

SHOW LOW PLANNING AND ZONING COMMISSION
Regular Meeting – Tuesday, July 11, 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, July 11, 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. Public Hearing and Consideration of a zone change requested submitted by Steve Chlupsa of SL Property Investments LLC to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district.

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 April 25, 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, July 7, 2023.

Ashley Duncan

CITY OF SHOW LOW STAFF SUMMARY REPORT

AGENDA TITLE: Public hearing and consideration of a zone change request submitted by Steve Chlupsa of SL Property Investments LLC to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district (Katie Fechtelkotter)

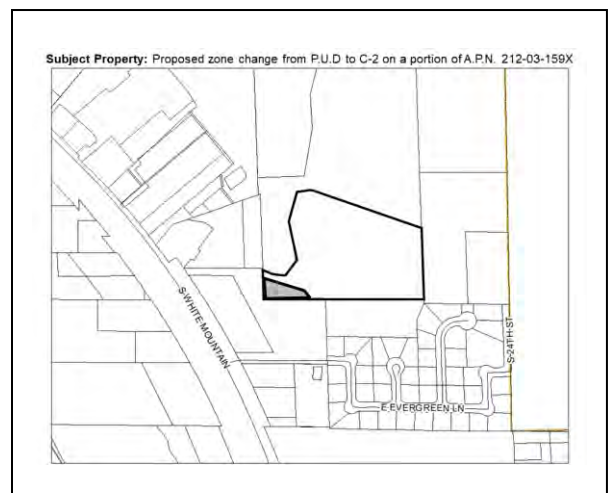
RECOMMENDATION

I **MOVE** to approve zone change request 605-03-120, submitted by Steve Chlupsa of SL Property Investments LLC to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district, subject to staff recommendations and forward this recommendation to City Council.

BACKGROUND

Steve Chlupsa of SL Property Investments LLC has submitted a request to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district. The parcel is approximately 8.74 acres in size, the applicant has indicated that they wish to rezone just under 11,000 square feet of the property to allow for commercial uses. The applicant already owns the property to the west, including Culver's as well as the property located to the south.

At the July 6, 1993, City Council meeting, the City Council approved Ordinance No. 364 to rezone the subject property to PUD (Planned Unit Development) from C-2, R1-7 (single-family residential 7,000 square feet), and MH (Manufactured Housing) to allow for the development of the White Mountain Vacation Village Development. The conceptual master plan for White Mountain Vacation Village indicated this property was to be utilized as "Festival Area". Conditions of Ordinance No. 364 have been included in the staff report for review and a copy of the Conceptual Master Plan for White Mountain Vacation Village is attached.



FINDINGS OF FACT

1. Steve Chlupsa of SL Property Investments LLC has submitted a request to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district.
2. The parcel is approximately 8.74 acres in size, the applicant has indicated that they wish to rezone just under 11,000 square feet of the property to allow for commercial uses. The applicant already owns the property to the west, including Culver's as well as the property located to the south.
3. At the July 6, 1993, City Council meeting, the City Council approved Ordinance No. 364 to rezone the subject property to PUD (Planned Unit Development) from C-2, R1-7 (single-family residential 7,000 square feet), and MH (Manufactured Housing) to allow for the development of the White Mountain Vacation Village Development. The conceptual master plan for White Mountain Vacation Village indicated this property was to be utilized as "Festival Area".
4. Conditions of Ordinance No. 364 have been included in the staff report for review and a copy of the Conceptual Master Plan for White Mountain Vacation Village is attached.
5. The applicant held a neighborhood meeting with property owners located within 300 feet of the subject property on February 27, 2023. No neighbors attended the meeting.
6. Current zoning of the surrounding properties include:
 - North: PUD (Planned Unit Development)
 - South: C-2 (General Commercial)
 - East: PUD (Planned Unit Development)
 - West: C-2 (General Commercial)
7. The current land uses of the surrounding properties include:
 - North: Vacant White Mountain Vacation Village
 - South: Vacant Commercial
 - East: Vacant PUD
 - West: Vacant Commercial
8. Transmittal memos were sent to all affected agencies, applicable comments received include.

Arizona Department of Transportation (ADOT)- if the developer plans on accessing this site from State Route 260 it will require a permit from the Northeast District. A TGP-240 pre-submittal for possible traffic impact study, and drainage study will need to be submitted.
9. The property was posted, letters were sent to all neighbors within 300 feet of the subject property and a notice was published in the newspaper in accordance with City Code. No public comment has been received regarding the proposed development.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, Findings of Fact, discussions with the applicant, the City of Show Low Zoning and Land Ordinances, and the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission recommend approval of zone change request 605-03-120 submitted by Steve Chlupsa of SL Property Investments LLC to rezone a portion of A.P.N. 212-03-159X from PUD (Planned Unit Development) to C-2 (General Commercial) to allow for all uses as outlined in the C-2 zoning district, subject to staff recommendations and forward this recommendation to the City Council.

1. All development shall comply with, all applicable federal, state, and local requirements including ADOT, building code, and fire codes.

CONDITIONS OF ORDINANCE 364

(Approved July 6, 1993)

1. A preliminary Development Plan be submitted and approved by the Planning and Zoning Commission and City Council within two years.
2. A minimum of a twenty-foot buffer be provided on the perimeter boundaries adjacent to residential zoning (either County or City).

STANDARDS FOR REVIEW

General Plan

Land Use

- Goal:** Preserve natural surroundings and the rural, hometown atmosphere.
Objective: Promote infill and indicate prime growth areas for programmed expansion of service systems to discourage sprawl.
- Goal:** Stress compatibility of land uses.
Objective: Reduce negative impacts on residential areas.

Housing

- Goal:** Maintain residential consistency, balance and spacious appearance.
Objective: Provide a Land Use Plan and zoning that strive to achieve compatibility with dissimilar uses next to each other.

Zoning Ordinance

Chapter 19.80 P.U.D. ZONE – PLANNED UNIT DEVELOPMENT ZONING

19.80.010 Purpose.

The purpose of a planned unit development (P.U.D.) zoning district is to provide greater flexibility in the development of land involving various types and combinations of residential and nonresidential uses. A P.U.D. is also intended to encourage a more creative approach in the development of land that will result in a more efficient, aesthetic and desirable use of open area. A P.U.D. may be designed and utilized in the following manner:

- (A) For large-scale projects which are able to function as an individual community or neighborhood.
- (B) For small-scale projects which require flexibility because of unique circumstances or design characteristics.
- (C) For a transitional or buffer area between dissimilar land uses.
- (D) For a conservation area to preserve and protect streams, rivers, lakes, and other natural resources. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(A))

19.80.020 Objectives.

- (A) To accommodate variations in building design, lot arrangements and land uses.
- (B) To provide for a compatibly arranged variety of land uses through innovative site planning.
- (C) To provide a maximum choice in the types of environments for residential, commercial, and industrial uses and facilities.
- (D) To encourage economy in the construction and maintenance of off-site improvements such as water and sewer utilities and roadways.
- (E) To encourage the provision of usable open space and the protection of natural watercourses.
- (F) To ensure adequate provision of community facilities and services necessary to accommodate the needs of the present and future residents of the city.
- (G) To assist in the fulfillment of the goals, objectives and policies of the Show Low general plan and any amendments thereto. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(B))

19.80.030 Permitted uses.

All uses permitted within the P.U.D. zone are determined by the approved development plan for the site.

(A) *Residential.*

- (1) Single-family.
- (2) Multifamily, duplexes, and single-family attached dwelling units, R.V. parks, manufactured home park.
- (3) Public and private parks, community centers, recreational facilities, schools, etc.
- (4) Common public and private open spaces.
- (5) Hiking and riding trails.

(6) Private clubs such as golf, swimming, tennis, guest ranches.

(7) Accessory structures and uses.

- (B) *Commercial and Industrial Uses.* Commercial and industrial uses shall be determined by the compatibility of such uses with each other and with surrounding land uses. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(C))

19.80.040 Intensity of land use.

Densities and commercial intensity permitted in the P.U.D. zone shall be determined by either the city council or planning and zoning commission in compliance with the Show Low general plan. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(D))

19.80.050 Construction.

No building permit shall be issued for any use in the P.U.D. zone prior to approval of the final development plan as prescribed herein. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(E))

19.80.060 Preliminary development plan.

A preliminary development plan for the P.U.D. is required. The approval of such plan may be handled in the following way:

- (A) In the case of large-scale multi-phased developments, such approval may be given in stages. The initial submittal with the application may be a conceptual plan with sufficient description and documentation to identify nature, mix, general arrangements, density, proposed setbacks, usable open space, community facilities, and quality of the project. Such conceptual plan may then be approved conditionally, with the preliminary development plan(s) to be submitted to the planning and zoning commission and the city council within the time period(s) established at the time of rezoning. If no time period is established, the preliminary development plan must be submitted within eighteen (18) months of the effective date of the zone change.
- (B) In the case of specific or small-scale, single-phase projects, the preliminary plan as described in Section [19.80.070](#) shall be filed as part of the application and approved prior to and in conjunction with planning and zoning commission and city council consideration of the application. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(F))

19.80.070 Description of preliminary development plan.

The preliminary development plan shall be submitted to the planning and zoning director and shall include:

- (A) A tentative plat as described in the subdivision code acceptable to the planning and zoning director for consistency with Show Low codes, policies and plans.
- (B) An area map showing adjacent property owners, together with the location of all buildings and existing uses within three hundred (300) feet of the parcel.

(C) A legal description of the metes and bounds of the parcel.

(D) Drawings and descriptions clearly showing the following:

- (1) The existing topographical features of the site.
- (2) A statement of intended design philosophy and environmental quality. This statement may include graphic and photographic materials.
- (3) Where portions of the site are subject to flooding, the map and supporting data shall indicate the extent, frequency, and location of detention/retention areas.
- (4) Where areas lie in aircraft approach and holding patterns, such areas shall be indicated.
- (5) The location and nature of the various uses and their areas in acres.
- (6) The proposed circulation system and traffic analysis, including any improvements needed to accommodate additional traffic, indicating whether they are public or private.
- (7) Delineation of the various land use areas indicating for each such area its general extent, size, total number of dwelling units and approximate percentage allocation by dwelling type, building arrangement, architectural style and exterior building materials and colors.
- (8) The interior open space system.
- (9) General statement as to how common open space is to be owned and maintained.
- (10) A calculation of the residential density in dwelling units per gross acre including interior roadways.
- (11) Proposed minimum setback distances for planned development including the following:
 - (a) Side yard distances (including corner lots);
 - (b) Building separation distances if common ownership;
 - (c) Front yard setback distances from roads (private and/or public);
 - (d) Rear yard distances (identifying whether sites are privately or commonly owned); and
 - (e) Buffer or “no build” distances from properties situated adjacent to proposed development.
- (12) Perimeter treatment and relationship of the project to surrounding land uses.
- (13) Principal ties to the community at large with respect to transportation, water supply and sewage disposal, indicating whether they are public or private.

- (14) General description of the availability of other community facilities, such as schools, fire protection services, and cultural facilities, if any, and how these facilities are affected by this proposal.
- (15) Evidence that the proposal is compatible with the goals of the city's general plan.
- (16) If the development is to be phased, a general indication of how the phasing is to proceed. Whether or not the development is to be phased, the plan shall show the intended total project.
- (17) The planning and zoning director may waive, in writing, any of the above required information when, in his opinion, they are not applicable. The planning and zoning director may also require additional information when needed to adequately describe or clarify the project or its impact. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(G))

19.80.080 Review of preliminary development plan.

The preliminary development plan shall be reviewed by city staff and any other agencies deemed appropriate by the staff. The plan shall then be submitted to the planning and zoning commission and the city council for approval. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(H))

19.80.090 Final development plan approval.

- (A) It is the intent of this section that subdivision review, where applicable, under the city subdivision regulations, be carried out simultaneously as an integral part of the P.U.D. review. The plans required under this section must be submitted in a form that substantially satisfies the requirements of the subdivision regulations for final plat approval. Final plan approval under the P.U.D. shall constitute final plat approval under the city subdivision regulations and the P.U.D. final development plan shall be recorded in the same manner as the final plat.
- (B) The applicant shall submit eight (8) copies of the final development plan to the planning and zoning director. The plan shall contain the following information:
 - (1) All information required on the preliminary development plan.
 - (2) Complete plans showing location and type of all improvements.
 - (3) Plans and elevations of all building types, building materials, and colors.
 - (4) Schematic grading plans including proposed treatment of sloped and retention areas.
 - (5) All applicable standards of design and construction required by all pertinent city codes and policies.
- (C) If approval of the preliminary development plan has been given in phases, approval of the final development plan may also be given in phases. The final development plan must be in substantial conformance with the approved preliminary development plan. Any deviations from the approved preliminary plan which are deemed by the planning and zoning director not to be in substantial compliance with the approved development plan

shall require approval by the city council. (Ord. No. 382, §§ 1 – 3, 12-20-94; Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-47(I))

19.10.100 Text amendments and zone changes.

(A) *Purpose.* The purpose of this section is to allow amendments to the text of these zoning regulations or the zoning map so that the city may respond to changing conditions. The provisions of this section are not intended to relieve particular hardships nor to confer special privileges.

(B) *Application Process.*

(1) *Authorized Applicant.* An applicant for an amendment to change the zoning on any property shall be one (1) of the following:

- (a) The owner(s) and/or authorized agent of the property;
- (b) One (1) or more of several joint owners of property who own individually or as a group and hold a majority interest in the property;
- (c) Seventy-five (75) percent, or more, of the owners of property in the area and seventy-five (75) percent, or more, of the land area covered by the application when the application covers more than one (1) property;
- (d) The city council or planning and zoning commission on its own motion at a public meeting.

(2) *Submittal Requirements.* To have a zoning ordinance or zoning map amendment processed the applicant shall submit an application on a form provided by the planning and zoning department and shall comply with each of the following requirements, as deemed applicable by the planning and zoning director:

- (a) A pre-application meeting shall be arranged by the applicant with the planning and zoning director to discuss any proposed amendment prior to any application submittal.
- (b) A neighborhood meeting shall be coordinated through the planning and zoning director but conducted solely by the applicant with city staff attending for observation and general questions only.
- (c) A narrative of how the proposed amendment is consistent with and conforms to the general plan and with the development plan map of the City of Show Low. Any contemplated uses shall be explained within the narrative, as well as outlining the neighboring land uses adjacent to the property.
- (d) The pre- and post-zoning densities for the particular subject property shall also be calculated and included into the narrative.
- (e) At least one (1) reasonably detailed and legible map no smaller than eight and one-half (8-1/2) inches by eleven (11) inches showing the particular property or properties that are being petitioned for a change and showing the adjoining properties and the public streets within a radius of three hundred (300) feet from the external boundaries of the proposed zoning map amendment. Indicate the current ground cover, location

of buildings and parking areas, and the setback of the existing buildings and parking areas.

- (f) A statement revealing any conditions or restrictions of record (if any), such as floodplain, deed restrictions, liens, etc., which would affect the permitted uses of the property if rezoned as requested and the date or dates (if any) of expiration thereof.
 - (g) Such conceptual plans, photographs, drawings, building elevations, and other supporting documents (if any) as the applicant may desire to present or deemed necessary by the planning and zoning director.
 - (h) 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.
 - (i) *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.
 - (j) 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.
- (C) *Staff Review.* A completed application for an amendment to the text of these regulations or the zoning map shall be submitted to the planning and zoning director at least twenty-five (25) days prior to the public hearing. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public hearing. The recommendation shall set forth whether the amendment or rezoning should be granted, granted with conditions, or denied, and the grounds for any such recommendations as they relate to the standards and purposes of the zoning district classifications set forth in this chapter.
- (D) *Standards for Reviewing Proposed Amendments.* All proposed amendments shall be evaluated to ensure the application is consistent with and conforms to the general plan and any other adopted plans. The proposed change shall not be detrimental to the majority of the persons or property in the surrounding area, nor to the community in general.
- (E) *Public Hearing.* The planning and zoning commission shall at a minimum give notice and shall conduct a public hearing on the application in accordance with the requirements of A.R.S. § [9-462.04](#) and amendments thereto. 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.
- (F) *Commission Action.* The planning and zoning commission shall review the application and the testimony presented in the public hearing and shall render a decision at the conclusion of or within thirty (30) days after the public hearing in the form of a written recommendation to the city council. The recommendation shall include the standards for review, the commission's findings of fact and its recommendation. If more information is requested by the commission, the public hearing may be continued one (1) time to a specific date not to exceed thirty (30) days from the originally scheduled public hearing.

(G) *Council Action.*

- (1) Once the commission has held a public hearing, the council may adopt the recommendation of the commission without holding a public hearing if there is no objection, no request for public hearing, or other protest. If requested by any aggrieved party, any member of the public and/or any member of the city council, the council shall give notice and shall conduct a public hearing on the application in accordance with the requirements of A.R.S. § [9-462.04](#) and amendments thereto. If a public hearing is held by the city council a decision shall be rendered at the conclusion of or within thirty (30) days after the public hearing.
 - (2) If the owners of twenty (20) percent or more, either of the area of the parcel(s) of land included in the proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty (150) feet therefrom, or of those directly opposite thereto extending one hundred fifty (150) feet from the street frontage of the opposite parcels of land, file a protest in writing against a proposed amendment, the amendment shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the city council. If any member of the city council is unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the council; provided, that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.
 - (3) A decision of the council involving rezoning of land which is not owned by the city and which changes the zoning classification of such land may not be enacted as an emergency measure and such change shall not be effective for at least thirty (30) days after final approval of the change in classification by the council.
 - (4) The city council may attach conditions to a rezoning request as are necessary to carry out the purposes of the general plan or other adopted plans and ensure compatibility with adjacent land uses. Except as modified by actions of the city council, conditions adopted by ordinance in accordance with prior law shall remain in full force and effect. A violation of any condition shall be considered to be a violation of these regulations. The city council may approve a change of zoning district conditioned upon one (1) or more of the following:
 - (a) A requirement that development proceed in accordance with a specific area plan, site plan, conceptual plan and/or development schedule.
 - (b) A requirement of public dedication of rights-of-way as streets, alleys, public ways, drainage and public utilities, and installation of off-site improvements as are reasonably required by or related to the effect of the rezoning.
- (H) *Reversion.* The city council may approve a change of zoning district conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the legislative body, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

- (I) *Reconsideration of Denied Amendments.* In the event that a petition for an amendment is denied by the city council, or is withdrawn after the conclusion of the commission hearing, the commission shall not consider the petition or any other petition for the same or substantially the same amendment as it applies to the same property or zoning ordinance text described in the original petition, or any part thereof, within a period of one (1) year from the date of such denial action or withdrawal, unless the conditions upon which the original denial or withdrawal was based have changed. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 2, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-31)

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: Proposed zone change from P.U.D to C-2 on a portion of A.P.N. 212-03-159X



Subject Property: Proposed zone change from P.U.D to C-2 on a portion of A.P.N. 212-03-159X





City of Show Low Planning & Zoning

180 N. 9th Street, Show Low, AZ 85901
(928) 532-4040

Zoning Ordinance & Map Amendment Petition Application (Filing Fee: \$600.00)

For Office Use Only

Date received: 5.7.23
Time received: 11:35 AM/PM
Received by: KBT

Owner Information

Name: SL Property Investments LLC

Address: 4595 S White Mountain Rd
Street Address

Show Low AZ 85901
City State ZIP Code

Phone: 480-97-2004 Email: steve@azcustard.com

Applicant Information (If different)

Name: Steve Chlupsa

Address: 1105 N Falconcrest Dr
Street Address

Payson AZ 85541
City State ZIP Code

Phone: 480-297-2004 Email: steve@azcustard.com

Property Information

Address of Property: N/A

Legal Description of Property: Please see attached.

Parcel Number: 212-03-159X Current Zoning Classification: PUD

What is the Nature of the Request? Rezone 10,890 Sq Feet of parcel from PUD to Commercial for
future development

Application Requirements

To have a zoning ordinance or zoning map amendment processed, the applicant shall comply with each of the following requirements as deemed necessary by the Planning and Zoning Director:

- ☐ A pre-application meeting shall be arranged by the applicant with the Planning and Zoning Director to discuss any proposed amendment prior to the application submittal;
- ☐ A narrative of how the proposed amendment(s) is consistent with the Show Low General Plan and with the Development Plan Map of Show Low. Any contemplated uses shall be explained within the narrative, as well as outlining the neighboring land uses adjacent to the property;
- ☐ The pre- and post-zoning densities for the particular subject property shall also be calculated and included into the narrative;
- ☐ At least one reasonably detailed and legible map no smaller than eight and one-half (8 -1/2) inches by eleven (11) inches showing the particular property or properties that are being petitioned for a change and substantially the adjoining properties and the public streets within a radius of three hundred (300) feet from the external boundaries of the proposed zoning map amendment. Indicate the current ground cover, location of buildings and parking areas, the setback of the existing buildings and parking areas.
- ☐ A statement revealing any conditions or restrictions of record (if any) which would affect the permitted uses of the property if rezoned as requested and the date or dates (if any) of expiration thereof.
- ☐ Such conceptual plans, photographs, drawings, building elevations, and other supporting documents (if any) as the applicant may desire to present or deemed necessary by the Planning and Zoning Director.
- ☐ **A neighborhood meeting, conducted solely by the applicant, shall be coordinated through the Planning and Zoning Director. A staff member will attend the meeting to observe and answer general questions only. Scheduling of the neighborhood meeting is a part of the application process and should be far enough in advance of the public hearing to allow staff and the applicant sufficient time to address possible concerns expressed at the meeting.**

Authorized Representatives

PLEASE NOTE: In accordance with City Code, Title 19.10.100(2) (h) and (i), you or your authorized representative must be present at all Planning and Zoning 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.

Bruce Ironside, P.E.

Certification

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 zoning ordinance and map amendment, if a zoning ordinance and map amendment has been issued.

Signature of
Owner(s):



Date: 4-4-2023

Signature of
Owner(s):

Date: _____

Signature of
Applicant:

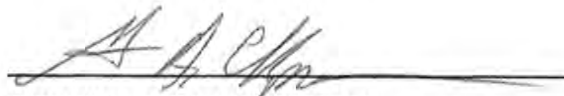


Date: 4-4-2023

I, SL Property Investments LLC, the owner of the property described as A.P.N. 212-03-159X

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 ZONE CHANGE. 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 4 day of April, 2023

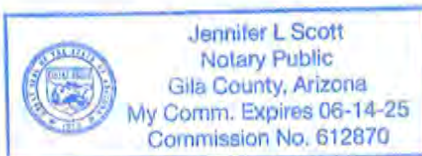

Signature of Property Owner

STATE OF ARIZONA)
) ss.
County of Gila)

SUBSCRIBED AND SWORN before me this 4 day of April, 2023
by Steve Chlupsa.
Name of Signer


Notary Public

[Notary Seal]



SL Property Investments LLC
Mr. Steve Chlupsa
4595 S White Mountain Rd
Show Low, AZ 85901

City of Show Low Planning & Zoning
180 N 9th St.
Show Low, AZ 85901

RE: Zoning Amendment Narrative for APN#212-03-159X

The subject property (APN#212-03-159X) was originally zoned mixed use/commercial and in 1993 the City of Show Low approved a rezone amendment (Ordinance 364) to Planned Unit Development. We are looking to rezone 10,890 sq feet of the parcel to City of Show Low Commercial (C-2) zoning for future development.

One of the sites adjacent to the subject property is APN#212-03-117C, it is currently zoned commercial (C-2) and also owned by SL Property Investments LLC. We have been in discussions with investors on the best use for the commercial property and the conclusion is the location would be ideal for a hotel. During the preliminary conceptual designs, the architects were not able to accommodate the proposed use and required parking on APN#212-03-117C. We request that 10,890 sq feet of APN#212-03-159X be rezoned to allow for this project.

If the zoning gets approved, we will be submitting the lot-line adjustment paperwork to include the 10,890 sq feet in APN#212-03-117C so the commercial zoning will all be in one parcel.

Currently, SL Property Investments LLC owns the majority of the parcels surrounding the requested 10,890 sq feet for consideration of the zone amendment. The parcels in the area are a mix of PUD and Commercial, this amendment would have no impact on any surrounding parcels.

The City of Show Low General Plan promotes economic development and tourism, this zone amendment request follows these guidelines by potentially providing lodging and jobs.

Sincerely,


SL Property Investments LLC

LEGAL DESCRIPTION
A PORTION OF APN 212-03-159X

A parcel of land lying and being situated within the Northwest $\frac{1}{4}$ of Section 4, Township 9 North, Range 22 East of the Gila and Salt River Meridian, Navajo County, Arizona, and being more particularly described as follows:

COMMENCING at an axel monumenting the Center $\frac{1}{4}$ corner of said Section 4; thence North $89^{\circ}01'41''$ West along the Mid-Section Line of said Section 4, a distance of 1006.09 feet; thence leaving said Mid-Section Line, North $01^{\circ}47'54''$ West, a distance of 349.89 feet to a found rebar and plastic cap, L.S. 13005; thence North $02^{\circ}02'21''$ West a distance of 50.05 feet; thence North $02^{\circ}02'21''$ West, a distance of 109.38 feet to a found rebar and plastic cap, L.S. 16165; thence North $01^{\circ}48'27''$ West, a distance of 189.19 feet to a rebar and plastic cap, L.S. 47854; thence North $89^{\circ}31'43''$ West, a distance of 133.96 feet to the TRUE POINT OF BEGINNING:

Thence North $25^{\circ}19'57''$ West, a distance of 50.00 feet;

Thence North $81^{\circ}45'42''$ West, a distance of 184.00 feet;

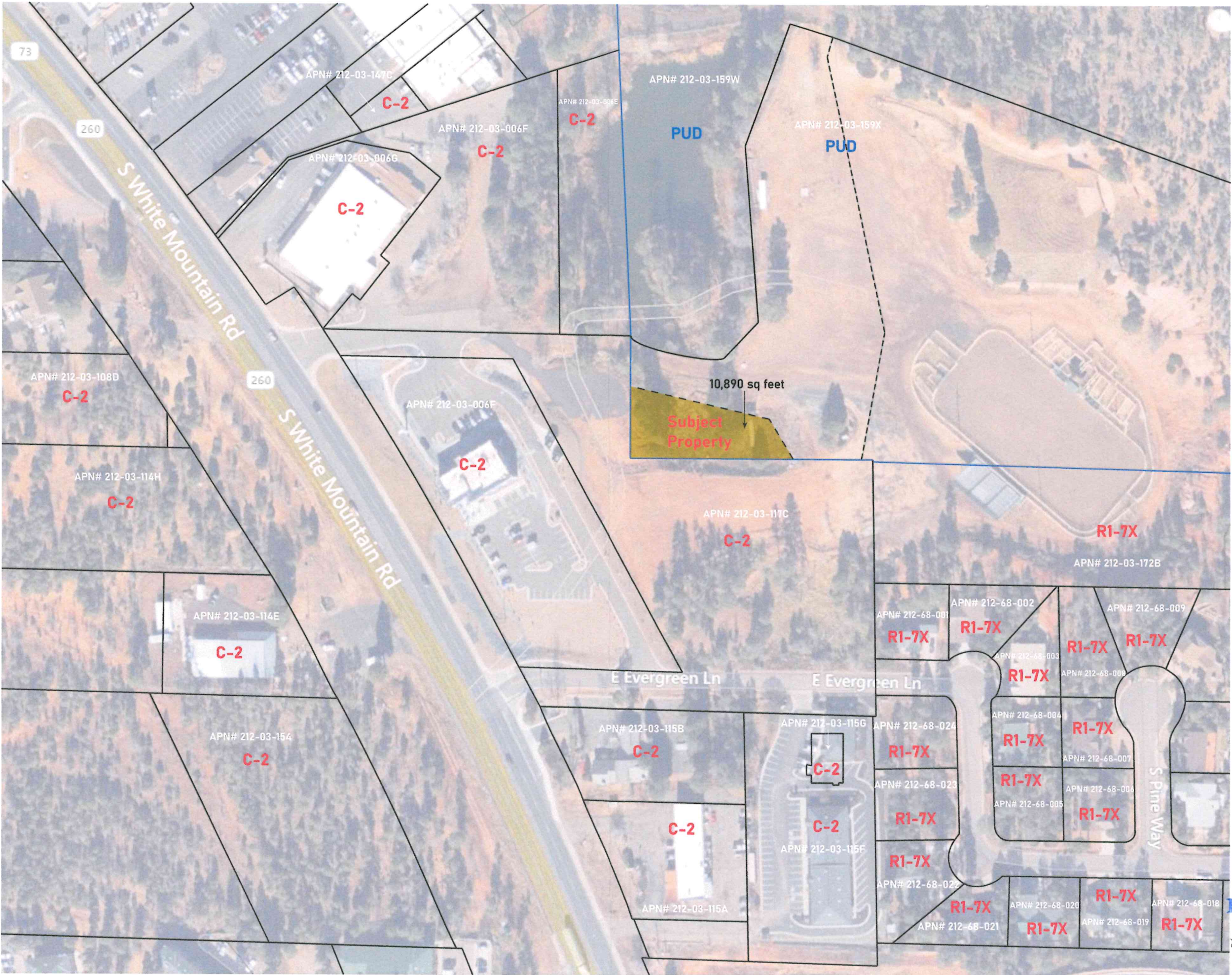
Thence South $02^{\circ}52'02''$ East, a distance of 70.00 feet to a rebar and aluminum cap, L.S. 66631;

Thence South $89^{\circ}31'43''$ East, a distance of 200.00 feet to the TRUE POINT OF BEGINNING;

Said parcel of land described herein contains 10,820 square feet, more or less.

The Basis of Bearings for this legal description is the South Line of the Northwest $\frac{1}{4}$ of said Section 4, bearing North $89^{\circ}01'41''$ West.

RESERVING, SUBJECT TO, AND TOGETHER WITH all easements of record.



RECEIVED
MAY 02 2023



AMENITIES

R.V. PARKING
 CONDOMINIUMS
 RECREATION AREA W/:
 TENNIS COURTS
 SWIMMING POOL
 PLAYGROUND
 HEALTH SPA / LOUNGE AND LAUNDRY

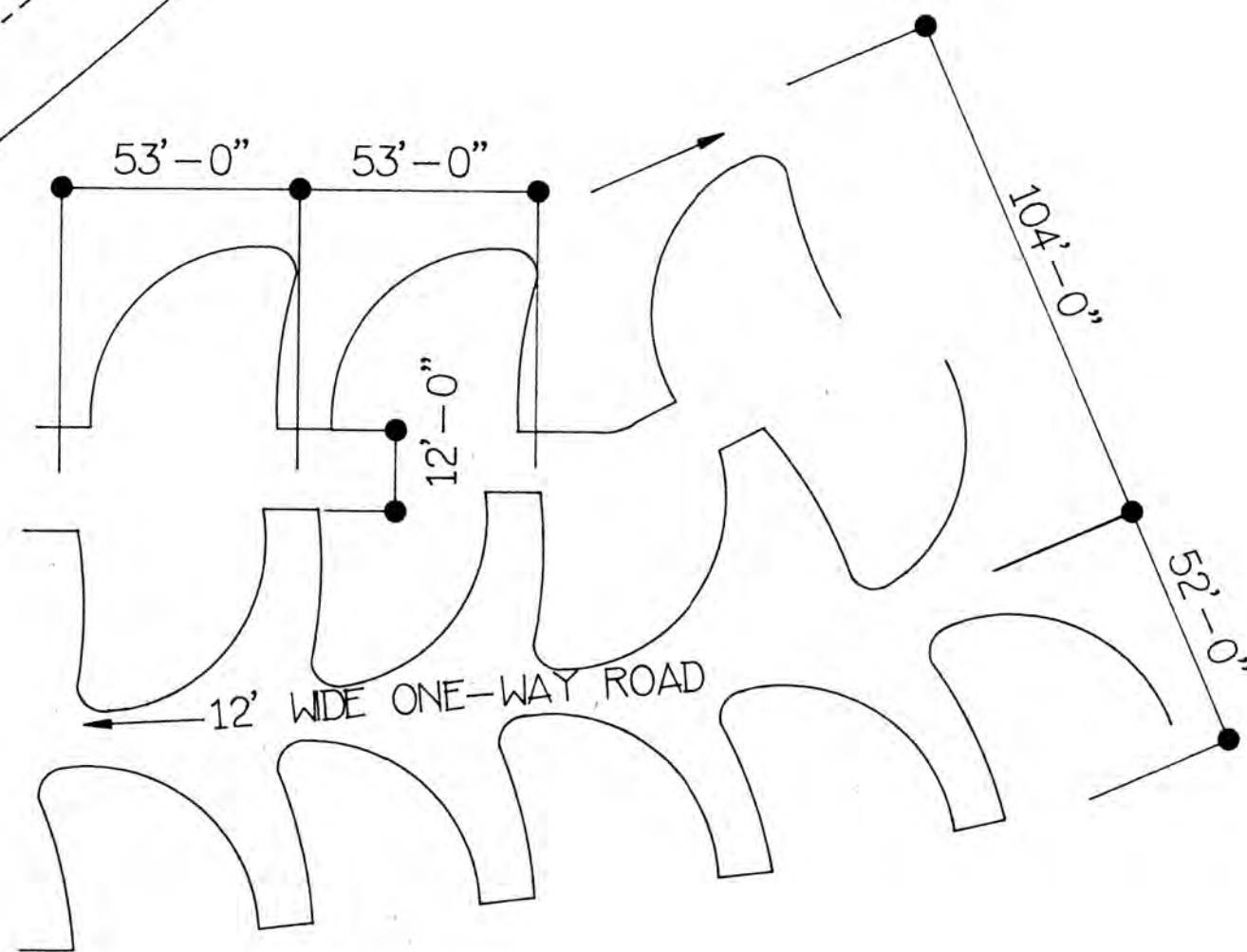
RODEO GROUNDS W/:
 STABLES
 CORRALS
 HOLDING PENS
 ARENA (150 X 300)
 GRANDSTANDS W/ SEATING FOR 4000 & RESTROOMS
 CONCESSIONS

BRIDLE PATH
 CLUBHOUSE W/:
 HORSESHOE PITS
 3 GROUP CAMPFIRE CIRCLES
 B.B.Q. AREA
 PICNIC RAMADAS
 PLAYGROUND

CLUBHOUSE FOR ADULT ACTIVITIES
 PAVILION
 FISHING PONDS
 FOOTPATHS TO SHOPPING CENTER
 FESTIVAL AREA

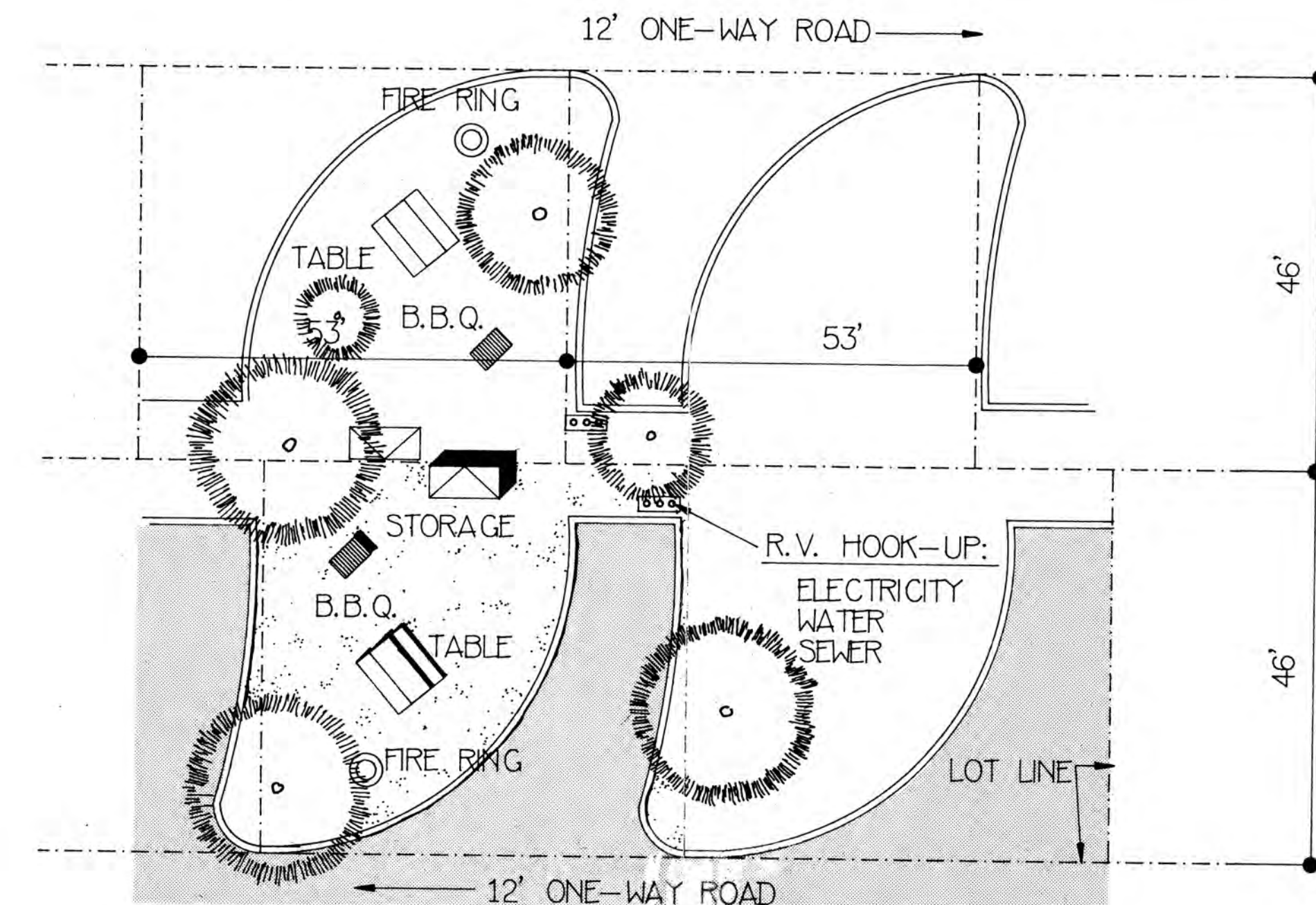
AREA ANALYSIS: NOTE: ALL AREAS ARE APPROXIMATE

TOTAL ACREAGE 167.5 ACRES
 R.V. PARK 100 ACRES (@ 13.5 UNITS PER ACRE = 1347 UNITS)
 FESTIVAL AREA 15 ACRES (INCL. PONDS)
 CONDOMINIUMS 7.8 ACRES (@ 8 UNITS PER ACRE = 62 UNITS)
 RODEO GROUNDS 10.25 ACRES
 PARKING 21 ACRES (@ 300 SQ.FT PER VEHICLE = 3024 SPACES)
 RECREATION 4.43 ACRES



TYPICAL RV CAMP ROAD

1"=40'



TYPICAL RV CAMP SITE

1"=16'



WESTBERG
 ASSOCIATES, ARCHITECTS
 402 West Roosevelt Suite A, Phoenix, Arizona 85003
 6 0 2 - 2 5 2 - 5 5 2

White Mountain
Vacation Village
 in the White Mountains of Arizona

Drawn DP
 Checked JW
 Approved
 Date 5-3-93

Revision

Sheet

A-1

of Sheets

CONCEPTUAL MASTER PLAN

1"=200'



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. Fechtelkotter 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. Fechtelkotter 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:

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 APRIL 25, 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

