

MINUTES

HEARING OF THE NAVAJO COUNTY PLANNING AND ZONING COMMISSION

March 21, 2013

ATTENDANCE P & Z Commissioners

Attended:

1. Chuck Teetsel
2. Fred Shupla
3. Joel Lawson
4. Randy Murph
5. Robert Black
6. Ruth Ann Smith
7. Wendell DeCross

Absent:

Bill Rawlings
Bob Hall
Carol Davis
Evelyn Meadows
Jason Hatch
Rick Slone

Staff Attendance:

Trent Larson Bill Bess
Robin McCormick Peggy Saunders

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona – Time: 6:11 p.m. to 8:23 p.m.

CALL TO ORDER

Chairman Joel Lawson called the meeting of the Navajo County Planning & Zoning Commission to order at 6:11 p.m., and led the pledge of Allegiance. Mr. Lawson also explained the housekeeping and meeting rules for the benefit of the public in attendance.

ITEM #1 – CASE # 13-02 SPECIAL USE PERMIT FOR A METEOROLOGICAL TOWER.

Request by Apache District Wind Farm, LLC, for a Special Use Permit to allow for placement of a meteorological tower with a maximum height of approximately 198 feet (60 meters) to assess the viability of a potential wind energy project. Located on APN 110-02-004A; a.k.a. a portion of Section 14, Township 15 North, Range 20 East, G&SRM, Navajo County, Arizona; approximately 13 miles south of Holbrook.

Trent Larson presented the staff report and gave an overview of the project.

Applicant: Judd Rogers with Juwi Wind was in attendance to answer any questions from the Commission or the public.

In Favor: Jerry Somers of Concho Ocho Road asked if the wind towers that are currently in place have been profitable. He also asked if the proposed wind towers would provide power to Snowflake. Staff does not have an answer for those questions. **Dannette Weiss** of Arizona Game & Fish explained that they updated their wind guidelines in November of 2012. They are requesting a minimum of 36” diameter aircraft markers on the guy wires to make the guy wires more visible for pilots who fly low over those areas. **Commissioner Teetsel** asked Mr. Larson how long the Commission has been approving met towers, and if the Planning & Zoning Department checks to make sure that the towers are dismantled and the area restored to specifications once the original permit has expired. **Trent Larson** said staff will research the data, but also explained that time extensions may be granted in certain circumstances. Juwi

Wind representative, **Judd Rogers** offered the explanation that often the met towers are left in place to record wind speeds once the wind towers are approved.

Opposed: None

Commissioner Shupla asked if the met towers were not built in the timeframe allowed, if the permit would be revoked. **Trent Larson** responded that a permit has not been revoked and extensions have always been granted. **Commissioner DeCross** asked what happens if the applicant does not choose a site that is favorable to Arizona Game & Fish Department. **Dannette Weiss** replied that it is up to the Commission and Board of Supervisors to approve the permit, the Game & Fish Department can only offer guidelines and recommendations.

Motion to approve: **Commissioner Teetsel**, the motion was seconded by **Commissioner Shupla**. The vote was unanimous (7-0) to recommend approval to the Board of Supervisors.

ITEM #2 – CASE # 13-04 SPECIAL USE PERMIT FOR SELF STORAGE FACILITY. Request by David Young, Concho Road Self Storage, for a Special Use Permit to allow for construction of a self-storage facility with indoor and outdoor storage. Located on APN 403-81-016L; a.k.a. a portion of Section 31, Township 14 North, Range 23 East, G&SRM, Navajo County, Arizona; approximately 5 miles east of Snowflake.

Trent Larson presented the staff report and an overview of the project.

Applicant: **Doug Brimhall** spoke on behalf of the applicant, stating the applicant's gratitude for the Commission's consideration of the permit. Mr. Brimhall said he would be available to answer any questions regarding the project.

In Favor: None

Opposed: **Jerry Somers** of 4932 Conch Ocho Road stated that he was not notified of this permit application. He asked if the detention pond would be mosquito free. **Trent Larson** responded that the water would only be allowed to stand for a maximum of 36 hours. The designer, Tetra Tech, is familiar with County standards. **Bill Bess** stated that the ordinance requires that the excess run-off created by the metal buildings be detained and released at a metered rate. **Trent Larson** added that Mr. Somers did not receive a postcard because those mailings are sent to the address of record with the County Assessor's Office. The postcard was mailed to the address of record in California. **Mrs. Somers** said she talked with staff, and has since corrected their mailing address with the County Assessor's Office. **Mr. Somers** asked if the customer access areas of the property would be paved. **Doug Brimhall** stated that it is the intention to release the detained water back into the natural area at the natural rate. **Jerry Somers** asked how many storage units would be built, and if they would be cinderblock or wood structures. **Trent Larson** explained, and **Chairman Lawson** reiterated that it is the goal of this meeting to determine if a storage facility is a good use of the land. **Jerry Somers** asked if the slated chain link fence would make a lot of noise when the wind blows. He also asked what the location of the security lighting would be and if it would be on 24 hours a day. **Trent Larson** responded that there would be approximately a 400' buffer between the fence and the property boundaries to Mr. Somers parcel. Mr. Larson explained the Navajo County lighting ordinance requires that the lighting be directed downward onto the property. **Stephanie Sack** of 8800 Stray Burro Trail stated that she did not receive a notice. **Trent Larson** reported that her parcel is just outside the 300' boundary. **Ms. Sack** compiled a list of 8 other storage units in the

Snowflake/Taylor area. She spoke with the owners/managers of these facilities and they expressed concerns that they have seen reduced occupancy in recent years. She also expressed concern about the proposed facility hurting property values in the area. She was also concerned about the detention pond drainage adding to the current problems with erosion of Stray Burro Trail. **Ashley McGee** of Stray Burro Trail wanted to go on record that she was opposed to this project.

Commissioner Teetsel asked if the fence would just run along the front right-of-way or around the entire storage facility. He also asked if there were any height restrictions on either the buildings or RVs stored on the site. **Trent Larson** responded that the fence would run around the entire storage facility. **Doug Brimhall** explained that 15-20 feet is the maximum proposed building height. He indicated that the structures would most likely be metal. **Commissioner Teetsel** asked if there was a need for zoning changes to make more commercial property along Concho Highway. **Trent Larson** said that the Navajo County Comprehensive Plan encourages Commercial activities along arterial highways, so even though the property may be zoned RU-20, the intent for growth of commercial businesses along the highways is desired

Motion to approve: Commissioner Smith 2nd: None – Motion Died for lack of second.

Randy Murph understands the reasons expressed by those who are opposed to the project, but he also believes that people should be allowed to use their land in the best way they deem possible, and for that reason he is in favor of the project. **Chairman Lawson** then asked for a second motion for the project. **2nd Motion to approve: Commissioner Smith, 2nd: Randy Murph.** **Chairman Lawson** called for a vote: The motion was approved (6-1) to recommend approval to the Board of Supervisors. **Commissioner Black** voted to oppose the approval.

ITEM #3 – POSSIBLE APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF OCTOBER 18, 2012.

Motion: Chuck Teetsel, 2nd: Robert Black – Approved

ITEM #4 – POSSIBLE APPROVAL OF 2013 MEETING SCHEDULE

Motion: Wendell DeCross 2nd: Ruth Ann Smith – Approved

ITEM #5 – ELECTION OF OFFICERS

Trent Larson explained how the new district boundaries affected Commission membership. He then read the state statutes involving election of Commission Chairman. **Commissioner DeCross** asked if an alternate could be elected Chairman. **Peggy Saunders** stated that previous Planning & Zoning Director, Greg Loper, had stated that an alternate could not be elected Chairman; (based on an opinion given by Deputy County Attorney, Lance Payette at that time.) **Chairman Lawson** stated that he would like all Commissioners and Alternates to be given the chance to nominate a potential Chairman.

Motion to postpone elections & address rules for elections at the April meeting: Commissioner DeCross – Motion Withdrawn

Commissioner Teetsel asked that Trent Larson contact all the commissioners not in attendance at this meeting and explain to them the importance of attending the meetings.

Motion for elections to be postponed until next month: Chuck Teetsel; 2nd: Ruth Ann Smith – Approved 7-0

ITEM # 6 – COMMISSIONER’S COMMENTS AND/OR DIRECTIONS TO STAFF.

Commissioners may use this time to offer additional comments regarding any item on this agenda, or any other topic; and the Commission may direct staff to study or provide additional information on topics of the Commissions’ choosing.

ITEM #7 – REPORT FROM STAFF TO THE COMMISSION.

The Commission requested that Staff coordinate with the County Attorney’s office to obtain clarification of the service of alternates as officers of the Commission. Commissioner Smith requested an update on the Pot ash projects. Trent Larson gave a brief summary of the latest news which included the projections from one of the companies to double their workforce.

The Commission reserves the right to change the order of any Agenda item.

The Commission reserves the right to adjourn into executive session when needed pursuant to ARS §38-431.03(A) (3) for legal consultation on the above-described agenda items.

With there being no further business to bring before the commission a motion to adjourn was made by **Commissioner DeCross**, and seconded by **Commissioner Black**.

The vote was unanimous (**7-0**), and the meeting was adjourned at 8:23 p.m.

NAVAJO COUNTY PLANNING COMMISSION

Chairman, Joel Lawson

ATTEST:

Robin McCormick