

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON NOVEMBER 26, 2019 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. CALL TO ORDER

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

2. ROLL CALL

COMMISSION MEMBERS PRESENT: Chairman Brandt Clark, Commissioner Behrends, Commissioner Hephner, Commissioner Jon Adams, and Commissioner Josh Adams

COMMISSION MEMBERS ABSENT: Vice Chairman Bishop and Commissioner Robertson

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

GUESTS PRESENT: Rick Biggins, Penny Biggins, Audrey Felkins, Gary Martinson, Tonya Sutherland, James Sutherland, Dawn Wilson and Sharon Stone

3. INVOCATION

Commissioner Josh Adams gave the invocation.

4. Pledge of Allegiance

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

5. OLD BUSINESS

NONE

6. NEW BUSINESS

- A.** Extension of Conditional Use Permit 602-04-216 submitted by, First Cup, LLC to allow a drive-through coffee shop at 4551 S. White Mountain Rd., that being A.P.N. 212-03-149.

Ms. Fechtelkotter read the staff summary.

At its regular meeting of November 13, 2018 the Planning & Zoning Commission approved Conditional Use Permit (CUP) 602-04-216 submitted by First Cup LLC DBA Dunkin Donuts to allow a drive through restaurant located at 4551 S. White Mountain Road, more particularly described as A.P.N. 212-03-149.

According to City Code Section 15-1-32(1)(2) all CUPs are valid if the project is started within twelve months of CUP approval and completed within eighteen months of CUP approval, unless these time limits are extended by the Planning and Zoning Commission.

A letter from the applicant's representative is attached, in which a one-year extension has been requested. The representative indicated they are still negotiating with Ross Stores to gain a waiver for the store. In addition, the Dunkin Donuts franchise was sold to another franchisee with many more stores. Staff recommends granting the extension as requested with all previous conditions approval (copy attached) to remain in effect.

Original Conditions of Approval of CUP 602-04-216

1. All development shall comply with all applicable federal, state and local requirements, including building permit, and Navajo County Health Department requirements.
2. Building design shall comply with building design guidelines outlined in Section 15-1-60(D)(6) of City Code.
3. Landscaping will be required; the owner/applicant shall coordinate with the Arizona Department of Transportation (ADOT) and City staff.
4. The applicant is responsible for coordinating access across adjacent properties prior to issuance of a building permit.

Commissioner Jon Adams asked if the applicant gets our approval, do they still need to get Ross Department store approval. Mr. Tregaskes stated that there is a clause in the lease with the shopping center that gives Ross approval for any parcels in shopping center.

COMMISSIONER HEPHENER MOVED TO APPROVE THE EXTENSION OF CURRENT CUP 602-04-216 SUBMITTED BY FIRST CUP LLC DBA DUNKIN DONUTS TO ALLOW A DRIVE THROUGH RESTAURANT LOCATED AT 4551 S. WHITE MOUNTAIN ROAD, THAT BEING A.P.N. 212-03-149, FOR A TIME PERIOD OF ONE YEAR, SUBJECT TO ALL OTHER PREVIOUS CONDITIONS OF APPROVAL. COMMISSIONER BEHREND'S SECONDED

THE MOTION. PASSED 5 TO 0 WITH, CHAIRMAN CLARK, COMMISSION MEMBERS BEHREND, JOSH ADAMS, JON ADAMS AND HEPHNER VOTING IN FAVOR.

- B. Consideration of Approval of Preliminary Development Plan for The Hollows, a three lot subdivision located in Bison Crossing, more particularly described as A.P.N. 309-55-009J.

Ms. Fechtelkötter read the staff summary.

Scott & Heather Martinson have submitted a preliminary development plan for a three (3) lot subdivision called The Hollows. The applicants have indicated this subdivision will be for single family homes, manufactured homes prohibited. Lot three (3) will be a private show room and sales office, which will be converted to a single family home in the future. The gross area of the proposed subdivision is approximately 10.6 acres with minimum lot size of 1.13 acres, average lot size of 3.49 acres, and maximum lot size of 8.01 acres. This development is zoned PUD (Planned Unit Development) and is part of the Bison Crossing development

A previously submitted final development plan called, Bison Hollow, Preserve Villas, The Village at Bison Crossing was approved by City Council on November 6, 2007. That final development plan was never recorded with the County. Final development plans expire if they are not recorded with the County within one year of Council approval. The Hollows is a portion of the previously approved preliminary development plan for The Hollow at Bison Crossing, which called for a thirteen (13) lot subdivision with a commercial component. The new preliminary development plan for The Hollows will replace that with three (3) lots and no commercial component.

Staff has reviewed the submitted preliminary development plan and found that it has met all requirements of City Code. The subject property meets all underlying zoning requirements of the PUD zoning.

Current zoning of the surrounding properties include;

North:	PUD (Planned Unit Development)
South:	C-1 (Neighborhood Commercial)
East:	R1-15 (single-family residential, manufactured homes excluded, fifteen thousand square feet) and C-1 (Neighborhood Commercial).
West:	PUD (Planned Unit Development)

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

North:	The Preserve at Bison Crossing
South:	Neighborhood Commercial
East:	Residential
West:	Undeveloped Bison Crossing

2. Transmittal memos were sent to all affected agencies. No applicable comments were received.
3. No public comment has been received regarding the proposed development.

After reviewing the 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 the submitted preliminary plat 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. All development of The Hollows shall be in substantial conformance to the submitted preliminary development plan, deed restrictions and Bison Crossing Master Plan.

Commissioner Behrends asked if they divide the property into three lots, will the three lots be available later to split. Mr. Tregaskes stated that the lots are deed restricted and would not allow for any future splits.

Commissioner Jon Adams asked if this property is a part of the wash. Mr. Tregaskes said the area that is proposed to be in The Hollow is outlined in red and there is a large property on west side and that area does encompass a portion of that wash as a part of that development.

Applicant, Gary Martinson at 720 N. Retreat Way was asked by Chairman Clark if the intent is to leave the big parcel area on map as an open space for no development.

Mr. Martinson replied that the intent for the front 1/3 of property will be developed as three homes. This is a parcel intended to be developed over ten years ago, but it didn't happen. The cost to bring utilities and develop the full lot would be expensive, and that is why the back portion would be left as an open space for a walking trail for families.

Mr. Tregaskes clarified that the area in question, the tail end on the bottom is of the inset, is a part of lot 2, which would be privately held. Commissioner Clark asked if it was the 8 acre lot. Mr. Tregaskes said yes.

Commissioner Jon Adams asked if there was a trail on the park who maintains it. Mr. Tregaskes said there is no public trail for this area and any trail used would be for the property owner and guests. Mr. Tregaskes stated that there is already a public trail

starting from Bison crossing that comes up from the highway and through the Clark road to Bison Crossing at the Hollow. The sidewalk will eventually will run to north and go to Old Linden Road. Trails are required to be put in place in this subdivision and already are in place. Commissioner Jon Adams asked if this would be a private property trail. Mr. Tregaskes said yes.

CHAIRMAN CLARK MOVED TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR THE HOLLOW; A THREE LOT SUBDIVISION LOCATED IN BISON CROSSING, MORE PARTICULARLY DESCRIBED AS A.P.N. 309-55-009J, SUBJECT TO THE CONDITIONS OF APPROVAL SPECIFIED BY STAFF AND FORWARD THE RECOMMENDATION TO CITY COUNCIL. COMMISSIONER HEPHNER SECONDED THE MOTION. PASSED 5 TO 0 WITH, CHAIRMAN CLARK, COMMISSION MEMBERS BEHREND, JOSH ADAMS, JON ADAMS AND HEPHNER VOTING IN FAVOR.

Mr. Tregaskes said that this item is scheduled for consideration for the next City Council meeting, which is scheduled for next Tuesday night.

C. Conditional Use Permit application submitted by Gerrie Cooley, to allow for an expansion of an RV park on property located at 1221 W. McNeil, that being A.P.N. 210-08-031A, 031B, 031C.

Commissioner Clark advised that the application has been withdrawn by the applicant.

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 September 24, 2019.

COMMISSIONER BEHREND MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES ON SEPTEMBER 24, 2019. COMMISSIONER JOSH ADAMS SECONDED THE MOTION. PASSED 5 TO 0 WITH, CHAIRMAN CLARK AND COMMISSION MEMBERS BEHREND, BISHOP, JOSH ADAMS, JON ADAMS AND HEPHNER VOTING IN FAVOR.

9. SUMMARY OF CURRENT EVENTS

Commission Members

Commissioner Behrends said that the decorating the City is doing is phenomenal and looks great. Commissioner Josh Adams and Commissioner Hephner agreed.

Commissioner Hephner said he looks forward to the Show Low Shines parade on December 7th.

Commissioner Jon Adams said to stay safe with travels.

Chairman Clark advised that the Mayor was appointed to fill a seat for Steve William as the District 4 Board of Supervisors. He will finish out his term as Mayor until the end of the year.

Planning and Zoning Director

Mr. Tregaskes said that next Saturday, on December 7th, the Annual Show Low Shines Christmas light parade will start at 6 pm at Deuce of Clubs. All citizens and guests are invited to attend. The Christmas tree lighting will be right after the parade right in front of City Hall.

On December 5 – 7, the Show Low School District will be holding the Feast of Carols for its 35th annual event, which is put on by the students. There are still tickets available if you would like to attend.

Mr. Tregaskes thanked the commission for coming in tonight and wished them a Happy Thanksgiving. Also, since the December Planning & Zoning meeting would be cancelled due to no agenda items, he wished the commission a Merry Christmas and a Happy New Year.


Thanked the Public Works department for the Christmas decorations that have been put up.

We are expecting weather this holiday weekend so please be careful on the roads and take time where you need to go.

10. ADJOURNMENT

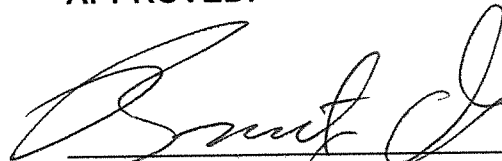
There being no further business to be brought before the Planning and Zoning Commission, CHAIRMAN CLARK ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION OF NOVEMBER 26, 2019 AT 7:20 PM.

ATTEST:



Justen Tregaskes
Planning and Zoning Director

APPROVED:

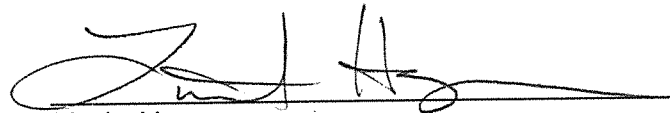


Brandt Clark
Chairman

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 26, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14 day of January, 2020.



Linda Haynes
Administrative Assistant