

MINUTES

P & Z COMMISSION HEARING

1/20/2022

ATTENDANCE

P & Z Commissioners

ATTENDED

1. Wendell DeCross
2. Randy Murph
3. Ruth Ann Smith
4. Taber Heisler
5. Nick McVicker
6. Logan Rogers (Not Voting)

ABSENT

1. Chuck Howe
2. George John

STAFF ATTENDANCE

1. John Osgood
2. Berrin Nejad
3. Bill Bess
4. Will Flake
5. Cody Cooper
6. Kristyn Saunders

Meeting held online through Zoom.us only due to COVID-19 Health concerns – Time:
6:00 PM to 8:14 PM

Vice Chairman Smith called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public. **Vice Chairman Smith** then led the Pledge of Allegiance.

(Note: **Commissioner McVicker** had issues with the microphone due to internet connectivity but could still hear the meeting and interact through the chat function in Zoom.)

ITEM #1 – PLEDGE OF ALLEGIANCE

ITEM #2 – INTRODUCTION OF NEW COMMISSIONER

Commissioner Rogers was introduced. However, we were unable to swear him in due to the nature of the virtual meeting.

ITEM #3 – SELECTION /ELECTION OF CHAIR

Commissioner DeCross motions to table this item to the February meeting.
Commissioner Murph seconded. The motion carried, 4 – 0.

ITEM #4 – REVIEW OF AGENDA BY COMMISSIONERS

ITEM #5 – CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

ITEM #6 – CONSIDERATION OF APPROVAL OF MINUTES FROM THE COMMISSION HEARING ON NOVEMBER 18th 2021

Vice Chairman Smith called for a motion. **Commissioner DeCross** made a motion to approve the minutes. **Commissioner Murph** seconded the motion. Motion carried, 4 - 0.

ITEM #7 – SUP 21-012 PINE ROSE MANUFACTURED HOME AND RV PARK, DISTRICT IV:

A request for a Special Use Permit to build a 17-space manufactured home and RV park, including 14 manufactured home spaces and 3 RV spaces as well as a fourplex. The property is 2.83-acres in size, located to the east of Porter Mountain Road, between Amanda Drive and Peterson Road, in the Lakeside area. **APN#** 212-26-082N, T09N, R22E, S24 of the GSRM. **Owner:** Juan Rosales. **Agent:** Juan Rosales. *(Continued from November 18, 2021 meeting)* **Item requested to be tabled to February meeting by the Applicant.**

Vice Chairman Smith called for a motion to table the item. **Commissioner Heisler** made a motion to approve the Table. **Commissioner DeCross** seconded the motion. Motion carried, 4 - 0.

ITEM #8 – TE 22-001 TIME EXTENTION FOR WENDOVER PINES: DISTRICT IV: A 24-month time extension request to a previously approved Master Site Plan. The approval was in January 2020 alongside a Zone Change for up to 450 residential units, a commercial-retail space, and open space on approximately 295 acres. **APN#** 207-04-006A and 207-04-007B, T12N, R16E, S15 of the Gila and Salt River Meridian in the Heber area. **Owner:** Wendover Pines, LLC. **Agent:** Solomon Sampson.

Mrs. Nejad presented the item to the commission. The item had been previously approved two years ago and as a condition they would have a 24-month period to move forward with their project, however the timeline was delayed because of the pandemic and the applicant is requesting a 24-month time extension to continue making progress. She noted that Staff was in support of this, and recommended approval.

The applicant Solomon Sampson addressed the commission and proceeded to explain that the pandemic made things difficult to continue in the timeframe given.

Commissioner DeCross asked if this was the first extension given to this project, Mrs. Nejad confirmed that it was the first.

Vice Chairman Smith called for a motion. **Commissioner DeCross** made a motion to recommend approval of the Special Use Permit. **Commissioner Murph** seconded the motion. Motion carried, 4 – 0

ITEM #9 – MDP-A 22-001 WOODLAND RIDGE MASTER DEVELOPMENT PLAN AMENDMENT: DISTRICT V: A request to amend a Master Development Plan approved in 2007, also known as the Woodland Villas development. The project is located at 534 N. Woodland Road, 9.6 acres in size, and located in Lakeside. **APN#** 212-32-074, T9N, R22E, S26. **Owner:** Pinetop Lakeside Development, LLC. **Agent:** David Kutis and Daniela Dekova.

Mrs. Nejad presented the item, noting the landmarks near the project located at 534 N. Woodland Road and stating that it was an amendment to the originally approved MDP back in January of 2007, when the project was known as Woodland Villas. The original MDP only allowed for site-built homes, they wished to amend this to allow for manufactured housing as well to help alleviate the community from costs, as well as change from the original 47 lot plan to 52 lots.

The applicant, Daniela Dekova and her representative David Kutis addressed the commission. They were asking for this change due to time constraints and wished to get their development up and running as quickly as possible.

Vice Chairman Smith called for people to speak in favor of the project.

Mark Coble spoke in favor of the project, noting his history with the Pinetop-Lakeside P&Z commission, citing that affordable housing is desperately needed in the community, and the current cost of housing is extravagant. He felt that there was a strong need for this project and the changes made.

Blaine Wilcock also spoke in favor of the project. He also noted that there were some concerns for flooding in the bar ditches, expressing concerns over the impact the project would have on the drainage, and the responsibility of said drainage.

Ferrell Fish spoke in favor of the project, but also had drainage concerns with the detention basin.

Vice Chairman Smith called for comment for those against the project.

Mary Ann Joseph spoke neither in favor nor against the project and presented her concerns via PowerPoint. Her concerns mostly touched on drainage issues, the density, and involving outside agencies such as additional outside engineering and the Game and Fish department.

Deborah Engerbretson, spoke against the project with concerns over drainage, Rick Joy spoke against the project voicing similar concerns, bringing up concerns for the wildlife- specifically the fish.

Sharon Gilpin spoke against the project with concerns about traffic increase and asked if there were plans to widen the main road.

Vice Chairman Smith thanked everyone for their comments and reaffirmed Staff's awareness of these issues, noting that they were aware of them back when the subdivision was first brought before them and expressed confidence in their ability to address these issues in the future. **Vice Chairman Smith** then asked County Engineer Bill Bess to comment toward the engineering of the project; if it was still viable and if he could address

some of the concerns the public had. Mr. Bess spoke to the drainage comments noting that the standards Navajo County uses for drainage reports and calculations have evolved and been refined over time and there is a number of different charts and rain data that can affect an outcome including the quality of the soil, all of which is put into a drainage report that they would review.

Mr. Bess also addressed Mary Ann Joseph's comments, specifically her noting the "20-foot benchmark" (grade difference). There is a difference between land with a flat slope versus a steep is the same amount of water was involved but the velocity is greater on the steeper slope. There are several other different factors that impacts run-off; driveways, pavement, sheds and roofs, and that both he and his Assistant County Engineer Will Flake are both licensed engineers with decades of experience doing these required drainage reports. He further noted that he did not see a need for additional outside review.

Mr. Bess further noted that while the study was six years old, it is not a FEMA designation flood hazard area, but it may still be subject to flooding. Navajo County's drainage and flood prevention ordinance identifies and covers these other areas that FEMA does not.

The drainage and retention basins will be based off the County's ordinance requirements. The Final Plat will have requirements for a detailed drainage study that will identify the needed size for the retention basin and drainage for the area, which will be reviewed by the County engineering staff.

Mr. Bess further noted that the drainage issues Rainbow Lake Estates has today is because in 1960 when the plat was recorded the County didn't have the drainage the regulations we have today. Rainbow Lake Estates did not receive the scrutiny that the requirements the Drainage Ordinance would have for new subdivisions. Navajo County's current Drainage Code was adopted by the Board of Supervisors in the 90's.

There are requirements that the subdivision runoff can not increase the predeveloped 100-year-event into Rainbow Lake Estates. Detention Basins will be designed to detain the increased post development 100-year event. Staff will review and look at the amount of water coming out of the spillways and inspect the discharge to measure and make sure that the run-off does not increase.

As for fears of failures for the flood control measures, the design for the systems and basin will be reviewed by Navajo County, however the HOA for Woodland Ridge will be responsible for the maintenance of their drainage structures.

Mr. Bess also noted Deborah Engerbretson's comments about density and stated that such matters were more a planning and development ordinance and would be reviewed by the planning department, however the increase would also be added into the calculations for the hydrology report.

Mr. Bess then stated that he had spent some time with both Mr. Rick Joy and Mrs. Mary Ann Joseph going over their concerns for Lee Reese Drive; they currently have contacted a surveying company to stake out and prepare to enlarge the drainage ditches to help reduce some of the issues they currently have with the water flow from the east to the west. Mr. Bess further noted that in order to contact Game and Fish they would have to add in additional roadways and areas into the study and spoke to Ms. Gilpin's inquiry about increasing the size of Woodland Lake road, saying that no, they did not have any plans to increase the size of the road at this time.

Most of the concerns and requests that the public had toward this project tonight would be addressed further on in the process when the applicant submitted to move forward with a Final Plat. However, until he had a Final Plat submittal to review, there was not anything to report, good or bad.

Vice Chairman Smith then asked the applicant to also address the issues.

Mr. Kutis acknowledged flooding issues and hearing that drainage is the main concern brought before the commission, stated that their engineers have worked with the County over the past 6 months on just such issues; They found that with their design for drainage the historical runoff could be reduced from 24.9 cubic feet per second to 9.4 cubic feet per second, and were confident that the impact of their new drainage systems will be a benefit to the surrounding areas.

Vice Chairman Smith turned it over to the Commission for comments,

Commissioner Rogers asked asks if the concern for this item is the installation of mobile homes and not drainage.

Vice Chairman Smith confirmed that while the drainage and flooding is a concern, the discussion for this is premature as the expansion has not yet approved; she further noted that there were no objections to putting in manufactured homes and only discussion about flooding and drainage, she further pointed out how affordable housing is needed.

Commissioner DeCross asked Mr. Bess about who designates the flood hazard areas, believing that the Army Corps of Engineers determine the flood areas. Mr. Bess confirmed but also said FEMA did some of the work as well,

Commissioner DeCross asked Mr. Bess if this property was in a flood plain or a flood way, Mr. Bess replied that it was not in a FEMA designated flood plain, it is subject to some flooding but has not been assessed due to the lack of a study, the drainage not being enough to warrant a study.

Commissioner Decross then noted that he remembered when they first brought this project before the commission but does not recall how many lots where in the subdivision, Mrs. Nejad replied that there was originally 47 lots, and **Commissioner Decross** had no more questions after confirming only 5 lots would be added, but he did make a follow up with a comment that he does not believe Game and Fish should be involved, as they would not really be able to address the issues and would only complicate matters.

Mary Ann Joseph noted that she was receiving messages that the phone option for Zoom was not working, and some discussion was had about what to do. Vice Chairman Smith asked how the applicant wanted to proceed, and Mr. Kutis wanted to move forward with the process.

Vice Chairman Smith wished to note that this meeting was merely a steppingstone in a long process, and that those who could not join the meeting would still be able to leave their comments with staff and also be heard by the Board of Supervisors, as the final approval was under them.

Mary Ann Joseph interjected about setback requirements, Mrs. Nejad responded that the rezoning hearing portion of the process had already happened in the 2007 meetings, and it would not be changed.

Commissioner Heisler asked why they needed to change the wording from Site-built only homes, and why they had made that a requirement, to which **Vice Chairman Smith** stated that the application had been received that way.

Commissioner Decross wished to make a final note that again, the Planning and Zoning Commission does not make the final approval, and with that called for a motion to recommend approval of the Master Development Plan Amendment to the Board of Supervisors. **Commissioner Murph** seconded the motion. Motion carried, 3 – 1 (McVicker)

ITEM #10 – TP 22-001 WOODLAND RIDGE SUBDIVISION TENTATIVE PLAT: DISTRICT V: A request for approval of a Tentative Plat to allow a 52-lot manufactured home subdivision. The site is zoned Special Development (SD), located at 534 N. Woodland Road, 9.6 acres in size, and located in Lakeside. **APN#** 212-32-074, T9N, R22E, S26. **Owner:** Pinetop Lakeside Development, LLC. **Agent:** David Kutis and Daniela Dekova.

Mrs. Nejad then presented this item to the commission with a summary of the same site showing the layout and where the flood areas are. Mrs. Nejad noted that the applicant was a new owner and bringing this tentative plat forward as there was not a plat provided at the original approval. She presented a map to the commission, explaining where and how homes would be built along Duke Court in three phases. Berrin then mentioned who will potentially be providing services to new housing: Timber Mesa Fire district, electricity would be provided by Navopache Electric, natural gas by Unisource Energy services, solid waste by Larson Waste, sewage disposal by Pinetop-Lakeside sanitation, telephone, Internet, and cable by Sparklight. She then showed the commission the area of notification and where they had posted. All proper plat articles were filed and in compliance with the Zoning Ordinance. Staff received several phone calls about drainage. If approved submittal of the Final Plat should be within 24 months.

The Applicant's representative Mr. Kutis then spoke to the commission and said they were working diligently with Mr. Bess to ensure the drainage isn't an issue. He said that the amount of refuse in the current drainage would filter directly into the lake, but their basins would be able to catch such refuse and make it easier to pick up the litter. Mr. Kutis further stated that there would be an HOA in charge of maintaining the grounds and they would be sure to address the concerns brought up about the drainage with Engineering.

Vice Chairman Smith called for comment from those in favor, and hearing none called for comment in opposition.

Mary Ann Joseph spoke again to the commission with concerns about easement access, in her eyes there was not enough room for the utility companies and noted that the backing subdivision had homes encroaching into their own easements. She also wished to know what the setbacks were planned for the project.

The Vice Chairman asked for Staff to comment, Mr. Bess and Mr. Flake confirmed that the homes in the neighboring subdivision were encroaching into the existing easements after walking the property with her previously.

Mr. Cooper stated that the setbacks would be 10 feet in the front, 15 feet in back, and that there would be a 10 foot water easement which would include the utility area, giving a designated 15 foot easement between the two of them, but also wished to note that all the finer details would be brought to the Board of Supervisors in the final plat, and that this was just a preliminary hearing.

Vice Chairman Smith agreed that all the easements and issues will be discussed before the final plan is set in motion. Mr. Bess confirmed that the utility companies will also need to assess the easement and confirm that enough space is there as part of the final plat process and approval plan.

Mr. Osgood asked Mr. Cooper for some clarification on the final plat process, as to whom the applicant would be presenting to next, Mr. Cooper confirmed that the next step would be presenting the final plat to the Board of Supervisors.

Commissioner DeCross wished to view the map one final time as he had questions about the water easement, looking over the tentative plat he found his answer in noting that the water lines also went down the street instead of just in the back, and staff and the applicant confirmed that the lines were present and in compliance with the current requirements in the correct placement.

Commissioner DeCross also addressed Mrs. Joseph's comments on the homes that were currently encroaching into their utility easement- he remembered that there was a house inside that very subdivision that had been built encroaching into the utility easement, that had been forced to remove the encroaching section of house even though it had been standing since the 1960's. He further stated that those homes that had encroached would likely face the same treatment despite also being there for some time.

Mrs. Joseph asked why the encroachment hadn't been caught before then, Mr. DeCross stated that the County normally only responded to encroachment because of a complaint brought before them as they did not have the staff to be sending people out to go measure lot lines for compliance.

Commissioner Murph asked the **Vice Chairman** if she was ready to entertain a motion, to which **Vice Chairman Smith** agreed and called for a motion. **Commissioner Wendell Decross** made a motion to approve of the Tentative Plat. **Commissioner Heisler** seconded the motion. Motion carried, 3 – 1 (McVicker)

ITEM #11 – REPORT FROM STAFF TO THE COMMISSION:

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

With there being no further business to come before the Planning and Zoning Commission, the motion was made to adjourn the meeting by **Commissioner DeCross**, **Commissioner Murph** seconded the motion. Motion carried 4 - 0.
The meeting was adjourned at 8:14.

Approved this _____ day of _____, _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Planning Assistant, Navajo County
Planning & Zoning Department

DRAFT