

SIERRA VISTA PLANNING AND ZONING COMMISSION

August 15, 2023
CITY COUNCIL CHAMBERS
Meeting Minutes

The regular meeting of the Sierra Vista Planning and Zoning Commission was called to order at 5:00 p.m. in the City Council Chambers.

Members Present: Bradley Snyder, Chair
Daniel Coxworth, Vice-Chair
Randy Wilcox
Daman Malone

Members Absent: Leslie Thomas

Staff Present: Matt McLachlan, Director, Department of Community Development

Council Present: Mayor Clea McCaa II
Mayor Pro Tem Umphrey
Councilmember Messmer

Others Present:

ACCEPTANCE OF THE AGENDA:

ACCEPTANCE OF THE MINUTES:

1. Mr. Coxworth made the motion to accept the May 16, 2023 minutes. Mr. Malone seconded the motion.

VOTE: Approved by a vote of 4-0.

CHAIR COMMENTS

Mr. Snyder had no comments.

CALL TO THE PUBLIC

No public - None.

OLD BUSINESS:

None.

NEW BUSINESS

2. Request for Rezoning

Located on the southeast corner of W. Kayetan Drive and Elledge Drive (Tax parcel # 106-62-056)
Resolution 1191

Mr. Malone made the motion recommending Resolution 1191 to the Mayor and City Council.

Mr. McLachlan gave the staff presentation. This is a request to rezone the property located on tax parcel #106-62-056, from Neighborhood Convenience (NC) to Manufactured Home Residence (MHR). The applicants are proposing to install one manufactured home on the currently vacant property for living purposes. Manufactured homes are only permitted in the MHR zoning district which is why the applicant is requesting the rezoning.

The property was incorporated as part of the original Articles of incorporation in 1956 and was designated with a zoning classification of RMH (Mobile Home Residence) which allowed manufactured homes on the property. In 1983, the property was rezoned to C-1 (Neighborhood Business), for the purposes of constructing a treatment facility for drug and alcohol abuse. Based on permitting history, this facility was never constructed. In 1986, after adoption of the Development Code, and all zoning districts were renamed, the property was given a Neighborhood Convenience (NC) zoning designation which is the current zoning designation.

The zoning district south and west of the property is zoned Manufactured Home Residence. The zoning north of the property is zoned Industrial Park (IP) and east of the property is Soldier's Creek Wash which is zoned Open Space. In 2013, a Letter of Map Revision from FEMA reduced the floodplain area on the property to a small area along the eastern property line. There is ample size on the remaining portions of the property to install a manufactured home out of the floodplain. Access to the site will be from Elledge Drive.

The subject property is located on the southeast corner of Kayetan Drive and Elledge Drive. According to the latest City traffic counts, W. Kayetan Drive has a total of 734 average daily trips. W. Kayetan is functionally classified as a Connector and Elledge is classified as a local street. According to the Institute of Traffic Engineers (ITE) Trip Generation Report, a single-family residence generates 10 vehicle trips per day. No significant impact on the existing level of service will result from the rezoning.

An 8-inch sewer line is located at the intersection of W. Kayetan Drive and Elledge Drive which is adequate to accommodate the proposed residential use.

Despite the property being rezoned to Neighborhood Convenience, the parcel has remained vacant for a number of years. A commercial establishment on the property would be challenging due to required setbacks, buffers, and parking standards. In addition, the intensity of commercial development could potentially create negative impacts on the adjacent residences. For these reasons, the highest, best and most compatible use for the property is residential, which was the original intent for the property.

The request will be consistent with the land use designation in the City of Sierra Vista General Plan (VISTA 2030) which has assigned a High-Density land designation to the property. According to VISTA 2030, the MHR zoning district falls under the category of a High-Density land designation.

Development Code Article 151.31, Amendments, states that a neighborhood meeting shall be required for rezoning applications. As a result, the petitioner held a neighborhood meeting on July 7 at 3:00 pm. No members from the public attended the meeting.

In addition, the City is required to provide notice of the public hearings 15 days prior to the meetings by posting the property, publishing a public notice ad in the newspaper, and mailing notice to all property owners within 500 feet of the requested property. The City has received no comments.

VOTE: Unanimous to approve 4-0.

3. Request for Alleyway Abandonment
Resolution 1192
Located between North Avenue and Cyr Center

Mr. Coxworth made the motion recommending Resolution 1192 to the Mayor and City Council.
Seconded by Mr. Wilcox.

Mr. McLachlan gave the staff report. *He states that this is a request for abandonment of two alleyways between Cyr Center and North Avenue. The alleyways are unimproved which historically have not been maintained by the City. About 15 years ago the owner of the property north of the east/west alley installed a gate for security and to prevent graffiti. There is no record of a permit being issued for the gate. The City's Code of Ordinances prevents public alleyways from being encumbered. Therefore, it was staff's recommendation to proceed with the abandonment of the east-west segment of the alleyway and eventually the north-south segment. The east-west segment has been privatized and is being used for vehicle storage and private driveway access which services the rear entry garage of the business. SSVEC has power lines within the east-west segment and Century Link has lines within the north-south section and have requested a utility easement be recorded prior to abandonment. Staff will present the easements to City Council.*

The City Council did recommend staff proceed with the alleyway abandonment at their May 25 meeting as per the abandonment procedures. All utility companies were notified, and all applicable staff reviewed the request. Apart from the request for utility easements, there were no objections to the abandonment.

Mr. Snyder asked about staff's motivations for initiating the abandonment. Mr. McLachlan stated that there is no public necessity for the alleyways at this location. The original intent of the alleyways, which is to provide access to the adjacent properties, will be preserved through a reciprocal access agreement signed by all three adjacent property owners. Mr. McLachlan notes that the previous abandonment of adjacent alleyways eliminated the original circulation pattern of the alleyways.

Mr. Malone asks who will be owning the property once the alleyways are abandoned? Mr. McLachlan states that once the alleyways are abandoned, the property reverts to the adjacent property owners at the midpoint, Essentially, each property owner will receive 10 feet of the alleyway.

Mr. Malone asked about the functioning of a utility easement if the property owners constructed structures or fences over their section of alleyway. Mr. McLachlan stated that SSVEC does have a key to the existing gate to allow access to the east-west alleyway. Mr. Malone follows-up by asking if the abandonment will eliminate the access to the public? Mr. McLachlan states that the abandonment would eliminate the allowance of public vehicles from accessing the alleyways. The City does not find a need for the public to use the alleyways for circulation or access to the businesses. However, it will be beneficial from a private driveway standpoint, which is why a reciprocal access easement is being recorded.

Mr. Wilcox states that there are many alleyways in town that are not maintained or used by the City. Mr. McLachlan indicated that he was in favor of staff taking a comprehensive look at all public alleyways and determining public benefit.

Mr. Coxworth asked about the utilities within the alleyways. Mr. McLachlan added that SSVEC had lines within the east-west alleyway and CenturyLink had lines within the north-south alleyway. Mayor Pro Tem Umphrey stated that many of the utilities have been relocating from alleyways to the front of properties.

Mr. Coxworth asked if there was any responsibility by the utilities to maintain the alleyways. Mr. McLachlan said the utility companies do have the responsibility to maintain vegetation in the alleyways to ensure they can access their lines. However, issues with illegal dumping fall upon the property owners to maintain. The property maintenance code places responsibility of alley maintenance of the adjacent property owners.

Mr. Snyder opened the hearing up to the public. There being no response, Mr. Snyder closed the meeting to the public.

VOTE: Unanimous to approve, 4-0.

FUTURE DISCUSSION ITEMS, COMMISSION REQUESTS, AND ANNOUNCEMENTS

INFORMATION

There will be an executive report going to City Council which will provide an update on projects. The projects in the executive report include:

Independence Village Preliminary Plat approved by the City Council
Building Code Updates from 2015 to 2018 approved by City Council.
Circle K Site Plan Approval from DRC.
Freddy's has not picked a building permit but are still moving forward with project.
Tropical Smoothie is currently under construction.

Two grant funded multi-use paths (SR 90 from Foothills Dr. to Avenida Cochise and BST from Golf Links to Fry Blvd.), sidewalk improvements on the west end and street lighting in Montebello are all under design.

The City applied for grant funding for a multi-use path between Oakmont Drive and El Camino Real and between 7th Street and Coronado Drive on SR 90.

Mr. McLachlan stated that there is a survey on the website related to the General Plan Update.

CITY COUNCIL LIASION COMMENTS

Mayor Pro Tem Umphrey stated:
The City Council approved the tentative budget.
The CDBG block grant will be awarded to three non-profits-United Way, Lori's Place, Southern Legal Aid.
Solar benches have been installed throughout the City.
Ribbon cutting for the new football field.
Spotlight Breakfast is August 8th.
The grass in Veteran's Park will improve with upgrades to water system

ADJOURNMENT

The meeting was adjourned at approximately 6:05 pm.

BRADLEY SNYDER
Chairperson
Planning & Zoning Commission

MATT MCLACHLAN, AICP
Executive Secretary
Planning & Zoning Commission

Jeff Pregler, AICP
Recording Secretary