

CITY OF SAFFORD
PLANNING AND ZONING COMMISSION MEETING
THURSDAY, FEBRUARY 28, 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 ; Patricia Cervantez; Gherald Hoopes; Dalton Overstreet and Jim Moser.

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

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

VISITORS: Jane Dugan, Sharon Marble, Steve Hohulin, Roy & Donellien Isaacs, Cathy & Bill Konopnicki, Don Griffin and two guest that did not sign in.

Chairman Tuttle called the Meeting of the Planning and Zoning Commission to order at 5:35 p.m.

3. **PUBLIC COMMENT ON AGENDA:**

Chairman Tuttle stated there was one public comment regarding case Z-48-07; Casa Dorada Apartments – William E. Mullett which will be addressed upon discussion of that case.

4. **MINUTES:**

Review and approval of minutes of the February 14, 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 February 14, 2008.

MOTION APPROVED

5. **PLANNING AND ZONING CASES:**

Chairman Tuttle stated that it had been requested to move an item under Announcements – Resignation of Planning and Zoning Commissioner to the first item if there is no opposition from the Commission (no opposition).

Mr. Stasiak stated that Mr. Dalton Overstreet would like to rescind his resignation and be reinstated as a Planning and Zoning Commissioner.

It was moved by Vice Chair Fowler, seconded by Commissioner Hoopes, and carried unanimously (6 to 1 absent) not to accept Mr. Overstreet's resignation. Mr. Overstreet was reseated on the Commissioner's panel.

MOTION APPROVED

5.1 Case Z-02-08; Copper Canyon II – Langley Properties Application to rezone (zoning amendment) approximately 13 acres of an 18 acre parcel located generally south of Hollywood Road and West of Copper Canyon I subdivision. Property is located in section 6, Township 7 South, Range 26 East. (Graham County Parcel No. 102-41-010). The applicant is requesting a rezoning from A-R (Agricultural) to a PUD (Planned Unit Development) for the purpose of developing a combined multi-family and single-family development. Applicant is also requesting a variance for the use of 3 story structures for the multi-family housing that will maintain a height of 30 feet or less.

Mr. Stasiak referred to the map and stated that five acres of the property had been approved by the Planning and Zoning Commission previously for a rezone from A-R (Agricultural) to R-2 (Multi-Family Residential) for a planned apartment complex. He explained that the property to be discussed for rezone at this meeting is for 13 acres south of the five acre parcel and that the request is to be rezoned from A-R (Agricultural) to a PUD (Planned Unit Development). He explained that the developer has set aside 50' right of way on the west side of the parcel for entrance into the development.

Chairman Tuttle asked if the right of way for the five acres had been established and Mr. Stasiak explained there was a 50' right of way for that property also.

Mr. Stasiak stated the request is also for a three story variance that will maintain a height of 30' or less and that will require fire sprinkler systems due to the number of stories. He explained there has been no public comment on the requests and staff approves the rezone and the variance.

Chairman Tuttle asked if access will come from Hollywood Road (yes).

Commissioner Moser asked if there was room for the road and the flood control channel. Mr. Stasiak stated the developers will work with the County and the ditch company to assure sufficient access and that adjacent property owners have an additional 50' right of way. He added that the map was only conceptual for the rezone approval.

Chairman Tuttle stated that he had a request from the public for this item and asked Sharon Marble to address the Commission.

Ms. Marble said she owns adjoining acreage and is concerned that the three story units will be too tall for the area and also that when their property is irrigated the runoff will drain onto the Casa Dorada property because it is at a lower elevation.

Commissioner Overstreet explained that the three story units will not exceed 30' in height staying within the City code. Ms. Marble asked if there will be a wall around the development and Commissioner Overstreet stated that can be recommended when the site plan is submitted. Commissioner Moser explained that the Commission will approve the final site plan and will make recommendations then. Ms. Marble reinstated her concern with drainage and Commissioner Moser explained that ditches and drainage ways have rights and those have to be accommodated. Mr. Stasiak explained that a drainage plan will be submitted along with the preliminary site plan that will be engineered. Commissioner Overstreet suggests that she comes back before the Commission when it is on the agenda for the preliminary site plan. Commissioner Hoopes asked if the property owners will be notified of that agenda and Mr. Stasiak said letters will go to all property owners within 300' of the site, the site will be posted and the notification will be in the newspaper.

Chairman Tuttle asked if there were any comments when this item was brought before the Development Review Committee (none).

It was moved by Commissioner Cervantez, seconded by Commissioner Overstreet, and carried unanimously (6 to 1 absent) to accept the request for the application to rezone (zoning amendment) approximately 13 acres of an 18 acre parcel located generally south of Hollywood Road and West of Copper Canyon I subdivision. Property is located in section 6, Township 7 South, Range 26 East. (Graham County Parcel No. 102-41-010). The applicant is requesting a rezoning from A-R (Agricultural) to a PUD (Planned Unit Development) for the purpose of developing a combined multi-family and single-family development. The approval is also for the request for a variance for the use of three story structures for the multi-family housing that will maintain a height of 30 feet or less and that will have fire sprinklers installed.

MOTION APPROVED

5.2 Case Z-48-07; Casa Dorada Apartments - William E. Mullett Application for site plan approval on parcel No. 103-02-046 approximately 7 acres generally located at the Southwest corner of 20th Avenue and 26th Street for the purpose of building approximately 64 apartments. Property for site plan is located in the 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.

Mr. Stasiak referred to the map and stated that the entire property was zoned commercial and that 200' across 26th Street and 500' down 20th Avenue will remain commercial and that the 7 acres on the Southwest corner of 20th Avenue and 26th Street has been approved by the Commission for R-2 (Multi-Family Residential) previously. He added the plan shows the ingress/egress off 20th Street. He explained that the plan for the property is a 64 unit unsubsidized apartment complex. He stated that the Pinaleno and the Thatcher subsidized apartments are at full capacity with a 1-1/2 year waiting list so apartments are needed in the community. He said this complex will be a market rate standard with a clubhouse, pool and

playground area. He explained that there is a power line that runs through the property and that it will be at the developer's expense to move it. He stated the Development Review Committee, and especially the Chief of Police, did not favor a wall surrounding the property for better visibility into the complex, but would like to see a wall dividing the commercial and residential property. Mr. Stasiak explained that the drainage had been looked at and meets code. He added that the plan for 20th Avenue from Relation is to extend to 100' right of way and 60' pavement with curbs, gutters and sidewalks. He stated that 26th Street will be an 80' right of way with 56' of pavement. He explained that the City Council is looking at transportation impact fees to help fund the improvements and that is expected to be in place in approximately 160 days.

Chairman Tuttle said there is significant pedestrian traffic on 20th Avenue and would like to see sidewalks put in and made a requirement for all future developments. Mr. Stasiak stated that is a priority and that the corner of Relation and 20th Avenue has been discussed for a stop light.

Mr. Stasiak asked Mr. Don Griffin to address the Commission. Mr. Griffin stated that he is aware of the need for the wall between the properties. He added that he recognizes that there is a need for market rate products in the community and wants to provide a product that the community will be proud of.

Vice Chair Fowler asked about the recreation area for children and Mr. Griffin stated it was a sand playground that was almost as large as the pool area with green areas and walking paths throughout the complex.

Chairman Tuttle inquired why there is no on-site retention area. Mr. Griffin said the water will be channeled in the wash area and that it falls within the utility plan. Mr. Petty stated that the drainage has been looked at and that they are satisfied with it. He added that there will be underground storm drain systems throughout the complex that will go through a series of ponds and ditches to carry it out under 20th Avenue and behind the Freeman Wash Dam. He added there will be new construction across 20th Avenue to increase the flow.

Chairman Tuttle stated that he had a request from the public for this item and asked Mr. Bill Konopnicki to address the Commission.

Mr. Konopnicki stated that he represents the Konopnicki Family Trust which owns the adjoining 56 acres on both sides of this property. He explained that he has concerns regarding public safety, drainage and infringement upon the intended use of that property. He referred to a map that showed his property, other developments in the area and the walking path. He stated that there is a gradual slope that goes up 26th Street causing a visibility problem and that the amount of traffic has increased tremendously including truck traffic. He stated that he has put in eleven lots plus his own home on his property and if an apartment complex is built below him it will diminish the value of his piece of property.

Commissioner Hoopes asked what he suggests since the property has been rezoned already. Mr. Konopnicki stated that he would not have a problem with single family homes, but does not think an apartment complex is compatible.

Mr. Rick Long asked to address the Commission and referred to the map to show the plan that he has regarding the drainage problem and added that it will be a nice development for Mr. Konopnicki's homes to overlook rather than commercial properties that could be developed.

Chairman Tuttle stated that interesting drainage questions have been raised and that if the parcel that Mr. Konopnicki owns is developed and the drainage all goes the same way it could present a problem. He added that he is concerned that precedence is being set for future developments and drainage problems.

Mr. Konopnicki stated when he was developing his property the City told them that they had to retain their own water and that they submitted soil reports. He added that he is not objecting to the quality of the product but that he was concerned with the public safety issue and that it will diminish the value of the higher end properties.

Mr. Griffin stated that the City Engineer had reviewed their drainage plan. He added that not all of the water will drain to Mr. Konopnicki's property as some flows to 20th Street and that also has been reviewed. He agreed that the traffic will be a burden but that the need for the community today is rental market rate apartments, not single family homes. He added that his development will not reduce the value of the surrounding properties.

Commissioner Moser stated that the drainage can be funneled over to the other side and that the over flow will go to the Freeman Dam. He added that he doesn't feel there is a drainage issue but that the culverts will need to be the proper size. He explained that there will be traffic issues which are a part of growth, but the traffic impact fees should help with the cost of road improvements.

Chairman Tuttle stated that he has concerns regarding the drainage and water retention on this project if approved will set precedence. Mr. Stasiak explained that their drainage ordinance is in compliance and he asked Mr. Petty to address the Commission. Mr. Petty stated that the drainage concept will have to go before the Council for a variance as it doesn't meet the volume for the pond. He added that the drainage and how it will be handled is a good plan. Chairman Tuttle asked why there is no on site retention. Mr. Petty explained that they have presented a concept that will go to the Council to allow for a variance in the drainage ordinance. Chairman Tuttle asked if the Commission could recommend that the variance not be adopted (yes).

Vice Chair Fowler expressed concern with the fact that there is no on site water retention also and would like to make recommendations for no low areas where the water will accumulate. He added if the water is going to drain across 20th Avenue earth work needs to be done so that the water will run down the Freeman Dam through the pipe to the river. He asked why this development is not required to have on site water retention. Commissioner Moser asked if the

ordinance says specifically that water must be retained on site. Mr. Petty stated it says water must be retained, he is not sure if it says on site specifically. Commissioner Moser explained that water can be contained in different areas, not only on site. He added that there are water retention basins throughout the City and that this plan is a different concept, but that it retains water, just not on site and that the City has a plan to drain it. Vice Chair Fowler asked who owns the land that the water ponds on (County). Mr. Petty explained that he does not have the actual drainage report at this time so he cannot answer all of the questions regarding it. Commissioner Moser would like to see the item tabled until the drainage report is approved. Chairman Tuttle again stated his concern with setting precedence in that on site retention is not required and that there could be future problems. Mr. Petty stated that this case is different in that the water is being stored behind the Freeman Dam where there will be no future developments and that the water has historically drained that way naturally. Commissioner Overstreet stated that the City has studied the drainage and that there should not be a problem in the future if it can be stored and drained to the river. Mr. Petty explained that the intent of a drainage ordinance is that you handle the storm drains in a safe manner. He stated the developer's concept is a good one and there will be a series of ponds for the water to be temporarily held to be metered out to the ditch and carried across 20th Avenue. He said their plan satisfies the intent of the drainage ordinance. Commissioner Moser stated that cost determines on site retention and with the proximity of this property to drain to the Freeman Dam it will be most cost effective for them rather than store it on site.

Mr. Stasiak stated that the request today is for a preliminary site plan which does not require engineering, elevations, architectural drawings or drainage plans it is only a plan of what the developer intends to do.

Mr. Konopnicki stated that water collects in the pit at the corner of 20th Avenue and 26th Street because the water drains from the dam to the corner. He added that there will need to be a lot of work to move the water behind the dam and asked the Commission to look at it.

Vice Chair Fowler asked if the final plan will come back to the Commission (no). He added if they have concerns they need to make sure the Council knows about them.

Commissioner Moser asked if the architectural plans are completed and what the elevations looked like. Mr. Griffin stated he did not have a picture of them but they will have tile roofs, stucco exteriors with a compatible southwestern color. He explained that they are following the City guidelines as far as water retention is concerned and requested that the preliminary plan be approved by the Commission.

It was moved by Commissioner Overstreet, seconded by Commissioner Cervantez to approve the application for site plan approval on parcel No. 103-02-046 approximately 7 acres generally located at the Southwest corner of 20th Avenue and 26th Street for the purpose of building approximately 64 apartments. Property for site plan is located in the 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 with the recommendation that those of the Commission that have concerns attend and speak before the Council with those concerns.

Commissioner Hoopes inquired if Mr. Konopnicki's concern regarding the water drainage is something that will be addressed. Mr. Stasiak and Mr. Petty explained that it will be looked at with the developer's engineer to assure the water will be kept at the same level going in and out.

Chairman Tuttle asked for a roll call vote from the Commission:

Commissioner Moser, aye; Commissioner Cervantez, aye; Vice Chair Fowler, aye; Chairman Tuttle, aye; Commissioner Overstreet, aye; Commissioner Hoopes, aye. The motion carries unanimously (6 to 1 absent).

MOTION APPROVED

5.3 Project Updates:

- Community Master Plan Zoning Ordinance (CMP)

Mr. Welker explained that they would like to introduce something that they have been working on and that they would appreciate thoughts and comments on a new zoning ordinance that Langley Development and RBF Consulting has presented to the City. He added that this concept is being used throughout the state and has been around for about 10 years. He explained that it is basically a tool for the City and the developer to work together to plan and manage large scale developments of 200 plus acres to incorporate residential, commercial and industrial zonings adjusting to market condition requirements. He encouraged the Commission to ask questions and stated that they had very positive feedback from the Development Review Committee regarding the CMP. He asked Mr. Steve Hohulin to address the Commission.

Mr. Hohulin stated that his firm had been hired by a private developer to assist in writing the ordinance for Safford. He explained that the CMP ordinance allows you to roll the planning, zoning and engineering process into one to make the project work together. He explained that the plan will be approved as an overall concept which allows small changes to be made as approved.

He presented the following slide show:

[Safford CMP presentation.pdf](#)

Discussion:

Commissioner Hoopes asked (for example) what will happen if out of the 200 acres only 25 acres to be rezoned is within the City of Safford limits. Mr. Hohulin stated that the entire 200 acres could be approved under the CMP but that the zoning change would only be effective for the 25 acres.

Chairman Tuttle clarified that even though the whole 200 acres may not be within the City limits if it is all planned under the CMP it is ready for annexation under City codes (yes).

Commissioner Hoopes inquired how the developer will know that the CMP will be accepted after investing the money into the process. Mr. Hohulin stated that there were advantages to the developer to go through the process but that the Commission and the Council ultimately have the final approval. Commissioner Hoopes inquired how the developer will know once the process has been completed that there will be a good faith ending. Mr. Hohulin explained that there are no assurances it is just the same as when someone comes and asks for a rezone (for example) they have no assurance that it will be approved. He explained that there will be extensive meetings with the developer and staff.

Commissioner Overstreet clarified that if the plan is not approved the developer will have spent the money up front, but not the cost for a piece at a time (yes).

Commissioner Moser clarified that it was beneficial on a large parcel for the Commission, developer and staff to be able to see the plan and have input into future roads, etc.

Mr. Hohulin stated that the flexibility of the plan has set up a cooperative opportunity for the City and the developer to work together to obtain grant money for the project.

Vice Chair Fowler stated that it will be good to be able to plan ahead of time for the type of things that will be forthcoming in the future. Mr. Hohulin stated that they will be able to plan ahead for schools, municipal buildings, etc. and that this plan will provide an opportunity for these things to happen.

Chairman Tuttle stated that the opportunity to look forward to a plan for a 900 acre parcel development is awe inspiring.

Commissioner Hoopes asked why 200 acres was the number of acres chosen and Mr. Hohulin stated that it was a little bigger than a quarter section and seemed to work for the staff. He added that the 200 acres is a mid size for this type of plan and a good size for this community. Mr. Stasiak added that 200 acres would be a financial commitment from a developer also. Chairman Tuttle stated it would be more economical per unit cost the bigger the projects was.

Vice Chair Fowler asked what will happen if the developer wants to sell part of the acreage and Mr. Hohulin explained they can sell it but that the property is bound by the CMP and will have to

go back through the process to be changed. Chairman Tuttle stated it sounds like it is as binding as the General Land Use Plan and Mr. Hohulin stated is as binding as any other zoning.

Mr. Welker explained that there will be a work session and that the CMP map presented was conceptual only. He asked the Commission to look at the map on their own time and use it as a reference for any questions. Mr. Hohulin added that the map was a work in progress.

Chairman Tuttle clarified that this plan will be an ordinance that will have public hearings, input from the community and Council approval (yes). Mr. Hohulin stated it will be just like any other zoning ordinance amendment. Mr. Tuttle clarified that this is an initial proposal for the CMP (yes).

Mr. Stasiak asked if the Commission would like to have a work session on March 13, 2008 as there is nothing scheduled for the agenda on that date. Mr. Hohulin said he would be available on that date.

6. CALL TO THE PUBLIC: None

7. NEXT SCHEDULED MEETING: Chairman Tuttle stated that the next scheduled meeting will be a work session on March 13, 2008.

8. ANNOUNCEMENTS:

- Website location for Planning and Zoning Commission Meeting Agendas and Minutes

Mr. Stasiak discussed the website and said the agendas and minutes for the Planning and Zoning Meetings were available to view for most of 2007 and all of 2008.

Mr. Stasiak presented a brochure that will be used as a promotional tool for the City.

Mr. Stasiak presented a list of residential, apartment/RV and commercial properties and commercial upgrades that are in progress or that have been completed to date. Commissioner Hoopes stated that he would like to see the updated list on the website and Mr. Stasiak explained that it will be placed on the website which is currently in the process of being upgraded.

9. ADJOURN: The meeting adjourned at 7:50 p.m.

APPROVED:

Ray Tuttle, Chairman
Planning and Zoning Commission

ATTEST:

Sandy Findley, Administrative Assistant