

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, JULY 9, 2024, 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.

COMISSION MEMBERS PRESENT: Chairman Barlow, Vice Chairman Roberts, Commissioner Schnepf, Commissioner Wilson, Commissioner Adams, Commissioner Whipple.

COMMISSION MEMBERS ABSENT: Commissioner Hatch

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

GUESTS: Kurt Gessner and Joseph Holland

3. INVOCATION:

Commissioner Whipple gave the invocation.

4. PLEDGE OF ALLEGIANCE:

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

5. OLD BUSINESS:

- A. Public hearing and consideration of a zone change request submitted by Joseph Holland of NV Us Investments, LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for multifamily housing. (Moriah Saline)

Ms. Saline said NV Us Investments LLC submitted a request to annex A.P.N. 210-33-040C. On April 23, 2024, a public hearing for the annexation was held. On June 4, 2024, the Show Low City Council approved the annexation of the subject property.

Prior to the annexation, the parcel was zoned A-General in the county. State statute requires an annexed parcel's zoning to be the same or the closest comparable zoning, which would be AR-43 (Agricultural-Residential 43,000 square feet).

Joseph Holland of NV Us Investments LLC has submitted a request to rezone A.P.N. 210-33-040C from AR-43 to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. The applicant owns the adjacent property and desires to develop the properties concurrently. The site plan provided by the applicant includes five (5) duplex units, for a total of ten (10) units.

On June 25, 2024, a meeting was held with the Planning and Zoning Commission for the public hearing and consideration of the zone change. However, the applicant was not in attendance. City Code requires the

applicant to be in attendance. Therefore, the Commission continued the item to the next meeting.

FINDINGS OF FACT

1. Joseph Holland of NV Us Investments LLC has submitted a request to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing on the subject property. A conceptual site plan has been included which contains five (5) duplex units, for a total of ten (10) units.
2. The parcel is approximately 0.51 acres in size. The applicant has indicated that they wish to rezone the subject property to the same zoning as the adjacent parcel (210-33-040B) then combine the two parcels for joint development.
3. The annexation of A.P.N 210-33-040C into the City of Show Low was approved by the City Council at their meeting on June 4, 2024, with the passing of Ordinance No. 2024-05.
4. The applicant held a neighborhood meeting, on March 20, 2024, with property owners located within 300 feet of the subject property. No neighbors attended the meeting.
5. On June 25, 2024, a meeting was held with the Planning and Zoning Commission for the public hearing and consideration of the zone change. However, the applicant was not in attendance. City Code requires the applicant to be in attendance. Therefore, the Commission continued the item to the next meeting.
6. One neighboring property owner spoke during the Public Hearing requesting a sixteen (16) foot tall block wall between his property and the proposed project.
7. Current zoning of the surrounding properties include:
 - North: A-General (Residential)
 - South: A-General (Residential)
 - East: A-General (Residential)
 - West: C-2 (General Commercial)
8. The current land uses of the surrounding properties include:
 - North: Residential / County
 - South: Residential / County
 - East: Vacant Residential / County
 - West: Vacant Commercial / City
9. Transmittal memos were sent to all affected agencies, no applicable comments were received.
10. The property was posted, letters were sent to all the neighbors within 300 feet of the subject property and a notice was published in the newspaper in accordance with City Code. Two phone calls from area property owners requesting general information were received.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, Finding Facts, 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 approve zone change request 605-03-121 submitted by Joseph Holland of NV Us Investments LLC to rezone A.P.N. 210-33-040C from AR-43 (Agricultural-Residential, 43,000 Square Feet) to C-2 (General Commercial) to allow for the development of multi-family housing, 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.

Ms. Saline said Director Tregaskes and the applicant were available for questions.

Vice Chairman Roberts said that he looked at the proposed site plan submitted by the applicant. After visiting the property he said he would like to see the property developed as proposed on the submitted site plan. He then asked if a condition could be added that the property is to be developed in substantial conformance with the submitted site plan.

Director Tregaskes said, yes.

Commissioner Whipple asked if they are required to have a wall along the property line.

Director Tregaskes said that a six-foot solid fence is required for multi-family developments adjacent to residentially zoned property, however the Planning and Zoning Commission has the authority to allow something different.

Commissioner Whipple said that a 16 foot wall or fence seemed a little excessive.

Director Tregaskes said staff took photos of the property as he felt that would be helpful to explain the situation and said he would share those with the commission and public.

Commissioner Wilson asked if the duplexes would be built up on top of the hill.

Director Tregaskes said as explained by the applicant the buildings would be built into the hill and would be two story units.

Vice Chairman Roberts asked if the condition would also apply the property to the west of the subject property that was not part of the zone change.

Director Tregaskes said the conditions are specifically for the subject property being rezoned. However, he said if the applicant would agree to that condition it could be a condition of approval.

Commissioner Adams asked about the fence and how common is it for the Commission to change the fence requirement.

Director Tregaskes said it is not common, he recommended the commission

specify which property line they want the fence along as the east property line has an 80 foot fall, which is not practical for a fence. If they decided to go with a taller fence along north side they should indicate the height. He said that these are just recommendations to the City Council.

Vice Chairman Roberts suggested an eight or 10 foot tall fence instead of a 16 foot tall fence.

The applicant Joseph Holland of 970 S Main, Snowflake, AZ came forward.

Vice Chairman Roberts said that the commission would like to add a condition that the property be developed in substantial conformance with the submitted site plan. He said that this would also apply to the front property and asked the applicant if he would be ok with that condition.

The applicant said a portion of the middle units are on the front property and the plan is to combine the properties. He didn't have any problems with the condition. Mr. Holland said they were not planning on building a 16 foot wall along the north property line and is not sure how that would be accomplished due to the drainage and topography of the property. However they were planning a wall along the front property line to allow for the safety of families. He said that he would appreciate a concession on the fence along the east property line due to the steep terrain. He said that they do not plan to remove trees unnecessarily, they would only remove trees for a walking path and driveways, but said it was pretty minimal. He also doesn't have a problem planting additional trees.

Vice Chairman Roberts, asked how far back they plan to set back the wall along the road.

Mr. Holland said it would meet setbacks, but was not sure exactly where that would be.

Vice Chairman Roberts asked if the property to the east would be an issue for the proposed development.

The applicant said that they looked at the property to the east, but it shoes not make sense due to the topography. He said it's like looking down into a canyon.

Commissioner Wilson asked the applicant if anyone attended the neighborhood meeting and if the duplexes would be for long term rentals.

Mr. Holland said no one attended the meeting and the duplexes would be long term rentals potentially for employees of the hospital.

Commissioner Wilson asked the applicant what the setback is along the north property line that is adjacent to Mr. Gessner.

Mr. Holland said the requirement is for 15 foot setbacks, but they plan to be at least 45-50 feet setback from the north property line.

Commissioner Schnepf asked what the proposed building height would be.

Mr. Holland said that the garage is approximately nine feet tall, plus another nine feet on top of the garage. He wasn't sure if Mr. Gessner would be able to

see the roofs of the duplexes from his property.

Commissioner Whipple asked if the existing chain link fence would need to be removed.

Mr. Holland said that he did not plan to remove the fence, but would be willing to work with Mr. Gessner on a new fence if necessary.

Chairman Barlow asked what the City's minimum setback is along the north property adjacent to the residential property.

Director Tregaskes said setbacks for the R2-7 zone is one side yard of five feet and one side yard of 12 feet so, they could be as close as 5 feet to that north property line. However, the applicant has proposed a 45 to 50 foot setback along that property line.

Chairman Barlow asked if the front property was developed would a fence only be required along the north property line.

Director Tregaskes said that the front property is adjacent to commercial property so a fence is not required, in addition to the topography it would be nearly impossible to fence. He said that the fence is required on the portion of the north property line that abuts Mr. Gessner's property.

Chairman Barlow said he would prefer a landscape fence instead of a concrete wall at the front of the property due to aesthetics.

Mr. Holland said they planned to build a Verti-Crete fence that looks nice with stone as he is concerned for the safety of families.

Vice Chairman Roberts asked if the wall could be put behind some of the trees at the front of the property.

Director Tregaskes said that in the commercial zone a fence or wall would need to be setback a minimum of 10 feet back from the property line, which would accomplish that.

Mr. Holland said there are additional trees in the ADOT right of way and those trees will not be removed at all.

Vice Chairman Roberts asked the applicant if he felt a fence was necessary along the south side of the subject property.

The applicant said he isn't as worried about that portion of the property due the location and terrain.

Chairman Barlow asked the applicant if he would be open to increasing the setback along the north property line to a minimum of 20 feet instead of five.

Mr. Holland said that he did not have a problem with that as they are only planning to build five buildings with a total of 10 units and understood that if there were more than 10 units they would need to come back to the Commission or Council.

Chairman Barlow opened the item for the public hearing.

Kurt Gessner, 2851 S White Mountain Rd, Show Low, AZ said he purchased his property 35 years ago. He originally said he wanted a 16 foot solid wall, however he would be ok with a 12 foot solid wall. He was concerned about the loss of the trees on the subject property and does not want to be next to a concrete jungle. However, he is happy that the commission has recommended a 20-foot setback along his property line and the applicant is agreeable to that.

Commissioner Wilson asked Mr. Gessner where his house is located on the subject property.

Mr. Gessner said his house is located over on the left portion of his property. He said he appreciated Vice Chairman Roberts being concerned about the trees.

Vice Chairman Roberts asked if he would prefer a strip mall instead of the proposed development, he said that he would prefer the back property to remain residential. Also if he would prefer trees or a concrete wall.

Mr. Gessner said he would prefer trees over a concrete wall. He feels the trees are an asset.

Chairman Barlow closed the public hearing.

Director Tregaskes said that the applicant has committed to the condition of substantial conformance to the site plan. The applicant has proposed to leave the wash in place and put structures into the hillside and planning to preserve trees along the north side, this is aggregable to staff. Director Tregaskes said he is available for any additional questions.

Mr. Holland apologized for not having a tree survey done. He said the proposed site plan is not an accurate portrayal of what trees would be removed. He clarified that the access road on the north side is for Mr. Gessner, not for the subject property.

Commissioner Wilson said she understands Mr. Gessner's concerns she is also worried about a concrete jungle of walls. She said she feels that there should be a wall, but not as tall as Mr. Gessner is asking for.

Vice Chairman Roberts said the only constant is change, he said the property has been untouched for many years, he does not feel it is realistic for the property to never be developed. He said the applicant has requested the zone change to C-2 so it is more consistent with all the properties in the area. He feels it is in the best interest of the community to have trees in front and housing is needed. He feels the development is acceptable and attractive, he would prefer the buildings behind the trees and not out front. Since the applicant has stipulated to the substantial conformance with the submitted site plan he is happy with that.

CHAIRMAN BARLOW MOVED TO APPROVE THE ZONE CHANGE REQUEST SUBMITTED BY JOSEPH HOLLAND OF NV US INVESTMENTS, LLC TO REZONE A.P.N. 210-33-040C FROM AR-43 (AGRICULTURAL-RESIDENTIAL 43,000 SQUARE FEET) TO C-2 (GENERAL COMMERCIAL) TO ALLOW FOR MULTIFAMILY HOUSING SUBJECT TO STAFF RECOMMENDATIONS WITH THE FOLLOWING CONDITIONS 1. A FENCE IS REQUIRED ALONG THE NORTH PROPERTY LINE OF THE SUBJECT PROPERTY BEING REZONED IN CONFORMANCE WITH THE R2-7

DEVELOPMENT STANDARDS OF THE CITY ZONING ORDINANCE. 2. NO FENCE IS REQUIRED ALONG THE EAST AND SOUTH PROPERTY LINES OF THE SUBJECT PROPERTY BEING REZONED. 3. AS STIPULATED BY THE APPLICANT THE PROPERTY SHALL BE DEVELOPED IN SUBSTANTIAL CONFORMANCE WITH THE SUBMITTED SITE PLAN INCLUDING THE FRONT PROPERTY ZONED C-2 NOT SUBJECT TO THE ZONE CHANGE REQUEST. 4. AS STIPULATED BY THE APPLICANT, THE SETBACK TO THE NORTH OF THE SUBJECT PROPERTY BEING REZONED SHALL BE INCREASED TO 20 FEET. 5. A TREE PRESERVATION PLAN THAT MEETS THE REQUIREMENTS OF THE C-2 ZONING DISTRICT BE SUBMITTED WITH BUILDING PLANS AND FORWARD THIS REQUEST TO CITY COUNCIL.; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WILSON, COMMISSIONER ADAMS, COMMISSIONER WHIPPLE VOTING IN FAVOR.

Director Tregaskes said this item has been scheduled for a public hearing with the City Council at the July 16th 2024 meeting.

6. **CALL TO THE PUBLIC:**

None.

7. **APPROVAL OF MINUTES:**

A. Planning and Zoning Commission Regular Meeting of June 25, 2024.

COMMISSIONER WILSON MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING OF JUNE 25, 2025; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WILSON, VOTING IN FAVOR.

8. **SUMMARY OF CURRENT EVENTS:**

A. Commission Members

Commissioner Wilson said if people are wondering what events are going on in the City people can check out the calendars on the City of Show Low and Chamber of Commerce websites.

Commissioner Whipple had no report.

Commissioner Adams said he appreciated the hard work of the staff on the staff summary report and appreciated the pictures. He also thanked all the City employees who worked to make the 4th of July celebration a success.

Commissioner Schnepf had no report.

Vice Chairman Roberts agreed with the comments of Commissioner Adams. He also said that the Derby Down the Deuce will be on this Saturday, July 13th. He reminded the public to be kind, be careful and go slow when driving.

Chairman Barlow agreed with the Commissioner and Vice Chairman's comments.

B. Planning and Zoning Director

Director Tregaskes thanked everyone for the successful 4th of July weekend, it was estimated that there were over 7,000 people on the school property alone viewing the fireworks. He also wanted to thank the Timber Mesa Fire and Medical District for the great job on the fireworks display. Finally he said this Saturday, July 13th the Derby Down the Deuce is in the morning and the Medieval Mayhem Renaissance Faire will be taking place at Frontier Field.

9. **ADJOURNMENT:**

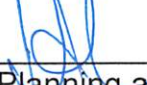
There being no further business to be brought before the Commission, **CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING & ZONING COMMISSION MEETING OF JULY 9, 2024, AT 8:30 P.M.**

ATTEST:



Zach Barlow, Chairman

APPROVED:



Planning and Zoning Director

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 July 9, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of October, 2024.



Katie Fechtelkotter