

MINUTES

P & Z COMMISSION HEARING

March 21st 2019

ATTENDANCE P & Z Commissioners

ATTENDED

1. Brian Shields
2. Rodger Rhoades
3. Ruth Ann Smith
4. Chuck Teetsel
5. Randy Murph
6. Wendell DeCross

ABSENT

Chuck Howe
Nick McVicker

Staff Attendance

1. Sandra Phillips
2. Kristyn Saunders
3. Ruth Mayday
4. Bill Bess
5. Jeanine Carruthers

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona –
Time: 6:00 to 7:18.

Chairman Chuck 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.

ITEM #1 – CASE #19-05 SPECIAL USE PERMIT, DISTRICT IV: Discussion and possible action on a request by Curtis R. Fernau for a Special Use Permit allowing a self-mini storage unit facility accommodating individual storage units, and storage spaces for boats/RVs on APN 409-20-015S, a portion of Township 10 North, Range 21 East, Section 4 in the Show Low area.

Ms. Phillips introduced the item, noting that it had previously appeared before the commission, and that the applicant has made some changes to address the concerns of the neighbors. Her presentation noted the features of the surrounding area, including a large sign ADOT had put up, as well as how access to the parcel was currently configured. Ms. Phillips then displayed the site plan, noting that it was *not* a design or master plan, and the proper engineering had not been completed. She noted that approval of engineering plans would be completed if the Board of Supervisors approved the project. Sandra then noted where the postings were placed, and the area of homeowners notified. She further noted that staff received one (1) call from a property owner that had no objections after learning about the project. Staff recommended additional stipulations, requesting a solid fence instead of a slatted chain-link fence, and landscaping would be installed to improve the project's impact on the surrounding area.

Commissioner Rhoades asked about the six-foot solid fence, if it would be concrete block. Ms. Phillips replied that they purposefully did not specify what type of fencing to use- staff recommends something that looks nice and blends in and are open to working with the applicant to find an aesthetically pleasing option that works for all parties. **Commissioner Shields** noted that there was a storage facility with chain-link fence a short distance away to the west and wanted to address consistency. Ms. Phillips noted that the storage facility had been in place for a very long time. **Chairman Teetsel** asked if the applicant would like to address the commission, and applicant Curtis Fernau came forward to speak. He noted that the road was higher than the existing property and that while a four-foot fence would provide adequate coverage, he fully intended to put in a six-foot fence for privacy. He also noted that the easements have been recorded for the first fifty feet and showed their location. He also noted that the parking stalls he had designed to make were to be a generous 15x40 feet, and they had designed it so the RV's would have plenty of space to back out. **Commissioner DeCross** asked if they were in a mostly residential area, to which the applicant confirmed that there were houses in the surrounding area. **Commissioner DeCross** also asked about the C-R zoning in the area, which Staff confirmed encompassed all the properties from the edge of the road back a distance of three hundred feet. **Commissioner DeCross** asked if they planned to level the land, applicant said that yes, it would be, but it wouldn't change the height of the property significantly. **Commissioner Rhoades** asked about the fencing, if they intended to put fence all around the lot, and the applicant expressed willingness to do so. The Applicant noted that he intended to build a home adjacent lot to the north of the subject property with block wall surrounding it. **Chairman Teetsel** asked for those in favor to approach, and finding none, asked for those in opposition to approach for comment. Kristina Petersen approached to speak against the project and stated her major concern was that the project would create flooding issues. She then noted that she did support the softscape planning. Kent Lauderbach Sr. addressed the commission regarding the way the land lays and said that Miss Petersen's concerns for flooding are also his concerns, and that he was opposed to the project. **Commissioner DeCross** wanted to note that he didn't care what kind of fence was used, and that chain-link with slats would be just fine. **Commissioner DeCross** made a motion to recommend Approval to the Board. **Commissioner Shields** seconded the motion. Motion passed, 6 - 0.

ITEM #2 – REVERSION OF ZONE CHANGE, DISTRICT IV: Discussion and possible action on a reversion of Zone Change, from existing R1-43 zoning on 40 and 53.6 acre parcels to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 208-03-002A and 208-03-002B, a portion of Township 11 North, Range 18 East, Section 3 of the Gila and Salt River Meridian in the Aripine area. (High Pines Estates)

Miss. Phillips noted that staff had acted on the Commission's recommendations and have discussed the proposed reversion of zoning with property owners. Both the owners and Staff agree that the zoning should remain R1-43. Ms. Philips demonstrated where the property had been posted and stated that there had been no comments from the public.

Chairman Teetsel called for a motion, and **Commissioner Rhoades** made a motion to recommend Denial of the reversion and to extend the R1-43 zoning in perpetuity to the Board. **Commissioner Murph** seconded the motion. **Motion carried, 6 - 0.**

ITEM #3 – REVERSION OF ZONE CHANGE, DISTRICT V: Discussion and possible action on a reversion of Zone Change, from existing Special Development zoning on a 20-

~~acre parcel to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 212-07-036, a portion of Township 9 North, Range 22 East, Section 9 of the Gila and Salt River Meridian in the Show Low Lake area. (Richardson)~~ **Tabled at Owner's Request**

ITEM #4 – REVERSION OF ZONE CHANGE, DISTRICT V: Discussion and possible action on a reversion of Zone Change, from existing R1-10 zoning on a 124.4-acre parcel to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 212-34-001A, a portion of Township 9 North, Range 22 East, Section 27 of the Gila and Salt River Meridian in the Lakeside area. (Rimside)

Ms. Phillips said that the subject parcel was intended to be part of a larger subdivision and that staff had received numerous inquiries about this item and were concerned about the proposed reversion. Staff had spoken with the owner's representatives, who did not object to Staff's proposed action of recommending the SD zoning remain in perpetuity. Ms. Phillips demonstrated where the postings had been placed, and stated that Staff recommended Denial of the reversion so that the zoning remain SD (Special Development).

Commissioner Rhoades asked about how it became SD zoning. Ms. Phillips explained what happened: formerly the site plan had required an R1-10 zoning but there had been a change in the master development plan with resolution 64-07- which the Board of Supervisors had approved on July 17, 2007. The Board of Supervisors then approved the SD zoning in conjunction with the new master development plan. **Chairman Teetsel** asked if there were any more comments from the public. Torsten Andresen came forward to ask about the development and spoke about issues with increasing traffic in the area. **Chairman Teetsel** inquired as to the status of the plat. Ms. Phillips said the plat had tentative approval, however, that approval had expired and informed the commission that the planning process would have to be re-initiated with further stipulations. Bill Bess, the county engineer spoke up to say now that Rim Road is a publicly dedicated easement, when it would be developed Staff would require that a right of way be set aside for Rim road to be paved so that it could become a county-maintained road.

With no further comments, the Chairman called for a motion.

Commission Rhoades made a motion to recommend denial of the reversion and extend the Special Development Zoning in perpetuity to the Board. **Commissioner Shields** seconded the motion. Motion carried, 6 - 0.

ITEM #5 – REVERSION OF ZONE CHANGE, DISTRICT V: Discussion and possible action on a reversion of Zone Change, from existing Special Development zoning on a 9.6 acre parcel to A-General zoning due to not meeting Board of Supervisors Resolution stipulations on APN 212-32-074, a portion of Township 9 North, Range 22 East, Section 26 of the Gila and Salt River Meridian in the Lakeside area. (Sale)

Ms. Phillips noted this case was very similar to the last and the owner had no objections to the property remaining Special Development. Staff has received numerous comments against the reversion as well from the public.

Staff recommends that they forward this item to the Board of Supervisors with a recommend for denial of reversion and extending the Special Development zoning in perpetuity. With no further discussion, the Chairman called for a motion.

Commissioner Murph made a motion to recommend denial of the reversion, and extend the Special Development Zoning in perpetuity to the Board. **Commissioner Smith** seconded the motion. **Motion carried, 6 - 0.**

ITEM #6 – CASE #18-58 – SPECIAL DEVELOPMENT PLAN AMENDMENT – DISTRICT

V: Discussion and possible action on a request by Doug Fir Holdings LLC to amend the Special Development Plan from a 27 residential unit plan to a 5 residential unit plan on their 12.46-acre parcel, APN 212-07-003G, a portion of Township 9 North, Range 22 East, Section 9 of the Gila and Salt River Meridian in the Wagon Wheel area.

Ms. Phillips noted that there is a master site plan that had 27 lots on this parcel and the applicant needed to amend the Master Development Plan to reflect the 5 lots he desired on the property. She also noted the applicant was not able to attend, however staff had discussed the proposal with him, and that the applicant had outlined a number of deed restrictions he would attach to the deed. She also expressed concern about the Wolf Pines wash and its impact with developing the area and the applicant was aware of this concern.

The applicant was requesting a change to the existing site plan for the area, reducing the number of lots from 27 to five (5). Staff recommends attaching a copy of the site plan and proposed deed restrictions to provide clarity with respect to what both the Commission, Staff, and applicant had agreed upon.

Chairman Teetsel asked about the deed restrictions and the county's ability to get involved with them. Ms. Phillips stated that the County does not enforce deed restrictions or Codes, Covenants, and Restrictions (CC & R's). **Chairman Teetsel** expressed concerns about possible splitting in the future and how the Minor Land Division Ordinance affected additional land division. **Commissioner DeCross** pointed out that if the applicant DID split it he'd have made an illegal subdivision and then he'd have the state on him. **Chairman Teetsel** asked if there was anyone that wanted to speak in favor; there were none. He then asked for those who were in opposition and wanted to speak to come forward.

Harvey Bartlow stepped forward and to explain that he was concerned about the impact the development would have upon the area. **Chairman Teetsel** said that most of those concerns would be addressed in the building process and it was not part of the discussion. Miss. Phillips stated that the deed restrictions stipulated site built homes only.

Mr. Whipple stepped forward to express concerns about Bear Run Road; it is very narrow and a lot of people do park along the road. He also noted the ditches alongside the road that were too deep to park on. **Commissioner DeCross** agreed that the road was narrow, but five additional homes would not have the same impact as what had originally been approved.

Commissioner DeCross made a motion to approve the project. **Commissioner Rhoades** seconded the motion. **Motion carried, 6 - 0.**

ITEM #7 – POSSIBLE APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 9/20/18 and 1/17/19.

Possible approval of 1-17-19 Minutes. **Commissioner DeCross** made a motion to approve the minutes. **Commissioner Murph** seconded the motion. **Motion carried, 6 - 0.**

ITEM #8 – 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 #9– REPORT FROM STAFF TO THE COMMISSION:

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 come before the Planning and Zoning Commission, the meeting was adjourned at 7:18 a motion was made to adjourn the meeting by **Commissioner DeCross**. **Chairman Teetsel** seconded the motion. **Motion carried, 6 – 0.**

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Department