MEMO

TO: Planning and Zoning Commission

FROM: Ray Erlandsen
Acting Community Development Director

DATE: July 13, 2009

SUBJECT: **Rezone R-3 to C-3** **P-356-09**
900-901 S. Westerly Road
Messinger Payson Funeral Home, Inc.

Background

The applicant, Messinger Payson Funeral Home, Inc., is requesting approval of a zone change from R3 to C-3 at 900 & 901 S. Westerly Road, a total of 4.68 acres for development of the new Messinger Payson Funeral Home.

Analysis

The site is currently vacant/undeveloped property split into two parcels by the recently constructed S. Westerly Road. Parcel A lies to the west of Westerly Rd. while Parcel B lies to the east. Parcel B is proposed to be developed with the new Messinger Payson Funeral Home. Parcel A is designated as future development. The current Messinger Payson Funeral Home is located at 302 W. Aero Drive and will be vacated upon completion of the new facility. Future use(s) of the current facility are yet to be determined.

The Land Use Element (Chapter 3) of the Town of Payson General Plan designates this property for Commercial development. Staff finds that this request meets these requirements. The Unified Development Code (UDC) allows mortuaries in C-3 zoning districts. Currently, C-3 zoning exists to the east and south of this property. R3 adjoins the property to the north and west. Staff recommends rezoning both parcels at the same time to proactively encourage development in the Green Valley Redevelopment Area. The applicant assisted the Town with the construction of Westerly Road and in doing so, split a nearly 5 acre parcel in two. Had the applicant submitted a rezoning request prior to the construction of Westerly Road, and thus prior to the split of the property, this request would have been considered on one piece of property.

Staff notes that the Conceptual Site Plans dated 4-13-09 (color version) and 6-1-09 (b&w version) correctly outline the property boundaries, however, have incorrectly listed the parcel area of Parcel A as 1.90 acres. A Quit Claim Deed filed by the Town of Payson in 2005 deeded approximately 0.55 ac. of a public utility and access easement to Messinger Mortuary and Chapel, Inc. This increased the size of parcel A to approximately 2.45 acres. The Gila County parcel numbers are now 304-16-222E (Parcel B) and 304-16-222F (Parcel A).

Staff Recommendation

Approval with the following conditions:

1. The development shall be in substantial conformance with the Conceptual Site Plan, dated June 1, 2009.
2. Engineered grading and drainage plans for development of Parcel A shall be submitted and approved prior to issuance of a building permit for Parcel A.
3. A five foot wide sidewalk will be required for the east side of Westerly Road.
4. Improvement plans for a portion of the public trail adjacent to the American Gulch shall be submitted and approved by the Town Engineer prior to commencing trail construction.

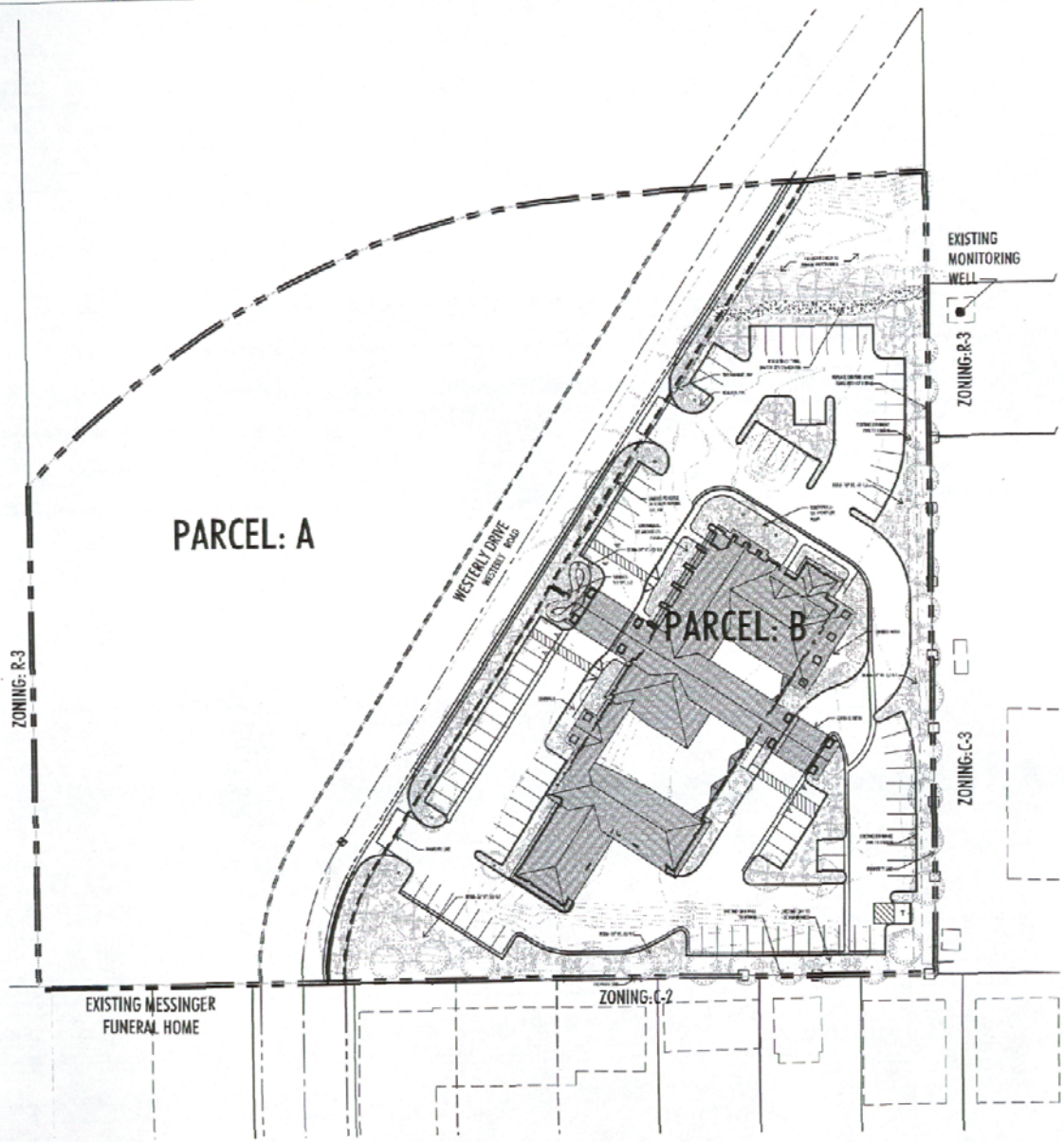
Any other condition the Commission deems necessary.

Suggested Motion to recommend Approval:

"I move the Planning & Zoning Commission recommend to the Town Council approval of P-356-09, a request to rezone the property located at 900 & 901 S. Westerly Road from R3 to C-3 as depicted on the Conceptual Site Plan, dated June 1, 2009, with conditions as recommended by staff."

Neighborhood Involvement

A Citizens Participation Meeting was held on May 26, 2009. The report and related materials are enclosed for review.



VICINITY MAP

LEGEND

ZONING BOUNDARY: — - - —

PROPERTY BOUNDARY: — — — —

OVERALL PROPERTY

GROSS PROPERTY AREA: 4.58 AC.

EXISTING ZONING: R-3

PROPOSED ZONING: C-3

MAXIMUM HEIGHT: 30'

SETBACKS: FRONT: 20'

STREET SIDE: 15'

INTERIOR SIDE: 10'

REAR: 15'

PARCEL A

NET AREA PARCEL A: 1.90 AC.

PROPOSED USE: UNDETERMINED

PARCEL B

NET AREA PARCEL B: 2.36 AC.

PROPOSED USE: MESSINGER PAYSON MORTUARY

TOTAL OPEN SPACE REQUIRED: 0.48 AC - 20%

TOTAL OPEN SPACE PROVIDED: 0.74 AC- 31%

PARKING PROVIDED:

ACCESSIBLE SPACES: 6 SPACES (1 VAN ACCESSABLE)

NON-ACCESSIBLE SPACES: 90 SPACES

SETBACK NOTE (UNIFIED DEVELOPMENT CODE PER TOWN OF PAYSON ZONING ORDINANCE, PAGE 21): REAR AND SIDE YARD SETBACKS WILL APPLY ONLY WHEN THE COMMERCIAL PROPERTY HAS A COMMON PROPERTY BOUNDARY WITH A RESIDENTIALLY ZONED LOT OR THE ADJOINING PROPERTY HAS RESIDENTIAL USES ESTABLISHED; OTHERWISE, IF ADJOINING ANOTHER COMMERCIAL OR INDUSTRIAL PROPERTY, NO REAR OR SIDE YARD SETBACK ARE REQUIRED

CONCEPTUAL SITE PLAN

10 0 30
SCALE: 1" = 30'-0"

urban design studio
land planning • landscape architecture
1230 south mill avenue • tempe arizona 85281 • phone: 480.994.0994

DATED: 3/20/2011

MESSINGER PAYSON FUNERAL HOME

PAYSON, AZ.

PREPARED FOR: MESSINGER MORTUARIES AND CHAPELS

CONCEPTUAL SITE PLAN

Not for construction unless approved by local government

Call Two working Days to get Ready 263-1100 1-800-STAKE-IT (Out-Of-Area Participating Utilities)

REVISION	DATE

DATE: 5/1/09

JOB NO.: 0206.2

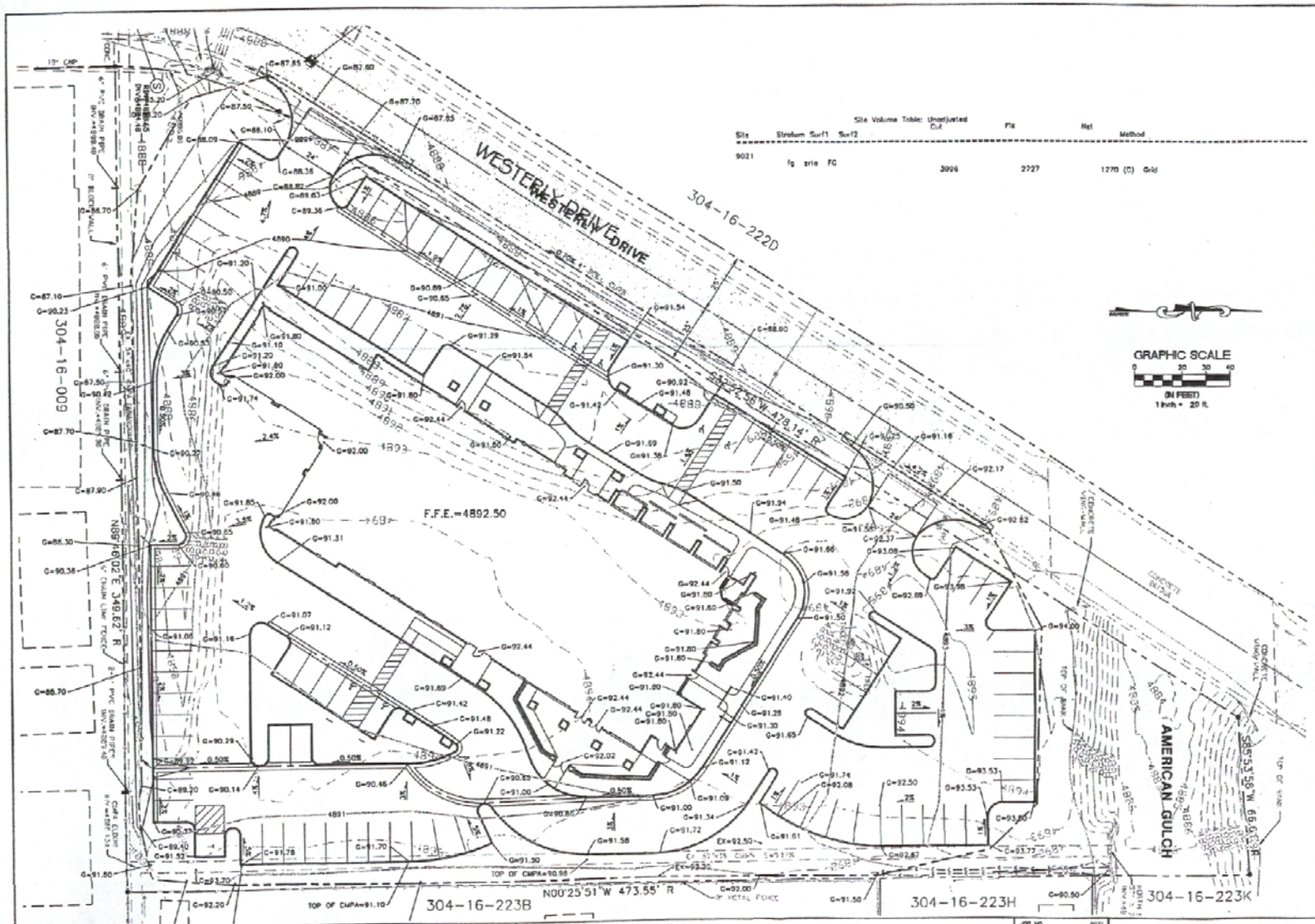
DRAWN: STAFF

SCALE:

SUBMITTED FOR: DESIGN REVIEW

SHEET #

1 OF 1



Site Volume Table: Unadjusted

Site	Stratum	Surf1	Surf2	Cut	Fill	Net	Method
9021	fg	srfc	FC	3996	2727	1270 (C)	Grid

CONSTRUCTION NOTES

NO.	DESCRIPTION	EST. QTY. THIS SHEET
	PAVING	
101	A.C. PAVEMENT AND BASE PER STRUCTURAL SECTION NO. 1 - 2,192 S.Y. 4" ASPHALTIC CONCRETE (MAG C3/4) 7.5" AGGREGATE BASE COURSE	 TON C.Y.
102	A.C. PAVEMENT AND BASE PER STRUCTURAL SECTION NO. 2 - 205 S.Y. 3" ASPHALTIC CONCRETE (MAG C3/4) 4" AGGREGATE BASE COURSE	 TON C.Y.
108	CONCRETE BOX CURB, TYPE "C", PER M.A.G. STD. DTL. 222	L.F.
109	MONOLITHIC CURB PER DTL ON DWG PD11	L.F.
110	CONCRETE SINGLE CURB, TYPE "A", PER M.A.G. STD. DTL. 222 H=6"	L.F.
111	CONCRETE VERT. CURB & GUTTER, TYPE "A" PER M.A.G. STD. DTL. 220-1 H=6"	L.F.
112	CONCRETE CURB TRANSITION PER M.A.G. STD. DTL. 221	EA.
125	CONCRETE SIDEWALK PER M.A.G. STD. DTL. 230 W=SEE PLAN	S.F.
126	CONCRETE SIDEWALK RAMP TYPE A PER DETAIL DWG. PD1	S.F.
130	6" CONCRETE SLAB W/ 6X6X10 WWM @ MIN. DEPTH ON 4" COMPACTED GRAVEL	S.F.
131	CONCRETE SIDEWALK RAMP TYPE B PER MAG STD. DTL. 234	S.F.
133	CONCRETE VALLEY GUTTER AND APRON PER M.A.G. STD. DTL. 240, FINISH COLOR & TEXTURE TO BE DETERMINED BY OWNER.	S.F.
134	CONCRETE SCUPPER MOD. 24"x 2" OPENING PER MAG STD. DTL. 206	EA.
135	STEPS PER ARCHITECTURAL REQUIREMENTS	EA.
154	CMU RETAINING WALL PER GILA COUNTY STANDARDS	S.F.
156	KEYSTONE BLOCK RETAINING WALL PER DTL. ON DWG. KM OR APR. EQ.	S.F.
158	DUMPSTER ENCLOSURE PER DETAIL ON DWG. PD1	EA.
160	INTERCEPTOR DRAIN PER DETAIL ON DWG. PD1	L.F.
162	CHECK DAM AND SPLASH PAD PER KEYSTONE WALL NOTES ON DWG. KM	EA.
165	ROCK SWALE 2' WIDE, 4" DEEP d50=4", 8" THICK W/ FILTER FABRIC	C.Y. S.Y.
170	HANDRAIL PER ARCH. REQ'MTS.	L.F.
	DRAINAGE	
202	12" STORM DRAIN	L.F.
203	18" STORM DRAIN	L.F.
204	36" STORM DRAIN	L.F.
207	42" STORM DRAIN	L.F.
208	48" STORM DRAIN	L.F.
231	18" END SECTION	EA.
237	STORM DRAIN MANHOLE PER M.A.G. STD. DTL. 520 & 522	EA.
241	RIPRAP CHANNEL SLOPE PROTECTION TYPE L, d50=8", 16" THICK W/FILTER FABRIC SEE DTL. ON DWG. PD1	C.Y. S.Y.
253	HEADWALL PER M.A.G. STD. DTL. 501-3	EA.
256	18" x 22.5° BEND	EA.
257	18" x 33.75° BEND	EA.
260	48" x 45° BEND	EA.
263	CATCH BASIN, TYPE "B", L=8' PER M.A.G. STD. DTL. 533	EA.
265	CATCH BASIN, TYPE "F", MOD. W=42" PER M.A.G. STD. DTL. 535	EA.
270	CATCH BASIN, 12" x 12" NEENAH R-4330-B OR APR. EQ.	EA.
272	CATCH BASIN INSERT CONTECH SFBTON MODEL 1803 OR APR. EQ.	EA.
276	48" x 12" TEE	EA.

CALL TWO WORKING DAYS BEFORE YOU DIG
1-800-STAKE-IT
(ARIZONA ONLY)
ELOISE WARCHOL (OWNER)

PRELIMINARY
NOT FOR CONSTRUCTION

NO	REVISIONS	DATE	BY	CHK

GR1

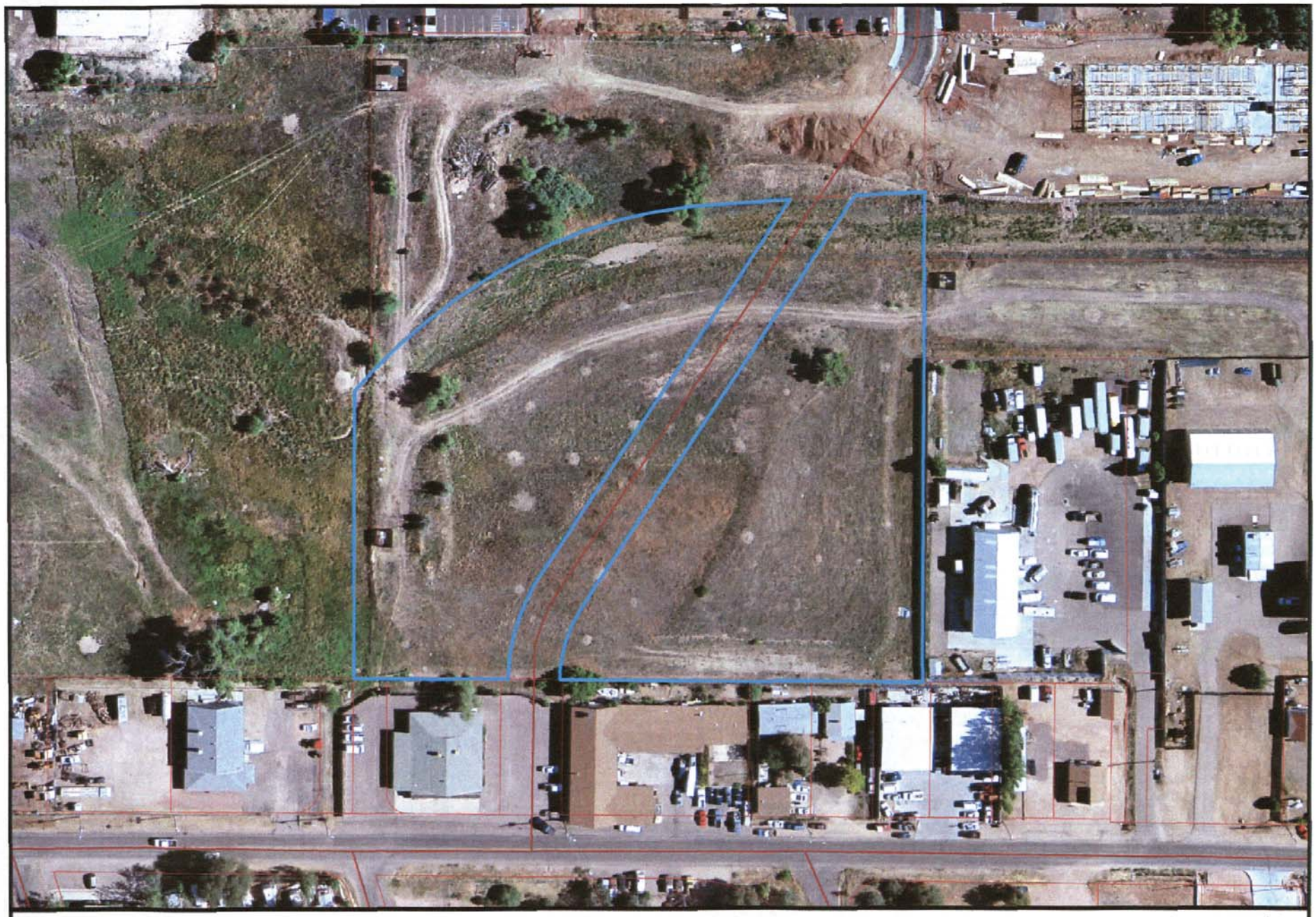
Verde Engineering Group PLLC
1109 North McLane Road
Payson, Arizona 85541
Ralph Bossert P.E. R.L.S.
(928) 978-4345
Dan Fitzpatrick P.E.
(928) 505-2818

MESSINGER MORTUARY
PAYSON, ARIZONA

JOB NO.	9021
DESIGNED BY:	RWH
DRAWN BY:	RWH
CHECKED BY:	RGB
APPROVED BY:	RGB
DATE:	08/09/09

GRADING AND DRAINAGE PLAN
PRELIMINARY

SCALE: HORIZ: 1"= 20'
CONT. INTERVAL = 1'
DRAWING NO. GR1
SHEET NO. X OF X



Payson
303 North Beeline Highway
Payson, Arizona 85541
(928) 474-5242 www.ci.payson.az.us
GIS/PaysonGIS_Master.mxd 11/28/2007

0 45 90 180 270 360 Feet 1:1,505

This map has been provided for informational purposes only and is not accurate for engineering design. Every effort has been made to ensure this map is as accurate as possible. The Town of Payson shall assume no liability for the base information contained in this map.

N

LVA urban design studio
land planning • landscape architecture

MESSINGER PAYSON FUNERAL HOME – REZONING APPLICATION

PROJECT NARRATIVE

This application respectfully requests approval of a rezoning for two adjacent properties located at 9090 and 901 S. Westerly Drive. The site is currently vacant/undeveloped although minor drainage improvements do exist on the 1.9 acre and 2.4 acre properties.

The parcels are proposed to be rezoned from the existing R-3 to C-3 (Commercial Three/Highway Commercial District) which is consistent with existing zoning to the south and east. The Town of Payson General Plan (2003) designates the property as commercial and within node #2. The node #2 commercial zone emphasizes a variety of regional commercial uses in support of the Hwy.260 and Main Street corridors.

Development of the property will include the relocation of the Messinger Payson Funeral Home into a new facility (see attached conceptual site plan). The current funeral home is located immediately south of the subject site at 302 W. Aero Drive. The proposed building is designed to blend into the surrounding natural character. The roof profiles are low and horizontal with stone pilasters and walls that give the building a solid base. The materials are stone and wood native to the area with a copper colored metal roof. The plan includes a Community Room which will be made available for community and club meetings. Please see the attached conceptual elevation of the proposed building.

The portion of the property west of Westerly Drive (Parcel A) will not be developed during the first phase of construction, and an ultimate land use for this property has not been determined. The parcel east of Westerly Drive (Parcel B) will include the planned development of the Messinger Payson Funeral Home. In addition to the funeral home building, site improvements will include approximately 96 parking spaces, landscaping and the construction of a public trail segment adjacent to the American Gulch.

120 south ash avenue · tempe, arizona 85281 · phone: 480.994.0994 · fax: 480.994.7332

CASE NUMBER P- 356-09

TOWN OF PAYSON
PLANNING AND ZONING COMMISSION OR BOARD OF ADJUSTMENTS APPLICATION

The undersigned Applicant(s) hereby applies for:

Abandonment Request	General Plan or Land Use Plan Amendment
Administrative Appeal	Minor Land Division
Code Amendment	P & Z Commission Appeals
Conditional Use Permit	Preliminary Subdivision Plat
Development Master Plan	Temporary Use Permit
Devel. Agreement, PAD & SPD	Variance
Final Subdivision Plat	Zone Change

May, 2007

Project Address: 900 & 901 S. Westerly Drive Tax Parcel Number: 304-16-222 ~~D~~ F & E
Subdivision: n/a Lot Number: n/a
Name of Applicant(s): Alex Stedman, LVA Urban Design Studio LLC Phone #: (480) 994-0994
Mailing Address: 120 S Ash Avenue Town: Tempe St: AZ Zip: 85281
Name of Property Owner(s): Paul Messinger, Messinger Mortuaries
Mailing Address: 302 W Aero Drive, PO Box 379 Town: Payson St: AZ Zip: 85547
Contact Person: Mark Waldrop Phone #: (928) 474-2800 Fax #: (928) 474-1658
Payson Business License # Sales Tax #

Detailed Description of Request:
Request to Re-Zone ~~4.3~~ 4.68 acres of vacant land from R-3 to C-3 (Highway Commercial District) to allow for the development of the new Messinger Payson Funeral Home.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent in his behalf.

Alex Stedman, LVA Urban Design Studio LLC — Print Name
Signature
June 3, 2009 — Date

STAFF USE ONLY - PERTINENT DATA

APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	6-8-09	Sld	Zone Change Application $350.00
COMPLETED APPLICATION	7-7-09	RE	
NEWSPAPER PUBLICATION	6-26-09	Sld	
300' NOTIFICATION MAILOUT	6-22-09	Sld	
POSTING DATE	6-25-09	Sld	CHECK NUMBER: 4729 DATE: 6-8-09

RECOMMENDATION		DECISIONS	
By:	Date:	By:	Date:

Gila County Parcel Information Search

Assessor Information
304-16-222E

Parcel/Tax ID	304-16-222E
Tax Year	2009
Site Address	, PAYSON
Owner Name	EL CAMINO WESTERLY LLC,
Owner Address	7601 E INDIAN SCHOOL RD SCOTTSDALE, AZ 85251
Tax Area	1053
Land Value	$63,079.00
Improvement Value	$0.00
Full Cash Value	$63,079.00
Assessed Full Cash Value	$10,093.00
Limited Value	$63,079.00
Assessed Limited Value	$10,093.00
Value Method	Market
Exempt Amount	$0.00
Exempt Type	
Use Code	0022
Property Use	0022-VL-CM-URBAN NONSUBDVD
Class Code	Commercial
Assessment Ratio	16.000000
Sale Price	
Sale Date	
Instrument Type	
Book	
Page	
Parcel Size	2.35
Township, Range, Section	10N, 10E, 0009
Legal Description	POR LAND NE4 SEC 9 T10N R10E;COMM SE COR NE4 SEC 9;TH S89D41'W 1675';TH N0D27'W 170' POB;TH S89D46'53 W 349.58';TH N0D19'50 W 0.10' TO PC;TH ALG CRV CONCAVE ELY R=125' ARC L72.47' CNTR ANG 33 D13'11 ;TH N32D53'15 E 478.14';TH N85D54'24 E 66.61';TH S0D25'W 472.75' (C) POB;=2.35 AC M/L (OUT OF 304-16-222C)
Property Type	REAL

Page generated in 0.953125 seconds

Gila County Parcel Information Search

Assessor Information
304-16-222F

Parcel/Tax ID	304-16-222F
Tax Year	2007
Site Address	,
Owner Name	MESSINGER PAYSON FUNERAL HOME INC,
Owner Address	7601 E INDIAN SCHOOL RD SCOTTSDALE, AZ 85251
Tax Area	1053
Land Value	$63,827.00
Improvement Value	$0.00
Full Cash Value	$63,827.00
Assessed Full Cash Value	$10,212.00
Limited Value	$55,570.00
Assessed Limited Value	$8,891.00
Value Method	Market
Exempt Amount	$0.00
Exempt Type	
Use Code	0002
Property Use	0002-VL-UNDET-URB-NONSUBDIVID
Class Code	Vacant
Assessment Ratio	16.000000
Sale Price	
Sale Date	
Instrument Type	
Book	
Page	
Parcel Size	2.33
Township, Range, Section	, ,
Legal Description	COMM AT THE NE COR OF SUNSET STRIP ADDITION PLAT 314; TH S89 48' 42 W, 195.09'; TH S89 46'53 , 399.58' TO THE POB; TH S89 46'53 W, 198.59'; TH N0 25'28 W, 277.75'; TH NERLY 240.55' ALG LFT CRV; TH NERLY159.46' ALG LFT CRV; TH N85 54'24 E, 73.82'; TH S32 53'15 W, 440.49'; TH SRLY 101.46' TO THE POB NW NE SEC 9 T10N R10E;=2.33 AC(OUT OF 304-16-221B, 222B & -222D)
Property Type	REAL

TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS

A **Principal** (owner) / **Agent** (acts for the owner) **relationship** has been created between

El Camino Westerly [Principal(s)] and

LVA (Agent),

for the purpose of:

Rezoning Property

Principal

Principal

(Need both signatures, if husband and wife)

The foregoing Principal / Agent Relationship Statement was signed before me this 23 day of April, 2009, by Paul Messinger & Cora Messinger [Principal(s)],

known to me to be the person(s) who signed said statement.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

OFFICIAL SEAL
JEFFREY SCOTT DYER
Notary Public - State of Arizona
GILA COUNTY
My Comm. Expires July 5, 2011

Notary Public

My commission expires: July 5, 2011

TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS

A **Principal** (owner) / **Agent** (acts for the owner) **relationship** has been created between

MESSINGER MORTUARIES & CHAPELS, INC [Principal(s)] and

LVA (Agent),

for the purpose of:

REZONING LAND

Paul Messinger
Principal

Cara R. Messinger
Principal

(Need both signatures, if husband and wife)

The foregoing Principal / Agent Relationship Statement was signed before me this 23 day of April, 2009, by Paul Messinger & Cara Messinger [Principal(s)],

known to me to be the person(s) who signed said statement.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

OFFICIAL SEAL
JEFFREY SCOTT DYER
Notary Public - State of Arizona
GILA COUNTY
My Comm. Expires July 5, 2011

Notary Public

My commission expires:

July 5, 2011

EXHIBIT "A"

LEGAL DESCRIPTION
Westerly Drive Parcels

West Parcel:

Parcels 304-16-221B, 304-16-222B and 304-16-222D as shown on Record of Survey 3571, Gila county Records, located in the NE ¼ of Section 9, T 10 N, R 10 E, G&SRM, Town of Payson, Gila County, Arizona.

Said parcel of land contains 2.342 acres, more or less.

East Parcel:

Parcel 304-16-222E as shown on Record of Survey 3571, Gila county Records, located in the NE ¼ of Section 9, T 10 N, R 10 E, G&SRM, Town of Payson, Gila County, Arizona.

Said parcel of land contains 2.362 acres, more or less.

Project 9021
July 07, 2009

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
12314
RALPH ORLAND
BOSSERT
Date Signed 7-07-09
ARIZONA, U.S.A.
Expires 03-31-11

RECEIVED
JUL 07 2009
COMMUNITY DEVELOPMENT
DEPARTMENT

CITIZENS PARTICIPATION MATERIAL

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MESSINGER PAYSON FUNERAL HOME RE-ZONING APPLICATION
CITIZEN PARTICIPATION PLAN
Updated: 6/3/2009

Letters of notification were mailed on: May 5th, 2009

Notification Area: 300' Radius from property

Materials included with notification mailing:

- Notification letter – project description and public meeting info
- Color rendered conceptual site plan for funeral home
- Color rendered conceptual building elevation for funeral home

Number of notification letters distributed: 24

List of notified property owners: See attached mailing labels

List of notification letters returned:

- Howard Hamer, 602 N Colcord Rd, Payson, AZ, 85541-3722
- Payson First Baptist Church, 303 W Main St, Payson, AZ, 85541-5387
- Benjamin Plumb, 212 W Estate Ln, Payson, AZ, 85541-5446
- Structured Asset Trust 2005-11, Address Not Available

Neighborhood Meeting:

- Conducted on: Tuesday, May 26, 2009
- Location: 302 W. Aero Drive, Payson
- Time: 4:30pm to 6:30pm

Number of Attendees: 5 Residents, see attached sign-in sheet

Issues Discussed:
Site Drainage. Stormwater runoff has been historically problematic throughout the area. The Town and individual property owners have installed infrastructure to convey runoff towards the American Gulch. The proposed funeral home site acknowledges the receipt and conveyance of both on-site and off-site flows and has developed a plan that will not negatively impact adjacent and downstream property owners.

Other Issues. None. Neighbors in attendance were supportive of the proposed development.

Response Letters, Phone calls, emails or other communications received by applicant:
None to date.

120 south ash avenue · tempe, arizona 85281 · phone: 480.994.0994 · fax: 480.994.7332