

**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 November 10, 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	
Vickie Kress, Commission Member		
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 Wimpee, Jr. was unexcused. All other Commission Members were present. The Pledge of Allegiance was led by Commissioner Lewis and recited in unison.

1. APPROVAL OF MINUTES: The Regular Meeting Minutes of October 13, 2015.

Vice Chair Blair made a MOTION to APPROVE the Regular Meeting Minutes of October 13, 2015 as written. The MOTION was SECONDED by Commissioner Lewis and the MOTION CARRIED with UNANIMOUS (6-0) APPROVAL to the affirmative.

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

There were no comments.

3. PAST COUNCIL ACTION:

- A. CITY INITIATED CASE CI15-001:** A city-initiated request for a text amendment to the *Zoning Ordinance of the City of Kingman* by adding Section 18.000: KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT. This district is intended to provide for the development of business and service uses designed to meet the needs of the Kingman Crossing area south of Interstate-40. The text amendment will include a list of uses permitted by right and by conditional use permit as well as property and site development standards for this zoning district.

The Kingman Crossing Planned Development District is proposed to be applied to a city-owned parcel of land that is presently zoned R-R: Rural Residential. The property is 151-acres and is located on the south side of Interstate-40, north of the Airfield Avenue alignment, east of N. Sage Street, and west of the Cherokee Street alignment. The property is further described as a Portion of the South ½ of Section 9, T.21N., R.16W., G&SRM, Mohave County, Arizona.

Development Services Director Gary Jeppson reported that the City Council did not approve the Kingman Crossing Planned Development District ordinance. Mr. Jeppson stated that the ordinance is being sent back to the Planning and Zoning Commission to assess lighting, signage and design review.

1. OLD BUSINESS:

There is no Old Business.

2. NEW BUSINESS

- A. CONDITIONAL USE PERMIT CASE CUP15-001:** A request from Matt Lockin of Snell & Wilmer L.L.P., applicant, and Carol Ott, property owner, for a conditional use permit to allow a Public Assembly Indoor, General use, specifically a church, within a portion of the Central Commercial building located on property zoned C-2: Commercial, Community Business. The subject property is located at 112 North Fourth Street and is further described as Kingman Townsite, Block 4, Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 & 22, containing 34,375 square feet.

Gary Jeppson addressed the Commission stating that the request is for a conditional use permit to allow the Central Christian Church to hold services in the Central Commercial building, at 112 N. Fourth Street, in downtown Kingman. There will be seating available for 234 people, the property is zoned C-2 and is in the Historic Commercial Overlay District.

Mr. Jeppson acknowledged that there are a number of tenants currently occupying other areas of the Central Commercial building, a restaurant, art gallery, wine cellar and coffee shop. The area proposed for the public assembly, indoor was previously a furniture store, and has been mostly vacant since 2012. Surrounding properties are also zoned C-2 and consist of professional offices, retail stores, thrift stores, restaurants and a bank.

The site has been posted, and surrounding property owners notified. There have been no public comments, written or verbal received by staff as of the writing of the report. The City Engineering Department has no comments regarding the proposal. City Building Department noted that the allowable occupant load of the facility has been limited to 500 people as there are only two exits from the space. The Building Official also acknowledged that if the Balcony/Mezzanine is intended for use, an engineer may need to be consulted regarding a written opinion about floor loading.

Mr. Jeppson stated that there are two Kingman Area Regional Transit (KART) bus stops located near the building. Parking would be both on and off street parking. Council recently adopted resolution 4972 that created an 'Entertainment District', which allows the 300-foot between churches and establishments that sell alcoholic beverages to be waived, on a case by case basis.

The church plans to hold services on Sunday morning at 9:30 and 11:30 A.M., with age appropriate ministries available. Also scheduled are weekly bible study classes of various sizes and other activities typical of religious facilities.

Mr. Jeppson stated that staff is recommending approval of the request, with the condition that the applicant meet with the Building Department and resolve the concerns regarding mezzanine use.

Applicant Matt Lockin addressed the Commission and stated that Central Christian Church is a non-denominational church founded in Las Vegas in 1963, and currently has 8 campuses in three separate states and Australia. The congregation is currently meeting in the Lee Williams High School auditorium and would like to find a more permanent home. Mr. Lockin stated that the proposed site would be a great location with adequate size and access to the downtown area.

Mr. Lockin went on to state that all the church seating would be floor level and there would be no seating in the mezzanine. He went on to state that the church would like to see downtown Kingman flourish and they have no objection to the close proximity of bars or a brewery.

Commissioner Kirkham asked where the 23 required parking spaces would be located. Mr. Lockin stated that there is currently a 23 space parking lot east of the building next to the Rednecks Barbecue restaurant for the use by all tenants in the building. Mr. Lockin noted that the Code allows for on-street parking within 300-feet of the establishment and they would be required to have 47 spaces and currently there is access to 300 parking spaces.

Commissioner Angle asked how many people generally attended each service on Sunday. Mr. Lockin acknowledged that although there is room in the building for a 500-person occupancy they were limiting the occupancy to 234 people. He noted that they would strive to be good neighbors, and traffic jams and upset neighbors were not what they wanted.

Commissioner Lewis asked if they planned to have weddings and other events at the proposed location. Mr. Lockin said that they did plan to have life events at the church, but there would be no outdoor use, that may cause a nuisance to neighbors.

Craig Graves addressed the Commission, noting that his family had owned the retail area across the street from Central Commercial for years. Mr. Graves stated that the proposed use would dominate the area and interfere with other businesses. Proposed parking for the church was specifying the private parking lot across the street from the Central Commercial building, which was a parking area designated for use of tenants and customers affiliated with the businesses on that block. Mr. Graves went on to state that at the facility in Las Vegas, the church states that they have activities Saturday and Sunday and he is concerned about people overlapping during the events. Mr. Graves stated that he feels there are other places in Kingman that would be a better fit for the church.

Jaynell Chambers addressed the Commission stating that there is already a lack of parking and that there are too many vagrants in the downtown and nearby residential area. Ms. Chambers stated that she drove to the High School, where the church services are currently being held, and counted 128 vehicles in the parking lot during the 9:30 service, and 134 vehicles during the 11:30 service. She said her count took place on a rainy day. She said she did not include on-street parking. Ms. Chambers stated that she also took a count of occupied parking spaces in the Central Commercial area at 9:30 A.M., and there were 28 occupied spaces, and at 11:30 A.M., 45 spaces were filled by the general public. Ms. Chambers questioned what other services the church would provide such as a food pantry, homeless outreach, and various support groups. She feels this proposal could have a major impact on the downtown area.

Angela Patterson, owner of Beale Street Brews and an 8 year tenant of the Central Commercial building stated that the church would change the dynamics they have worked so hard to create in the

area. She asked what the church was going to bring to enhance the development of the business district.

Alex McAfee, director of Celebrate Recovery, a 12 step Christ centered recovery program which is sponsored by the church, addressed the Commission. He stated that this program has been on-going since April 2014 and is held one night a month at the Lee Williams High School. Mr. McAfee stated that the program has been instrumental in transforming individuals to become productive members of society, and could help even more people if they could hold the program more often, which they could do at the proposed location.

Scott Dunton, president of the Route 66 Association, stated his family has had businesses in the downtown area for 70 years and he has worked hard at the revitalization of downtown Kingman. Mr. Dunton stated that he has nothing against the church or the people but this is not the right place for a church, there are no churches in downtown Prescott or Williams, which now have thriving downtown areas. He has plans to further renovate downtown that would stimulate the economy and make Kingman a tourist destination, but this proposal would only add to the current lack of parking in the area.

Bret Johnson, pastor of the Central Christian Church addressed the Commission and clarified that Rednecks restaurant was closed on Sunday, so that parking area would be available to the congregation. Pastor Johnson acknowledged that they currently have between 350 to 400 people attend church services on Sunday, and approximately 100 are children. He noted that statistically there are 2.1 people per vehicle. Mr. Johnson went on to state that the hours the church meets tend to be non-commercial hours, such as nights and weekends, so that would not interfere with most businesses. He said that a good church will elevate the property values, and many people would stay and shop or dine in the area after attending services.

Katie Graves stated that her family had been in the area since the late 1800's and have worked hard to maintain the downtown area where her family has businesses and property. She noted that functions such as the Twelve Step program and soup kitchens could increase the amount of homeless people downtown. Ms. Graves acknowledged that the church is a good thing, but the location proposed is not a good fit.

Matt Wanner, president of the Kingman Downtown Merchants Association, stated that churches don't only have services on Sunday, they have weddings and funerals and outreach programs during the week. Mr. Wanner stated that these functions will interfere with parades and the car shows that are popular events in downtown Kingman.

Nicholas Bodine, one of the executive pastors for Central Christian Church addressed the Commission and stated that the number of vehicles Ms. Chambers found in the parking lot of Lee Williams could have been for people that were Metcalfe Park as well as the church, since there were generally between 110 to 120 adults with 30 to 40 children at each Sunday service. Mr. Bodine also noted that there were generally 20 to 30 students at basketball practice on Sundays, which would account for a number of vehicles. Mr. Bodine noted that the proposed location at the Central Commercial building would allow them to double their congregation, and he expects that the space would be sufficient for the next five years.

Seth England, Wade Simon, Robert Sena and Greg Book were formally in support of the Conditional Use Permit request by the Central Christian Church.

Chelsie Curry stated that the Central Christian Church had been offered another church property on Hualapai Mountain Road that would have had adequate parking and other accommodations necessary to operate, but had turned it down.

Donna Moore, Julie Moon, Jamie Taylor and Raymond Torres stated that they are opposed to the proposal. They felt there was already a problem finding parking downtown and expressed concern that special events such as weddings and the growth of the congregation would add to the problem, and that a church would not add to the development of the downtown area, but instead have an adverse impact on the downtown area. These citizens suggested there were better alternate locations for the church.

Matt Lockin addressed the Commission to clarify his previous statement. Mr. Lockin acknowledged that the Central Commercial building was not intended to be a permanent home for the church and they would be under a five year lease beginning in 2016. Mr. Lockin stated that the church would be looking for property in the future when the lease was up. He went on to state that if there were problems with parking, they could push up the times the services were held, or split the services to lessen the amount of vehicles at any one time. Mr. Lockin noted that Rednecks is closed on Sunday's and the owner is not adverse to the church using the parking lot. He stated that the church will strive to be a good neighbor and would like to be a part of and support the urban renewal of the downtown area. Mr. Lockin further stated that regarding the twelve-step program, they would be willing to have the function at another location, or have it less than once a month if necessary. He said this proposal could be good for the downtown, and the church, and if it does not work they will revisit it.

Chair Mossberg closed the public hearing.

Commissioner Lewis suggested a town hall meeting with people from downtown and the church to see if they can come to some sort of agreement.

Commissioner Kress made a MOTION to TABLE the request. The motion was SECONDED by Commissioner Kirkham.

Commissioner Angle noted that the Commission is expected to analyze the required findings for the CUP, and it specifies that the site must be adequate in size and parking, and not negatively affect existing tenants and owners of surrounding properties. Mr. Angle acknowledged that it appears the church is willing to work this out with residents.

Vice-Chair Blair stated that he had recently attended a Planning Conference and according to their suggestions, a church was not a good fit for a historic overlay district.

Commissioner Kress rescinded her MOTION.

Commissioner Kress made a MOTION to TABLE the request and allow staff to further clarify the issues. The motion was SECONDED by Commissioner Kirkham, and UNANIMOUSLY (6-0) APPROVED.

Chair Mossberg declared a short recess after which Item 'F' would be heard ahead of Item 'B'.

B. CONSIDERATION OF A RECOMMENDATION TO THE CITY COUNCIL CONCERNING THE APPOINTMENT/REAPPOINTMENT OF COMMISSIONERS: The terms of Commissioners Kirkham and Kress end on December 31, 2015. Both Commissioners are eligible for reappointment. Commissioner Wimpee, Jr. has more than four unexcused absences, with his term ending December 31, 2016

Chair Mossberg stated that there were three applications from candidates willing to serve on the Planning and Zoning Commission. Gary Jeppson addressed the Commission and noted that Brenda DeHaan was currently serving on another Commission and did not desire to serve on the Planning and Zoning Commission.

Candidate Randy Gorder addressed the Commission stating he has been a resident since 1984. Mr. Gorder noted that he is a retired Pharmacist, and Developer, having raised his family here. He feels that there are a number of opportunities available to Kingman and now that he has the time to spend, would like to be a part of the growth and development of the area.

Jed Noble was also an applicant but was not in attendance.

Vice-Chair Blair made a MOTION to recommend Commissioners Kress and Kirkham for reappointment and Randy Gorder for recommendation to the unexpired term of Mark Wimpee, Jr. The motion was SECONDED by Commissioner Lewis.

Commissioner Angle noted that non-city residents may not be eligible to serve on the Planning and Zoning Commission, and asked if staff could check with the City Attorney.

The MOTION then CARRIED with UNANIMOUS (6-0) APPROVAL.

C. CONDITIONAL USE PERMIT CASE CUP15-002: A request from Kingdom of God Church, applicant, and Baltic Enterprises, LLC, property owner, for a conditional use permit to allow a Public Assembly Indoor, General use, specifically a church, in an existing building located on property zoned C-2: Commercial, Community Business. The subject property is located at 4798 Stockton Hill Road and is 0.44 acres. The subject property is further described as College Heights, Unit 1, Block 1, Lots 1-2.

Planner Sylvia Shaffer addressed the Commission stating that this is a request for the approval of a conditional use permit to allow for a Public Assembly-Indoor, General use, a church, in an existing commercial office building located on property zoned C-2 at 4798 N. Stockton Hill Road.

Ms. Shaffer stated that the site contains a commercial office building which was constructed prior to annexation into the City in 1991. There is a paved parking lot on-site. A conceptual site plan submitted with the application shows the proposed floor and parking layout. The applicant will need

to meet all commercial building requirements as a condition of the CUP. The structure was previously utilized as a church office building.

Ms. Shaffer noted that the proposed church is accessible from East Potter Avenue from an existing driveway. No access is proposed from North Stockton Hill Road. The proposed parking plan indicates approximately 22 parking spaces on site. Approximately 782 square feet of seating area is proposed within the church where there are no fixed seats proposed. The parking ratio for the proposed use is one space for every 35 square feet of floor area, requiring a minimum of 22 parking spaces. Ms. Shaffer noted that any parking associated with this use must be contained on site and not permitted to back into the adjoining streets. The site is over 95 percent developed with buildings and hardscape and so additional landscaping is not required. Ms. Shaffer acknowledged that the proposed use should not cause a nuisance to the surrounding owners.

There is water and electric service to the site. The site is more than 500-feet away from the nearest sewer line, so a sewer extension will not be required.

The site has been posted and surrounding property owners within 150 feet have been notified. There was one letter received by staff by a property owner adjacent to the site that stated they were opposed to the request, but would reconsider provided the Kingdom of God lease both of their properties for the length the public assembly was in use.

The Fire Department has indicated that the permit holder shall comply with all regulations set forth by their department. City Engineering noted that a street deferral was granted for this property in 1995. The deferral was for six months on Potter Avenue and until there was a street design in place for Stockton Hill Road. It appears that street improvements have already been completed in Potter Avenue. City Building Department and UniSource Energy have no objection to the proposal, and Mohave County Flood Control had no comment.

Staff is recommending approval of the request for a conditional use permit requested by the Kingdom of God Christian Church at 4798 Stockton Hill Road.

Commissioner Lewis asked if the septic system would accommodate the proposed use. Ms. Shaffer stated that she would check into this and provide the information.

Robert Peet, applicant and Pastor of the Kingdom of God Church addressed the Commission stating that there are two septic tanks recorded on this property according to Mohave County, which should be more than adequate for the proposed use. Pastor Peet indicated that there is also an additional area that can be utilized for parking should the need arise.

Commissioner Angle asked what the building directly to the south was. Pastor Peet stated that the building was owned by the same people that they were leasing the proposed church from, and was the future site is a youth ministry.

Vice-Chair Blair made a MOTION to recommend APPROVAL for the Conditional Use Permit request with the condition that the septic system was adequate for the proposed use. The motion was SECONDED by Commissioner Kirkham, and CARRIED UNANIMOUSLY (6-0).

D. REZONING CASE RZ15-004: A request from Raymond W. Stadler, P.E., applicant, and Mallory Loop Re Trust, property owner, for a rezoning of certain property from R-2-PDD: Residential Multiple Family, Low Density, Planned Development District to R-1-6: Residential, Single Family, 6,000 square foot lot minimum. Current R-2-PDD zoning allows patio homes on eight individual lots with common walls on one side and reduced setbacks. If the rezoning is approved, the proposal is to replat the subject property with five lots ranging from 6,273 to 10,715 square feet to allow for the construction of single family homes with standard R-1-6 setbacks. The subject property is 0.89 acres and is located at 3032 to 3046 Mallory Loop. The property is further described as Lots 9 through 16, Block 1, Mission Estates, Tract 1982.

Principal Planner Rich Ruggles addressed the Commission stating that this is a request for a rezoning of property located at 3032 to 3046 Mallory Loop from R-2-PDD: Residential, Multiple Family, Low Density, Planned Development District to R-1-6: Residential, Single Family, 6,000 square foot lot minimum. The current R-2-PDD zoning allows single family residences, commonly referred to as patio homes, on eight individual lots with common walls along one property line and reduced setbacks from the other property lines. If the rezoning is approved, the proposal is to re-plate eight existing lots within Mission Estates, Tract 1982 into five new lots ranging from 6,273 square feet to 10,715 square feet. The intent is to develop the new lots with single family homes with R-1-6 zoning district setbacks and development standards.

Mr. Ruggles noted that it appears the rezoning to R-1-6 would be more compatible and consistent with the Kingman General Plan 2030 which projects between three and eight residential dwelling units per acre in this area. The proposed zoning would allow 5.6 dwelling units per acre on the subject site, while the current zoning allows a density of nearly nine dwelling units per acre. R-1-6 zoning is also compatible with the surrounding detached single family homes in the area. The current zoning allows single family residences attached on one side with a common wall. This type of development pattern is not generally found in the area.

Under R-1-6 zoning, standard setbacks would be applied to the re-platted lots. Residences will be required to be setback 20-feet from Mallory Loop; whereas, the existing homes only have 15-foot front-yard setbacks. The reduced front yard setback has resulted in larger vehicles that are parked on driveways that extend into and partially block the public sidewalk in certain cases. Also side yards and rear yards will be wider under R-1-6 zoning than in the current R-2-PDD zoning.

According to ITE's 7th Edition of Trip Generation, a single family detached residence would be expected to generate an average rate of 9.57 vehicle trips on a weekday while a patio home is expected to generate about 5.86 vehicle trips on a weekday. Under the current zoning if all eight lots were developed with patio homes, about 47 vehicle trips could be generated on average per weekday. Under the proposed zoning if five lots are developed with single family homes, about 48 vehicle trips could be generated on average per weekday. Therefore the difference in the traffic impact for the surrounding streets as a result of the zoning change would likely be negligible.

Mr. Ruggles acknowledged that a concurrent preliminary plat for Mission Estates, II Tract 6044 would also need to be approved to ensure that the replatted lots are compatible with the minimum lot size of 6,000 square feet for R-1-6 zoned property.

Mr. Ruggles stated that planning staff is recommending approval of the request to rezone lots from R-2-PDD to R-1-6 with the condition that the subject property shall be replatted as indicated in the

preliminary plat for Mission Estates II, Tract 6044 with a maximum of five lots in accordance with R-1-6 zoning development standards.

Vice-Chair Blair asked the applicant, Raymond Stadler, if they were all right with the condition as stipulated by staff. Mr. Stadler stated that he was.

Danna Peterson, resident of Mallory Loop, addressed the Commission stating that she opposed the rezoning. Ms. Peterson stated that the larger setbacks would interrupt the continuity of the properties in the area and deflate the value of her property. She also stated that the proposal would cause drainage problems.

Rich Ruggles addressed the Commission and stated that the concept of the PDD was common wall patio homes. The front setback would be 15-feet, which was the same as the rest of the homes in that area, four-feet on one side, the common wall and six-feet in the rear. Mr. Ruggles clarified that the difference between the patio homes and the single family homes would be the five-foot setback separating the homes instead of the common wall, the front setback would be 20-feet and the rear setback would be 15-feet.

Mr. Angle noted that with this request moving forward, this would look more like the surrounding homes.

Mr. Stadler, the applicant, stated that fewer rooftops and larger setbacks would alleviate some of the drainage issue.

Commissioner Kress noted that there were no comments by the Flood Control District other than the area is not located in a FEMA district.

Vice-Chair Blair made a MOTION to recommend APPROVAL of the rezoning request. Commissioner Kress SECONDED the motion, and the MOTION CARRIED UNANIMOUSLY (6-0).

E. SUBDIVISION CASE SB15-007: 8:02:37 PM A request from Raymond W. Stadler, P.E., applicant, and Mallory Loop Re Trust, property owner, for approval of a Preliminary Plat for Mission Estates II, Tract 6044. The proposed subdivision is a re-subdivision of Lots 9 through 16, Block 1, Mission Estates, Tract 1982. The proposal is to reduce the current number of platted lots from eight to five to allow the development of single family homes as proposed under Rezoning Case RZ15-004. The subject property is 0.89 acres and is located at 3032 to 3046 Mallory Loop. The property is further described as Lots 9 through 16, Block 1, Mission Estates, Tract 1982.

Rich Ruggles addressed the Commission stating that this is a subdivision case for a preliminary plat for Mission Estates II Tract 6044 and was the same property as discussed in the previous item. Mr. Ruggles explained that the proposal is to reduce the current number of platted lots from eight to five to allow the development of single family homes.

Mr. Ruggles stated that the five re-platted lots are proposed to range from 6,273 to 10,715 square feet in size. The lot sizes exceed the minimum of 6,000 square feet in the R-1-6 zoning district. Mr. Ruggles stated that all the lots exceed the minimum width of 50-feet at the front setback line for R-1-6 zoned property. The block and lot layout proposed are in compliance with the subdivision ordinance. Mr. Ruggles went on to state that Mallory Loop provides access to the lots and is fully

improved.

The site has been posted and surrounding property owners within 300' were notified. No comments from the public have been received regarding the request, as of when the report was completed on November 2, 2015.

The City Engineering Department noted that the final plat should show how the existing water and sewer services, which were stubbed for the current lots, will be utilized for the new lots. If any new water and sewer services are required, they should be shown on the final plat.

City Building Department has no objections to this preliminary plat. Comments in regards to the final plat submittal are attached to this report. In summary a grading plan, geotechnical report, grading permit will be required with the final plat.

The City Surveyor stated that they had few comments on the preliminary plat for the re-subdivision of Lots 9-16 Block 1 since very little surveying information is available. At the time a final plat is submitted these issues will need to be addressed:

1. The portion of the title block describing the re-subdivision needs to be bolder print to bring more attention to what this plat represents.
2. The block in which these lots lay needs to be included which is Block 1.
3. Monument descriptions found or set need to be included along with measured and record distances and bearings and all other information that must be included for a recorded plat.

Mohave County Flood Control stated that the site is not located in a FEMA designated Special Flood Hazard Area. The MCFCD has no objections to this development.

UniSource Electric stated that they have existing facilities at this location. If the re-subdivision is approved, the existing facilities will no longer be on the lot lines. The developer will be responsible for compensating UNS Electric for relocation of these facilities. These costs could include trenching, backfill, materials and labor.

Frontier Communications noted that there are four pedestals that are located on the original property lines. If the lots are re-subdivided they will be in the middle of the newly proposed lots. If in conflict, the telephone pedestals will need to be relocated at the property owner or developer's expense.

Suddenlink stated that they have reviewed the attached plans and have contacted Marvin Yarbrough at Unisource Energy. We are currently looking at working together for the move of facilities to accommodate the request for rezoning of Mission Estates and changing of lot lines. However we will need to notify the property owner there will be cost in moving our active facilities to the new lot lines location, this cost would be at the property owners expense.

Staff is recommending approval of the request to approve the preliminary plat for Mission Estates II, Tract 6044 with the following conditions:

1. The final plat shall indicate lot and block numbers in accordance with Section 4.5 of the Subdivision Ordinance of the City of Kingman.
2. The final plat shall include monument descriptions found or set, along with measured and record distances and bearings and all other information that must be included for a recorded plat.
3. A grading plan, geotechnical report, grading permit will be required to be submitted with the final plat.
4. The final plat shall show how the existing water and sewer services, which were stubbed for the current lots, will be utilized for the new lots. If any new water and sewer services are required, they shall be shown on the final plat.
5. The subdivision developer shall be responsible to pay for moving any existing utilities that is necessary to serve the re-platted lots within Mission Estates II, Tract 6044.

Applicant Ray Stadler acknowledged that he was fine with the conditions 1-5 as outlined by staff.

Commissioner Angle made a MOTION to recommend APPROVAL of the replatting request for Mission Estates II Tract 6044 with conditions 1 through 5. The motion was SECONDED by Vice-Chair Blair and was UNANIMOUSLY (6-0) APPROVED.

- F. **REZONING CASE RZ15-005:** A request from KTH Consulting, applicant, and Pioneer Title Trust No. 9099, property owner, for the modification of Ordinance No. 1189 by removing Condition “B” of this ordinance. The ordinance, passed in 1998, zoned the subject property R-1-20: Residential, Single Family, 20,000 square feet. However, Condition “B” required that any lots abutting Hualapai Foothill Estates to be at least 30,000 square feet. The removal of this condition would allow Lot 2, Block 4 Southern Vista III, Tract 6002, to be split into two parcels that are at least 20,000 square feet while maintaining the existing zoning designation of R-1-20. The subject site is 47,322 square feet (1.09 acres) and is located at 2406 Steamboat Drive.

Rich Ruggles addressed the Commission stating that this is a request to modify Ordinance No. 1189 by removing Condition “B” of this ordinance as it applies to Lot 2, Block 4, Southern Vista III, Tract 6002. The ordinance, passed in 1998, rezoned certain property in the area including the subject site to R-1-20: Residential, Single Family, 20,000 square feet. However, Ordinance No. 1189 includes Condition “B” which states that “The minimum lot size in this zoning district shall not be less than 30,000 square feet for any lots that are adjacent to the eastern property boundary of this site.” Normally the minimum lot size is 20,000 square feet within the R-1-20 zoning district.

Condition “B” was included in the ordinance in response to concerns from residents in Hualapai Foothill Estates at the time that the platting of lots smaller than 30,000 square feet adjacent to their properties would decrease the property values of their 1-acre plus sized lots.

The purpose of removing this condition would be to allow Lot 2, Block 4 Southern Vista III, Tract 6002, which is currently 47,322 square feet, to be split into two parcels. Single family homes would be constructed on the two parcels. The splitting of the property will require the approval of a parcel plat in accordance with City of Kingman Municipal Code Section 2-146. The development standards of the R-1-20 zoning district will need to be met. This would mean that any new parcels that are

created must be at least 20,000 square feet in size, and at least 100-feet in width at the minimum 20-foot front yard setback line.

With the exception of the subject site and Lot 1 of Block 4, immediately to the north, Condition “B” of Ordinance No. 1189 is no longer applicable to any other properties due to other zoning changes that have occurred over the years. A minimum lot size of 20,000 square feet would be consistent with the R-1-20 minimum lot size requirements that are normally applied to other property within this zoning district. The proposed lot sizes will also conform to the Projected Land Use Map of the Kingman General Plan 2030 which indicates Low Density Residential, 1-2 dwelling units per acre on the subject property.

It should be noted, however, that there is a drainage easement that encumbers approximately 5,395 square feet of the northernmost portion of the existing 47,322 square foot lot. This would leave an estimated area of about 41,927 square feet of developable property. The drainage easement will need to be left undeveloped and unblocked by fencing or other items. The City Engineer has commented on this situation. A drainage report needs to be provided that addresses drainage issues in the area and possible impacts on the development of the property. Staff would recommend that consideration be given to splitting the property so that there is at least 20,000 square feet of developable property on the northern portion of Lot 2 after it is split. Under that scenario, the northern parcel would need to be about 25,395 square feet while the southern parcel would be about 21,927 square feet.

The site has been posted and surrounding property owners within 300 feet were notified. There have been four written comments received by staff. These comments were opposing the proposed change over concerns about increased development density.

City Departments and Agencies have been contacted. The City Engineer noted that the subject lot is surrounded on three sides by drainage easements and parcels. The City has been called out regarding numerous drainage related complaints to this particular area of the subdivision. We recommend that an updated drainage report be submitted showing building pad elevations and locations of any proposed block walls adjacent to the drainage easements.

A portion of Lot 2 is subject to a drainage easement that affects the amount of developable land. A map is attached for clarification. The drainage report should address any impacts that this (and other adjacent drainage parcels and easements) may have on zoning implications and any other development considerations.

City Building and UniSource Electric have no objections to the request.

Suddenlink acknowledged that they currently have conduit in the public utility easement (PUE). A lot line relocate will possibly require us to relocate some of our facilities, along with power and phone. The relocation cost of existing facilities would need to be covered by property/subdivision owner.

Mr. Ruggles stated that decision options for the Commission to consider are:

1. Recommend approval of the request for a modification of Condition “B” of Ordinance No. 1189 by removing the condition as it applies to Lot 2, Block 4 Southern Vista III, Tract 6002 with the following conditions:

- a. The subject property shall be permitted to be split into a maximum of two parcels with an approved parcel plat in accordance with Kingman Municipal Code Section 2-146 and Section 3.000: Residential Single Family of the Zoning Ordinance of the City of Kingman.
 - b. A drainage report shall be submitted with the parcel plat and shall address the drainage impacts on the development of the property and other adjacent drainage parcels and easements, as well as show the proposed building pad elevations and locations of any proposed block walls adjacent to the drainage easements.
2. Recommend denial of the request for a modification of Condition “B” of Ordinance No. 1189 by removing the condition as it applies to Lot 2, Block 4 Southern Vista III, Tract 6002.

Staff is recommending approval of the request to remove Condition ‘B’.

Kathy Tackett-Hicks, the applicant, addressed the Commission stating that this is the only parcel that the ordinance/condition applies to. She stated that previous conditions to the south have removed this condition. Ms. Tackett-Hicks stated that if the proposal is approved, there would be two lots, one 26,000 and one 22,000 square feet, which is consistent with the area.

Commissioner Kress asked if they were concerned about drainage. Ms. Tackett-Hicks stated that she was not, as one of the conditions stipulated that an engineer look at this again. She went on to state that this was the addition of just one lot.

Resident Teri Gray addressed the Commission stating that there is a wash that fills with water during storms on the property, so drainage will be a problem. Ms. Gray noted that this rezone is identical to the rezone George Ripps did along Southern Avenue, and should be treated equally. She suggested a park would be a good addition to the area.

Resident Dr. Daniel Lordahl addressed the Commission stating that they had forced a ballot to be called regarding this area when a developer tried to create a high density subdivision, and they were successful. This 1994 Ordinance was the compromise, with this area for public use. Dr. Lordahl stated that this proposal should be denied. He also suggested a small park.

Resident Allen Burgett addressed the Commission stating that this will affect the quality of life for him and his wife, as well as their neighbors, along with decreased revenue from their homes. Mr. Burgett stated that he had a plat map of the area when he purchased his property that showed all the surrounding lots over one acre. He would not have made the decision to buy the lot if he had known the lots would be rezoned to a smaller size. He is opposed to the proposal, and asked the Commission to deny the request.

Kathy Tackett-Hicks addressed the Commission stating that the current zoning will not change, the lots will still be zoned R-1-20. She stated that this will not adversely affect surrounding properties. She went on to state that the parcel ‘B’ is not a road, but a public utility easement, although locals have been using it as a road, and the utility company has fenced portions of the easement off.

Commissioner Lewis acknowledged that the properties in this area are some of the nicest in Kingman. He felt this proposal could change the dynamics of the area and will not support it. Vice-Chair Blair

stated that he is concerned with the ongoing drainage issues Kingman faces, and is not in favor of the proposal. Commissioner Angle stated that even if the lot is not split, the property owner could build a huge garage that would be similar to a separate residence.

Vice-Chair Blair made a MOTION to DENY the proposal. The motion was SECONDED by Commissioner Lewis. The MOTION CARRIED with a vote of (5-1) with Commissioner Angle casting the opposing vote.

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

Vice-Chair Blair thanked the City for sending Commissioners to the Arizona Planning Conference in Tucson, noting that it was the best one he has ever attended. Commissioner Kirkham thanked the City as well, and stated that the workshops were all highly relevant to revitalizing downtown and other issues Kingman was experiencing. Commissioner Kress thanked the City and acknowledged the conference was phenomenal and motivating. Chair Mossberg thanked the City as well as the recording secretary for handling all of the arrangements.

Vice-Chair Blair suggested a workshop with the Planning and Zoning Commission and City Council to share some of the things they learned at the Conference.

Vice-Chair Blair made a MOTION to ADJOURN. The motion was SECONDED by Commissioner Kirkham and UNANIMOUSLY (6-0) APPROVED. Chair Mossberg declared the meeting adjourned at 8:48:47 P.M.

ADJOURNMENT 8:48:47 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 November 10, 2015

Dated December 8, 2015