

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, AUGUST 22, 2023, AT 7:00 PM 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, Commissioner Roberts, Commissioner Schnepf, Commissioner Whipple, Commissioner Hatch, Commissioner Wilson

COMMISSION MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Katie Fechtelkötter, Anna Atencio; City Attorney and Ashley Duncan

GUESTS: Connie Wegeng, 281 West Aspen Trail, Renea and Travis Issacs, 201 West Whipple Street., Caleb Hair, 922 Lazy S Drive, Dena Webster, 180 Creekwood Lane, D. Michael Yate, 3608 Rainbow Lake Drive, Jeff Bevers, 70 CR 3139, Debi Thomas, 51 Timber Ridge Loop.

3. Invocation.

Commissioner Whipple gave the invocation.

4. Pledge of Allegiance.

Commissioner Roberts led the Commission and audience in the pledge of allegiance.

5. **NEW BUSINESS:**

- A. Consideration of Conditional Use Permit 602-04-262 submitted by Maranatha Bible Church to allow for grading without a building permit on property located at 900 South Central Ave, Show Low, Arizona, that being A.P.N. 210-30-013. (Katie Fechtelkötter)

Mrs. Fechtelkötter read the staff summary report.

Maranatha Bible Church has submitted a Conditional Use Permit (CUP) to allow for grading without a building permit at 900 S. Central Avenue, that being A.P.N. 210-30-013. The subject property is zoned MH (Manufactured Homes). Grading on lots over 5,000 square feet prior to the issuance of a building permit and churches require a CUP in the MH zone.

The applicant has submitted a request to begin grading prior to obtaining a building permit. The subject property is 4.02 acres in size and the proposed development will include a 7,000 square foot church building and an

approximately 34,000 square foot parking lot with 71 spaces. The applicant has submitted a tree removal plan, which indicates that most of the trees on the subject property will remain. In addition, the applicant has indicated that an architect is currently working on the construction plans for the church and they hope to submit plans to the building department for review within the next year.

FINDINGS OF FACT

1. Maranatha Bible Church has submitted a Conditional Use Permit (CUP) to allow for grading without a building permit located at 900 South Central Avenue, that being A.P.N. 210-30-013.

2. The subject property is zoned MH (Manufactured Homes). Grading on lots over 5,000 square feet prior to the issuance of a building permit, and Churches require a CUP in the MH zone. The applicant has submitted a request to begin grading prior to obtaining a building permit. The subject property is 4.02 acres in size and the proposed development will include a 7,000 square foot church building and an approximately 34,000 square foot parking lot with 71 spaces.

3. The applicant has indicated that an architect is currently working on the construction plans for the church, and they hope to submit plans to the building department for review within the next year.

4. Current zoning of the surrounding properties include.

North: R1-7 (Single-Family Residential, 7,000 Square Feet)

South: MH (Manufactured Housing)

East: R1-15 (Single-Family Residential, Manufactured Homes Excluded, 15,000 Square Feet)

West: MH (Manufactured Housing)

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

North: Pine Haven Subdivision

South: Vacant Residential

East: Residential

West: Vacant Residential

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

Timber Mesa Fire and Medical District (TMFMD)- The future church building shall meet all applicable fire codes.

7. The property was posted, and letters were sent out to property owners within 300 feet of the subject property in accordance with City Code. At the time the staff summary report was prepared staff has not received any calls regarding the project.

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 602-04-262 submitted by Maranatha Bible Church to allow for grading without a building permit located at 900 South Central Avenue, that being A.P.N. 210-30-013 subject to the following conditions.

1. All development shall comply with all applicable federal, state, and local requirements, including but not limited to, Arizona Department of Environmental Quality (ADEQ), Arizona Pollutant Discharge Elimination System (AZPDES) requirements, and Storm Water Pollution Prevention Plan and Permit (SWPPP).
2. Hours of operation for grading shall be limited to 7:00 am to 10:00 pm.
3. Dust and smoke from grading and processing operations shall not adversely impact neighboring properties.
4. The applicant shall not negatively impact any existing easements located on the subject property.
5. A grading permit shall not be approved without a tree preservation plan, showing meaningful tree preservation of trees on the subject property.
6. An approved grading permit is required prior to commencement of grading activities.
7. All grading shall comply with the City approved drainage plan.
8. A Conditional Use Permit (CUP) for the church shall be obtained prior to the commencement of construction of the church.

Commissioner Wilson asked what the hurry is for a grading permit if the building plans are not ready until next year.

Mrs. Fechtelkötter stated she would direct that question to the applicant.

Commissioner Roberts expressed concern about the project being abandoned.

Chairman Barlow clarified that this CUP does not include the building of the church and the applicant will need a second CUP for that construction.

Mrs. Fechtelkötter confirmed that was correct.

Chairman Barlow asked that applicant to come forward.

Applicant, Steven Hair, 260 South 1st Drive answered questions.

Commissioner Wilson asked what the hurry is for a grading permit if the building plans are not ready until next year.

Mr. Hair stated that budgeting of the church only allows this project to be done in phases; grading, structure and then the interior improvement of the structure. Mr. Hair further stated that money will need to be raised for the building of the structure, which will be on going while the grading work is done.

Commissioner Hatch inquired what the time frame was for raising the funds for the currently intended grading work.

Mr. Hair stated the church was nine years old and the land was purchased 3-4 years ago and with the pandemic there was no earnest fundraising. The applicant further explained that there is no current financial plan in place currently for the remaining phase.

Commissioner Hatch stated that potentially the applicant could look at nine years to get land and nine years to build that building.

Mr. Hair stated that land inquires for purchase didn't start until 3-4 years ago which was done without fundraising.

Commissioner Roberts clarified that Mr. Hair believed that once the grading is done and people start to see the construction of the building, it will help with raising money for the project.

The applicant confirmed that was correct.

Commissioner Roberts inquired if the applicant believed it would be detrimental to the fundraising if the project got started and couldn't aggressively fundraise and the project sits without progress for long timeframes.

Mr. Hair stated that he is anxious to see the project completed and he knows that God provides the money when he is ready. He further stated that once the project gets started the phases will flow but he has no guarantee.

Commissioner Roberts again expresses concern about the possibility of this project not reaching completion due to lack of guarantees.

The applicant acknowledged the commissioners' concern.

Commissioner Schnepf asked what the total dirty work would be.

Mr. Hair stated the contractor had that information and that he believed the

civil drawings submitted reflected that information. He further stated that the intended property design was for maximum landscape development and all dirt removal would be repurposed on the site for another reason.

Commissioner Wilson asked if the applicant had confirmed this location is zoned for a church.

Mr. Hair stated that legally a church is not bound to zoning regulations, but that the property is a good area for such structures.

Commissioner Wilson asked if the current budget allowed for the start of phase two or was only enough for phase one.

The applicant stated the budget was sufficient for only phase one currently.

Chairman Barlow stated that he liked the intended use of this property. The chairman then asked what the intended time frame of completion for the grading work was.

Mr. Hair stated he expected this work to be completed between October and November 2023.

Chairman Barlow asked what besides the dirt work is intended to be done with phase one, if any.

The applicant commented that he believed the infrastructure should be done as well.

Chairman Barlow then asked Mrs. Fechelkotter if lot paving is a requirement with the grading permit.

Mrs. Fechelkotter advised paving is reviewed with the building permit application.

Chairman Barlow asked if the City Engineering department review includes culvert and drainage upgrades.

Mrs. Fechelkotter stated that was correct and she believed the grading and drainage has been submitted and is currently under review.

Commissioner Roberts requested clarification on dust and erosion control submittals being done after the building permit submittal.

Mrs. Fechelkotter stated that improvements can be made to ensure dirt control is available through the SWPPP, which is a sediment run off plan, which is a requirement.

Commissioner Roberts asked if the applicant would or wouldn't be allowed to install curbing.

Mrs. Fechelkotter said they would and the paving plan has been submitted as well.

Chairman Barlow asked if the applicant planned on paving.

Mr. Hair stated that it would be done during phase two. He further stated that the tree and hydrology reports have been submitted as required to help with drainage.

Commissioner Wilson asked if the neighboring lots were available for purchase and zoned for manufactured homes.

Mrs. Fechlekotter confirmed that was correct.

Commissioner Roberts asked if staff anticipated that this project would conflict with the RV park to the south.

Mrs. Fechelkotter said she didn't believe so.

Chairman Barlow opened to public comment.

Renee Issacs 201 West Whipple- expressed a concern about the grading being done prematurely and disagrees that the traffic will not be impacted.

Deena Webster 180 Creekwood Lane- stated she has concerns about grading being done with the funds to build the structure as well as the impact this project will have on the meadow and wildlife in the area.

Mrs. Fechelkotter explained that a CUP was required for grading due to a previously abandoned project that left an empty lot in town.

Chairman Barlow invited Mr. Hair up to respond to public comment.

Mr. Hair stated that renderings are complete and the wildlife and natural vegetation will be very minimally impacted.

Chairman Barlow turned the discussion to the Commission.

Commissioner Roberts expressed concern about the financial security and project timeline and would feel more comfortable with revisiting this application in 4-6 months.

Ms. Atencio reminded the commission there are standards for review included in the packet and any denial needs to fall within the basis of those standards. Also, if denied, the applicant has a year before resubmitting is allowed.

Chairman Barlow stated he shares Commissioner Roberts concern project completion concerns and asked staff what the landscaping requirements per city code are.

Mrs. Fechelkotter stated the lineal frontage of the developed area minus the driveway entrance times 10 is the required landscaped area. She further said that 30 percent of that formula needs to be vegetative ground cover, which is considered to be sod or artificial turf. One tree to 200 square feet landscape area and one shrub or bush to 150 square feet of landscape area.

Chairman Barlow asked if the required landscape would be placed along Central Ave.

Mrs. Fechelkotter stated that was correct.

Chairman Barlow stated that he would be interested in potentially adding a condition where the landscape requirements are accomplished with the CUP for the grading permit, due to the potential for this property to stay undeveloped for an unknown amount of time and asked what the commission and staff thoughts are on the condition.

Ms. Atencio reminded the commission that any additional conditions added must be reasonable and to keep in mind what adding landscape to an active construction site will look like.

Commissioner Whipple inquired if adding trees in advance of a building permit to the west of Central Ave. was possible and if that was the Chairman's thoughts.

Chairman Barlow confirmed that was his preference, just not necessarily near the entrance, and doesn't believe it will impact the grading work if done towards the end of the grading construction.

Commissioner Roberts asked if the applicant could address the possibility of this additional condition.

Chairman called Mr. Hair forward.

Mr. Hair agrees to the proposed additional condition of approval.

Commissioner Wilson requested confirmation that as long as this CUP meets standards for review the commission has no choice but to approve it with potentially adding conditions.

Ms. Atencio confirmed that was essentially correct.

Chairman Barlow moved to approve the motion with an additional condition of

approval that landscaping as required per city code based on the submitted site be required to be installed with the grading work on the north and south sides of the proposed entrance to the facility.

CHAIRMAN BARLOW MOVED TO APPROVE CUP 602-04-262 SUBMITTED BY MARANATHA BIBLE CHURCH TO ALLOW FOR GRADING WITHOUT A BUILDING PERMIT AT 900 SOUTH CENTRAL AVENUE, THAT BEING A.P.N. 210-30-013, SUBJECT TO STAFF RECOMMENDATIONS INCLUDING THE CONDITION OF APPROVAL THAT LANDSCAPING AS REQUIRED PER CITY CODE BASED ON THE SUBMITTED SITE PLAN BE RE REQUIRED TO BE INSTALLED WITH THE GRADING WORK ON THE NORTH AND SOUTHSIDES OF THE PROPOSED ENTRANCE TO THE FACILITY; SECONDED BY COMMISSIONER ROBERTS; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER ROBERTS, COMMISSIONER WHIPPLE, COMMISSIONER WILSON, COMMISSIONER SCHNEPF, COMMISSIONER HATCH VOTING IN FAVOR.

Mrs. Fechelkotter stated that with any CUP there is a seven day appeal period. If no appeal is received within seven days, this CUP is effective.

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.

None

7. APPROVAL OF MINUTES:

A. Planning and Zoning Commission Regular Meeting of July 25, 2023.

CHAIRMAN BARLOW MOVED TO APPROVE THE MINUTES FROM THE REGULAR PLANNING AND ZONING COMMISSION MEETING FROM JULY 25, 2023, SUBJECT TO THE FOLLOWING AMEDNMENTS: ITEM A, ADDING COMMISSIONER HATCH AS A COMMISSIONER VOTING IN FAVOR AND ITEM B, ADDING COMMISSIONER WILSON VOTING IN FAVOR ; SECONDED BY COMMISSIONER WILSON; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER ROBERTS, COMMISSIONER WHIPPLE, COMMISSIONER WILSON, COMMISSIONER SCHNEPF, COMMISSIONER HATCH VOTING IN FAVOR.

8. SUMMARY OF CURRENT EVENTS:

A. Commission Members

Commissioner Wilson stated that Meals on Wheels are now at the senior center and are always looking for donations and volunteers.

Commissioner Schnepf stated school is back in session and encouraged the community to come out to the games.

Commissioner Hatch stated it's another great day in Show Low.

Commissioner Roberts agreed with Commissioner Hatch.

Chairman Barlow thanked for all the work put into the staff summary packets and making literature easily comprehensible.

B. Planner

Mrs. Fechelkotter advised that Vice Chairman Lewis has resigned and thanked him for his service to the commission.

9. **ADJOURNMENT:**

There being no further business to be brought before the Commission, **CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING & COMMISSION MEETING OF AUGUST 22, 2023, AT 7:54 P.M.**

ATTEST:


Katie Fechelkotter, Planner

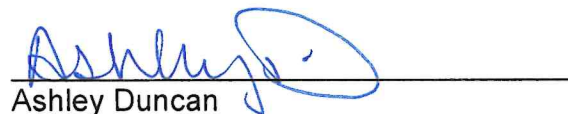
APPROVED:


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 August 22, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of September, 2023.


Ashley Duncan