

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON JUNE 22, 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 7:00 p.m.

2. ROLL CALL

COMMISSION MEMBERS PRESENT: Chairman Bishop, Vice Chairman Hephner, Commissioner Adams, Commissioner Barlow, Commissioner Hatch, Commissioner Lewis, and Commissioner Roberts

STAFF MEMBERS PRESENT: Justen Tregaskes, Planning and Zoning Director; Morgan Brown, City Attorney; and Katie Fechtelkotter, Planner

GUESTS PRESENT: John Hannah, Fred Esparza and others

3. INVOCATION

Commissioner Lewis gave the invocation.

4. Pledge of Allegiance

Commissioner Roberts led the Commission and audience in the Pledge of Allegiance

5. OLD BUSINESS

NONE

6. NEW BUSINESS

- A. Conditional Use Permit submitted by Jose Nunez of El Charro Beer to allow for a restaurant serving alcoholic beverages located at 350 E. Deuce of Clubs that being A.P.N. 210-19-055.

Ms. Fechtelkotter read the staff summary report. Jose Nunez has submitted a conditional use permit application to allow for a restaurant serving alcoholic beverages at 350 E Deuce of Clubs, that being A.P.N. 210-19-055. The applicant is renting the property from the owner. The subject property is zoned C-2 (General Commercial).

Restaurants serving alcoholic beverages require a conditional use permit in the C-2 zoning district.

The applicant plans to open a restaurant serving alcohol at the former location of Fiesta Mexicana and Guayo's. Each of these previous restaurants also sold alcohol. The applicant has indicated that the hours of operation will be 11 a.m. to 10 p.m. daily. City Council and State Liquor Board approval are also required prior to serving alcohol. In accordance with city code, transmittal memos were sent to all affected agencies, the property was posted, and letters were sent to all property owners within three hundred (300) feet of the subject property. No applicable comments have been received regarding this application.

Ms. Fechtelkötter read the findings of fact;

1. Jose Nunez of El Charro Beer submitted a CUP to allow for a restaurant serving alcoholic beverages located at 350 E Deuce of Clubs that being A.P.N. 210-19-055. The applicant is renting the subject property from the owner.
2. Restaurants serving alcoholic beverages require a conditional use permit in the C-2 zoning district.
3. Previous conditional use permits have been issued for this same use on the subject property.
4. Hours of operation will be 11 a.m. to 10 p.m. daily.
5. City Council and State Liquor Board approval are also required prior to serving alcohol.
6. Current zoning of the surrounding properties include;

North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)
7. The current land uses of the surrounding properties include;

North:	Pearce Field
South:	Circle K Convenience Store, carwash, City of Show Low Public Safety Building
East:	Future Tire
West:	Medical Offices
8. Transmittal memos were sent to all affected agencies. No applicable comments were received.

9. Letters were sent to all property owners within three hundred (300) feet of the subject property. No applicable comments have been received regarding this application.

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, Ms. Fechtelkotter recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-237 submitted by Jose Nunez of El Charro Beer to allow for a restaurant serving alcoholic beverages located at 350 E Deuce of Clubs that being A.P.N. 210-19-055 subject to the following conditions;

1. All development shall comply with all applicable federal, state and local requirements.
2. Prior to the sale of alcohol at the subject property, a state liquor license shall be obtained.
3. All signs shall comply with title 19.100 of the city code.
4. All outdoor storage and materials shall be removed from the subject property within ninety (90) days from the effective date of this conditional use permit. This shall include the modified shipping container located at the rear of the subject property.
5. This conditional use permit is non-transferable.

Ms. Fechtelkotter stated that staff as well as the applicant was available for questions. Commissioner Adams wanted to confirm that the property was in full compliance with all City Codes. Ms. Fechtelkotter replied that there were some property maintenance issues, which was the reason for condition number four. Staff spoke with the property owner about these issues and the property owner has indicated that there are plans already in place to correct them.

Chairman Bishop called for public comment, seeing none he moved to the vote.

VICE CHAIRMAN HEPNER MOVED TO APPROVE CUP 602-04-237 SUBMITTED BY JOSE NUNEZ OF EL CHARRO BEER TO ALLOW FOR A RESTAURANT SERVING ALCOHOLIC BEVERAGES AT 350 E. DEUCE OF CLUBS, THAT BEING A.P.N. 309-46-009 SUBJECT TO STAFF RECOMMENDATIONS. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 7 TO 0 WITH CHAIRMAN BISHOP, VICE CHAIRMAN HEPNER AND COMMISSION MEMBERS ADAMS, BARLOW, HATCH, LEWIS AND ROBERTS ADAMS VOTING IN FAVOR.

Mr. Tregaskes said as with any Conditional Use Permit, there is a seven day appeal period. If no appeal is received by the City Clerk within those seven days, this Conditional Use Permit will be considered effective.

- 7. 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

8. APPROVAL OF MINUTES

A. Planning and Zoning Commission Regular Meeting of May 11, 2021.

COMMISSIONER ADAMS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES ON MAY 11, 2021. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 7 TO 0 WITH, CHAIRMAN BISHOP, VICE CHAIRMAN HEPNER AND COMMISSION MEMBERS ADAMS, BARLOW, HATCH, LEWIS, AND ROBERTS VOTING IN FAVOR.

B. Planning and Zoning Commission Study Session of June 8, 2021.

COMMISSIONER LEWIS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION STUDY SESSION MINUTES ON JUNE 8, 2021. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 7 TO 0 WITH, CHAIRMAN BISHOP, VICE CHAIRMAN HEPNER AND COMMISSION MEMBERS ADAMS, BARLOW, HATCH, LEWIS, AND ROBERTS VOTING IN FAVOR.

9. SUMMARY OF CURRENT EVENTS

Commission Members

Commissioner Hatch reminded people to be careful while driving, invited summer visitors and to be fire safe.

Commissioner Lewis reminded everyone that life can still be good even when things are bad.

Commissioner Adams thanked the first responders, and medical staff at Summit Health Care ER that were on call Saturday morning. He also thanked the firefighters that are working to protect our lands and homes from fire.

Commissioner Barlow also wanted to thank the community for their support during the challenging events and the fires around the state and is proud of the community.

Commissioner Roberts agreed with the rest of the Commissioners in thanking the first responders. He also wanted to give special recognition to the firefighters that responded to the Dry Valley fire so quickly to put out a fire that was very close. He also wanted to remind that first responders on Saturday may be dealing with P.T.S.D from the terrible event and to support them. He also thanked our community for being supportive to all those who need assistance in our community and throughout the area during the fire season.

Vice Chairman Hephner echoed the sentiments of the other commissioners and that shows what a great community we have. He also said we dodged a bullet on Monday with the fire, it was scary to see the planes and helicopters working to put out the fire and is thankful for the firefighters.

Chairman Bishop agreed with the all the great things the commissioners already said. He also reminded everyone that this is a great time of year in the White Mountains despite the challenges and to enjoy it.

Planning and Zoning Director

Director Tregaskes agreed with what was already said about the Bike the Bluff tragedy over the weekend, which was unexpected, especially in our City. However, it is wonderful to have professionals who were prepared and available to deal with the aftermath of the tragedy and thanked the police, fire and medical personnel who responded. He also reminded everyone that it is fire season, to think before acting and stated that there are fire restrictions that affect forest closures and to check road conditions prior to leaving. Director Tregaskes reminded the commission that Staff is still working on revisions to City Code for future study sessions. He also wanted to inform the public that there are several major road projects going on throughout the City. Along the Deuce of Clubs ADOT is removing and replacing sidewalks in order to improve safety and business access. Tomorrow the City is re-sealing Old Linden Road and will be closing one lane at a time, but to avoid the area if possible.

10. ADJOURNMENT

There being no further business to be brought before the Planning and Zoning Commission, CHAIRMAN JOHNSON ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION OF JUNE 22, 2021 AT 7:16 PM.

ATTEST:

APPROVED:

Justen Tregaskes
Planning and Zoning Director

Robert Hephner
Vice 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 June 22, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Katie Fechtelkotter
Planner