

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON AUGUST 10, 2021 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. CALL TO ORDER

Vice Chairman Hephner called the meeting to order 7:00 p.m.

2. ROLL CALL

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

COMMISSION MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Justen Tregaskes, Planning and Zoning Director; and Katie Fechtelkotter, Planner

GUESTS PRESENT: Zola Hamm, Tom & Linda Cedarblade, Tim Folen, Jeff Moore and others.

3. INVOCATION

Commissioner Lewis gave the invocation.

4. Pledge of Allegiance

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

5. OLD BUSINESS

NONE

6. NEW BUSINESS

- A. Conditional Use Permit submitted by Thomas Cedarblade to amend the current Planned Unit Development (PUD) zoning on property located at 2521, 2541, 2561, 2581 and 2601 Marshalls Run, that being A.P.N. 210-60-088 to 092.

Ms. Fechtelkotter read the staff summary report. Thomas Cedarblade has submitted a zone change request for property located at 2521, 2541, 2561, 2581 and 2601 Marshalls Run, more particularly described as A.P.N. 210-60-088 to 092 to amend the Current Planned Unit Development (PUD)

zoning to allow single-family residential on these five parcels instead of commercial uses.

On July 20, 2004 the subject property was rezoned from C-2 (General Commercial) to PUD through Ordinance No. 2004-15 (conditions attached). On October 10, 2006 a zone change request was approved by City Council to amend the conceptual plan of the existing PUD zoning, which converted six residential lots to commercial lots. The conditions of this zoning amendment are outlined in Ordinance No. 2006-23 which is also attached for review.

The applicant has indicated that there has been very little interest in the lots as commercial property and that there are buyers for the lots if they can be utilized for single family residences.

The applicant held a neighborhood meeting on July 12, 2021. There were approximately eight (8) property owners in attendance. The neighbors had questions regarding the types of homes and whether they would be owner or renter occupied and general questions regarding the zone change process. No opposition was expressed.

Ms. Fechtelkötter read the finding of facts;

1. Thomas Cedarblade submitted a zone change request to amend the current Planned Unit Development (PUD) zoning on property located at 2521, 2541, 2561, 2581 and 2601 Marshalls Run Show Low Arizona, more particularly described as A.P.N. 210-60-088 to 092 to allow single-family residential, on these five parcels instead of commercial uses.
2. On July 20, 2004 the subject property was rezoned from C-2 (General Commercial) to PUD through Ordinance No. 2004-15 (conditions attached).
3. October 10, 2006 a zone change request was approved by City Council to amend the conceptual plan of the existing PUD zoning, which converted six residential lots to commercial lots. The conditions of this zoning amendment are outlined in Ordinance No. 2006-23 which is also attached for review.
4. The applicant has indicated that there has been very little interest in the lots as commercial property and that there are buyers for the lots if they can be utilized for single family residences.
5. The property owner to the East has indicated that they will install fencing according to City Code as the property develops. The owner(s) of the subject properties may also elect to install their own privacy fencing.

6. Current zoning of the surrounding properties include;

North: PUD (Planned Unit Development - Commercial)
South: PUD (Planned Unit Development - Residential)
East: PUD (Planned Unit Development - Commercial)
West: PUD (Planned Unit Development - Residential)

7. The current land uses of the surrounding properties include:

North: Cedar Ridge Subdivision and Office
South: The Pines Condos
East: Audiology Inc.
West: Cedar Ridge Subdivision

8. Transmittal memos were sent to all affected agencies. Applicable comments received include;

Timber Mesa Fire & Medical District- Noted that the subdivision should meet the minimum requirements for residential fire flow of 1,000 gallons per minute (GPM).

9. The applicant held a neighborhood meeting on July 12, 2021. There were approximately eight (8) property owners in attendance. Questions regarded the types of homes and whether they would be owner or renter occupied and general questions regarding the zone change process. No opposition was expressed.

10. Staff mailed letters to all property owners within 300 feet of the property, posted the property and published a public notice in the newspaper in accordance with applicable requirements. No comments regarding this request have been received since the mailing of these letters and the posting of the property.

Ms. Fechtelkötter said after reviewing the Standards for Review, Findings of Fact, discussions with the applicant, the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve zone change request 605-03-117 submitted by Thomas Cedarblade to amend the current Planned Unit Development (PUD) zoning on property located at 2521, 2541, 2561, 2581 and 2601 Marshalls Run Show Low Arizona, described as Section 32, T10N, R22E: Cedar Ridge: Lot 88-92 Per Plat 24-52 54 Out Of 210-33-047C, D, 005D & E For 2006 Roll of Navajo County, more particularly described as A.P.N. 210-60-088 to 092 to allow single-family residential, on these five parcels instead of commercial uses, and forward this recommendation to the City Council subject to the following conditions:

1. All development shall comply with the conditions of Ordinance No. 2004-15 and 2006-23.
2. Lots 88 through 92 shall be limited to single-family residential.
3. Minimum setbacks for these lots shall be consistent with lots 60-87 of Cedar Ridge. Twenty feet (20) from street property line, a side of five (5) feet, a side of ten (10) and ten (10) feet from the rear property line. Any easements on the subject property shall apply.

Ms. Fechtelkötter stated that both City staff and the applicant were available for questions.

Commissioner Adams asked if there was any existing construction that needed to be removed or upgraded due to the zone change. Ms. Fechtelkötter stated that would be a question for the applicant.

Commissioner Roberts asked if there were sufficient setbacks from the roads to the property lines so there won't be similar issues when there was residential development next to commercial development not meeting setback requirements due to future development. He also wanted to know if the residential properties would be negatively affected by future commercial development. Ms. Fechtelkötter stated that it is really difficult to anticipate any issues with potential future commercial development and pointed out that due to the topography of the area, the residential lots are up a bit higher than the potential commercial development and the property owner to the east has indicated that they will install fencing along the property line as it develops. Commissioner Roberts asked if the reduction of these lots would affect the availability of commercial property in the city. Ms. Fechtelkötter responded that since the lots are already so small and due to the proximity to residential zone the applicant has stated the subject property has been unattractive as commercial lots. Director Tregaskes stated that the lots were originally platted as residential lots and were developed with size and setbacks for residences and are reverting back to the original use of residential. Commissioner Roberts wanted to know if the proposed zone change would fit the general plan. Ms. Fechtelkötter stated it would.

Commissioner Barlow asked why there were six lots originally re-zoned to commercial and now only five being reverted back to residential lots. Director Tregaskes stated that there were six lots that were converted to commercial lots, but they are not requesting to re-zone lot one back to residential with this request.

Commissioner Lewis asked who was responsible for installing the fence to the east of the subject property. Ms. Fechtelkotter stated that the commercial property owner to the east of the subject property would typically be responsible for installing the fence. Director Tregaskes clarified that the fence would need to be installed at the time of the development of the commercial property, not the residential property. City Code requires the screening of commercial zones from residential zones once the commercial property is developed. Director Tregaskes stated that the city encourages property owners to work together when installing a fence regarding design and cost. He also stated that either property owner could install a fence prior to the development of the properties or they could each install their own, but the city would prefer that the property owners work together to install a single fence. Director Tregaskes indicated that the property owners to the east are present and could clarify these questions.

Commissioner Barlow asked whether the re-zone of the subject property would affect the commercial access to the property from Marshalls Run and limit the commercial development of the property to the west. Director Tregaskes replied that there are two access points to the property one off of Cedar Ridge Run and a shared access through The Pines. In 2006 when the six lots were converted to commercial, there was a concern of the neighbors of people accessing commercial properties from residential streets and this rezone back to residential would address those concerns.

Vice Chairman Hephner asked the applicant, Thomas Cedarblade of 2450 S. White Mountain Road to address the Commission. Mr. Cedarblade stated that nothing has been done to the subject properties since the utilities were installed and nothing will need to be removed as a result of this rezone to residential. They will be keeping the original configuration of the lots and setbacks from the original 2004 request. Vice Chair Hephner stated that he understood that these lots were originally designed to be for residential use. Mr. Cedarblade stated that was correct.

Vice Chairman Hephner stated this item was scheduled for a public hearing and invited public comment on this item. Jeff Moore of 2600 S. White Mountain Road owner of the property to the east of the subject property and owner of Audiology Inc. had questions about what effect this change would have on their property specifically regarding electricity, since his office building ties into the same transformer as the subject property. Director Tregaskes stated there was a waterline easement shown on the plat for lot 89 but does it not specifically call out electricity. He referred any questions on this topic to the applicant. Mr. Moore appreciated the comments made by Mr. Cedarblade regarding the fence and he is not opposed to

the residential zone change, but does not like being mandated to install fencing if was not in their plans, however he would not have a problem fencing the commercial property if it is developed in the future. Mr. Moore stated that they blocked off the secondary access off of Cedar Ridge Run because people were utilizing it to access the Cedar Ridge subdivision. The secondary access right now is only for potential emergencies. Commissioner Roberts asked Mr. Moore when they developed the property for Audiology Inc. if they were aware of the residential development behind and if they anticipated installing the fence to define the property boundaries. Mr. Moore stated that they did not plan to fence their property to the west; the commercial property owner at that time informed them that he owned a portion of their parking lot and they felt the need to purchase the adjacent property in order to preserve the area for parking. Commissioner Roberts asked Mr. Moore if he could foresee any issues with the property to the west being rezoned to residential. Mr. Moore replied he did not.

Vice Chairman Hephner asked staff to clarify the fence requirement. Director Tregaskes stated per City Code, when commercial property is adjacent to a residential zone when the commercial property develops solid fencing is required along property lines adjacent to residential zones. Fencing is not required before development of the property. Vice Chairman Hephner also asked Director Tregaskes to clarify the roadway access requirements. Director Tregaskes replied that they already have two roadway accesses in place and there is a curb-cut for the driveway going into the property along Cedar Ridge Run for the commercial property. Director Tregaskes stated that any customer access roads would need to be paved, however emergency accesses are not required to be paved.

Vice Chair Hephner asked Mr. Cedarblade to address the question regarding the electrical easement on the subject property. Mr. Cedarblade indicated that an electric easement was recorded after the plat for Cedar Ridge was recorded and is very close to the waterline easement. Mr. Cedarblade also stated that the electrical transformers were over-sized in order to accommodate any potential commercial development. Mr. Cedarblade stated they would be willing to grant any easements needed to Mr. Moore. Commissioner Roberts asked Mr. Cedarblade what the lots on either side of the subject property were and if they would remain undeveloped. Mr. Cedarblade replied that they are detention ponds and would not be developed. Commissioner Barlow asked if the water and electrical easements next to each other would limit the buildable area of the subject property for residences. Mr. Cedarblade indicated that it would not. Mr. Cedarblade stated that these commercial lots have been difficult to sell due to their location in a residential neighborhood. Mr. Cedarblade stated that an individual who is purchasing the lots plans to install a

fence. Mr. Cedarblade indicated that the new property owner would probably be willing to split the cost of any fence with Mr. Moore. Director Tregaskes clarified that per City Code there must be a fence between the commercial and residential zone, however if the owner of the residential properties installed a fence, a second fence would not be required. The City highly recommends that the property owners work together for an equitable solution to the fencing requirement.

Vice Chairman Hephner closed the public hearing and called for the vote.

COMMISSIONER ROBERTS MOVED TO APPROVE ZONE CHANGE 605-03-117 SUBMITTED BY THOMAS CEDARBLADE TO AMEND THE CURRENT PLANNED UNIT DEVELOPMENT (PUD) ZONING AT 2521, 2541, 2561, 2581 AND 2601 MARSHALLS RUN, THAT BEING A.P.N. 210-60-088 TO 092 TO ALLOW SINGLE-FAMILY RESIDENTIAL, INSTEAD OF COMERCIAL USES SUBJECT TO STAFF RECOMMENDATIONS AND FORWARD THIS RECOMMENDATION TO THE CITY COUNCIL. COMMISSIONER LEWIS SECONDED THE MOTION. MOTION PASSED 6 TO 0 WITH VICE CHAIRMAN HEPNER AND COMMISSION MEMBERS ADAMS, BARLOW, HATCH, LEWIS, AND ROBERTS VOTING IN FAVOR.

Mr. Tregaskes said that this item has been scheduled for a public hearing with the City Council next Tuesday, August 17, 2021 at 7:00pm in the Council Chambers.

- 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.**

Tim Folen of 561 N. 9th Dr. has lived in Show Low for over 10 years and would like to see a bridge from S.R. 77 to 6th Street, due to the growth of Show Low, especially after the Bike the Bluff tragedy for the safety of the community.

8. APPROVAL OF MINUTES

- A. Planning and Zoning Commission Regular Meeting of July 13, 2021.

COMMISSIONER ADAMS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES ON JULY 13, 2021. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 6 TO 0 WITH, VICE CHAIRMAN HEPNER AND COMMISSION MEMBERS ADAMS, BARLOW, HATCH, LEWIS, AND ROBERTS VOTING IN FAVOR.

9. SUMMARY OF CURRENT EVENTS

Commissioner Lewis expressed gratitude for the moisture that has been received recently.

Commissioner Adams reminded everyone that kids are back to school and wanted to thank all the educators in our community for everything they do.

Commissioner Roberts is thankful that there were no fires that threatened our community due to the hard work of all the first responders.

Commissioner Barlow asked everyone to be aware while driving, especially now that school is back in session, reminded everyone to drive safely.

Vice Chairman Hephner agreed with Commissioner Barlow and reminded everyone to be patient and slow down. He also is thankful for the City staff that works hard to keep drainage areas maintained and also cleaned up the flooding after the big storm.

Planning and Zoning Director Tregaskes stated that three applications for the vacant planning and zoning commission seat were received and a new commissioner will be appointed at the next City Council meeting. So there will be a full commission at the next Planning and Zoning Commission meeting. Director Tregaskes announced that it is again time for to submit requests for capital improvement projects. The public is welcome to submit requests for capital improvement projects. These requests can be submitted online or there will be a form to complete in the utility bills sent out. Types of projects include sidewalks, playgrounds or anything else the public thinks it would be nice to have as an amenity for residents. Many times the city does not receive and requests and it falls to staff to try and decide what the community would like to see. The city always welcomes citizen input. Director Tregaskes also stated that in the city's transportation master plan there are three bridges identified, one at Show Low Lake Road, one at Woolford Road and Highway 77 from 6th to Central Avenue and these are included in capital improvement plans for the future.

10. ADJOURNMENT

There being no further business to be brought before the Planning and Zoning Commission, VICE CHAIRMAN HEPNER ADJOURNED THE REGULAR MEETING

OF THE SHOW LOW PLANNING AND ZONING COMMISSION OF AUGUST 10,
2021 AT 7:40 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 August 10, 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