

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON FEBRUARY 9, 2021 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA**

**1. CALL TO ORDER**

Chairman Bishop called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

**COMMISSION MEMBERS PRESENT:** Chairman Bishop, Vice-Chairman Hephner, Commissioner Adams, Commissioner Barlow, Commissioner Hatch, and Commissioner Roberts. Commissioner Bess appeared telephonically.

**COMMISSION MEMBERS ABSENT:** None.

**STAFF MEMBERS PRESENT:** Justen Tregaskes, Planning and Zoning Director; Morgan Brown, City Attorney; Katie Fechtelkotter, Planner and Rachael Hall, City Clerk.

**GUESTS PRESENT:** Gary Martinson.

**3. INVOCATION**

Commissioner Roberts gave the invocation.

**4. PLEDGE OF ALLEGIANCE**

Chairman Bishop led the Commission and audience in the Pledge of Allegiance.

**5. NEW BUSINESS**

- A. Consideration of a preliminary development plan for Bison Pass, a 16-lot subdivision submitted by Bison Homes LLC, located at 4800 W. Joe Tank Rd., that being A.P.N. 309-30-001Q.

Ms. Fechtelkotter said Bison Homes LLC had submitted a preliminary development plan for a 16-lot subdivision called Bison Pass. The applicant had indicated this subdivision would be for single family homes, with detached garages, manufactured homes prohibited. Each cabin would have a defined building envelope with the remainder of the property being common area. The applicant had committed to provide the City with an assurance for the future improvements to Joe Tank Road.

Ms. Fechtelkotter said the gross area of the preliminary development plan was approximately 3.63 acres with minimum lot size of 1,815 square feet, average lot size of 2,345 square feet, and maximum lot size of 2,478

square feet. Tract A, consisted of .36 acres of Private Street. The width of the street would be a total of 30 feet to back of curb, which was similar to the Retreat Villas at Bison Crossing, located off of West Old Linden Road. Tract B included 974 square feet for a public sewer lift station. Tract C provided 3.04 acres for private parking, utilities, drainage and open space. This development was zoned Planned Unit Development (PUD) and was part of the Bison Ridge development.

Ms. Fechtelkotter said this portion of the Bison Ridge Master Plan was identified as commercial. According to the Bison Ridge project narrative the resort and commercial PUD areas of the Bison Ridge Master Plan shall allow all residential and C-2 (General Commercial) uses. At the regular meeting of November 28, 2017 the Planning and Zoning Commission approved a Conditional Use Permit (CUP) for a 23-bed assisted living facility called the Highlands at Juniper ridge. This CUP expired at the end of May 2020 since the project was never pursued.

Ms. Fechtelkotter said staff had reviewed the submitted preliminary development plan and found that it had met all requirements of City Code. The subject property should meet all underlying zoning requirements of the PUD zoning. Condition nine of Ordinance No. 509 stated, "A 30-foot height restriction should apply to should be required on the northwest side of Joe Tank Road." Ordinance No. 509 has been given to the Commission for review.

Ms. Fechtelkotter read aloud the Findings of Facts:

1. Bison Homes LLC has submitted a preliminary development plan for a 16-lot subdivision called Bison Pass. The applicant had indicated this subdivision would be for single family homes, with detached garages, manufactured homes prohibited.
2. Each cabin would have a defined building envelope with the remainder of the property being common area.
3. The applicant had committed to provide the City with an assurance for the future improvements to Joe Tank Road.
4. The gross area of the preliminary development plan is approximately 3.63 acres with minimum lot size of 1,815 square feet, average lot size of 2,345 square feet, and maximum lot size of 2,478 square feet.
5. Tract A, which consisted of .36 acres of Private Street. The width of the street would be a total of 30 feet to back of curb, which was

similar to the Retreat Villas at Bison Crossing, located off of West Old Linden Road.

6. Tract B included 974 square feet for a public sewer lift station. Tract C provided 3.04 acres for private parking, utilities, drainage and open space.
7. This portion of the Bison Ridge Master Plan was identified as commercial. According to the Bison Ridge project narrative the resort and commercial PUD areas of the Bison Ridge Master Plan should allow all residential and C-2 (General Commercial) uses.
8. At their regular meeting of November 28, 2017 the Planning and Zoning Commission approved a Conditional Use Permit (CUP) for 23-bed assisted living facility called the Highlands at Juniper ridge. This CUP expired at the end of May 2020 since the project was never pursued.
9. Staff had reviewed the submitted preliminary development plan and found that it had met all requirements of City Code. The subject property should meet all underlying zoning requirements of the PUD zoning.
10. Condition nine of Ordinance No. 509 states, "A 30-foot height restriction shall apply to residential development areas along the ridge line, and a 30-foot setback should be required on the northwest side of Joe Tank Road."
11. Current zoning of the surrounding properties include;  
  
North: PUD (Planned Unit Development)  
South: PUD (Planned Unit Development)  
East: PUD (Planned Unit Development)  
West: R1-15 (Single-family residential, manufactured homes excluded, fifteen thousand square feet)
12. The current land uses of the surrounding properties included:  
  
North: Vacant PUD  
South: The Overlook at Bison Ridge  
East: Vacant PUD  
West: Residential
13. Transmittal memos were sent to all affected agencies. Applicable comments received include;

Timber Mesa Fire & Medical District (TMFMD)- The proposed development shall meet access requirements of the 2015 International Fire Code (IFC) with amendments as adopted by TMFMD. In addition, the property must meet fire flow requirements per Appendix B of 2015 IFC as adopted by TMFMD.

14. No public comment has been received regarding the proposed development.

Ms. Fechtelkotter said after reviewing the Findings of Fact, discussions with the applicant, and because the request was consistent with the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommended that the Planning and Zoning Commission approve the preliminary development plan and forward its recommendation, subject to the following conditions:

1. All development shall comply with all applicable federal, state, and local requirements.
2. Public sewer and water lines within the development shall have dedicated public easements.
3. Drainage ways including basins and culverts shall be designated as private drainage easements.
4. As required by Ordinance No. 509, a 30-foot height restriction shall apply to residential development areas along the ridge line, and a 30-foot setback shall be required on along Joe Tank Road
5. The applicant shall provide an assurance acceptable to the City for future improvements to Joe Tank Road.
6. An in-lieu fee may be substituted for any required sidewalks or trails.
7. All development of Bison Pass at Bison Ridge shall be in substantial conformance to the submitted preliminary development plan, deed restrictions and the Bison Ridge Master Plan.

Mr. Tregaskes explained the three-step process concerning a preliminary development plan. First, the developer would submit the plat to be reviewed by staff and the Commission. The plat would then go to the City Council for approval. Once approved by the City Council, the applicant could have engineering plans and reports created. The engineering plans and reports would include roadway design, drainage, and utility design to be reviewed by City staff. Once approved by City staff, the final plat would

be presented to the City Council for approval. Once approved by the City Council, the plat would be recorded and building could begin.

Mr. Tregaskes said during the final plat approval the City required an assurance from the developer. An assurance was a guarantee that public infrastructure would be constructed. Mr. Tregaskes explained that the City had applied for and was awarded a Federal Lands Access Program (FLAP) grant for Joe Tank Road improvements from SR260 to forest property. Staff was concerned that if the developer began improvements on Joe Tank Road for their project it could jeopardize the grant. Staff was recommending Condition No. 5 “The applicant shall provide an assurance acceptable to the City for future improvements to Joe Tank Road,” so the developer was responsible for providing the assurance incase the grant falls through the City would still have a portion of Joe Tank Road improvements constructed.

Chairman Bishop asked for clarification for Condition No. 6 “An in-lieu fee may be substituted for any required sidewalks or trails.” Ms. Fechtelkötter said depending on the size of a subdivision, sidewalks or trails could be required improvements. She said for this particular subdivision, sidewalks would lead to nowhere and therefore have no purpose. Staff decided to put the “in-lieu fee” as a condition so the developer could pay for improvements at a different location within the City.

Commissioner Barlow asked what improvements would be covered under the grant on Joe Tank Road. Mr. Tregaskes said a 30-foot pavement width with ribbon curbing and barges on the side for drainage. The grant would not cover installation of sidewalks.

Commissioner Barlow asked if the developer would not have to pay for any improvements if the grant was funded. Mr. Tregaskes said the developer would not have to pay for improvements that were covered under the grant. He said the developer would be required to pay for any improvements that were required outside of the grant’s scope of work.

Commissioner Roberts asked if this project would have any impact to the forest service. Mr. Tregaskes said no, this project would not have any impact to the forest service.

Commissioner Hatch asked if staff knew when the grant would be funded. Mr. Tregaskes said staff was meeting with representatives from the Forest Service and suggested the process could still be about 12 months out.

Commissioner Barlow said lot 16 would not meet the 30-foot setback requirement to Joe Tank Road. He asked if that would be discussed at a

later time. Mr. Tregaskes said staff had discussed lot 16 with the developer in regards to the 30-foot setback and would address the issue between now and the final plat process.

Commissioner Hatch asked the applicant what the timeline would be for this project.

Gary Martinson, 1 North Bison Preserve Way, said he expected to begin infrastructure the day after approval from the Council and would begin building structures during the summer.

Commissioner Roberts asked the applicant who would control the Homeowners Association. Mr. Martinson said he would be in charge of the Homeowners Association until the end of the project then an independent company would be in charge.

**COMMISSIONER HATCH MOVED TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR BISON PASS, A 16-LOT SUBDIVISION SUBMITTED BY BISON HOMES LLC, LOCATED AT 4800 WEST JOE TANK ROAD, THAT BEING A.P.N. 309-30-001Q, SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFIED BY STAFF AND FORWARD THIS RECOMMENDATION TO THE CITY COUNCIL; SECONDED BY VICE-CHAIRMAN HEPHER; PASSED 7 TO 0 WITH CHAIRMAN BISHOP, VICE-CHAIRMAN HEPHNER, COMMISSIONERS ADAMS, BARLOW, BESS, HATCH, AND ROBERTS VOTING IN FAVOR.**

Mr. Tregaskes said this item would be presented to the City Council at the next regular meeting.

## 6. CALL TO THE PUBLIC

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

## 7. APPROVAL OF MINUTES

A. Planning and Zoning Commission Regular Meeting of January 26, 2021

**VICE-CHAIRMAN HEPHNER MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF JANUARY 26, 2021; SECONDED BY COMMISSIONER ROBERTS; PASSED 7 TO 0 WITH CHAIRMAN BISHOP, VICE-CHAIR HEPHNER, COMMISSIONERS ADAMS, BESS, HATCH, AND ROBERTS VOTING IN FAVOR.**

**8. SUMMARY OF CURRENT EVENTS**

**A. Commission Members**

Commissioner Roberts encouraged citizens to be safe and continue to social distance and wear masks.

Commissioner Adams and Hatch thanked staff for their work.

Commissioner Bess thanked staff for the additional information on the preliminary development plan process for the Commission.

Vice-Chairman Hephner suggested having a study session to discuss the possibility of changing the City Code for cellular phone towers requirements.

Chair Bishop thanked staff for their work and wished everyone a happy Valentine's Day.

**B. Planning and Zoning Director**

Mr. Tregaskes said the City offices would be closed next Monday in observance of Presidents Day.

**9. ADJOURNMENT**

There being no further business to be brought before the Planning and Zoning Commission, CHAIRMAN BISHOP ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION OF FEBRUARY 9, 2021 AT 7:33 PM.

**ATTEST:**

**APPROVED:**

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Justen Tregaskes  
Planning and Zoning Director

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Eric Bishop  
Chairman

**CERTIFICATION**

I 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 Show Low held on February 9, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Justen Tregaskes  
Planning and Zoning Director