

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON APRIL 25, 2023, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. CALL TO ORDER

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

2. ROLL CALL

COMMISSION MEMBERS PRESENT: Chairman Barlow, Vice Chairman Lewis, Commissioner Roberts, Commissioner Schnepf, Commissioner Whipple and Commissioner Wilson.

COMMISSION MEMBERS ABSENT: Commissioner Hatch

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

GUESTS PRESENT: Camden Smith, Lance Jones and Guests.

3. INVOCATION

Vice Chairman Lewis gave the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Wilson led the pledge of allegiance.

5. NEW BUSINESS

A. Conditional Use Permit submitted by Country Mountain Airwaves, LLC to allow for the relocation of an existing radio broadcasting station from 391 W. Deuce of Clubs to 701 E. Deuce of Clubs, that being A.P.N. 210-19-030A.

Vice Chairman Lewis declared a conflict of interest and left the room.

Ms. Fechtelkotter read the staff summary report.

Country Mountain Airwaves, LLC has submitted a Conditional Use Permit (CUP) to allow for the relocation of an existing radio broadcasting station from 391 W. Deuce of Clubs to 701 E. Deuce of Clubs, that being A.P.N. 210-19-030A. The subject property is zoned C-2 (General Commercial), a radio broadcasting station requires a CUP in the C-2 zone. At their regular meeting of March 24, 2009, the Planning & Zoning Commission approved

CUP 602-04-124 to allow for a radio broadcasting station located at 391 W. Deuce of Clubs, the original conditions have been attached for review.

The radio station was previously located at 391 W. Deuce of Clubs, adjacent to the Native New Yorker building. A fire destroyed the existing radio station offices in February of 2022. The radio station has been operating out of a temporary office since the fire. The radio station purchased the former Lofgreen Photography building at 701 E. Deuce of Clubs to utilize as a radio broadcasting station. The existing 33-foot-tall antenna and 12-foot diameter satellite dish will be relocated from the current location to the new location. The applicant has indicated that the antenna and satellite dish will be located behind the building at 701 E. Deuce of Clubs. The applicant has indicated that the satellite dish will be screened and will not be visible from the road and the antenna will not project more than 11 feet above the roofline of the building.

FINDINGS OF FACT

1. Country Mountain Airwaves, LLC has submitted a Conditional Use Permit (CUP) to allow for the relocation of an existing radio broadcasting station from 391 W. Deuce of Clubs to 701 E. Deuce of Clubs, that being A.P.N. 210-19-030A.
2. The subject property is zoned C-2 (General Commercial), a radio broadcasting station requires a CUP in the C-2 zone. At their regular meeting of March 24, 2009, the Planning & Zoning Commission approved CUP 602-04-124 to allow for a radio broadcasting station located at 391 W. Deuce of Clubs, the original conditions have been attached for review.
3. The radio station was previously located at 391 W. Deuce of Clubs, adjacent to the Native New Yorker building. A fire destroyed the existing radio station offices in February of 2022. The radio station has been operating out of a temporary office since the fire.
4. The radio station purchased the former Lofgreen Photography building at 701 E. Deuce of Clubs to utilize as a radio broadcasting station. The existing 33-foot-tall antenna and 12-foot diameter satellite dish will be relocated from the current location to the new location.
5. The applicant has indicated that the antenna and satellite dish will be located behind the building at 701 E. Deuce of Clubs. The applicant has indicated that the satellite dish will be screened and will not be visible from the road and the antenna will not project more than 11 feet above the roofline of the building.
6. Current zoning of the surrounding properties includes.

North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)

7. The current land uses of the surrounding properties include.

North: Banner Urgent Care
South: Summer's Place Apartments
East: Southwest Transmission
West: Realty 100 Building

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

Timber Mesa Fire and Medical District- Any interior remodel to meet 2018 International Fire Code.

9. 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 602-04-259 submitted by Country Mountain Airwaves, LLC to allow for the relocation of an existing radio broadcasting station from 391 W. Deuce of Clubs to 701 E. Deuce of Clubs, that being A.P.N. 210-19-030A subject to the following conditions;

1. All development shall comply with all applicable federal, state, and local requirements, including Federal Communications Commission (FCC) building permit and fire code requirements.
2. The satellite dish shall conform to the detached building setback requirements of the C-2 (General Commercial) zone and be screened by a six (6) foot high solid fence.
3. The antenna and or supporting structure shall not exceed 11 feet above the highest point of the roofline of the building.

STANDARDS FOR REVIEW

Project: Conditional Use Permit 602-04-259 submitted by Country Mountain Airwaves, LLC to allow for the relocation of an existing radio broadcasting station from 391 W. Deuce of Clubs to 701 E. Deuce of Clubs, that being A.P.N. 210-19-030A.

Conditions of CUP 602-04-124 approved on March 24, 2009

1. All development shall comply with all applicable federal, state and local requirements including Federal Communication Commission (FCC) regulations.
2. The twelve (12) foot satellite dish shall conform to the detached building setback requirements of the C-2 (General Commercial) zone.
3. The satellite dish shall be screened by a six (6) foot high solid screen fence.
4. The antenna and/or supporting mechanism shall not exceed thirty (30) feet above the highest point of the structure.
5. If the radio station relocates, this conditional use permit will be considered null and void.

Ms. Fechtelkötter said staff as well as the applicant were available for questions.

Chairman Barlow inquired if the application is only for the antenna at this location. Mrs. Fechtelkötter stated that the CUP application was for the antenna and broadcasting station both. Chairman Barlow requested clarification that the broadcasting station was not needing the CUP. Director Tregaskes advised that per the C-2 zoning code only radio and television studio are permitted uses. He further stated that since this intended use is a broadcasting station the CUP is required for both the antenna and intended use.

Chairman invited the applicant to the podium.

Camden Smith-4733 Big Pine Dr.

Commissioner Wilson asked the applicant what the intended employee amount would be. Mr. Smith stated a high amount was currently needed. He further explained the need would be for up to 5 part-time employees for sports broadcasting.

Commissioner Roberts asked if the signature on the application is the owner and if Mr. Smith is manager. Mr. Smith confirmed that was correct.

COMMISSIONER ROBERTS MOVED TO APPROVE THE CONDITIONAL USE PERMIT SUBMITTED BY COUNTRY MOUNTAIN AIRWAVES, LLC TO ALLOW FOR THE RELOCATION OF AN EXISTING RADIO BROADCASTING STATION FROM 391 W. DEUCE OF CLUBS TO 701 E. DEUCE OF CLUBS, THAT BEING A.P.N. 210-19-030A SUBJECT TO STAFF RECOMMENDATIONS. COMMISSIONER WILSON SECONDED THE MOTION. PASSED 5 TO 0 WITH CHAIRMAN BARLOW, AND

COMMISSION MEMBERS ROBERTS, SCHNEPF, WHIPPLE AND WILSON 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.

Chairman Lewis returned to the room.

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 March 14, 2023.

VICE CHAIRMAN LEWIS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF MARCH 14, 2023. COMMISSIONER ROBERTS SECONDED THE MOTION. PASSED 5 TO 0 WITH, CHAIRMAN BARLOW, VICE CHAIRMAN LEWIS AND COMMISSION MEMBERS ROBERTS, SCHNEPF AND WHIPPLE VOTING IN FAVOR AND COMMISSIONER WILSON ABSTAINING.

8. SUMMARY OF CURRENT EVENTS

Commissioner Wilson thanked the council for appointment to the commission and she was happy to be back.

Commissioner Whipple stated he looked forward to working on the commission.

Commissioner Schnepf stated he looked forward to working on the commission.

Commissioner Roberts stated that Cruising the Rim Car Show is June 3rd and Martin Luther King Day of service was coming up on Saturday.

Vice Chairman Lewis expressed he was lucky to live in Show Low.

Chairman Barlow thanked the new commission members for being there and looked forward to working together.

Planning and Zoning Director Tregaskes welcomed the new and returning commissioner. He further reminded the community that the annual day of service is this Saturday starting at 9am at City Hall and that it's a great way to help out. The Director reminded the community that the weather is warming up and we have more people, so please practice road safety.

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 APRIL 25, 2023, AT 7:15 PM.

ATTEST:



Justen Tregaskes
Planning and Zoning Director

APPROVED:

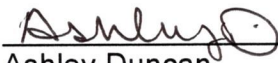


Zachary Barlow
Chairman

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 APRIL 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25th day of April, 2023.



Ashley Duncan