

SHOW LOW PLANNING AND ZONING COMMISSION
Regular Meeting – Tuesday, January 24, 2023

PURSUANT to A.R.S. Section 38-431.02, notice is hereby given to the Show Low Planning and Zoning Commission and to the general public, that a **Regular Meeting** of the Show Low Planning and Zoning Commission will be held on Tuesday, January 24, 2023, at 7:00 PM in the City Council Chambers, 181 North 9th Street, Show Low, Navajo County, Arizona. The agenda for this meeting is as follows:

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. NEW BUSINESS

- A. Consideration of Conditional Use Permit 602-04-256 submitted by Greg Hitchens of Hitchens Associates Architects to allow for two drive-through restaurants on property located at 4421 S. White Mountain Rd., Show Low, Arizona, that being A.P.N. 212-03-159N.

6. 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.

7. APPROVAL OF MINUTES

- A. Planning and Zoning Commission Regular Meeting of January 10, 2023.

8. SUMMARY OF CURRENT EVENTS

- A. Commission Members

B. Planning and Zoning Director

9. ADJOURNMENT

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Show Low makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Show Low Planning & Zoning Commission regular meetings are recorded and may be viewed on the City of Show Low's website. If you permit your child to attend/participate in a televised Planning & Zoning Commission, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

Pursuant to the Americans with Disabilities Act (ADA), the Planning & Zoning Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need accommodation for a meeting, please call the City Clerk's office at (928) 532-4061 at least 48 hours prior to the meeting for accommodation.

I, Ashley Duncan, do hereby certify that this agenda was posted on Friday, January 20, 2023.

Ashley Duncan

CITY OF SHOW LOW STAFF SUMMARY REPORT

AGENDA TITLE: Consideration of Conditional Use Permit 602-04-256 submitted by Greg Hitchens of Hitchens Associates Architects to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N (Katie Fechtelkotter)

RECOMMENDATION

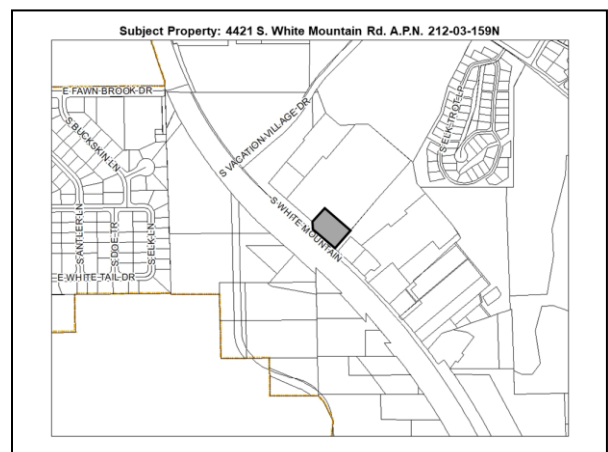
I **MOVE** to approve CUP 602-04-256 submitted by Greg Hitchens of Hitchens Associates Architects to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N, subject to staff recommendations.

BACKGROUND

Greg Hitchens of Hitchens Associates Architects has submitted a Conditional Use Permit (CUP) to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N. The subject property is zoned C-2 (General Commercial). Drive-through restaurants require a CUP in the C-2 zone.

The subject property is considered an out-parcel of the Park Pineway Shopping Center and was previously designated for development, it is currently a paved parking lot with 53 spaces. The development of the property was in conjunction with the existing shopping center and the new development will need to account for the existing drainage facilities on the subject property.

The applicant has indicated that there will be sufficient parking for the shopping center with the additional development. Access to the subject property will be from within the existing Park Pineway Shopping Center, there will be no driveway access directly onto S. White Mountain Rd. There are two different occupants that have been identified and the conceptual site plan shows two separate buildings, each with their own drive-through. The conceptual site plan and proposed building elevations have been attached for your review.



FINDINGS OF FACT

1. Greg Hitchens of Hitchens Associates Architects has submitted a Conditional Use Permit (CUP) to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N. The subject property is zoned C-2 (General Commercial). Drive-through restaurants require a CUP in the C-2 zone.
2. The subject property is considered an out-parcel of the Park Pineway Shopping Center and was previously designated for development, it is currently a paved parking lot with 53 spaces. The development of the property was in conjunction with the existing shopping center and the new development will need to account for the existing drainage facilities on the subject property.
3. The applicant has indicated that there will be sufficient parking for the shopping center with the additional development. Access to the subject property will be from within the existing Park Pineway Shopping Center, there will be no driveway access directly onto S. White Mountain Rd.
4. There are two different occupants that have been identified and the conceptual site plan shows two separate buildings, each with their own drive-through. The conceptual site plan and proposed building elevations have been attached for your review.
5. Current zoning of the surrounding properties include.

North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)
6. The current land uses of the surrounding properties include.

North: Pet Sense
South: Taco Bell
East: Park Pineway Shopping Center
West: Joyride Express Car Wash
7. Transmittal memos were sent to all affected agencies. Applicable comments received include.

Arizona Department of Transportation (ADOT)- A permit from the Northeast District is required to utilize the existing driveways on State Route 260 (S. White Mountain Rd.) A traffic pre-submittal (TGP-240) with trip generation is needed to determine if a full traffic impact analysis or statement will be required.

Navopache Electric Cooperative (NEC)- Location of transformer will be determined at time of service request.

Unisource Energy Service- Unisource does not provide natural gas to that facility, as a reminder please use the free 811 service prior to any construction.

8. No public comment has been received regarding the proposed development at the time the staff summary report was prepared.

STAFF RECOMMENDATIONS

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-256 submitted by Greg Hitchens of Hitchens Associates Architects to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N subject to the following conditions;

1. All development shall comply with all applicable federal, state, and local requirements, including permit, sign, landscaping Fire Code and Arizona Department of Transportation (ADOT) requirements.
2. The surfacing of all access ways, interior driveways, and parking areas shall be surfaced in accordance with City Code and shall meet the minimum loading requirements outlined by TMFMD.
3. The applicant shall coordinate with the Public Works Department to ensure that adequate backflow protection is installed.
4. The right-of-way adjacent to the subject property shall be landscaped, primarily with grass or sod and the landscaping shall be maintained.
5. Parking and lighting shall meet all requirements of City Code Chapter 19.105.
6. This conditional use permit shall remain effective as long as a building permit has been issued within one (1) year of CUP approval.

STANDARDS FOR REVIEW

Project: Conditional Use Permit 602-04-256 submitted by Greg Hitchens of Hitchens Associates Architects to allow for two drive-through restaurants located at 4421 S. White Mountain Rd., that being A.P.N. 212-03-159N.

General Plan

Land Use

- Goal: Preserve the natural surroundings and the rural, hometown atmosphere.
- Objective: Promote infill and indicate prime growth areas for programmed expansion of service systems to discourage sprawl.

Economic Development

- Goal: Provide more commercial opportunities and options.
- Objective: Attract a variety of restaurants.

Zoning Ordinance

Chapter 19.20 CONDITIONAL USE PERMITS

19.20.010 Purpose.

Every zoning district contains certain uses of land which are normal and complementary to permitted uses in the district, but which, by reason of their typical physical or operational characteristics, influence on the traffic function of adjoining streets, or similar conditions, are potentially incompatible with adjacent activities and uses. It is the intent of this chapter to permit conditional uses if the use can be designed and developed in a manner which assures maximum compatibility with adjoining uses. It is the purpose of this chapter to establish principles and procedures essential to proper guidance and control of such uses. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(A))

19.20.020 General regulations.

(A) Zoning district regulations established elsewhere in this chapter specify that certain uses of land may be allowed by the commission as conditional uses in a given district subject to the provisions of this section and the requirements set forth in district regulations. The planning and zoning commission is empowered to grant or to deny applications for conditional use permits and to impose conditions upon them.

(B) Any use, legally established and in compliance with the rules and regulations of the state of Arizona and the City of Show Low, that is existing on the effective date of the ordinance codified in this chapter which is reclassified as a conditional use by this chapter

for the district in which it is located shall be considered as meeting the conditions which would otherwise be imposed upon such use by this chapter, and its continuance shall not be subject to issuance of a conditional use permit; provided, however, that to the extent that such use fails to conform to the requirements of this chapter, it shall be considered nonconforming as described in Chapter [19.95](#), and its continuance shall be governed by all nonconforming use regulations applicable thereto.

(C) Every conditional use permit issued shall be applicable only to the specific conditional use and to the specific property for which it is issued. The maintenance of special conditions imposed by the permit, as well as the compliance with other provisions of this chapter, shall be the responsibility of the property owner. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(B))

19.20.030 Application process.

(A) *Authorized Applicant.* An applicant for a conditional use permit shall be one (1) of the following:

- (1) The owner(s) and/or authorized agent of the property;
- (2) Any person with a potential interest in the property, together with the name, address and signature of the owner and/or authorized agent of the property.

(B) *Submittal Requirements.* Application for a conditional use permit shall be filed with the planning and zoning department on a form provided by the planning and zoning department. The applicant shall provide the planning and zoning director with a detailed site plan with the information requested in Chapter [19.15](#), and the narrative information as requested on the application form. An applicant shall also furnish the commission any additional information the planning and zoning director may consider relevant.

(C) *Mandatory Applicant Attendance.* Applicants, or their representative with authority to speak for and bind the applicant, shall be present at all meetings and public hearings required under this section.

(D) *Representations of Applicant Binding.* All representations by the applicant, or by the applicant's authorized representative, made in writing, or during any city public meeting or public hearing, or by any submitted plan, plat, drawing or other graphic depiction in support of the application, and designated in the record by the planning and zoning commission and/or city council, shall be deemed to be conditions of approval.

(E) *Diminution of Fair Market Value Waiver Required.* An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § [12-1134](#) arising out of the subject application shall be submitted. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(C))

19.20.040 Staff review.

An application for a conditional use permit shall be submitted to the planning and zoning director at least twenty-one (21) days prior to the public meeting. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public meeting. The recommendation shall set forth whether the conditional use permit should be granted, granted with conditions, denied, or set for a public hearing. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(D))

19.20.050 Standards for reviewing conditional use permits

All conditional use permits shall be evaluated for the following standards:

(A) The application shall be consistent with and conform to the general plan and any other adopted plans;

(B) There shall be no significant adverse or intrusive effect upon property within three hundred (300) feet of the external boundaries of the subject property as a result of the proposed use; and

(C) The proposed change would not be detrimental to the public health, safety and general welfare of the persons or property in the surrounding area, nor to the community in general. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(E))

19.20.060 Notification requirements.

Notice of the nature of the conditional use permit application and the date of the meeting at which it will be considered shall be posted on the property and shall be mailed to the owners of all real property within three hundred (300) feet of the property for which application is made at least ten (10) days prior to the meeting. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(F))

19.20.070 Commission action.

Based on the application, site plan, standards of review, staff's recommendation and any other presented information the commission has the following options in rendering a decision:

(A) The commission may grant a conditional use permit with conditions the commission deems necessary to secure the intent and purpose of this section and require such

guarantees and evidence that such conditions are being, or will be, complied with as the commission may desire.

(B) Deny the conditional use permit. If the commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this section will be met, it shall deny the permit. Notice of denial, including reasons therefor, shall be mailed to the applicant at the address shown in the application, and the commission shall report its actions to the city council.

(C) At its discretion, set the matter for a public hearing. If the commission does set the matter for public hearing, notice thereof shall be given to the public by publication of a notice in the official newspaper of the city and by posting the property included in the application not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered and a general description of the area affected.

(D) Continue the matter one (1) time to a specific date not to exceed thirty (30) days from the original meeting date. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(G))

19.20.080 Appeals.

(A) Any aggrieved person may file an appeal with the city council regarding any decision of the planning and zoning commission regarding the commission's action on a conditional use permit by filing a written notice of appeal with the city clerk specifying the request. If no appeal is filed with the council within seven (7) days after commission action, the action of the commission shall be considered final.

(B) When an appeal is filed with the city clerk, the planning and zoning director shall place the item on the next available regular city council meeting agenda, or, in the alternative, the planning and zoning director may set the matter for public hearing before the council as per the notification requirements outlined in Section [19.20.070\(C\)](#). Notice shall be given to the planning and zoning commission of such appeal and the commission shall submit a report to the council prior to the hearing setting forth the reasons for its action taken. The commission shall be represented at the hearing by the commission chairman or his designee.

(C) Council Action.

(1) May grant or deny it; the council may elect to set the matter for a public hearing, and the latter action shall require notification as outlined in Section [19.20.070\(C\)](#).

(2) The council shall, within fifteen (15) days of the public hearing, either uphold the decision of the planning and zoning commission or make a decision of its own. The council is not bound by the record of the commission's findings and/or decision in reaching its decision.

(3) The council may grant a conditional use permit with conditions the council deems necessary to secure the intent and purpose of this section and require such guarantees and evidence that such conditions are being, or will be, complied with as the council may desire.

(4) The council's decision shall be final and shall become effective immediately. Notice of the decision shall forthwith be mailed to the applicant at the address shown in the application. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(H))

19.20.090 Time limits.

(A) Conditional use permits become effective seven (7) days after approval by the planning and zoning commission, but in the event an appeal is filed, said permit shall not become effective until a decision upholding granting of the permit is arrived at by the council.

(B) The construction of any improvements allowed by a conditional use permit shall commence within twelve (12) months or as otherwise stipulated by the commission and must be completed within eighteen (18) months or as otherwise stipulated by the commission in accordance with the development plan, unless extended by the planning and zoning commission, otherwise the conditional use permit shall become null and void.

(C) The commission may establish a time limitation for specific conditional use permits and prior to the termination of this time limit, the commission may reconsider said use permit to determine if the permit should be reissued for an additional time period or be terminated.

(D) A conditional use permit shall not be effective until the conditions of the permit are fulfilled unless specific clarifications on the conditional use permit as to timing of compliance are present.

(E) If a time limit is not established by the commission, and the conditional use is discontinued for more than twelve (12) months, a new conditional use permit shall be required.

(F) An applicant may submit a master plan of a proposed development which requires a conditional use permit and have the development approved by the commission. No further conditional use permit process will be necessary to implement this plan as long as it is in substantial compliance with the master plan and is completed within the time period established by the commission.

(G) No person shall reapply for the same or substantially the same use permit on the same or substantially the same plot, lot, or parcel of land within a period of one (1) year from the date of denial or revocation of said use permit. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(I))

19.20.100 Revocation and enforcement.

(A) Use permits granted in accordance with the provisions of this chapter may be revoked if any of the conditions or terms of the permit are violated or if any law or division is violated in connection therewith. The planning and zoning director shall notify the permittee of a violation of a conditional use permit. If the violation is not remedied or the remedy is not substantially begun in the opinion of the planning and zoning director, the permittee shall be served with a notice that the planning and zoning commission will consider revocation of the conditional use permit at a commission meeting specified in the notice. This commission meeting shall not be held less than ten (10) days after the notice is mailed by certified mail or by personal delivery. If the commission decides to revoke the permit, the property owner shall cease the use for which the conditional use permit was issued.

(B) Failure to comply with the conditional use permit or the standards of this chapter may result in a complaint being filed in the magistrate court as per Section [19.10.080](#). (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(J))

Article II. C-2 Zone – General Commercial

19.70.090 Purpose.

The purpose of this district is to provide for General Commercial uses to serve the community and White Mountain region. Property development standards are designed to encourage orderly, attractive and compatible commercial development in the city. Single-family residential development shall be prohibited in the General Commercial zone. Because no list of uses can be complete, decisions on specific uses not included as examples on the following lists of permitted and conditional uses will be made by the planning and zoning director. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(A))

19.70.100 Permitted uses.

(A) All uses identified as “permitted uses” in the Neighborhood Commercial zone.

(B) Merchandise must be sold on site. Uses permitted under this category shall include, but are not limited to, the following:

Aerobics studios;
Antique dealers;
Artificial limbs and braces, sales and manufacturing;
Assayers;
Assembly halls and auditoriums;
Auction halls with goods stored and auctioned within a building;

Automobile parts and supplies, retail sales;
Automobile sales, licensed franchise dealers;
Automobile rental and leasing;
Awnings, custom, retail sales and fabrication (indoor only);
Balls and bearings, retail sales;
Barber and beauty supply and equipment, retail sales;
Beer, ale and wine distributors (no bottling);
Blood and plasma centers;
Boat sales and service;
Bottled fuel, storage and distribution (no bulk storage, 500-gallon maximum capacity);
Bowling alleys;
Building materials, retail sales (indoor only);
Burglar alarm equipment, sales, service and monitoring;
Camper sales;
Candy, retail and wholesale sales and distribution;
Carpet, rug, and furniture cleaners;
Cesspool builders and service (offices only);
Charitable institutions;
Christian Science reading rooms;
Cigarette vending service;
Clothing, retail sales and alterations;
Coin machines, rental and service;
Collection agencies;
Computer sales;
Contractors' offices;
Cosmetics, retail sales;
Costume rental;
Crockery, retail sales;
Dairies, retail sales of products;
Dental laboratories;
Dental supplies;
Department stores;
Diaper supply services;
Electrical contractors' shops;
Electrical equipment, retail sales;
Engravers;
Entertainment bureaus;
Express, messenger and courier companies, office and dispatch only;
Feed, retail sales, office;
Financial institutions, drive through permitted;
Fire protection equipment, retail sales and service;
Fish markets, retail sales;
Floor coverings and refinishing;
Food products, sales and warehousing;
Furnaces, retail sales and repair;
Furniture, retail sales, repair and refinish;

Garage equipment, retail sales;
Garages (parking, public);
Gas appliances, retail sales and service;
Gas companies, offices only;
Gas regulating equipment, sales and service;
Glass and mirror sales, installation and repair;
Groceries, retail sales;
Guns, retail sales and repairs;
Gymnasiums, private and commercial;
Hardware, retail sales;
Hats, retail sales and repair;
Headstone (tombstone) sales and display;
Health clubs;
Health food products, retail sales;
Heating, ventilating and air conditioning equipment, retail sales;
Historical museums;
Hobby shops;
Home appliance sales and service;
Home electronics, general sales and service;
Home improvement sales, within an enclosed building;
Hospital service organizations;
Hotel equipment and supplies, retail sales;
Hotels and motels;
House furnishings, retail sales;
Janitorial supplies, retail sales;
Laboratories, clinical and dental (accessory to medical offices);
Lawnmower repair shops;
Leather goods, custom;
Libraries, private, rental;
Linen supply, laundry services;
Locksmith shops;
Martial arts studios;
Medical supplies, retail sales and rental;
Monuments, retail sales and display;
Mortuaries;
Motion picture equipment, retail sales and display;
Motion picture theaters;
Motor freight companies, offices only;
Motorcycles, sales and service;
Musical instruments, repairing, service, retail sales;
Music studios;
News services;
Office furniture, equipment and supplies, retail sales and showroom;
Oil burner, retail sales;
Painting equipment and supplies, retail sales;
Parking lots, commercial;

Pet shops, retail sales;
Pharmaceuticals, distribution and sales;
Photographic developing;
Physical therapy equipment, retail and wholesale;
Playground equipment, retail sales;
Plumbing fixtures and supplies, display and retail sales;
Printers;
Printer's equipment and supplies, sales;
Produce, retail sales;
Public transportation depot;
Radio and television studios;
Record retention center;
Restaurants, alcoholic beverages prohibited;
Restaurant equipment, retail sales;
Safes, repair and sales;
Saw sharpening shops;
School equipment and supplies, retail and wholesale;
Sewing machines, retail sales and repair;
Shoe repairing equipment and supplies, sales;
Skating rinks;
Soaps, retail sales;
Soda fountain supplies, retail;
Sound systems and equipment, retail sales and repairs;
Sporting goods, retail and wholesale;
Swimming pool supplies;
Tack shops;
Theaters;
Tobacco sales;
Vacuum cleaners, retail sales and service;
Variety stores, retail sales;
Vehicle service;
Veterinarians, retail sales and supplies;
Video sales and rental;
Window cleaning service;
Window display installation, studio and shop;
Woodworking equipment, retail sales.

(C) *Multiple-Family Dwellings*. Up to ten (10) units (must meet the standards of the R2-7 zone). Manufactured homes are excluded. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(B))

19.70.110 Conditional uses.

(A) Acoustical material, sales;

Agricultural implements, distributions and display, retail sales;
Ambulance service;
Amusement park;
Automobile, body and fender shops;
Automobile radiator shops;
Automobile sales, used;
Bars, taverns, cocktail lounges;
Building materials (outdoor storage yard);
Cabinetmaker;
Carbide sales and distribution;
Car wash;
Clothing manufacturing;
Cold storage (no slaughtering);
Cosmetics, compounding, packaging and storage;
Crematorium;
Dairy products manufacturing;
Dance halls;
Drive-in theaters;
Drive-through restaurants;
Equipment rental (indoor storage only);
Express companies, warehouses and garages;
Exterminators;
Family game centers;
Farm implements and machinery, retail sales;
Firewood storage;
Food processing;
Frozen foods processing;
Frozen foods, wholesale storage and distribution;
Fuel dispensing (retail only);
Furniture, wholesale and storage;
Golf or baseball driving ranges;
Groceries, wholesale and warehouse;
Heliport (medically related);
Homeless shelters;
Horseshoeing;
Hospitals;
Imported goods, wholesale, warehouse;
Indoor shooting range;
Ink, compounding, packaging, sales and storage;
Laboratories, testing and research;
Liquidators;
Liquor stores;
Lubricating compounds, wholesale, storage;
Lumber, sales;
Machine shops;
Machine tools, sales and storage;

Machinery dealers, retail sales and showrooms;
Manufactured home parks and subdivisions, subject to the property development standards of the MH zone;
Massage establishments;
Material handling;
Microbrewery;
Miniature golf;
Mini-storage facilities (personal use only). No unit greater than five hundred (500) square feet;
Missions, religious;
Monument works. No outdoor sandblasting;
Multiple-family dwellings, beyond ten (10) units (must meet the standards of the R2-7 zone).
Manufactured homes excluded;
Newspaper printing;
Nonchartered financial institutions;
Nursing homes;
Oil burners, service and repair;
Painting equipment and supplies, wholesale storage;
Paper products, wholesale and storage;
Pawnbroker, pawnshop;
Plant nurseries;
Plumbing fixtures and supplies, wholesale, storage;
Pool and billiard halls;
Produce, wholesale, storage;
Public and civic uses serving alcoholic beverages;
Public storage garages;
Public/private utility structures, and appurtenances thereto for public service use;
Quick freeze plants;
Radio and television broadcasting stations;
Recreational vehicle parks or campgrounds subject to the regulations in Section [19.25.200](#);
Recreational vehicle sales and service (licensed franchise dealers);
Recreational vehicle sales (used);
Refrigerators (wholesale and storage);
Rehabilitation centers;
Restaurants serving alcoholic beverages;
Secondhand goods;
Sheet metal work;
Sign shops, fabrication and painting;
Soaps, compounding, packaging, storage;
Surplus stores;
Taxicab garages;
Taxidermists;
Tire repairing equipment and supplies;
Toiletries, compounding, packaging, storage;
Trailer rental;
Trailer sales;

Vehicle repair;
Veterinary clinics that board animals;
Wine bottling.

(B) *Manufacturing*. Manufacturing incidental to a permitted sales or service shall be permitted through a conditional use permit subject to the following:

(1) Such manufacturing activity shall be restricted to not over fifty (50) percent of the ground floor area of the building devoted to the permitted use.

(2) All such manufacturing shall be conducted within a completely enclosed building, and there shall be no external evidence of the activity such as noise, vibration, smoke, odor, dust, gas, glare, etc. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(C))

19.70.120 Property development standards.

(A) *Minimum Lot Area*. Five thousand (5,000) square feet.

(B) *Minimum Lot Width*. Fifty (50) feet.

(C) *Minimum Front Yard*. Ten (10) feet. Where lots have a double frontage, the ten (10) foot yard shall be provided on both streets.

(D) *Minimum Side Yard*. None, except where a side lot line adjoins a lot in a residential zone, there shall be a fifteen (15) foot side yard, and where a side lot line abuts a street, there shall be a ten (10) foot side yard. Requirements for separation as outlined in the International Building Code shall be met.

(E) *Minimum Rear Yard*. Six (6) feet, except where a rear lot line adjoins a lot in a residential zone, there shall be a twenty (20) foot rear yard or the height of the building, whichever is greater. Requirements for separation as outlined in the International Building Code shall be met.

(F) *Building Design*. Maximum building height shall be forty-five (45) feet, except by conditional use permit. The placement of manufactured homes/buildings is prohibited. All buildings located within the General Commercial zoning district shall comply with the following:

(1) A minimum of two-thirds (2/3) of the primary building surface (defined as walls visible from the right-of-way or adjacent properties) exclusive of windows and doorways shall be treated with natural appearing materials such as stone, split face block, siding, brick, or exposed beams. The remaining one-third (1/3) of the primary building surface shall be treated with materials complementary in characteristics to the primary treatment material. Treatment shall be equally distributed on all building sides.

(2) Primary facade planes which are visible from the public right-of-way and exceed fifty (50) feet in length shall require the addition of architectural elements such as building offsets, covered porches, or bay windows.

(3) All roof overhangs shall be a minimum of twelve (12) inches in width.

(4) No metal siding utilizing vertical seams shall be allowed.

(G) *Landscaping.* All development located within the C-2 (General Commercial) zoning district shall be accompanied with a landscaping plan. This landscaping plan shall incorporate the following:

(1) An average of ten (10) feet of the lot measured from the front property line and the street side property line, extending the developed length of the property (except for driveways) with a minimum distance of three (3) feet from the front property line and the street side property line, extending the developed length of the property (except for driveways), shall be landscaped.

(2) All open areas not designated and surfaced for parking shall be landscaped with trees, shrubs, ground cover, pedestrian walkways and plazas in a manner acceptable to the planning and zoning director or his/her designee.

(3) A minimum of thirty (30) percent of the required landscaping area shall consist of vegetative ground cover. The remaining area may be landscaped with rock, gravel or similar landscaping materials. A minimum of one (1) tree per two hundred (200) square feet of required landscaped area shall be provided. In addition, a minimum of one (1) bush or shrub shall be provided for every one hundred (100) square feet of required landscaped area. Trees, bushes and shrubs may be grouped. The use of native or indigenous species is required. A list of approved trees, shrubs, bushes and ground cover is available from the community development department. Deviations from this list may be permitted following written approval from the planning and zoning director. In addition to these landscaped portions, an area equal to at least five (5) percent of the required parking area exceeding twenty thousand (20,000) square feet shall be landscaped. Preservation of existing trees is strongly encouraged.

(4) All landscaping shall be installed and maintained in substantial conformance to the submitted and approved landscaping plan.

(H) *Screening.*

(1) Where the lot adjoins a residential zone, dissimilar uses shall be screened from the residential property by a solid material fence six (6) feet in height as defined in Chapter [19.25](#) or as otherwise allowed or required by the planning and zoning commission.

(2) All outdoor storage must be screened from the public view and from the view of the adjoining property owners. A sight-obscuring fence shall be built, or sight-obscuring landscaping fence shall be planted, and maintained around the perimeter of the outdoor storage area. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(D))

19.70.130 General provisions.

The provisions of Chapter [19.25](#) shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(E))

19.70.140 Signs.

The provisions of Chapter [19.100](#) shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(F))

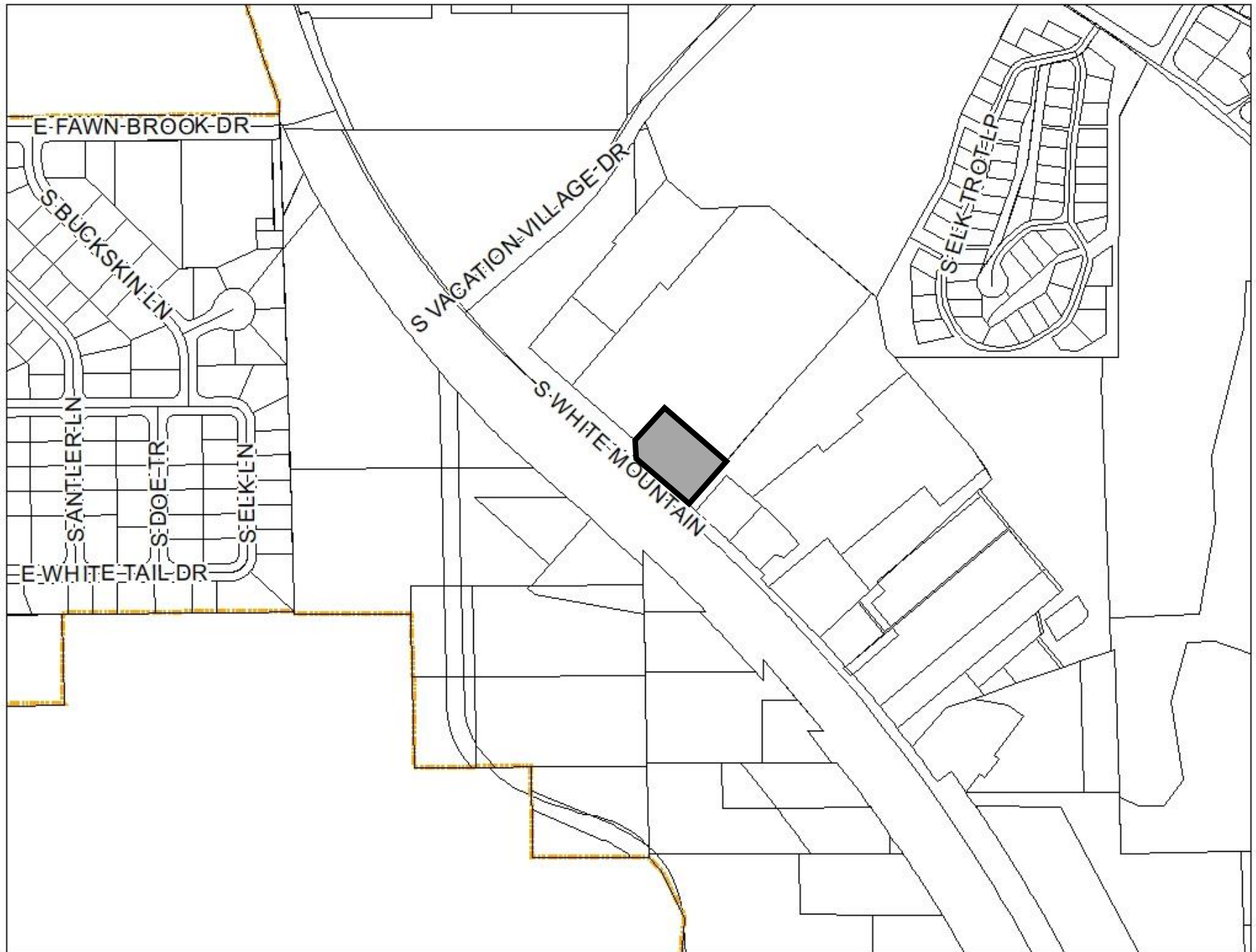
19.70.150 Parking and loading.

The provisions of Chapter [19.105](#) shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(G))

19.70.160 Plan review.

The provisions of Chapter [19.15](#) shall apply to all uses. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 4, 4-19-05; Ord. No. 2006-07, § 7, 3-7-06; Ord. No. 2006-20, § 3, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2010-08, §§ 1, 2, 5-4-10. 1976 Code § 15-1-60(H))

Subject Property: 4421 S. White Mountain Rd. A.P.N. 212-03-159N





Subject Property:
4421 S. White Mountain Rd.
A.P.N. 212-03-159N



City of Show Low Planning & Zoning
180 N. 9th Street, Show Low, AZ 85901
(928) 532-4040

Conditional Use Permit Application
(Filing Fee: \$150.00)

For Office Use Only

Date received: _____

Time received: _____ AM/PM

Received By: _____

OWNER INFORMATION

Name: YALE CASITAS, INC

Address: 9920 S. RURAL ROAD #108-77
Street Address Apartment/Unit#

TEMPE ARIZONA 85284
City State ZIP Code

Phone: 602-791-7633 Email: nparqsher@cox.net

APPLICANT INFORMATION (if different)

Name: HITCHENS ASSOCIATES ARCHITECTS / GREG HITCHENS

Address: 3126 N LOS ALAMOS
Street Address Apartment/Unit#

MESA ARIZONA 85213
City State ZIP Code

Phone: 602 615-0204 Email: greg@hitcharch.com

PROPERTY INFORMATION

Address of Property: 4421 S. WHITE Parcel Number (A.P.N.): 213-03-159N
MOUNTAIN ROAD

Legal Description of Property: _____

Zoning Classification: COMMERCIAL Applicant's interest in Land: ARCHITECT

What is the Nature of the Request? CONSTRUCT TWO NEW PICK UP
ONLY ONLY RESTAURANTS WITH DRIVE THRU
AND SITE IMPROVEMENTS. ONE USER TO HAVE
SMALL OUTDOOR PATIO.

APPLICATION REQUIREMENTS

1. One (1) copy of 24" X 36" map and one (1) copy of the same map in 11" X 17" (additional maps may be required if requested by Staff) **All maps must be drawn to scale and shall include:**
 - ☐ Lot dimensions.
 - ☐ Location, size, height, use and exterior materials of all buildings and structures.
 - ☐ Size and dimensions of yards and space between buildings.
 - ☐ Location and height of walls and fences.
 - ☐ Location, number of spaces, dimensions, circulation patterns, and surface materials for all off- street parking and loading areas, driveways, access ways and pedestrian walkways.
 - ☐ Location, dimensions area, materials, and lighting of signs.
 - ☐ Location and general nature of exterior lighting.
 - ☐ Street dedications and improvements.
 - ☐ Existing and proposed grades and drainage systems.
 - ☐ Size and location of all existing and proposed public and private utilities. All easements must be shown.
 - ☐ Natural features such as mesas, rock outcroppings, or streams and manmade features such as existing roads and structures, with indication as to which are to be retained and which are to be removed or altered.
 - ☐ Landscaping, including all surfacing material around buildings and in all open spaces.
 - ☐ A vicinity sketch showing the location of the site in relation to the surrounding street system.
 - ☐ Adjacent properties and their uses shall be identified.
 - ☐ A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer.
 - ☐ Any information which the zoning administrator may find necessary to establish compliance with this and other ordinances.
2. A statement of how this proposed project or use will comply with the goals and objectives of the Show Low General Plan:

UTILIZING A PAD LOCATION FOR TWO SMALL
COMMERCIAL USERS

3. A statement as to what steps will be taken to avoid and minimize any adverse impact on the public health, peace, convenience, comfort, safety and general welfare of the surrounding property owners and users as well as the general welfare of the City.

PROJECT REPRESENTS MINIMAL IMPACT TO PUBLIC
HEALTH. NO NEW CONNECTIONS NEEDED TO THE PUBLIC
WAY, ALL CONNECTIONS FOR INGRESS/EGRESS EXISTING

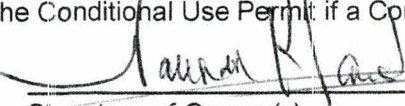
4. Explain what utility demands are going to be required and what steps, if any, will have to be made to meet your utility demands.

ALL UTILITIES ARE IN PLACE AND BOTH
USERS WILL REQUIRE SMALL DEMANDS

5. **PLEASE NOTE:** In accordance with City Code, Title 19.20.030(C) and (D), you or your authorized representative must be present at all Planning and Zoning Commission and/or City Council hearings or public meetings regarding this application. Below please list any person(s) authorized to represent you during this application process. Representations made during those meetings or hearings and designated in the record shall be deemed conditions of approval.

GREG HITCHENS, ARCHITECT

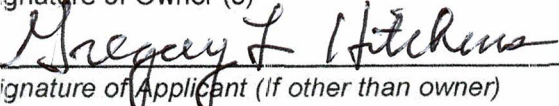
I certify that the information on this application form and attachments are true and correct to the best of my knowledge. I realize that any incorrect information may lead to the cancellation of any proceedings and the Conditional Use Permit if a Conditional Use Permit has been issued.


Signature of Owner (s)

11/3/2023
Date

Signature of Owner (s)

Date


Signature of Applicant (If other than owner)

1-3-23
Date

WAIVER OF CLAIMS UNDER ARIZONA REVISED STATUTES § 12-1134

I, Narinder Parasher, the owner of the property described as A.P.N. 213-03-159N

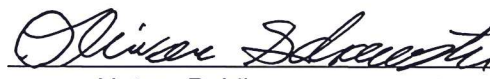
Show Low, Arizona, hereby waive any and all claims for diminution in value to my property which may arise under A.R.S. § 12-1134 as a result of my request and application for a CONDITIONAL USE PERMIT. Further, I agree to defend, indemnify, and hold harmless the City of Show Low, its officers, employees, and agents from and against any and all such claims for diminution in value to my property as defined in A.R.S. § 12-1134 arising out of my application or request for the applicable land use action as described above.

DATED this ^{5th}~~3rd~~ day of January, 2023

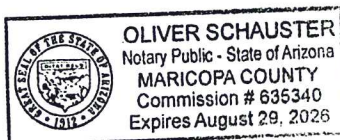

Signature of Property Owner

STATE OF ARIZONA)
) ss.
County of Maricopa)

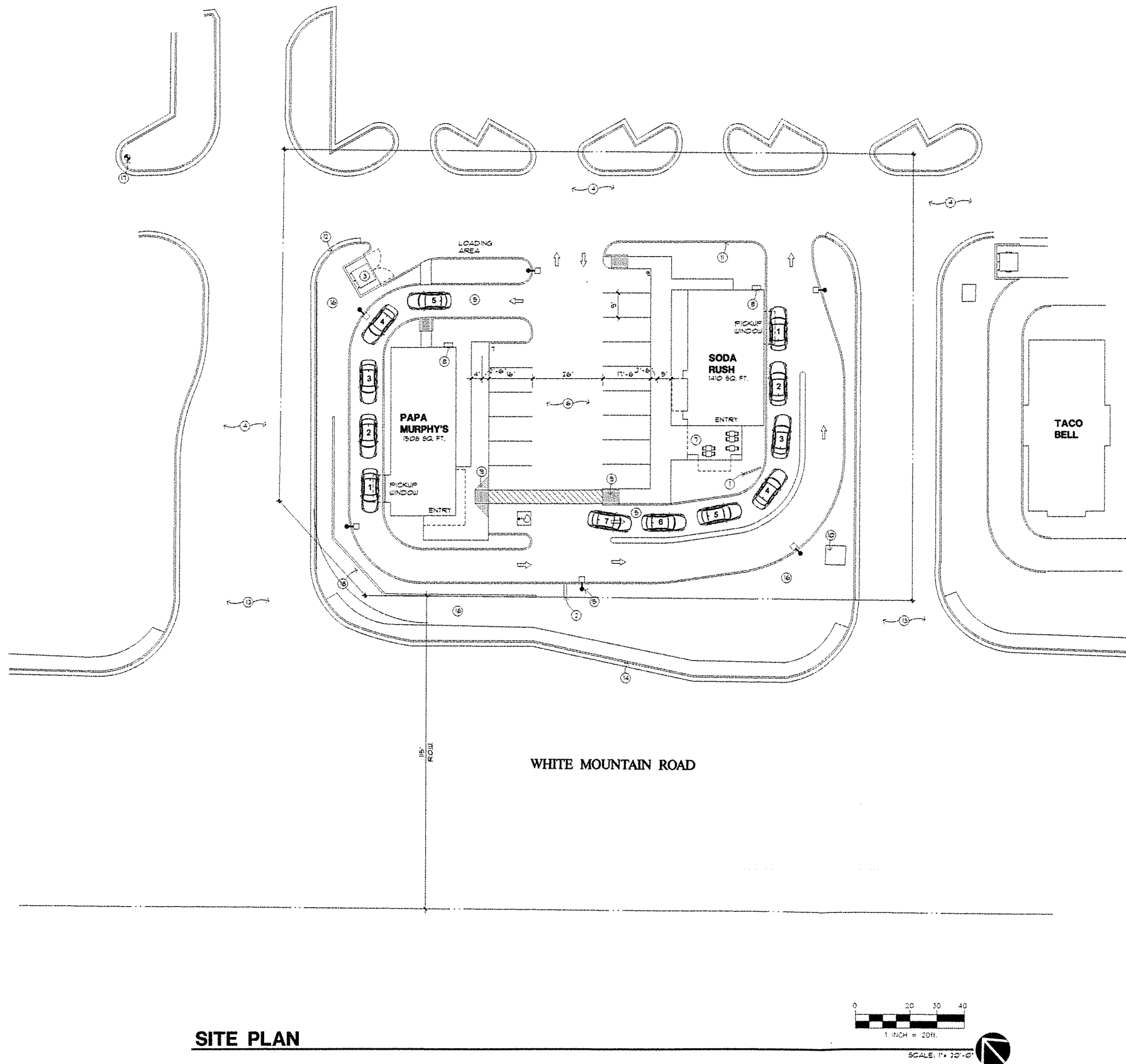
SUBSCRIBED AND SWORN before me this 5th day of January, 2023
by Narinder Parasher.
Name of Signer


Notary Public

[Notary Seal]



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SITE PLAN

PROJECT DATA

PROJECT ADDRESS:	4421 S. WHITE MOUNTAIN ROAD SHOW LOW, ARIZONA
OWNER:	TALE CASITAS, INC. 7101 E. CAMPELBACK RD., SUITE 110 PHOENIX, ARIZONA 85016
APPLICANT:	GREG HITCHENS HITCHENS ASSOCIATES ARCHITECTS 3126 N. LOS ALAMOS MESA, ARIZONA 85213 (602) 615-0104
SITE AREA:	31569 SQ. FT. 0.267 ACRES
ZONING:	COMMERCIAL
BUILDING AREA:	PAPA MURPHY'S 1508 SQ. FT. SODA RUSH 1410 SQ. FT. 2918 SQ. FT.
BUILDING HEIGHT:	PAPA MURPHY'S VARIES SODA RUSH 15'-6 1/2" - 16'
NUMBER OF STORES:	1
REQUIRED PARKING:	- - SPACES - - SPACES - SPACES
PROVIDED PARKING:	16 SPACES
PARCEL NUMBER:	213-03-195N
PROJECT DESCRIPTION:	CONSTRUCT TWO NEW PICK UP ONLY RESTAURANTS WITH DRIVE THROUGHS AND SITE IMPROVEMENTS

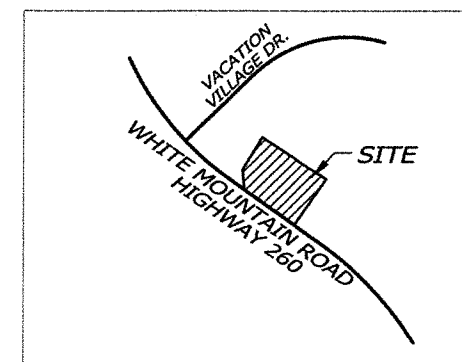
KEY NOTES

- 1 MENU BOARD
- 2 MONUMENT SIGN
- 3 TRASH BIN
- 4 EXISTING CONCRETE PAVEMENT
- 5 NEW CONCRETE DRIVE THRU LANE
- 6 NEW CONCRETE PAVED PARKING AREA
- 7 COVERED OUTDOOR PATIO
- 8 SEE.
- 9 ACCESSIBLE RAMP
- 10 EXISTING ELECTRICAL TRANSFORMER
- 11 NEW CONCRETE CURB
- 12 EXISTING CURB TO REMAIN
- 13 EXISTING DRIVEWAY
- 14 EXISTING CURB, GUTTER AND SIDEWALK
- 15 PARKING LOT LIGHT
- 16 LANDSCAPE AREA
- 17 EXISTING FIRE HYDRANT
- 18 NEW CMU RETAINING WALL

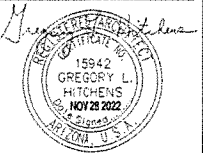
RECEIVED

JAN 03 2023

VICINITY MAP



HITCHENS ASSOCIATES
ARCHITECTS
3126 N. LOS ALAMOS
MESA, ARIZONA 85213
TELEPHONE:
602-615-0104



REVISIONS

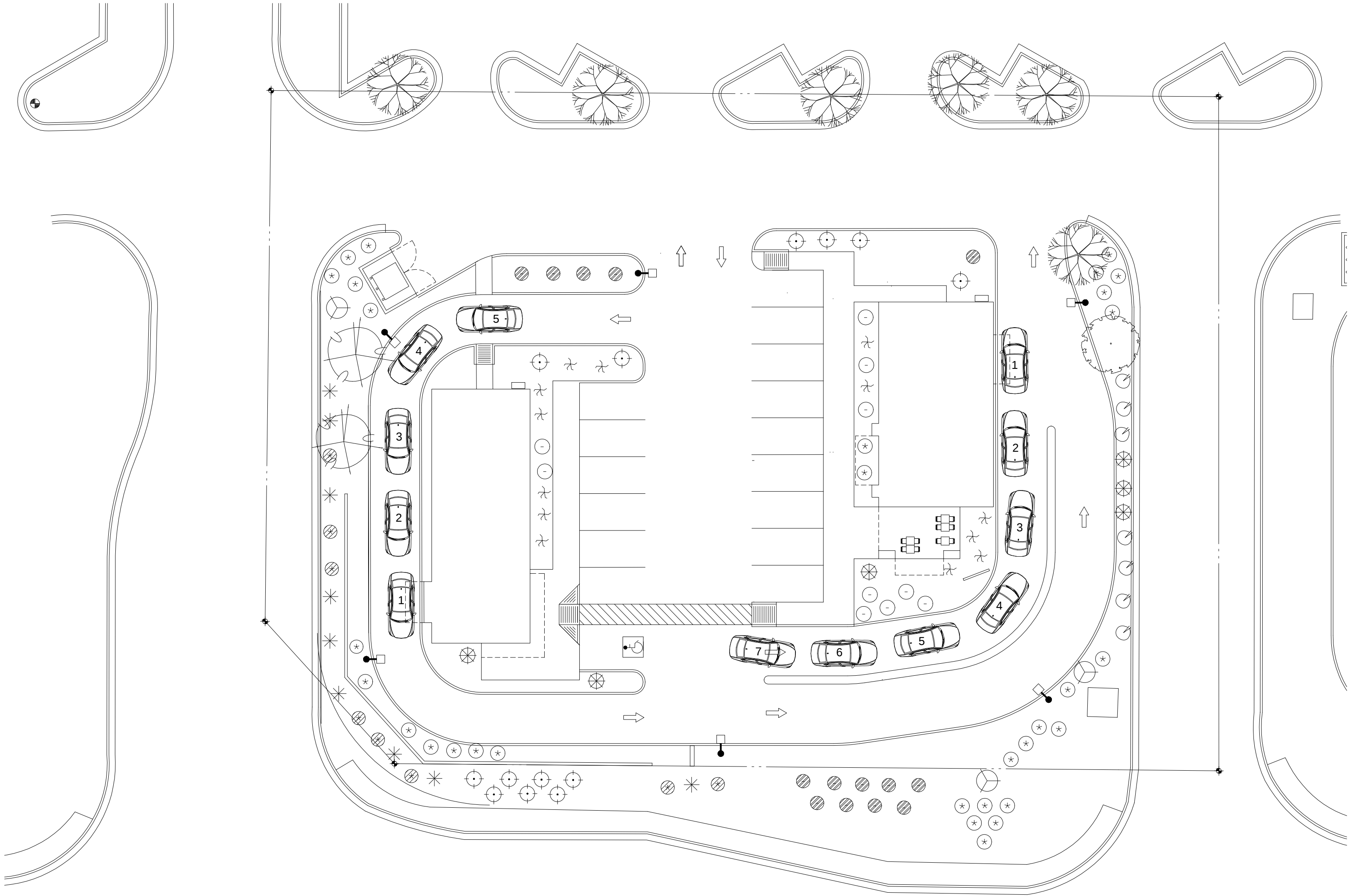
1	12-21-22	big height revisions
2	1-3-23	owner revisions

PROPOSED
PAPA MURPHY'S PIZZA
& SODA RUSH
4421 S. WHITE MOUNTAIN ROAD
SHOW LOW, ARIZONA

PROJECT NO:	22212
DRAWN BY:	GLH
DATE:	11-28-2022

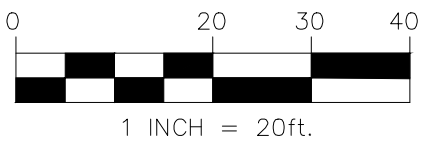
SITE PLAN
A0.0

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WHITE MOUNTAIN ROAD

LANDSCAPE PLAN



SCALE: 1" = 20'-0"

PLANT LEGEND

SYMBOL	COMMON NAME:	BOTANICAL NAME	SIZE	QNT	-		
TREES							
	EXISTING TREE			6			
	MOUNT SAINT HELENA PLUM	Prunus franklinii	2.5' Caliper 24" Box	2			
	AUTUMN BLAZE FLOWERING PEAR	Fyrus calleryana 'autumn blaze'	2.5' Caliper 24" Box	1			

SHRUBS / GROUND COVER AND ACCENTS

	DWARF HONEYSUCKLE BUSH	Lonicera diervilla	5 GAL.	31	-	-	
	LITTLE RASCAL HOLLY	Ilex x meserveae 'mondo'	5 GAL.	13	-	-	
	TOM THUMB COTONEASTER	Cotoneaster apiculatus 'tom thumb'	5 GAL.	14	-	-	
	LODENSE PRIVET	Ligustrum vulgare 'lodense'	5 GAL.	7	-	-	
	DWARF VARIEGATED PRIVET	Ligustrum x vicary	5 GAL.	6	-	-	
	MOCK ORANGE	Philadelphus virginialis	5 GAL.	2	-	-	

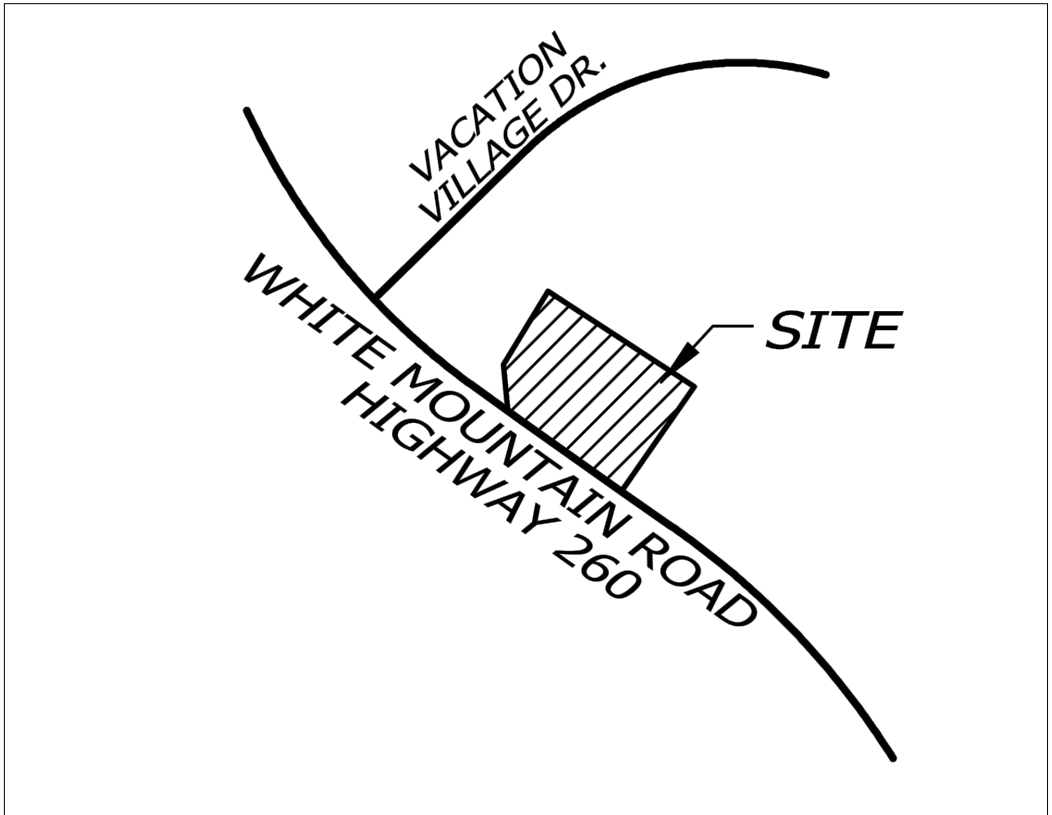
GROUND COVER AND ACCENTS

	CAROLINA ALLSPICE	Calycanthus floriidus	5 GAL.	9	-	-	
	RUBY SPICE SUMMERSWEET	Clethra alnifolia 'ruby spice'	5 GAL.	8	-	-	
	SHRUBBY CINQUEFOIL	Potentilla fruticosa	1 GAL.	10	-	-	
	SIDEGATS GRAMA	Bouteloua curtipendula	1 GAL.	13	-	-	

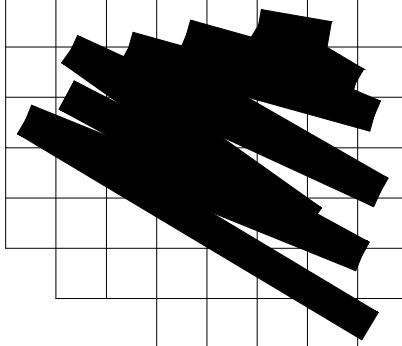
NOTES

- ① INORGANIC GROUND COVER TO BE MINIMUM OF 2 INCHES AND MATCH EXISTING.

VICINITY MAP



HITCHENS ASSOCIATES
ARCHITECTS



REVISIONS

PROPOSED
PAPA MURPHY'S PIZZA
& SODA RUSH
4421 S. WHITE MOUNTAIN ROAD
SHOW LOW, ARIZONA

PROJECT NO: 22212
DRAWN BY: GLH
DATE: 11-28-2022

LANDSCAPE
PLAN
L1.0

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WEST ELEVATION

SCALE: 1/4"= 1'-0"



NORTH ELEVATION

SCALE: 1/4"= 1'-0"



EAST ELEVATION

SCALE: 1/4"= 1'-0"



SOUTH ELEVATION A

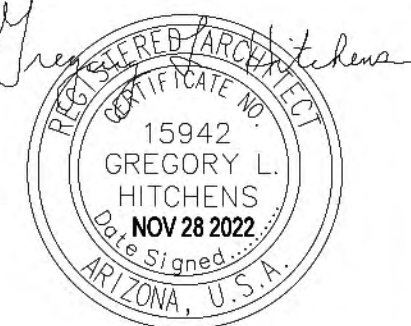
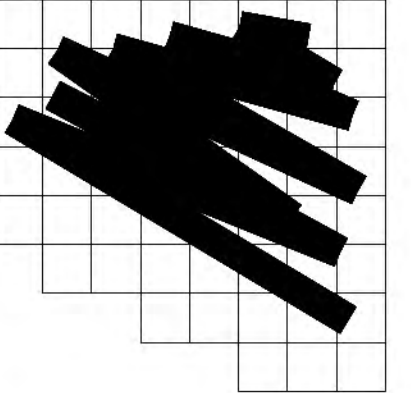
SCALE: 1/4"= 1'-0"

MATERIAL/COLOR SCHEDULE:	
① METAL ROOF	BERRIDGE STANDING SEAM TEE PANEL COLOR: CHARCOAL GRAY
② JAMES HARDIE SIDING	SHERWIN WILLIAMS SW 6256 - SERIOUS GRAY
③ STONE VENEER	CORONADO IDAHO DRYSTACK COLOR: ANTIQUE BUFF
④ ALUMINUM WINDOWS/STOREFRONT	COLOR: BRONZE ANNOXIDIZED
⑤ DOOR	SHERWIN WILLIAMS SW 6256 - SERIOUS GRAY
⑥ TRIM	SHERWIN WILLIAMS SW 6255 - MORNING FOG

HITCHENS ASSOCIATES
ARCHITECTS

3126 N. LOS ALAMOS
MESA, ARIZONA 85213

TELEPHONE:
602-615-0204



REVISIONS

PROPOSED
PAPA MURPHY'S PIZZA
& SODA RUSH
4421 S. WHITE MOUNTAIN ROAD
SHOW LOW, ARIZONA

PROJECT NO: 22212
DRAWN BY: GLH
DATE: 11-28-2022

SODA RUSH
ELEVATIONS
A-2.1

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NORTH ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

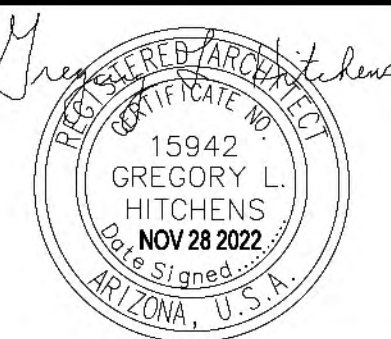
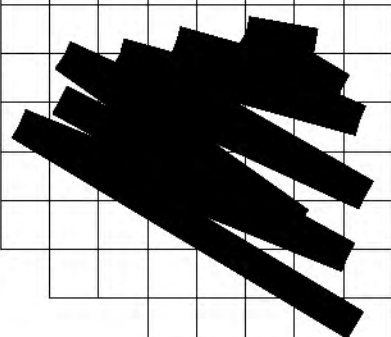


EAST ELEVATION

SCALE: 1/4" = 1'-0"

MATERIAL/COLOR SCHEDULE:	
① METAL ROOF	BERRIDGE STANDING SEAM TEE PANEL COLOR: CHARCOAL GRAY
② JAMES HARDIE SIDING	SHERWIN WILLIAMS SW 6256 — SERIOUS GRAY
③ STONE VENEER	CORNADO IDAHO DRYSTACK COLOR: ANTIQUE BUFF
④ ALUMINUM WINDOWS/STOREFRONT	COLOR: BRONZE ANNOXIDIZED
⑤ DOOR	SHERWIN WILLIAMS SW 6256 — SERIOUS GRAY
⑥ TRIM	SHERWIN WILLIAMS SW 6255 — MORNING FOG
⑦ AWNING	BERRIDGE FLAT PANEL COLOR: CHARCOAL GRAY

HITCHENS ASSOCIATES
ARCHITECTS



REVISIONS
12-21-22 bldg height revisions

PROPOSED
PAPA MURPHY'S PIZZA
& SODA RUSH
4421 S. WHITE MOUNTAIN ROAD
SHOW LOW, ARIZONA

PROJECT NO: 22212
DRAWN BY: GLH
DATE: 11-28-2022

PAPA MURPHY'S
ELEVATIONS

A-2

TELEPHONE:
602-615-0204

3126 N. LOS ALAMOS
MESA, ARIZONA 85213

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON JANUARY 10, 2023, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. CALL TO ORDER

Vice Chairman Barlow called the meeting to order at 7:00 p.m.

2. ROLL CALL

COMMISSION MEMBERS PRESENT: Vice Chairman Barlow, Commissioner Adams, Commissioner Hatch, Commissioner Lewis, Commissioner Roberts, and Commissioner Whitehead.

COMMISSION MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Justen Tregaskes, Planning and Zoning Director, Anna Atencio, City Attorney, Katie Fechtelkotter, Planner, and Ashley Duncan

GUESTS PRESENT: Ken Garvin, Lisa Garvin, Emery Ellsworth, Thomas Myers and guests.

3. INVOCATION

Commissioner Adams gave the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Lewis led the pledge of allegiance.

5. ELECTION OF OFFICERS

Director Tregaskes gave an explanation on the election process.

COMMISSIONER HATCH MOVED TO NOMINATE VICE CHAIRMAN BARLOW FOR THE POSITION OF CHAIRMAN. COMMISSIONER ROBERTS SECONDED THE MOTION.

COMMISSIONER ADAMS MOVED TO NOMINATE COMMISSIONER LEWIS FOR THE POSITION OF CHAIRMAN. MOTION FAILED DUE TO LACK OF SECOND.

VICE CHAIRMAN BARLOW CALLED FOR THE VOTE OF VICE CHAIRMAN BARLOW FOR THE POSITION OF CHAIRMAN, PASSED 6 TO 0 WITH VICE CHAIRMAN BARLOW, AND COMMISSION MEMBERS LEWIS, ADAMS, HATCH, ROBERTS, AND WHITEHEAD VOTING IN FAVOR.

COMMISSIONER ADAMS MOVED TO NOMINATE COMMISSIONER LEWIS FOR THE POSITION OF VICE CHAIRMAN. COMMISSIONER ROBERTS SECONDED THE MOTION.

CHAIRMAN BARLOW CALLED FOR THE VOTE OF COMMISSIONER LEWIS FOR THE POSITION OF VICE CHAIRMAN, PASSED 6 TO 0 WITH, CHAIRMAN BARLOW, AND COMMISSION MEMBERS ADAMS, HATCH, LEWIS, ROBERTS, AND WHITEHEAD VOTING IN FAVOR.

6. NEW BUSINESS

- A. Conditional Use Permit submitted by Lisa Garvin of KGJ Roofing to allow for outdoor storage in conjunction with a contractor's office and a sea container for storage located at 1600 S. White Mountain Rd., that being A.P.N. 210-32-013.

Mrs. Fechtelkotter read the staff summary report.

Lisa Garvin of KGJ Roofing has submitted a Conditional Use Permit (CUP) to allow for outdoor storage in conjunction with a contractor's office and a sea container for storage located at 1600 S. White Mountain Rd., that being A.P.N. 210-32-013. There is an existing building and several outbuildings on the subject property. The applicant plans to utilize the existing building as an office and will have products for display for walk-in customers. In the future they may build an additional building on the northwest portion of the subject property for their operations.

The subject property is zoned C-2 (General Commercial) outdoor storage in conjunction with a contractor's office requires a CUP in the C-2 zone. The applicant has also requested to place a sea container for storage on the subject property. A sea container for storage in the C-2 zone is permitted with a CUP, a minimum 100-foot setback from any public right-of-way, and satisfactory screening. The applicant has indicated that the sea container will be placed behind the existing office building, a minimum from 100 feet from the property line and will be painted a neutral color that blends into the surrounding area. The applicant has also indicated that they plan to utilize a six-foot solid material fence to screen any outdoor storage. This fence will be similar to the fence utilized by Homeland Fence and Supply. A conceptual site plan has been included for review.

FINDINGS OF FACT

1. Lisa Garvin of KGJ Roofing has submitted a CUP to allow for outdoor storage in conjunction with a contractor's office and a sea container for storage located at 1600 S. White Mountain Rd., that being A.P.N. 210-32-013
2. There is an existing building and several outbuildings on the subject property. The applicant plans to utilize the existing building as an office and will have

products for display for walk-in customers. In the future they may build an additional building on the northwest portion of the subject property for their operations. The subject property is zoned C-2 (General Commercial) outdoor storage in conjunction with a contractor's office requires a CUP in the C-2 zone.

3. The applicant has also requested to place a sea container for storage on the subject property. A sea container for storage in the C-2 zone is permitted with a CUP, a minimum 100-foot setback from any public right-of-way, and satisfactory screening. The applicant has indicated that the sea container will be placed behind the existing office building, a minimum from 100 feet from the property line and will be painted a neutral color that blends into the surrounding area.
4. The applicant has also indicated that they plan to utilize a six-foot solid material fence to screen any outdoor storage. This fence will be similar to the fence utilized by Homeland Fence and Supply. A conceptual site plan has been included for review.
5. Current zoning of the surrounding properties include.

North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: R1-15 (Single-Family Residential, Manufactured Homes Excluded, 15,000 Square Feet)
6. The current land uses of the surrounding properties include.

North: Black Diamond/Safelite Auto glass
South: Barnet, Dulaney, Perkins Eye Center
East: Show Low Meadow
West: Vacant single family residential
7. Transmittal memos were sent to all affected agencies. No applicable comments were received.
8. No public comment has been received regarding the proposed development.

STAFF RECOMMENDATIONS

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-254 submitted by Lisa Garvin of KGJ Roofing to allow for outdoor storage in conjunction with a contractor's office and a sea container for

storage located at 1600 S. White Mountain Rd., that being A.P.N. 210-32-013 subject to the following conditions;

1. All development shall comply with all applicable federal, state, and local requirements, including permit, sign, Fire Code and Arizona Department of Transportation (ADOT) requirements.
2. An engineer shall certify any changes to drainage and grading on the site.
3. The surfacing of all access ways, interior driveways, and parking areas shall be surfaced in accordance with City Code and shall meet the minimum loading requirements outlined by TMFMD.
4. All vehicles parked/stored on the subject property shall be located at the rear of the property and shall be in useable condition.
5. All outdoor materials shall be screened by a six-foot solid material fence, and all materials shall be stored below fence height.
6. The sea container shall be located a minimum of 100 feet from the property line along S. White Mountain Rd. be painted a neutral color to blend into the surroundings and be screened from view from the right-of-way by being placed behind a fence, building or vegetation.
7. The right-of-way adjacent to the subject property shall be landscaped in a manner similar to the surrounding properties. Landscaping shall consist of primarily grass or sod and shall be maintained.

Chairman Barlow inquired into the existing uses of the subject property. Mrs. Fechtelkotter stated there is currently a boutique shop as well as a hot dog stand during the summer.

Chairman Barlow questioned if staff recommendation #7 is different to City Code. Director Tregaskes explained that properties in the vicinity along portion of White Mountain Road have all landscaped along the ADOT right of way with grass. Show Low City Code doesn't require landscaping in the right of way only on private property. Director Tregaskes further explained the reason for such landscape recommendations was to stay consistent with the surrounding area.

Chairman Barlow asked if the other businesses were required to landscape to such degree at time of construction or was the extent taken due to individual decision. Director Tregaskes explained that the properties to the north took landscaping upon themselves, the auto glass business landscaping was part of variance, the eye doctor was a staff recommendation, and the car lot was a CUP requirement.

Commissioner Hatch inquired if finished driveway access would be a requirement. Director Tregaskes explained that due to this being an existing business with expansion the concrete drive is sufficient with City Code; however, staff would request minor maintenance to the driveway and parking area be done.

Chairman Barlow invited the applicant to speak.

Ken Garvin, 1600 S. White Mountain Rd.

Commissioner Roberts asked if the previous business was linked to the auto glass business. Mr. Garvin advised he was uncertain in that, and he only can confirm a trust owns the proposed property.

Commissioner Roberts inquired if the applicant has discussed with Black Diamond Auto Glass about access to proposed property's driveway and continued use by neighboring property. Mr. Garvin advised that conversation has taken place and he has no concern with sharing the driveway.

With no further questions Chairman Barlow opened to public comments. There being no public comments Chairman Barlow entertained a motion.

VICE CHAIRMAN LEWIS MOVED TO APPROVE THE CONDITIONAL USE PERMIT SUBMITTED BY LISA GARVIN OF KGJ ROOFING TO ALLOW FOR OUTDOOR STORAGE IN CONJUNCTION WITH A CONTRACTOR'S OFFICE AND A SEA CONTAINER FOR STORAGE LOCATED AT 1600 S. WHITE MOUNTAIN RD., THAT BEING A.P.N. 210-32-013 SUBJECT TO STAFF RECOMMENDATIONS. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 6 TO 0 WITH, CHAIRMAN BARLOW, VICE CHAIRMAN LEWIS AND COMMISSION MEMBERS ADAMS, HATCH, ROBERTS, AND WHITEHEAD VOTING IN FAVOR

Mr. Tregaskes said as with any Conditional Use Permit, there is a seven-day appeal period. If no appeal is received by the City Clerk within those seven days, this Conditional Use Permit will be considered effective.

B. Conditional Use Permit submitted by Thomas Meyers and James Della-Femina to allow for the expansion of mini storage located at 291 N. Central Ave., that being A.P.N. 210-19-064.

Mrs. Fechtelkötter read the staff summary report.

Thomas Myers and James Della-Femina have submitted a Conditional Use Permit (CUP) to allow for the expansion of mini storage located at 291 N. Central Ave., that being A.P.N. 210-19-064. The subject property is 1.38 acres in size with two existing 2,912 square foot storage buildings on the subject property that were built in the mid 1970's. There is an existing City sewer main that runs through the property and a chain

link fence with slats on the north property line. Chain link with no slats is on the east and south property lines. The property is lower than the adjacent property to the south.

The applicant plans to add four additional metal buildings ranging in size from 500 to 2,400 square feet for an additional 6,100 square feet of mini storage on the subject property. The subject property is zoned C-2 (General Commercial), mini storage requires a CUP and must be screened with a solid material fence in the C-2 zone. Any buildings in the C-2 zone are required to be treated in accordance with City Code section 19.70.120(F).

FINDINGS OF FACT

1. Thomas Myers and James Della-Femina have submitted a Conditional Use Permit (CUP) to allow for the expansion of mini storage located at 291 N. Central Ave., that being A.P.N. 210-19-064. The subject property is 1.38 acres in size with two existing 2,912 square foot storage buildings on the subject property that were built in the mid 1970's.
2. There is an existing City sewer main that runs through the property and a chain link fence with slats on the north property line. Chain link with no slats is on the east and south property lines. The property is lower than the adjacent property to the south.
3. The applicant plans to add four additional metal buildings ranging in size from 500 to 2,400 square feet for an additional 6,100 square feet of mini storage on the subject property.
4. The subject property is zoned C-2 (General Commercial), mini storage requires a CUP and must be screened with a solid material fence in the C-2 zone. Any buildings in the C-2 zone are required to be treated in accordance with City Code section 19.70.120(F).
5. Current zoning of the surrounding properties include.

North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)
6. The current land uses of the surrounding properties include.

North:	Dental Office
South:	Commercial strip mall
East:	Timothy McKay Memorial Park
West:	Mountain Comfort

7. Transmittal memos were sent to all affected agencies. Applicable comments received include.

Community Services Director- With the new Timothy McKay Memorial Park going in behind the property to the East, there needs to be some sort of visual barrier to protect the business and maintain the park views.

8. No public comment has been received regarding the proposed development.

STAFF RECOMMENDATIONS

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-255 submitted by Thomas Myers and James Della-Femina to allow for the expansion of mini storage located at 291 N. Central Ave., that being A.P.N. 210-19-064, subject to the following conditions.

1. All development shall comply with all applicable federal, state, and local requirements, including parking and loading requirements.
2. The applicant shall be responsible for coordinating with the City of Show Low Building Department and Timber Mesa Fire and Medical District to ensure that all applicable codes are being met and that the required permits and inspections are obtained.
3. Drainage and detention on the subject property shall be reviewed and approved by City staff in accordance with adopted City Code.
4. The buildings shall meet the building design requirements of City Code 19.70.120(F).
5. All access-ways, interior driveways, and parking areas shall be surfaced in accordance with City Code.
6. The property shall be screened from Timothy McKay Memorial Park with a six-foot solid material fence consisting of neutral colored wood or block.
7. Parking and lighting requirements of Chapter 19.105 of City Code shall be met.
8. A minimum of a 16' wide utility easement is required over any existing City sewer lines; no buildings or structures shall be located within these easements.

Chairman Barlow asked if the light requirements under item #7 are the same requirements as under a parking lot. Mrs. Fechtelkotter stated that any business open after dark is required to meet city code. Director Tregaskes further explained that due to most storage units allowing 24-hour access if the applicant installed motion sensor lights that would meet the item #7 requirement.

Chairman Barlow inquired if item #4 included existing buildings. Mrs. Fechtelkotter explained they are not required to be brought to code however, any new building construction must meet all city and building codes.

Commissioner Roberts inquired if the screening between the park requested by the Community Services Director has been addressed. Director Tregaskes explained the east property line is standard chain link with no screening. He stated that staff's recommendation #6 corresponds with the Community Services Directors request.

Chairman Barlow inquired if there was an official reason for such an extensive drainage analysis. Director Tregaskes advised that during the pre-application held for this application concerns of drainage were mentioned due to the proximity to the park and flood plain. He further stated it was his opinion the applicant is getting a jump start on future requirements.

Chairman Barlow opened the meeting for public comment.

Emery Ellsworth 176 N Main St., Snowflake

Mr. Ellsworth requested clarification on fencing requirements. Director Tregaskes responded by clarifying all fencing could remain as is with the exception of the east property line adjacent to the Timothy McKay Memorial Park which will require a solid material fence constructed of block or wood.

COMMISSIONER ROBERTS MOVED TO APPROVE THE CONDITIONAL USE PERMIT SUBMITTED BY THOMAS MYERS AND JAMES-DELLA FEMINA TO ALLOW FOR THE EXPANSION OF MINI STORAGE LOCATED AT 291 N. CENTRAL AVE., THAT BEING A.P.N. 210-19-064 SUBJECT TO STAFF RECOMMENDATIONS. COMMISSIONER ADAMS SECONDED THE MOTION. PASSED 6 TO 0 WITH, CHAIRMAN BARLOW, VICE CHAIRMAN LEWIS AND COMMISSION MEMBERS ADAMS, HATCH, ROBERTS, AND WHITEHEAD VOTING IN FAVOR.

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.

7. APPROVAL OF MINUTES

A. Planning and Zoning Commission Regular Meeting of December 13, 2022.

COMMISSIONER ADAMS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF DECEMBER 13, 2022. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 6 TO 0 WITH, CHAIRMAN BARLOW, VICE CHAIRMAN LEWIS AND COMMISSION MEMBERS ADAMS, HATCH, ROBERTS, AND WHITEHEAD VOTING IN FAVOR.

8. SUMMARY OF CURRENT EVENTS

Commission Members

Commissioner Adams stated he was happy to be there.

Commissioner Whitehead wished everyone a Happy New Year.

Commissioner Hatch stated it was a great day in Show Low.

Commissioner Roberts wished everyone a Happy New Year

Vice Chairman Lewis reminded the community that there are people in our community that suffer and to please be patient and kind to your neighbors.

Chairman Barlow wished the community a Happy New Year and he was glad to be a part of the community and is looking forward to taking advantage of winter weather.

Planning and Zoning Director

Director Tregaskes wanted to remind the community about the Annual Ground Hog Day Breakfast in addition, he gave a reminder there is a vacancy on the commission.

9. ADJOURNMENT

There being no further business to be brought before the Planning and Zoning Commission, CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION OF JANUARY 10, 2023, AT 7:39 PM.

ATTEST:

APPROVED:

Justen Tregaskes
Planning and Zoning Director

Zachary Barlow
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 January 10, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Ashley Duncan