

MINUTES

P & Z COMMISSION HEARING

12/19/2019

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Chuck Teetsel
2. Ruth Ann Smith
3. Chuck Howe
4. Randy Murph
5. Nick McVicker
6. Wendell DeCross
7. Rodger Rhoades

ABSENT

STAFF ATTENDANCE

1. Sandra Phillips
2. Cody Cooper
3. John Osgood
4. Bill Bess
5. Kristyn Saunders

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona –
Time: 6:00 PM to 9:06 PM.

Chairman Teetsel called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. **Mr. Teetsel** then led the pledge of Allegiance. He then further gave directions to the audience, explaining the role of the commission.

ITEM #1 – PLEDGE OF ALLEGIANCE.

ITEM #2 – REVIEW OF AGENDA BY COMMISSIONERS.

ITEM #3 – CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA.

ITEM #4 – CASE # 19-97 MASTER SITE PLAN, DISTRICT IV: Discussion and possible action on a request by Wendover Pines LLC for a Master Site Plan for up to 450 residential units, a commercial-retail space, and open space on approximately 295 acres on a portion of APN 207-04-006A and 207-04-007B, which are portions of Township 12 North, Range 16 East, Section 15 of the Gila and Salt River Meridian in the Heber area.

Ms. Phillips presented the item to the Commission, giving the basic details of the

area, stating that it was west of Heber and across from the High County Pines subdivision. It will also be surrounded by Forest Service land. Sandra gave a brief overview of the project, which will cover 309 acres, with 450 units. There will be residential, commercial, and multi-family uses. She showed the plans for the zoning, and the open space. Sandra said that the plans show a mix of zonings under the SD zoning, they were planning for lots between 7,000 square feet and 2 acres in size. Ms. Phillips pointed out the locations of the water treatment systems and their plans for the water line that connects to the Salvation Army Camp, that they were planning on relocating the water line to follow the roadway at the cost of the developer. The applicant will provide infrastructure and is planning on a sewer and water treatment system and have submitted plans for such. They anticipate a low-pressure wastewater system due to topography, they have also submitted a traffic impact study and she also showed the developer's zoning plans for comparison with Navajo County's Zoning Ordinance.

Sandra then recapped the public meeting that was held on 12/11/19 at 6:00 PM at the Heber/Overgaard Fire Station, and the questions and concerns that came up were:

- Traffic Speed – she noted that staff heard that the residents of High-Country Pines were having difficulty with traffic and speeds merging onto State Route 260. The developer and Staff will continue to coordinate with ADOT. Turn lanes and acceleration lanes are planned with this development.
- School Impact – the applicant said 450 homes were planned, though they will be phased. They will start from the east and work their way west in phases over a period of approximately 20 years. Staff spoke with the School Superintendent. Given that not everyone owning property will be living there year-round, and that many will likely be retirees, they would not have any problems with accommodation, and the increase in tax revenue would be beneficial.
- Fire Department Concerns – Chief McCluskey said that they were looking at the benefits of the additional tax revenue to boost their equipment and possibly add employees however are not seeking to put in a satellite office.
- Impact on archeological sites – Archeological studies are not required as the project is privately funded on private land. Protocols require if items are discovered to work around the site.
- Dark Skies – Lighting is a priority to the County and the Developer and the development will be required to comply with the County's Lighting Ordinance.
- Lack of Availability of Local Healthcare – Residents voiced concern that there were no longer physicians at the local office. Unfortunately, this is not

an issue that is addressed by Planning & Zoning.

- Overflow of Business – Residents were concerned that restaurants would be strained due to increased business from new residents, and that there is a shortage of workers. Unfortunately, this is not an issue that is addressed by Planning & Zoning.
- “Smoke and Mirrors” was a comment heard from the audience a couple of times. She did research into the history of projects in the area. It appears that Bison Ranch’s density increased over the eight revisions to the Master Plan, from 0.6 dwelling units per acre to 1.84.

Sandra noted to the Commission that this initial step is a Zone Change and a Master Plan only. The details get further vetted in the next steps. She then read the conditions if approved out to the Commission. Cody also added that the project was within the General Plan’s scope and staff has received two letters against and one in support. Sandra noted that the applicant was available to speak.

Duane Hunn approached to speak to the Commission, he says that Sandy had done such a great job that he almost didn’t need to add anything and would be available to answer questions. Hearing none from the Commission, **Chairman Teetsel** called for people in favor of the project.

Sal Sperrazza came to speak in favor. He sees the project as a bonus to the community.

Reverend Paul Nelson asked about the Board of Supervisors meeting and said he was neutral to the project and was curious about how the taxes were going to be handled, especially when it came to the electric infrastructure.

John Leanos spoke to his concerns about the services provided to the project, as he was frustrated with community contractors not being able to handle more customers. He was also annoyed that there was incredibly slow internet and was going to be further annoyed if he wasn’t going to get upgraded before the new project came in.

Steve Dillahunty stated his concern over this being a gated community. Steve was also had issues with quads and other vehicles not being able to go through the forest, which was addressed by the Chairman. Mr. Dillahunty stated, finally, that he was concerned about who was planning on caring for the lots.

Phillis Ault said she was under the impression that this would be single-family only and felt scandalized by the developer sectioning off an area for multi-family. She was very concerned about a very tall building going in. Her biggest concern was that they were going to ban access to the area, requiring people to pay a fee to enter the commercial and park areas.

David Perolis came up to speak to the Commission about traffic lights.

Tom Triolo stated concerns that there would be depreciating value on the property. He also voiced complaints on lack of manpower and environmental impact study. He also asked about the previous owners and asked who would maintain the roads.

The applicant then was called by the Commission to address questions. Responses to concerns raised during the meeting were as follows:

- 1) There would be an HOA;
- 2) They were waiting to observe the market before they made final decisions on gated communities within the project;
- 3) Common areas would be maintained by the HOA and the roads would be brought to County standards so that they could be added into the road maintenance system;
- 4) The multi-family use was desired to create a more neighborly common area that was not feasible with single family.
- 5) The open space was planned to be a private park.
- 6) As for the utilities in general, the developers are responsible. Navopache Electric is going to be supplying the electricity and the power poles, but there were plans to put all lines underground. They have spoken with Frontier for amenities, but they were also looking at Cable One. They also wished to implement gas lines, however it is not in the area.

Commissioner Howe asked about the ADOT study, and if they had identified what they would be necessary. The applicant stated that they been talking to ADOT about this project since spring and will continue to work closely with them for their needs; ADOT identified that there will be long turning lanes needed, so they will be widening the road; ADOT hasn't required them to look into a traffic signal and haven't indicated a need for it.

Commissioner Howe then asked about implementing speed reduction. The applicant stated that they have requested a reduction in speed for the area, but ADOT was reluctant to grant lower speed limits. They are looking at speeds of 55 MPH, but are going to be trying to reduce it to 45 MPH.

Commissioner DeCross asked if they had worked with the Fire Chief. The applicant confirmed that he had spoken with him several times, and his main concern was emergencies with the elderly, and did not anticipate that as a huge

concern.

Chairman Teetsel called for a motion. **Commissioner DeCross** made a motion to recommend Approval to the Board. **Commissioner McVicker** seconded the motion. Motion carried, 6 - 0.

ITEM #5 – CASE # 19-98 ZONE CHANGE, DISTRICT IV: Discussion and possible action on a request by Wendover Pines LLC for a Zone Change from existing A-General Zoning on an approximately 236.63-acre parcel to Special Development Zoning on APN 207-04-007B, a portion of Township 12 North, Range 16 East, Section 15 of the Gila and Salt River Meridian in the Heber area.

Ms. Phillips just noted some additional history of the project, and some letters received from the public. As this item was tied to the last item and the arguments were the same, there was no further business or comments to discuss.

Chairman called for a motion. **Commissioner Smith** made a motion to recommend Approval to the Board. **Commissioner Howe** seconded the motion. Motion carried, 6 - 0.

ITEM #6 – CASE # 19-106 SITE PLAN AMENDMENT, DISTRICT IV: Discussion and possible action on a request by Brett Ferguson for a Site Plan Amendment for up to 50 residential units and open space on approximately 10.61 acres on a portion of APN 206-01-033 and 206-01-034, which are portions of Township 12 North, Range 17 East, Section 34 of the Gila and Salt River Meridian in the Overgaard area.

Sandra presented the item, noting that it was on the opposite side of Heber/Overgaard, opposite Bison Ranch, next to an illegal, wildcat subdivision. The applicant's plan was very similar to what was previously approved, so the item before the Commission is a Site Plan Amendment. The previous applicant had completed a Traffic Impact Study, which indicated there was no need for a turning lane into the property from Columbia Lane. The new owner is requesting an amendment so that they can implement a park model cabin concept. They have been working with ADEQ to make sure their alternate septic system meets requirements for sewer, and the applicant will have emergency access coming off of State Route 260. The setbacks for the property will meet the requirements for single-family subdivisions. Staff is requiring that there be some landscape screening along the roads. Sandra then read out the conditions for approval of the project. It was noted that the applicant is requesting park model cabins, however until the lots are purchased, the applicant is asking for seasonal allowance of RVs to rent on spaces until a cabin is constructed. The RV's will not be allowed on the property from October-February. All engineering and other requirements will be standard. Ms. Phillips wanted to point out that there was going to be drainage that the applicant will have to let run through the lot during hundred-year-event flooding.

Cody noted that staff had received phone calls and emails of primarily opposition to the project, with one letter of support. He listed the basic concerns for the Commission.

The Chairman then called the applicant to speak.

Applicant, Mr. Brett Ferguson, stated he has lived in the area for a long time and said that while he was not a developer, the project was important to him. He wanted to make clear that there would be very manicured landscaping and they were renting lots to put very specific park models in. He planned on having three models for prospective buyers to choose from. Buyers would own the park model and would rent out the space in the park.

The Commission talked at length with the applicant about his rules and regulations, voicing concerns over how he was planning on controlling noise, pets, traffic, evictions, groundskeeping, and so forth.

The Chairman then called for public comment in favor, and finding none, called for those opposed.

Ken Floberg approached the Commission with the concern that this was just going to be another RV park and asked if the splash pad would be open to the public. The Commission confirmed with the applicant that it would not be open to the public.

Karol Taylor had a petition that objected to the project, which she submitted to staff before speaking. She asked if there was going to be a time limit for how long this project would allow for the placement of RVs before they were phased out. **The Chairman** responded that it was unlikely that such things could be implemented or enforced.

Craig Albright noted that the Commissioners had already voiced a lot of his concerns and was mostly worried about the ratio of RV's to park models. He also provided the Commission with some research he had done, noting the last page for the impact on the view.

Pete May came forward to speak. His property borders the project. He noted the 50 units on ten acres, with the opinion that density would be an issue. He further stated that this project is a campground and asked the Commission not to approve this.

Bill Bowman came up to speak up about how his property value would be decreased by the project and is concerned about the transients coming in and out of the community.

Magnus MacLeod came up to speak about his concern about Toy Haulers. His property monitors a gate that was removed by the airpark, and he notes that there are at least a hundred cars that go through there daily. He pointed out that Tract B of the Airpark will be open to the public and ATVs, despite being private property, especially with the ability for children to drive them.

Sherry Watson and Alan Roberts questioned the Commission about water rights. **The Chairman** replied that those are under the jurisdiction of Arizona Department of Water Resources and they have no say in that regard.

David Perolis stated that he had bought property in the area to have a second home. His complaints came from being able to hear music from the nearby pizza parlor and feeling noise would become a greater issue with this development.

John Chackerian is a resident of Bison Ranch and was concerned that the project would be using facilities that Bison Ranch paid for with their HOA and was also concerned that they were going to have an RV park there forever.

Alice Franco stated her concerns that the compatibility with the Airpark is bad, devaluing the property, and that the water drainage is going to be a concern. She noted Bison Ranch runs sewer into the old seep and had concerns about open sewer in the area. **The Chairman** asked if she had contacted Arizona Department of Environmental Quality about the creek. She replied she had not but would do so. Sandra and the applicant spoke to the Commission about sewage. Sandra explained that she was aware of the drainage to the seep and was looking into this. The applicant also explained that he was proposing an alternative septic system that would not pump raw sewage into the ground; They will be using a powerful system that exceeds ADEQ requirements, so they did not foresee any issues.

After more discussion, the applicant offered to make the project park models only to alleviate concerns from the public over RVs.

Chairman Teetsel called for a motion. **Commissioner Howe** made a motion to recommend Approval to the Board with the modifications to stipulations 6 that no RV's are allowed, they strike the reference to RV's on 12. Motion withdrawn to implement more changes.

After a brief discussion on phrasing, **the Chairman** called again for a motion. **Commissioner Howe** made a motion to recommend Approval to the Board with the modifications to stipulations 6 that Park-models Only shall be parked in spaces, that No park models or other RV shall be parked on the property until the development is completed on condition 12. **Commissioner DeCross** seconded the motion. Motion carried, 4-2 (Smith, McVicker).

ITEM #7 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 11/21/2019.

Commissioner Rhoades made a motion to approve the minutes. **Commissioner DeCross** seconded the motion. Motion passed 6 - 0.

ITEM #8 – COMMISSIONER'S COMMENTS AND/OR DIRECTIONS TO STAFF:

ITEM #9 – REPORT FROM STAFF TO THE COMMISSION:

ADJOURN MEETING

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 9:06 a motion was made to adjourn the meeting by **Commissioner Teetsel**. **Commissioner DeCross** seconded the motion. Motion carried.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department

DRAFT