no interior walls but there will be a wall around the perimeter.

Chairman Tuttle clarified that even though there are five phases there will be one end product. Mr. Evans stated that was correct, the phases will be independent while construction is taking place, but will all flow together as an end result.

Vice Chair Fowler asked if there will be parking on the street and Mr. Evans stated that there will be two parking spaces for each 25' frontage and two additional parking spaces. Vice Chair Fowler asked if there will be one and two car garages. Mr. Evans stated that was correct there will be four parking spaces for the two car garage sites and three parking spaces for the one car garage sites.

Commissioner Overstreet asked if the HOA (Home Owner's Association) will be for the entire complex and if the City will be responsible for the streets. Mr. Evans stated that the common areas will be maintained by the HOA, the property owners will maintain their grounds and the City will maintain the streets. Chairman Tuttle clarified that the HOA will be formed, fees collected and they will be responsible to maintain the yards and the outside walls, etc. for uniformity throughout the development. Mr. Evans stated that was correct and there will be strict rules.

It was moved by Commissioner Moser, seconded by Commissioner Cervantez to approve the request for Preliminary Site Plan Approval for a single family detached residential subdivision of approximately forty five (45) single family lots having a minimum lot size of 4,500 sq. feet and approximately forty five (45) – 4-plexes on approximately 21 acres located within a PUD (Planned Unit Development) zoning district. This Planned Unit Development is located in the NW ¼ of Section 20, Township 7 South, Range 26 East, Gila and Salt River Meridian, (Graham County Parcel No. 103-08-005,103-08-058a, 103-08-058b, 103-08-059a, 103-08-59b) and the SW ¼ of Section 20, Township 7 South, Range 26 East (Graham County Parcel No. 103-09-025a).

Vice Chair Fowler asked Mr. Stasiak what the staff recommendations were and Mr. Stasiak stated staff recommends approving the Preliminary Site Plan with phasing as planned.

The motion carries unanimously (6-1 absent).

MOTION APPROVED

5.6 Project Updates:

Mr. Stasiak presented a chart that showed the 2007 subdivisions and apartments including the number of lots, building permits and Certificates of Occupancy issued. He stated there were no project updates at this time but he will have information on new projects in approximately two-four weeks.

Commissioner Overstreet inquired about the property development at Relation Street and 17th Avenue. Mr. Stasiak stated that there is a contract for the property to be sold to another

developer. Vice Chair Fowler asked if the property is sold would the plat approval remain and Mr. Stasiak stated that was correct but if any changes were planned it would come back before the Commission for approval.

Vice Chair Fowler inquired about the Carl's Jr. Restaurant and Mr. Stasiak stated the plans have been reviewed and comments were sent back but they have not pulled a building permit at this time.

Commissioner Hoopes asked for clarification on the development that was mentioned earlier and Mr. Stasiak stated it was Greenberg I that was being sold. The development next to it was Palomino Ranch and plans are being reviewed for it at this time. He also stated that the Cornerstone Development has been purchased by Langley Properties and will be brought back before the Commission for approval to change back to commercial property.

Vice Chair Fowler expressed concern that some of the developments will not be built out and will result in a situation such as Conquistador Estates. Mr. Stasiak assured him that no developments will end up like Conquistador because the Commission has done their job in making sure the zonings were done properly and also the developments are not being sold off individually. He added that some projects will be shelved for a period awaiting the needs of the community.

Vice Chair Fowler asked if there has been progress on creating new Planning and Zoning Rules and Regulations. Mr. Stasiak stated that Mr. Welker has taken on that project and is in the process of obtaining examples of Requests for Qualifications to be evaluated by a team and that he plans to have a preliminary review for the Commission in three to four months.

6. **CALL TO THE PUBLIC:** None
7. **NEXT SCHEDULED MEETING:** February 14, 2008
8. **ANNOUNCEMENTS:** None
9. **ADJOURN:** The meeting adjourned at 6:50 p.m.

APPROVED:

Ray Tuttle, Chairman
Planning and Zoning Commission

ATTEST:

Sandy Findley, Administrative Assistant