

**CITY OF KINGMAN
 REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
 Council Chambers
 310 N. 4th Street
 Kingman, Arizona**

6:00 P.M.

Minutes

Tuesday September 8, 2015

Members Present:	Staff Present:	Visitors Signing In:
Allen Mossberg, Commission Chair	Gary Jeppson, Development Services Director	See attached list
Mike Blair, Commission Vice-Chair	Rich Ruggles, Principal Planner	
Tyler Angle, Commission Member	Sylvia Shaffer, Planner	
Gene Kirkham, Commission Member	Sandi Fellows, Recording Secretary	
Dustin Lewis, Commission Member		
Council Liaison present:		
Mark Abram		

REGULAR MEETING MINUTES

CALL TO ORDER & ROLL CALL

Chair Mossberg called the meeting to order at 6:00 P.M. and the Recording Secretary called the roll. Commissioner Kress was excused. Commissioner Wimpee, Jr. was unexcused. All other Commission Members were present. The Pledge of Allegiance was led by Commissioner Angle and recited in unison.

1. APPROVAL OF MINUTES: The Regular Meeting Minutes of August 11, 2015.

Vice-Chair Blair made a MOTION to APPROVE the Regular Meeting Minutes of August 11, 2015 as written. The MOTION was SECONDED by Commissioner Lewis and the MOTION CARRIED with UNANIMOUS (5-0) APPROVAL to the affirmative.

2. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC:

Kingman resident George Cook addressed the Commission and stated that the City Council and Mayor had changed 160 acres of city owned property from Park and Open Space designation to Regional Commercial without putting it on the General Plan 2030 or on the ballot. Mr. Cook went on to state that there were three retention ponds on this property, and he feels that at least one-third of the property, or approximately fifty-six acres should be designated for Parks and Open Space, in order to avoid drainage issues in the future, and to allow residents a place to walk without traffic.

Chair Mossberg acknowledged that the public hearing regarding Kingman Crossing had been moved to the Planning and Zoning Commission meeting October 13, and Mr. Cook was welcome to attend the meeting at that time and would have a chance for additional comments.

1. PAST COUNCIL ACTION:

- A. **ZONING ORDINANCE TEXT AMENDMENT CASE ZO15-002:** A request from Hugh P. & Moira J. Gallagher, applicants, for a text amendment to Section 5.000: Residential Manufactured Home and Subsection 26.900: Recreational Vehicle Parks. The requested text amendment would allow recreational vehicles to be allowed by Conditional Use Permit within an established manufactured home park located in an R-MH zoning district. The use of recreational vehicles would be subject to the conditions of the existing recreational vehicle park development standards. Additional text language may be recommended by staff with regard to the development standards.

Development Services Director Gary Jeppson reported that the text amendment to allow recreational vehicles by Conditional Use Permit within an established mobile home park in the R-MH zoning district was approved (6-1) by City Council.

2. NEW BUSINESS:

- A. **REZONING CASE RZ15-003:** A request from Mohave Engineering Associates, Inc., applicant, and SK & M Investments, Inc., property owner, for the modification of certain zoning conditions of Ordinance No. 951-R. If approved the request would allow Pad "B", as shown on the site plan attached to Ordinance No. 951-R, to be split into two lots with a future retail building, a maximum of 1,600 square feet, to be located on the north lot. Pad "B" currently contains the Taco Bell restaurant, located at 3220 Stockton Hill Road. This building would be situated on the south lot after Pad "B" is split. The subject property is further described as Lot 5, Wal-Mart Albertson's Addition, Tract 1942, Section 7, T.21N., R.16W. of the G&SRM, Mohave County, Arizona.

Principal Planner Rich Ruggles addressed the Commission stating that if this request was approved it would allow Pad "B" to be split into two lots with a future retail building, a maximum of 1,600 square feet, to be located on the north lot. Pad "B" currently contains the Taco Bell restaurant, at 3220 Stockton Hill Road. The site plan specifies that the maximum allowable building size on this pad is 4,000 square feet with a minimum of 38 parking spaces.

Mr. Ruggles went on to state that the south lot is proposed to be approximately 15,440 square feet and would include the existing Taco Bell building. The north lot is proposed to be approximately 13,970 square feet. A conceptual site plan has been submitted showing the approximate location of the future property line, existing Taco Bell Building and a future 1,600 square foot building with unknown use on the north lot. Mr. Ruggles acknowledged that the proposed lot split will meet the current development standards.

The existing Taco Bell restaurant building is 2,657 square feet and there are currently 45 parking spaces on the entire site. A maximum of 4,000 square feet of building and a minimum of 38 parking spaces are allowed on the site. A building permit to remodel the Taco Bell building was recently approved by the City, although construction has not yet started. No changes to the square footage of the building are proposed, only the interior will be remodeled and the existing restaurant patio on the east side of the building will be removed, making room for seven new parking spaces.

According to the proposed site plan, there will be 14 parking spaces located within the area for the south lot where Taco Bell is located. There will also be 23 parking spaces on the north lot where the future 1,600 square foot building would be located. The total number of parking spaces would be reduced to 37, which is one space below the minimum requirement. The overall building square footage would be 4,257 square feet which would be 257 square feet greater than the maximum allowance.

Based on the parking requirements, staff has determined that a minimum of 20 parking spaces will be necessary to serve the remodeled Taco Bell restaurant. Once the property is split, the south lot will be six spaces short of the minimum required parking. Common parking areas are allowed, provided that the total number of spaces shall not be less than the sum of the minimum requirements for the uses. When properties are under different ownership, permanent ownership and maintenance of the parking areas is required by recording of a contract or covenant between owners. A cross-access, common drive and parking agreement has been proposed in response to this requirement. The Codes, Covenants and Restrictions (CC&R's) of this property will allow access to be maintained between the subject site, Stockton Hill Road, and the existing shopping center.

Mr. Ruggles acknowledged that under most use scenarios, it appears that enough parking will be available for the proposed future 1,600 square foot building.

There is no direct access from Stockton Hill Road to the subject property. There is a dedicated right-turn lane located across the frontage of most of the subject site for the main shopping center entrance. The proposed site plan does not show the 8.20 foot wide right-of-way that was dedicated for the turn lane with the subdivision plat for the Wal-Mart/Albertson's addition, Tract 1042. It is recommended that no new driveways be permitted onto Stockton Hill Road, due to the presence of the right-turn lane. Existing access into the site needs to be maintained from the driveway between AM/PM and Taco Bell and from the shopping center driveway north of the site. Mr. Ruggles noted that this should not affect the Taco Bell building or drive thru access.

The site has been posted and surrounding property owners notified. No comments from the public have been received by staff either for or against this proposal. Mohave County Flood Control and UniSource Electric have no objections to the request.

City Engineering had two comments:

- There is an existing easement and a narrow strip of Stockton Hill Road right-of-way not shown in the submitted rezoning map exhibit. The dimensions and locations of these items will need to be shown on the future submittal for the site development.
- Future proposed improvements on Stockton Hill Road include the widening of the roadway to six lanes and improvements at the intersections to provide for better turning movements, increase pedestrian safety and improved ADA grades. To accommodate these future improvements the City is requesting that the remaining narrow strip of land from the south boundary of the existing right-of-way for the Stockton Hill Road right turn lane bay to the southern boundary of the property be dedicated as right-of-way. This proposed area will be approximately 600 square feet.

The City Building Department noted that fire resistive exterior walls will be required if the new retail building is located with a fire separation distance of less than ten feet from other structures. City Fire Department had no objections to the request.

Planning staff is recommending approval of the modification of Ordinance 951-revised as requested with six conditions:

- a) Pad "B" as shown on Exhibit "A" of Ordinance 951-revised, and described as Lot 5 Wal-Mart/Albertson's Addition Tract 1942, shall be permitted to be split into a maximum of two lots in accordance with the requirements of Kingman Municipal code Section 2-146.
- b) The lots created by parcel plat shall be in accordance with the property development standards of Section 13.000: Commercial, Service Business.
- c) The maximum building size on the northerly lot shall be 1,600 square feet with a minimum of 23 parking spaces. The maximum building size on the southerly lot shall be 2,657 square feet with a minimum of 14 parking spaces.
- d) A cross-access, common drive, and shared parking agreement shall be maintained between the adjoining lots and said agreement shall be recorded.
- e) No new driveways to Stockton Hill Road shall be permitted.
- f) Additional right-of-way, 8.20 feet in width, shall be dedicated with the parcel plat along the property frontage on Stockton Hill Road between the existing right-of-way dedication for the right-turn lane and the southern boundary of the subject property.

Commissioner Kirkham asked if parking from Taco Bell and the proposed new business would be permitted to overflow into the main parking area of the shopping center. Mr.

Ruggles acknowledged that the CC&R's with the property already specify this, but option 'd' would make certain that there was adequate parking.

Commissioner Angle asked if a parking island would be required, in accord with the new Landscape Ordinance, and if there would be ample room for the required landscaping on the north lot. Mr. Ruggles stated that the site was already landscaped, and there were islands shown on the proposed site plan. Commissioner Angle noted that most of the landscaping was in the right-of-way, and so would not be counted toward the landscaping requirement.

Commissioner Angle asked the applicant, Pamela Plew, if she was aware of the new Landscape Ordinance and how it would affect her parking lot square footage. Ms. Plew said that she would look into it.

Mohave Engineering engineer and applicant Jaimini Upadhyaya addressed the Commission and stated that they have not yet calculated the landscape requirements for the subject property, but did not anticipate a problem. Mr. Upadhyaya went on to state that they had no objection with the six conditions 'a' through 'f' as recommended by staff.

Vice-Chair Blair made a MOTION to recommend APPROVAL of the request to modify Ordinance No. 951-R with conditions 'a' through 'f' as recommended by staff. The motion was SECONDED by Commissioner Lewis and carried with UNANIMOUS (5-0) APPROVAL in favor of the motion.

B. ZONING ORDINANCE TEXT AMENDMENT CASE ZO15-003: A request from Marcy and Ross Reinoso, applicants, for a text amendment to Section 16.000: Light Industry (I-1). The requested text amendment would allow an air ambulance service with an accessory landing pad to be allowed by Conditional Use Permit within the I-1: Light Industry zoning district.

Planner Sylvia Shaffer addressed the Commission and stated that this request was to allow an air ambulance service with an accessory helicopter landing pad as a use permitted by Conditional Use Permit in the Light Industry (I-1) zoning district. The applicants, Marcy and Ross Reinoso are working with a client that would like to relocate his air ambulance service to the Kingman area. Ms. Shaffer went on to state that if the request is approved, an application for a Conditional Use Permit will be required to be submitted for the air ambulance service, and a more detailed review will occur. Ms. Shaffer clarified that this amendment request is to review whether or not an air ambulance service should be added to the uses allowed in Light Industry (I-1) zoning districts, upon approval of a Conditional Use Permit. The applicant would be responsible for contacting other reviewing agencies such as the Flight Aviation Administration (FAA) and Burlington Northern Santa Fe Railway (BNSF) as part of the Conditional Use Permit application.

Ambulance services are currently permitted uses in the C-2 and C-3 zoning districts. The ambulance service is assumed to be services with ground transportation only. Air ambulances which would involve helicopters are not specifically mentioned.

Hospitals are permitted by Conditional Use Permit in C-2 zoning districts and by right in the C-3 zoning districts. A helicopter landing pad would be considered an accessory use to a hospital. The I-1 zoning district permits industrial hospitals and clinics by CUP, but does not mention any form of ambulance service.

This request will allow ambulance companies to locate their business within the City limits with the Conditional Use Permit allowing staff, the Planning and Zoning Commission, and City Council to review applications for such a use, prior to it being established, to determine whether it is an appropriate location.

Most of the I-1 properties located within the City limits run along the railroad tracks and along Banks Street and Airway Avenue. Ms. Shaffer stated that the I-1 zoning district would be the most suitable for this service.

Staff is recommending amending Section 16.000 Light Industry (I-1) of the Zoning Ordinance of the City of Kingman to allow air ambulance service companies to be an allowed use upon approval of a Conditional Use Permit.

Vice-Chair Blair made a MOTION to TABLE the request. Commissioner Kirkham SECONDED the MOTION.

After some discussion the Planning and Zoning Commission requested staff bring back additional information regarding hours of operation and amount of noise expected to be generated, as well as the type of helicopters that may be used.

Gary Jeppson addressed the Commission and stated that this specific information requested would be brought to the Commission when an application for a Conditional Use Permit was heard. Mr. Jeppson clarified that this request was to determine if the City will amend the I-1 zoning district text to allow air ambulance service companies to locate in the I-1 zoning district by conditional use permit.

The previous motions were withdrawn.

Commissioner Angle made a MOTION to recommend APPROVAL of the Text Amendment. The MOTION was SECONDED by Commissioner Lewis, and the MOTION CARRIED with UNANIMOUS (5-0) APPROVAL.

5. COMMISSIONERS COMMENTS: Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings and requests for reports from staff.

Chair Mossberg requested if staff could look into a modification of the City Code to stipulate that when landscape companies left machinery or materials such as rocks on a residential street, some sort of barrier or flashing lighting should be provided.

Vice-Chair Blair made a MOTION to ADJOURN. The MOTION was SECONDED by Commissioner Kirkham and CARRIED UNANIMOUSLY (5-0). Chair Mossberg declared the meeting adjourned at 6:36:51 PM.

ADJOURNMENT 6:36:51 PM

ATTEST:

APPROVED:

Sandi Fellows
Recording Secretary

Gary Jeppson
Development Services Director

STATE OF ARIZONA)
COUNTY OF MOHAVE) ss:
CITY OF KINGMAN)

CERTIFICATE OF PLANNING AND ZONING COMMISSION MINUTES:

I, Sandi Fellows, Planning and Zoning Administrative Assistant and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Planning and Zoning Commission of the City of Kingman held on September 8, 2015.

Dated October 13, 2015