

SHOW LOW PLANNING AND ZONING COMMISSION
Regular Meeting – Tuesday, November 9, 2021

PURSUANT to A.R.S. Section 38-431.02, notice is hereby given to the Show Low Planning and Zoning Commission and to the general public, that a **Regular Meeting** of the Show Low Planning and Zoning Commission will be held on Tuesday, November 9, 2021, at 7:00 PM in the City Council Chambers, 181 North 9th Street, Show Low, Navajo County, Arizona. The agenda for this meeting is as follows:

1. CALL TO ORDER

Chairman Hephner called the meeting to order at 7 p.m.

2. ROLL CALL

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

COMMISSION MEMBERS ABSENT: Commissioner Lewis

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

GUESTS PRESENT: Ryan Ellsworth, Rhonda Ellsworth, Josh Johnson, Derek Wood.

3. INVOCATION

Vice Chairman Barlow gave the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Hilgart lead the Pledge of Allegiance

6. NEW BUSINESS

- A. Public Hearing and Consideration of Zone Change request 605-03-118 submitted by Ryan Ellsworth of Paradise Acres L.L.C. to amend the zoning conditions for property located at 700 & 760 North 4th Avenue, Show Low, Arizona, that being A.P.N. 210-04-031 through 210-04-051.

Ms. Fechtelkotter read the staff summary report.

Ryan Ellsworth of Paradise Acres L.L.C. has submitted a request to amend condition seven of Ordinance No. 2016-03 and 2019-03 to extend the timeline for removal of all manufactured homes on the subject property for an additional five years. The original timeframe for removal of the manufactured homes was based on a commitment made by Mr. Ellsworth during the Planning and Zoning Commission meeting of October 25, 2016 and was added to the conditions of approval.

At their regular meeting of November 1, 2016, the Show Low City Council approved Ordinance No. 2016-03 to re-zone the subject property from MH (manufactured housing) and R1-7 (single-family residential, seven thousand square feet) to R2-7 (single-family and multiple-family residential, seven thousand square feet) to allow the construction of 58 apartment units on the Paradise Trailer Park property. This ordinance became effective on December 1, 2016 which means that the timeline for removal of the remaining manufactured homes will expire on December 1, 2021.

At their regular meeting of February 19, 2019, the Show Low City Council approved an amendment to the zone change request to replace the solid wall requirement along the east side of the subject property and North 4th Avenue with split rail fencing and vegetative screening. All other zoning conditions were unchanged. The commission recommendations and conditions of both ordinances are attached for review.

Ms. Fechtelkotter read the Findings of Facts.

1. Ryan Ellsworth of Paradise Acres L.L.C. has submitted a request to amend condition seven of Ordinance No. 2016-03 and 2019-03 to extend the timeline for removal of all manufactured homes on the subject property for an additional five years. The original timeframe for removal of the manufactured homes was based on a commitment made by Mr. Ellsworth during the Planning and Zoning Commission meeting of October 25, 2016 and was added to the conditions of approval.

2. At their regular meeting of November 1, 2016, the Show Low City Council approved Ordinance No. 2016-03 to re-zone the subject property from MH (manufactured housing) and R1-7 (single-family residential, seven thousand square feet) to R2-7 (single-family and multiple-family residential, seven thousand square feet) to allow the construction of 58 apartment units on the Paradise Trailer Park property. This ordinance became effective on December 1, 2016 which means that the timeline for removal of the remaining manufactured homes will expire on December 1, 2021.

3. At their regular meeting of February 19, 2019, the Show Low City Council approved an amendment to the zone change request to replace the solid wall requirement along the east side of the subject property and North 4th Avenue with split rail fencing and vegetative screening. All other zoning conditions were unchanged. The commission recommendations and conditions of both ordinances are attached for review.

4. Current zoning of the surrounding properties include.

North: R1-7 (Single-Family Residential, 7,000 square feet)

South: MH (Manufactured Homes)

East: MH (Manufactured Homes, R1-7 (Single-Family Residential, 7,000 square feet), R2-7 (Single-Family and Multiple-Family Residential, 7,000 square feet)

West: R1-7 (Single-Family Residential, 7,000 square feet)

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

North: Show Low Junior High School and Auditorium

South: Single-Family Residential

East: Single-Family Residential

West: Single-Family Residential

6. Transmittal memos were sent to all affected agencies applicable comments received were:

Timber Mesa Fire and Medical District – Fire finals are always subject to field inspection and tests. Call a minimum of 48 hours in advance for an appointment. Stamped reviewed plans are to be kept on site for inspections.

7. A neighborhood meeting was held on October 14, 2021; however the applicant was unable to attend. There were two sets of property owners in attendance. Questions regarded the nature of the request and general questions regarding the zone change process. A second neighborhood meeting was held on October 28, 2021, no property owners attended this meeting.

8. 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. Staff has received several phone calls in opposition to the request.

Chairman Hephner inquired into the conversations in which the neighboring homeowners called in. Director Tregaskes advised that he spoke to two property owners on the west side of the property and was informed they opposed the additional 5-year extension due to Mr. Ellsworth having the time frame in a prior commitment and should keep to that.

Vice Chairman Barlow asked why the difference between the 5 years and the 2 years. Ms. Fechtelkötter advised that an additional 5 years was requested by the applicant and staff felt an additional 2 years was a good compromise between what the neighbors want and the applicant requested. Vice Chairman Barlow clarified the motion is for the 2 year extension and not the 5 years and Ms. Fechtelkötter confirmed that is correct.

Commissioner Roberts asked how many homes are remaining on the property, age demographic of tenants and the difference of owner verse renters. Director Tregaskes responded with the knowledge of 22 homes remaining on site, no knowledge of age demographic and that 4 units are owned by the applicant and are occupied as rentals while the other 18 owner statuses are unknown.

Commissioner Roberts questioned the applicant if building 32 units was difficult in the already given 5 years and if building an additional 26 in 2 years would be doable. The applicant, Ryan Ellsworth at 1301 E Whipple St. Show Low, responded that building the original 32 was uncomplicated and does not foresee difficulty for the additional 26 in the future.

Mr. Ellsworth additionally advised the commission that the purpose of the extension request is due to current tenants approaching him, with difficulty relocating and the likelihood of becoming homeless.

Chairman Hephner requested clarification that just the mobile homes be removed in the next 2 years not the removal and build of apartments. Director Tregaskes verified, that the extension only involves the removal of the mobile homes.

Commissioner Roberts inquired into crime activity with tenants of mobile homes to Mr. Ellsworth. Mr. Ellsworth advised there are no current issues and assured the commission any issue in the future will be remedied with the Police Department.

Chairman Hephner excused Mr. Ellsworth and allows for any member of the public to speak. Public member Josh Johnson, 760 N Johnson Dr., steps forward and advised commission that he is a current resident of a mobile home on Mr. Ellsworth property and the concern and difficulties he has faced looking for other living arrangements as Show Low currently does not have an availability in the housing market and the cost of living has significantly increased.

Chairman Hephner brought this item back to the commission for further discussion. Commissioner Roberts moved to approve 605-03-118 submitted by Ryan Ellsworth of Paradise Acres L.L.C. to amend the zoning conditions for property located at 700 & 760 North 4th Avenue, Show Low, Arizona, that being A.P.N. 210-04-031 through 210-04-051. Commissioner Adams second. The motion passed unanimously, and Director Tregaskes advised that this item has been scheduled for a public hearing with the City Council at their next regular meeting.

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.

8. APPROVAL OF MINUTES

A. Planning and Zoning Commission Regular Meeting of October 12, 2021.

B. Planning and Zoning Commission Study Session of October 26, 2021.

Chairman Hephner requested a motion for both section A and B to be combined.

Motion to approve the minutes as presented made by Commissioner Hilgert and seconded by Commissioner Roberts, motion passed unanimously.

9. SUMMARY OF CURRENT EVENTS

A. Commission Members

Commissioner Hilgert- Mentioned the Community Fast and reminds citizens that food scarcity is serious and asks those who are blessed to give back.

Commissioner Adams- Commended staff on past activities and events.

Commisioner Hatch- Great day in Show Low and glad to be present.

Vice Chairman Barlow- Acknowledges those in town who are helping to help develop the community.

Chairman Hephner- Thanks members of the public for attending the meeting, discussed the Community Fast and its length of 9 years and the community pool closure is coming up and have a Happy Thanksgiving.

B. Planning and Zoning Director

Director Tregaskes- Explained the process of the Community Fast, how it was founded and where the profits go to and how they are distributed. The light parade happening on the first Saturday of December. Also gave a reminder that there is no commission meeting schedule for the week of November 23. The following meeting is scheduled for December 14 and will be the last meeting of the year.

10. Adjournment.

By Chairman Hepner at 7:30 p.m.

Justen Tregaskes
Planning and Zoning Director

Robert Hephner
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 November 9, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20__.

Ashley Duncan
Permit Coordinator