

SHOW LOW PLANNING AND ZONING COMMISSION
REGULAR MEETING - TUESDAY, FEBRUARY 25, 2025

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 City Council will be held on Tuesday, February 25, 2025, 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 zone change request 605-03-124 submitted by White Mountain Bible Church to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) to C-2 (General Commercial) located at 3171 South Show Low Lake Road, Show Low Arizona, more particularly described as a portion of A.P.N. 212-07-005C.
 - B. Consideration of Conditional Use Permit (CUP) 602-04-270 submitted by Saint Anthony Catholic School to allow for the expansion of their existing private school located at 1283 East Owens, that being A.P.N. 210-21-019A.
 - C. Consideration of Conditional Use Permit (CUP) 602-04-271 submitted by Cody Lawyer to allow for Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 West Deuce of Clubs that being A.P.N. 210-09-032A.
6. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.
7. **APPROVAL OF MINUTES:**

A. Planning and Zoning Commission Regular Meeting of January 14, 2025.

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 and 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 and Zoning Commission meeting, 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 and 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.

Council Chambers will open at least ten minutes prior to the meeting to allow public access to the room. Council Chambers has a maximum occupancy of 139 people.

Moriah Saline

I, Moriah Saline, do hereby certify that the foregoing notice was posted on Friday, February 21, 2025.

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Public Hearing and Consideration of zone change request 605-03-124 submitted by White Mountain Bible Church to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) to C-2 (General Commercial) located at 3171 South Show Low Lake Road, Show Low Arizona, more particularly described as a portion of A.P.N. 212-07-005C. (Moriah Saline)

RECOMMENDATION

I **MOVE** to recommend approval of zone change request 605-03-124 submitted by White Mountain Bible Church to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) to C-2 (General Commercial) located at 3171 South Show Low Lake Road, Show Low Arizona, more particularly described as a portion of A.P.N. 212-07-005C subject to staff recommendations and forward this recommendation to the City Council.

BACKGROUND

White Mountain Bible Church has submitted a zone change request for property located at 3171 South Show Low Lake Road, more particularly described as a portion of A.P.N. 212-07-005C to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) zone to C-2 (General Commercial).

According to the Navajo County Records, the property in question spans roughly 6.5 acres and was combined with parcel numbers 212-07-005B, 007B, and 007C in October 2019 to form parcel number 212-07-005C.

White Mountain Bible Church seeks to rezone the subject property to C-2 (General Commercial) in order to allow a church and church facilities as a permitted use. A proposal has been made for a new building covering 19,500 square feet that will offer extra classrooms and a chapel with additional required parking. This property was rezoned from AR-43 (Agricultural-Residential 43,000 square feet) to R2- 7 (Single Family and Multi-Family Residential, 7,000 square feet) in March of 2007 through ordinance number 2007-10 to allow for 70 condominiums on the subject property.

The applicant received written statements from the adjacent owners who had no objection to the rezone.

Additionally, a conceptual layout of the lot and building plans has been supplied by the applicant and is included in the review packet.

ATTACHMENTS

1. Findings of Facts
2. Application

FISCAL IMPACT

N/A

FINDINGS OF FACT

1. White Mountain Bible Church has submitted a zone change request for property located at 3171 Show Low Lake Road, more particularly described as a portion of A.P.N. 212-07-005C to change the current R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) zone to C-2 (General Commercial).
2. The property in question spans roughly 6.5 acres and was merged with parcel 212-07-005B, 007B, and 007C in October 2019 to form parcel number 212-07-005C according to the Navajo County Records.
3. White Mountain Bible Church seeks to rezone to C-2 (General Commercial) in order to allow a church and church facilities as a permitted use.
4. A proposal has been made for a new building covering 19,500 square feet that will offer extra classrooms and a chapel with additional required parking.
5. This property was rezoned from AR-43 (Agricultural-Residential 43,000 square feet) to R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) in March of 2007 through ordinance number 2007-10 to allow for 70 condominiums on the subject property.
6. Conceptual plans have been supplied by the applicant and are included in the review packet.
7. Current zoning of the surrounding properties include.

North:	C-2 (General Commercial)
South:	A-General (County)
East:	AR-43 (Agricultural Residential 43,000 square feet)
West:	C-2 (General Commercial)
8. The current land uses of the surrounding properties include.

North:	White Mountain Bible Church
South:	Ponderosa Shadows
East:	Show Low Lake
West:	Vacant General Commercial
9. Transmittal memos were sent to all affected agencies. No applicable comments were received.
10. The applicant received written statements from the adjacent owners who had no objection to the rezone.
11. Staff mailed letters to all property owners within 300 feet of the property, posted the property and published public notice in the newspaper in accordance with applicable requirements.

No comments regarding this request have been received since the mailing of these letters and the posting of the property.

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 approved zone change request 605-03-124 submitted by White Mountain Bible Church to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) to C-2 (General Commercial) on property located at 3171 Show Low Lake Road, Show Low Arizona, more particularly described as a portion of A.P.N. 212-07-005C, and forward this recommendation to the City Council subject to the following conditions:

1. All development shall comply with all applicable federal, state, and local requirements.

STANDARDS FOR REVIEW

Project: Public Hearing and Consideration of zone change request 605-03-124 submitted by White Mountain Bible Church to change the current zoning of the subject property from R2-7 (Single Family and Multi-Family Residential, 7,000 square feet) to C-2 (General Commercial) located at 3171 S. Show Low Lake Road, Show Low Arizona, more particularly described as a portion of A.P.N. 212-07-005C.

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.

Zoning Ordinance

Chapter 19.15 ZONING AMENDMENTS – PLAN REVIEW

19.15.010 Purpose.

The purpose of this chapter is to detail the requirements under which the planning and zoning director shall evaluate conformity of proposed development with the intent and provisions of this title and all other city ordinances. The provisions of this chapter shall apply to the permitted and

conditional uses as specified for each zoning district. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(A))

19.15.020 Site plan required.

Except as exempted by the provisions of Section [19.15.030](#), a site plan shall be required prior to the establishment of any building, structure, or use constructed or to be constructed, or change in use on any site in any district within the city. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(B))

19.15.030 Exceptions.

Developments meeting the following criteria shall be exempt from the requirements to submit a development site plan. All development shall meet requirements contained within the building permit:

- (A) Single-family residences and accessory buildings constructed in areas zoned as residential or manufactured home, including previously approved subdivisions.
- (B) Modifications to an existing structure or similarity in the change of uses as determined by the director. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(C))

19.15.040 Site plan and support documents.

A request for site plan review shall be filed with and on a form prescribed by the director. Four (4) identical copies of the plan shall accompany the request for review. Each copy shall be on one (1) or more sheets of paper measuring not less than eleven (11) inches by seventeen (17) inches, drawn to a scale not smaller than forty (40) feet to the inch. Large scale projects shall be submitted on paper measuring not less than twenty-four (24) inches by thirty-six (36) inches.

- (A) Location sketch with adjacent zoning and land uses;
- (B) Lot dimensions;
- (C) Location, size, height, use and exterior materials of both existing and proposed buildings and structures, including distances from all structures to all property boundaries;
- (D) Size and dimensions of yards and space between buildings;
- (E) Parking and circulation areas;
- (F) Location, height, and composition of walls and fences;
- (G) The location, dimensions, area, materials and lighting of signs;
- (H) Exterior lighting, if any, and the type of lighting, height and areas of illumination;
- (I) Percentage of the site covered by impervious surfaces, both existing and proposed;

- (J) Percentage of the site covered by any and all structures, both existing and proposed;
- (K) Street dedications and improvements;
- (L) Right-of-way dimensions of all abutting streets, whether public or private, and access to the site;
- (M) Locations, dimensions and description of all existing or proposed easements;
- (N) Existing and proposed grades and drainage systems;
- (O) The size and location of all existing and proposed public and private utilities;
- (P) Natural features, such as mesas, rock outcroppings, or streams and man-made features such as existing roads and structures, with indication as to which are to be retained and which are to be removed or altered;
- (Q) A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer;
- (R) The future land use designation for the site;
- (S) Service areas for uses such as loading areas and refuse disposal;
- (T) The location(s) of the nearest fire hydrant(s);
- (U) Building drawings, including floor plans and elevations of all principal and accessory buildings, may be provided, if available. Include facade and fascia treatments if applicable;
- (V) Abutting land uses;
- (W) *Landscape Plan*. For larger projects, the director may require a separate submittal of this plan drawn to scale, indicating the following information:
 - (1) All walks or paths, vehicular drives, parking lots, building entrances, free-standing light fixtures, service or loading areas, signs and locations, open spaces, plazas and recreation amenities with general construction materials noted;
 - (2) All slopes within the site are to be called out (i.e., 2:1, 3:1, 4:1, etc.). Specify if site consists entirely of slopes that are less than 50:1. All depressed and mounded areas shall be identified with general contour lines and/or proposed elevations. Note any area to be used for detention;
 - (3) A legend shall be included which shows symbols on plan, quantity, type of plant, minimum purchase size and any necessary comments such as ground cover spacing or necessary guying and staking. The legend shall also reflect square footage of each type of ground treatment (i.e., bluegrass, cobble, alternative grass mix, bark chips, etc.);

- (X) *Parking Plan*. A parking plan, drawn to scale, shall be submitted. The director may require a separate submittal for this plan based on the scale of the project, which shall include elements as required by Chapter [19.105](#);
- (Y) Letters from affected utilities shall be submitted with the site plan indicating ability to service the subject property;
- (Z) *Traffic Control Devices and Street Lighting*.
- (1) If the director determines that a proposed development may significantly impact existing traffic patterns, a traffic study may be required. This study shall be conducted by a registered traffic engineer. The city, at the option of the council, may enter into an agreement with the developer and/or potential third party to provide funds for a proportional share of improvement costs necessary to maintain a satisfactory level of service;
 - (2) For all public streets adjacent to the site, the developer shall be responsible for providing any additional streetlights required to ensure an adequate level of lighting as determined by city staff;
- (AA) *Development Schedule*.
- (1) In conjunction with the submitted site plan and supporting documents, the developer shall submit a development schedule indicating, to the best of the developer's knowledge, the timeline for all improvements to be in place, including utilities, roadways, drainage and landscaping.
 - (2) For any development proposed to be constructed in phases, the developer shall submit a master plan for the entire project which must be approved by the director before any phase of the project can be approved or constructed;
- (BB) The director may follow Section [19.80.070\(D\)\(16\)](#) when, in his/her opinion, project scope and/or size does not merit all of the above requirements;
- (CC) *Diminution of Fair Market Value Waiver Required*. An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § [12-1134](#) arising out of the subject application shall be submitted. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(D))

19.15.050 Review procedures.

- (A) A pre-application conference with the director is required for all multifamily projects. All commercial and industrial projects consisting of more than three thousand (3,000) square feet also require a pre-application conference. A pre-application conference is suggested for all other projects.

- (B) The director shall have fifteen (15) working days from the date of the submission of the plan application to review said plan and approve, conditionally approve, or reject said plan based on its compliance with all provisions of this chapter, all other ordinances, and master plans of the city, and to notify the applicant of his/her decision in writing. If, however, the director wishes to obtain the opinion of the planning and zoning commission, he/she may, at his/her discretion, forward the plan to the commission for action at their next regular meeting and shall notify the applicant of such meeting. In such case, the director must render his/her decision within five (5) days after commission action. In the event of denial, the decision shall set forth in detail the reasons for denial or, in the event of conditional approval, the changes or additions which are necessary to make said plans acceptable.
- (C) All copies of the approved plan, with any conditions shown thereon or attached thereto, shall be dated and signed by the director or his/her designee. One (1) copy of said approved plan and conditions shall be provided to the applicant, and one (1) copy shall be filed with the building inspector. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(E))

19.15.060 Appeals.

Any applicant for plan approval who is dissatisfied or aggrieved by the decision of the director may appeal such decision in accordance with Chapter [19.135](#). (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(F))

19.15.070 Expiration of plan approval.

- (A) Site plan approval automatically becomes void after twelve (12) months from date of approval if a building permit has not been issued.
- (B) The director may grant an extension, when justified, of up to a maximum of six (6) months if the applicant files for said extension prior to the approval becoming void. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(G))

19.15.080 Violation and enforcement.

- (A) Prior to the issuance of a building permit, the building department shall ascertain that the director has approved plans which are in conformance to those presented with the building permit application and that the time limitations imposed by this section have not elapsed.
- (B) The building department shall ensure that all matters are undertaken according to the conditions of the approved plan. In the event of a violation, the director shall notify the permittee that he/she is in violation of the conditions of the approved plan. If the violation is not rectified, or rectification has not substantially begun in the opinion of the director within thirty (30) days after notification, the building permit shall be suspended and a stop work notice shall be in effect until the problem is resolved. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-33(H))

**R2-7 ZONE – SINGLE-FAMILY AND MULTIPLE-FAMILY RESIDENTIAL (7,000
SQUARE FEET)**

19.55.010 Purpose.

This district is intended to promote and preserve medium density single-family and multiple-family residential development. Regulations and property development standards are designed to protect the residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual homes and multiple-family dwellings, together with required recreational, religious and educational facilities. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(A))

19.55.020 Permitted uses.

- (A) Single-family dwellings.
- (B) Multiple-family dwellings.
- (C) Customary accessory uses and buildings, provided such uses are incidental to the principal use.
- (D) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- (E) Publicly owned and operated schools, parks and recreation areas and centers.
- (F) Home occupations.
- (G) Manufactured housing not less than twenty (20) feet wide, with axles and tongues removed, placed on a permanent foundation and anchored according to applicable codes.
- (H) Group home for the handicapped. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-56(B))

19.55.030 Conditional uses.

- (A) Churches and similar places of worship.
- (B) Private schools.
- (C) Public utility buildings, structures, or appurtenances thereto for public service use.
- (D) Temporary home and land sales offices provided they are located within the same subdivision as the land and homes that are offered for sale.
- (E) Medical and dental clinics and offices.
- (F) Nursery schools and day care centers.
- (G) Bed and breakfast.
- (H) Golf courses and associated facilities but not including miniature golf or commercial driving ranges.
- (I) Public and quasi-public facilities which provide essential services including hospitals, police and fire stations and substations and cemeteries.
- (J) Fraternal and social facilities, meeting halls and similar uses; no alcoholic beverages.
- (K) All multifamily uses not specifically addressed in Sections [19.55.040](#) and [19.55.050](#). (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-56(C))

19.55.040 Apartments, condominiums, etc. – Property development standards.

Apartments, condominiums, townhouses, or other similar type developments in which no real property other than the footprint of each unit is individually owned, or is under common ownership.

- (A) *Minimum Lot Area.* Seven thousand (7,000) square feet.
- (B) *Minimum Lot Area per Dwelling Unit.*

Area of Lot (square feet)	Minimum Lot Average per Dwelling Unit (square feet)
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7,000 to 10,500	3,500
10,501 to 15,000	3,000
15,001 and over	2,500

(C) *Minimum Average Lot Width.* Sixty (60) feet.

(D) *Minimum Lot Frontage.* Thirty (30) feet.

(E) *Maximum Lot Coverage.* Forty (40) percent.

(F) *Minimum Front Yard.* Twenty (20) feet.

(G) *Minimum Side Yard.* One (1) side yard of five (5) feet and one (1) side yard of twelve (12) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet. Subdivisions that received final plat approval prior to January 7, 2003, may utilize side yard setbacks of either five (5) feet and twelve (12) feet or eight (8) feet and eight (8) feet except where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet.

(H) *Minimum Rear Yard.* Fifteen (15) feet.

(I) *Maximum Building Height.* Not to exceed thirty-five (35) feet.

(J) Except where the two (2) zones are separated by a city street, where a multifamily development of three (3) units or more adjoins a single-family residential zone, the development shall be screened from the single-family 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.

(K) *Recreation Area.*

(1) Five hundred (500) square feet of usable open space shall be provided for each dwelling unit. "Usable open space" shall mean space that can be enjoyed by people. This could include landscaped plazas, grass and trees, fountains, sitting

areas, etc., which is meant to provide an open garden atmosphere. Usable open space does not include any required yards less than ten (10) feet in width, parking areas, vacant or undeveloped lots or any other space which does not contribute to the quality of the environment.

(2) Where a centralized recreation area is provided, the usable open space may be reduced up to two hundred fifty (250) square feet per dwelling unit at the following ratio: For each square foot of recreational area, open space requirements may be reduced by three (3) square feet. Recreational areas may include community use facilities, indoor recreational areas, swimming pools, hobby shops, etc. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(D))

19.55.050 Twin homes, townhouses, etc. – Property development standards.

Twin homes, townhouses, or other similar type developments in which real property other than the footprint of each unit is individually owned.

(A) *Minimum Total Lot Area (Prior to Development)*. Seven thousand (7,000) square feet.

(B) *Minimum Lot Area (Each Unit)*. Thirty-five hundred (3,500) square feet.

(C) *Minimum Average Lot Width (Prior to Development)*. Sixty (60) feet.

(D) *Minimum Average Lot Width (Each Unit)*. Thirty (30) feet.

(E) *Minimum Total Lot Frontage (Prior to Development)*. Thirty (30) feet.

(F) *Minimum Lot Frontage (Each Unit)*. Fifteen (15) feet.

(G) *Maximum Lot Coverage (Each Unit)*. Forty (40) percent.

(H) *Minimum Front Yard*. Twenty (20) feet.

(I) *Minimum Side Yard*. Eight (8) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet. Side yards of zero (0) feet for structures utilizing a common wall may be allowed; provided, that all other property development standards, including required street side setbacks, are met.

(J) *Minimum Rear Yard.* Fifteen (15) feet.

(K) *Maximum Building Height.* Not to exceed thirty-five (35) feet.

(L) Except where the two (2) zones are separated by a city street, where a multifamily development of three (3) units or more adjoins a single-family residential zone, the development shall be screened from the single-family 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. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(E))

19.55.060 General provisions.

The provisions of Chapter [19.25](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(F))

19.55.070 Signs.

The provisions of Chapter [19.100](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(G))

19.55.080 Parking and loading.

The provisions of Chapter [19.105](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(H))

19.55.090 Plan review.

The provisions of Chapter [19.15](#) shall apply to all uses. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-56(I))

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;

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;

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;
Contractors' offices;
Cosmetics, retail sales;
Costume rental;
Crockery, retail sales;
Dairies, retail sales of products;
Dental laboratories;
Dental supplies;
Department stores;
Diaper supply services;
Drive through restaurant not adjacent to residentially zoned property;
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;
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;
Linen supply, laundry services;
Locksmith shops;
Martial arts studios;
Medical supplies, retail sales and rental;
Mortuaries;
Motion picture equipment, retail sales and display;
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;
Public transportation depot;
Radio and television studios;
Record retention center;
Restaurants, beer and wine only;
Restaurant equipment, retail sales;
Safes, repair and sales;
Saw sharpening shops;
School equipment and supplies, retail and wholesale;
Secondhand goods which do not accept donations;
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. Includes a single, site-built residence attached to a business for use as a caretakers residence. (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; Ord. No. 2024-06, § 1, 6-4-24. 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;
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 adjacent to residentially zoned property;
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;
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 other than beer or wine;
Secondhand goods which accept donations;
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; Ord. No. 2024-06, § 1, 6-4-24. 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 Street Side Setback.* 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; Ord. No. 2024-06, § 1, 6-4-24. 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:
A.P.N 212-07-005C



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: 10-8-24
Time received: 1143 AM/PM
Received by: AL

Owner Information

Name: White Mountain Bible Church
Address: 3171 Show Low Lake Rd
Street Address
Show Low AZ. 85901
City State ZIP Code
Phone: 928-537-3052 Email RICKWFERNAU@GMAIL.COM
928-521-0171 ← APPLICANT →

Applicant Information (If different)

Name: RICK FERNAU
Address: 5049 HIGH DRIVE
Street Address
LAKE SIDE AZ 85929
City State ZIP Code
Phone: 928-521-0171 Email RICKWFERNAU@GMAIL.COM

Property Information

Address of Property: 3171 Show Low Lake Rd
Legal Description of Property: APN 212-07-005C* See Attached
* PROPOSED RLD LOCATION IS LOCATED
ON WHAT OR IS KNOWN AS 212-07-005A
Parcel Number: 212-07-005A Current Zoning Classification: R27
What is the Nature of the Request? ZONE CHANGE REQUEST
R2-7 to C2

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

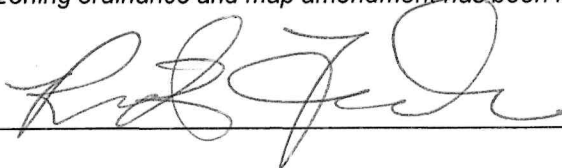
PLEASE NOTE: In accordance with City Code, Title 19.10.100(2) (h) and (i), you or your authorized representative must be present at all Planning and Zoning and/or City Council hearings or public meetings regarding this application. Below please list any person(s) authorized to represent you during this application process. Representations made during those meetings or hearings and designated in the record shall be deemed conditions of approval.

RICK FERNAN - WMBC Board Chairman
JEFF ARNEY - WMBC BOARD
WAYNE BURDETT - WMBC BOARD
STEVE GARRETT - WMBC BOARD

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:

8 OCT-2024

Signature of
Owner(s):

Date:

Signature of
Applicant:

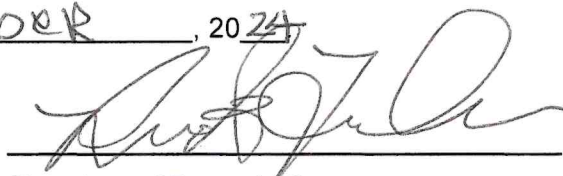
Date:

Waiver of Claims Under Arizona Revised Statutes § 12-1134

I, Rick FERNANDEZ, the owner of the property described as A.P.N. 217-07-005A

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 8 day of October, 2024

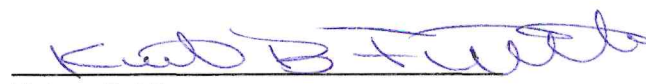


Signature of Property Owner
chairman of the board

STATE OF ARIZONA)
) ss.

County of Navajo)

SUBSCRIBED AND SWORN before me this 8th day of oct, 2024,
by Rick Fernandez.
Name of Signer



Notary Public

[Notary Seal]



Legal Description

Section 9,T9N,R22E: Nw4 Se4 Ne4 Ne4; Also:Se4 Sw4 Ne4 Ne4; Sw4 Se4 Ne4 Ne4; S 190' Of Se4 Se4 Ne4 Ne4...Also: Sec 9, T9N, R22E:Parcel B, Per Survey 2012-531...Also: Section 9, T9N, R22E: Comm Ne Cor Sec 9; Th S0°25'29"W 327.92'; Th S0°26'22"W 738.38' Tpob; Th Cont S0°26'22"W 59.73'; Th N89°51'00"W 330.08'; Th N0°07'43"E 140.50'; Th N89°33'17"E 111.75'; Th Alng Crv R=125.00' L=92.16'; Th Se'Ly Alng Row R=530.00' L=178.35' Tpob; Combo 212-07-005A,005B,007B & 007D For "2020" Roll

Moriah Saline

From: Rick Fernau <rickwfernau@gmail.com>
Sent: Wednesday, January 22, 2025 9:08 AM
To: Moriah Saline; Justen Tregaskes
Subject: Re: WM Bible Church Rezone
Attachments: WMBC Site Plan Work Copy 4 13X19.jpg

EXTERNAL EMAIL: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Moriah & Justin;

The Project Narrative is We desire to build a new sanctuary on the property to the south of our existing building. We are at capacity during the Summer, requiring us to shift our services into our family center (preventing us from having indoor sports activities). Now in the Winter months, we see the need for additional worship space.

Existing Conditions are undeveloped land, with Ponderosa and Juniper scrub growth. An existing 6 inch Water line exists thru the property as shown on the site plan (attached) with a functional Fire hydrant. **(Tested 8-13-24 1243 gpm @ 68 psi)** In addition, a parallel trench approx 7 feet deep and immediately south runs along this water line which will provide for a gravity sewer to the new building.

The Building will be built in phases starting with clearing the proposed site, constructing either a block structure, or a steel building with stucco or concrete siding. The interior would be built out after the shell is completed which would include an operational fire sprinkler system. Each phase would be preceded by building permits from the City of Show Low.

This project Aligns with the Show Low General Plan. Adequate parking and drainage will be provided, and the building will be an attractive addition to the area. As growth continues in our area, we desire to partner with the City to facilitate the development of athletic and sports facilities that can be shared by residents of the area.

Letters were sent to adjacent property owners with the address provided by the City of Show Low Planning Department. (copies you have on file) The Menhennet property mentioned in your email is already zoned C-2, and their lack of response would normally indicate their lack of concern, or approval of the re-zone.

A Zoom "neighborhood" meeting with the Ponderosa Airstream Park Board was conducted on October 30th 2024, answering their questions. Their letter of approval was sent to you December 31st but apparently not placed in the city's file. I emailed a copy to you on 21 January which you now have in your file.

We are currently soliciting estimates for this project, and will have Architectural Building plans drawn based upon the input we receive from our members & contractors.

I look forward to meeting with the Planning and Zoning Commission in the very near future.

Please do not hesitate to call and or contact me if you have any questions.

Respectfully,

Rick Fernau
Chairman - Building committee
White Mountain Bible Church

On Tue, Jan 21, 2025 at 3:32 PM Moriah Saline <msaline@showlowaz.gov> wrote:

Good afternoon,

I was reviewing your application again. It seems that there are two key components that are lacking: a project narrative and a letter or statement from the owners of the Menhennet property.

The project narrative should encompass a description of the project, an overview of existing conditions and the reasons for carrying out this project, your proposed plan for execution, as well as an explanation of how it aligns with our General Plan and Development Plan.

Upon receiving these items, your application will be considered complete.

Respectfully,



Moriah Saline

Community Development Specialist

City of Show Low

180 N 9th Street

Show Low, AZ 85901

(928) 532-4040

showlowaz.gov

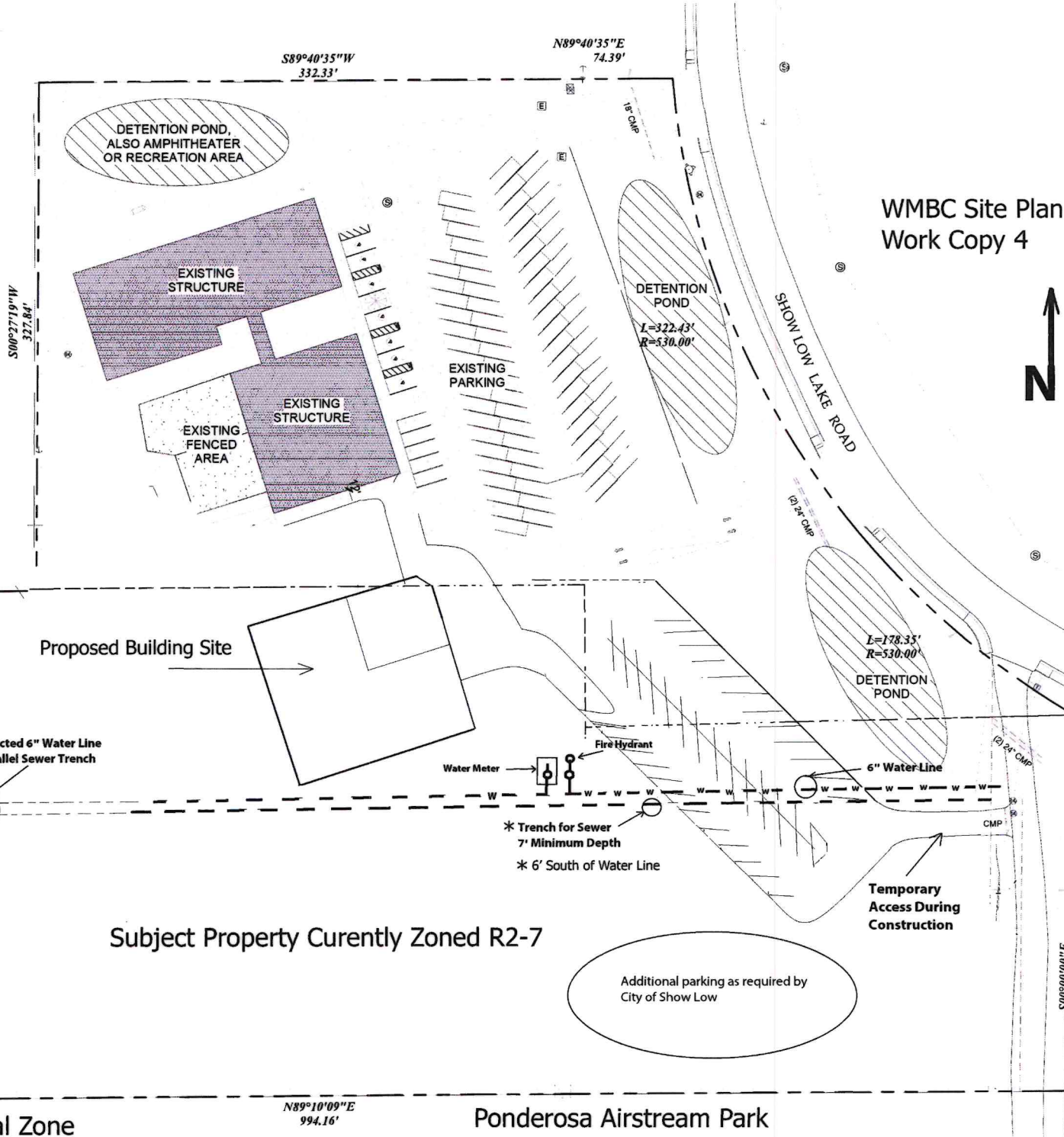
Disclaimer: All messages created in this system are the property of the City of Show Low, Arizona, and should be considered a public record subject to disclosure under the Arizona public records law (A.R.S. §39-121).

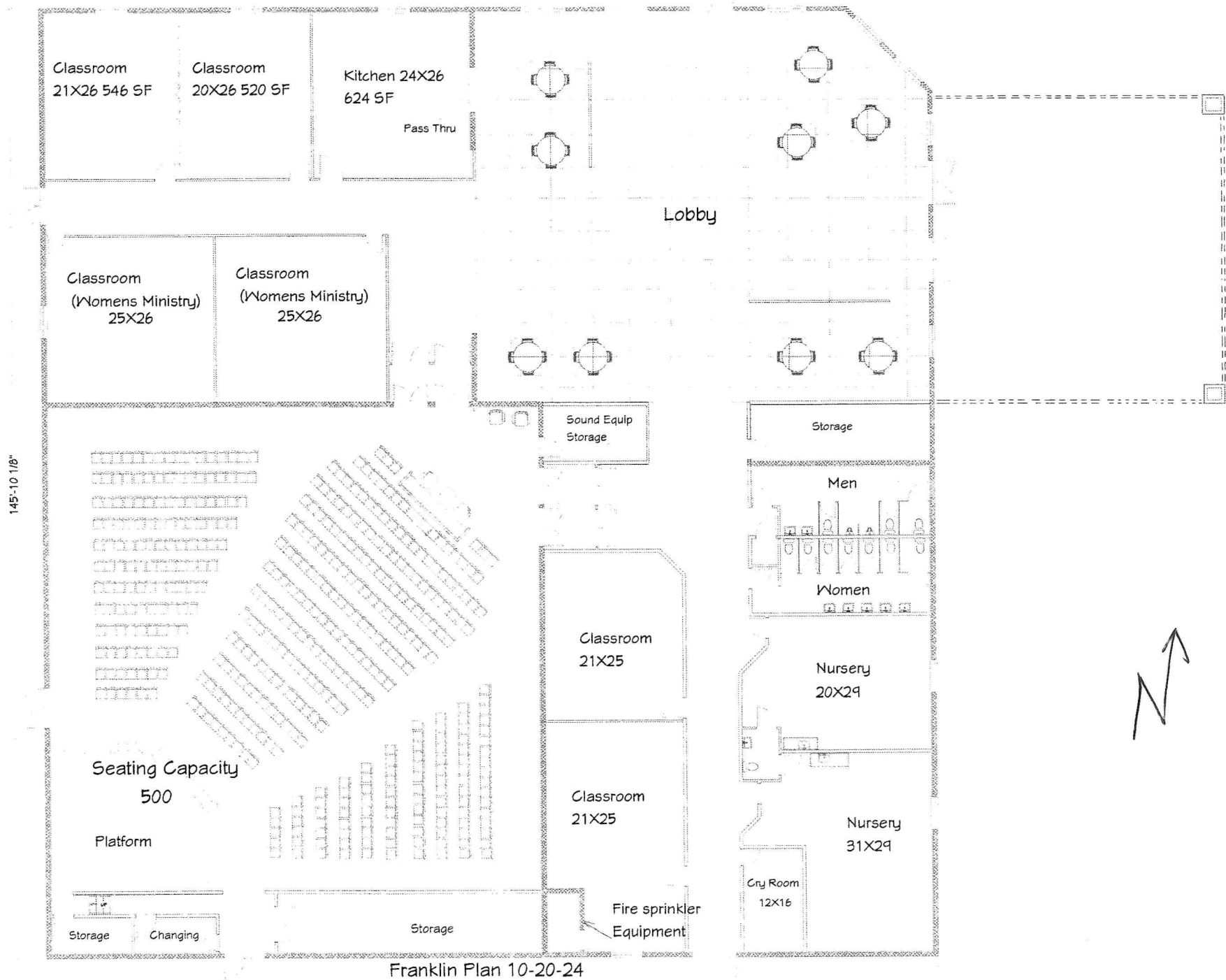
To ensure compliance with the Open Meeting Law, the Council and/or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the City of Show Low. Council members or Board/Commission members may reply to this message, but they should not "reply all" or otherwise send a copy of the reply to other Council or Board/Commission members.



Menhennet Property

C-2 Zone





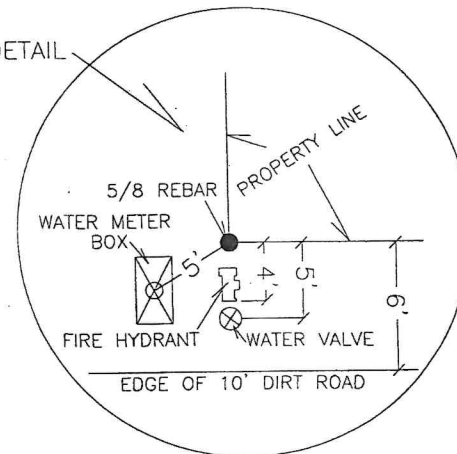
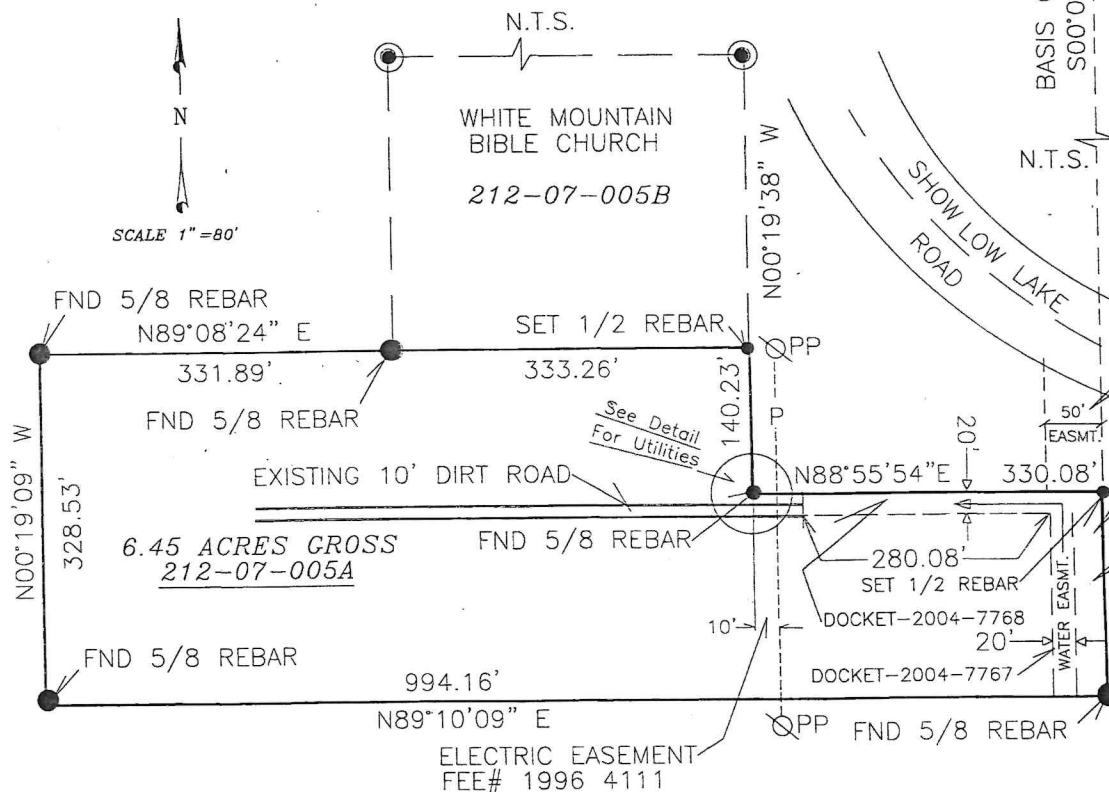
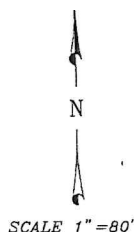
Franklin Plan 10-20-24
 Classroom & Common Areas 19,500 SF

AMENDED

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY

SHEET 2 OF 2

(212-03)



EASEMENT FOR INGRESS EGRESS, DOCKET 455, PAGE 644. OFFICIAL RECORDS NAVAJO COUNTY AZ.

EASEMENT FOR INGRESS EGRESS, DOCKET 455, PAGE 646. OFFICIAL RECORDS NAVAJO COUNTY AZ.

EASEMENT FOR INGRESS EGRESS, DOCKET 535, PAGE 7. OFFICIAL RECORDS NAVAJO COUNTY AZ.

LEGEND:
PP = POWER POLE
● = FND. 5/8" REBAR
○ = FND 1/2" REBAR
● = SET 1/2" REBAR
N.T.S.= NOT TO SCALE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT STAKING WAS PERFORMED UNDER MY SUPERVISION AND THE "RECORD DRAWING" BEARINGS AND DIMENSIONS SHOWN ON THE PLANS ARE CORRECT WHEN APPLICABLE. ALSO, THAT THE SURVEY MONUMENTS HAVE BEEN SET.

Tom Stewart
REGISTERED LAND SURVEYOR

MARCH 13, 2007
DATE



PREPARED FOR: PAUL STARK
ENCLAVE FORMERLY
RETREAT AT SHOWLOW

SCALE: 1"=80'	PROPERTY: A PORTION OF SECTION 9 T 9 N, R 22 E	DRAWN BY: ED
DATE: 11/24/06	REVISD DATE: 03/13/07	
PREPARED BY: STEWART LAND SURVEYING 501 S. CLARK RD. SUITE 7 SHOW LOW, AZ 85901		
PHONE #: (928) 537-2273		DRAWING NUMBER 061013A

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Conditional Use Permit (CUP) 602-04-270 submitted by Saint Anthony Catholic School to allow for the expansion of their existing private school located at 1283 East Owens, that being A.P.N. 210-21-019A. (Moriah Saline)

RECOMMENDATION

I **MOVE** to approve CUP 602-04-270 submitted by Saint Anthony Catholic School to allow the expansion of their private school located at 1283 East Owens, that being A.P.N. 210-21-019A subject to staff recommendations.

BACKGROUND

During its scheduled meeting on May 26, 2009, the Planning and Zoning Commission approved CUP 602-04-125, permitting Saint Anthony Catholic School to run a private school at 1400 E Owens. Condition three (3) of CUP 602-04-125 specified that a new CUP must be acquired before any permanent school structures are built or if there is an addition or expansion of modular facilities. In addition, on June 11, 2013, the Commission approved CUP 602-04-159 to allow continued operation and expansion of the school at the same location.

As a result, Saint Anthony Catholic School has submitted a CUP to allow for the expansion of its existing private school. The proposed site will be located at 1283 E Owens, identified by A.P.N. 210-21-019A, and falls under the C-1 (Neighborhood Commercial) and R1-7 (Single Family Residential 7,000 square feet) zone. Private schools are considered a conditional use in the R1-7 zoning district. A proposed multi-purpose facility spanning 25,643 square feet will provide additional classrooms and include a gymnasium. In addition, a total of 39 new parking spaces will be constructed to meet the required code. The elevation is approximately 4 feet higher along Bushman Road to the proposed building site.

Currently, Saint Anthony Catholic School has two modular classroom structures situated to the east of the proposed location on the 1400 East Owens property, which they will continue to use. Access to the property will remain at the current entrance. No other access points are proposed.

The school operates Monday through Thursday 8:15 a.m. to 3:15 p.m. and Fridays 8:15 a.m. to 12:00 p.m. Enrollment is approximately 150 students, and they intend to increase to a total of 200.

ATTACHMENTS

1. Findings of Fact
2. Subject Property Map
3. Application

4. Building Plans

FISCAL IMPACT

N/A

FINDINGS OF FACT

1. During its scheduled meeting on May 26, 2009, the Planning and Zoning Commission approved CUP 602-04-125, permitting Saint Anthony Catholic School to run a private school at 1400 E Owens. Condition three (3) of CUP 602-04-125 stated that a new CUP shall be obtained prior to the construction of permanent school facilities, or addition/expansion of modular facilities.
2. On June 11, 2013, the Commission approved CUP 602-04-159 to allow continued operation and expansion of the school at 1400 E Owens.
3. Saint Anthony Catholic School has submitted a Conditional Use Permit (CUP) application to allow for an expansion of their existing private school to be located at 1283 E Owens, that being A.P.N. 210-21-019A.
4. A 25,643 sq ft multi-purpose building consisting of classrooms including a gymnasium, with a total of 39 new parking spaces has been proposed.
5. Access to the property will remain at the same entrance. No access to Bushman is proposed. The elevation of Bushman Road is approximately 4' higher than the proposed building location.
6. Currently, Saint Anthony Catholic has two modular classroom structures situated to the southeast of the proposed location on the 1400 E Owens property, which they will continue to use.
7. The school operates Monday through Thursday 8:15 a.m. to 3:15 p.m. and Fridays 8:15 a.m. to 12:00 p.m. Enrollment is approximately 150 students, and they intend to increase to a total of 200.
8. The current zoning of the surrounding properties includes:
 - North: C-1 (neighborhood commercial)
 - South: R2-7 (single-family and multiple-family residential 7000 square feet)
 - East: C-1 and R1-7 (single-family residential, 7000 square feet)
 - West: C-1 and R1-7 (single-family residential, 7000 square feet)
9. The current land uses of the surrounding properties includes:
 - North: Residential
 - South: Residential
 - East: Neighborhood Commercial
 - West: Residential
10. Transmittal memos were sent to all affected agencies. Applicable comments were received.
 - ADOT will require a traffic impact analysis & statement.

- Concerns were raised by staff regarding whether fencing separating the residential area from the property will be required.
11. The property was posted, and letters were sent to all property owners within three hundred (300) feet of the subject property.
- One phone call was received from an adjacent property owner whether the school would have an additional entrance on Bushman Road.
 - One phone call was received from an adjacent property owner with general questions.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, the Zoning Ordinance, 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 602-04-270 submitted by Saint Anthony Catholic School to allow the expansion of their private school to be located at 1283 East Owens, that being A.P.N. 210-21-019A subject to the following conditions:

1. All development shall comply with all applicable federal, state and local requirements, including all requirements as applicable to school facilities and ADOT requirements.
2. Solid material fencing shall be constructed along the west and north property boundaries where adjacent to residential uses.

STANDARDS OF REVIEW

Project: Consideration of Conditional Use Permit (CUP) 602-04-270 submitted by Saint Anthony Catholic School to allow the expansion of their existing private school located at 1283 East Owens, that being A.P.N. 210-21-019A.

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.

Zoning Ordinance

Chapter 19.20 CONDITIONAL USE PERMITS

19.20.010

Purpose.

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

19.20.020

General regulations.

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

(B) Any use, legally established and in compliance with the rules and regulations of the state of Arizona and the City of Show Low, that is existing on the effective date of the ordinance codified in this chapter which is reclassified as a conditional use by this chapter for the district in which it is located shall be considered as meeting the conditions which would otherwise be imposed upon such use by this chapter, and its continuance shall not be subject to issuance of a conditional use permit; provided, however, that to the extent that such use fails to conform to the requirements of this chapter, it shall be considered nonconforming as described in Chapter 19.95, and its continuance shall be governed by all nonconforming use regulations applicable thereto.

(C) Every conditional use permit issued shall be applicable only to the specific conditional use and to the specific property for which it is issued and shall run with the property until revoked or until such time as the use is discontinued. The maintenance of special conditions imposed by the permit, as well as the compliance with other provisions of this chapter, shall be the responsibility of the property owner. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(B))

19.20.030

Application process.

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

(1) The owner(s) and/or authorized agent of the property;

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

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

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

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

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

19.20.040

Staff review.

An application for a conditional use permit shall be submitted to the planning and zoning director at least twenty-one (21) days prior to the public meeting. The required twenty-one (21) day period shall commence once a complete application has been received as deemed by the planning and zoning director or designee and shall not include the day of submittal, nor shall it include the day of the meeting. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public meeting. The recommendation shall set forth whether the conditional use permit should be granted, granted with conditions, denied, or set for a public hearing. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(D))

19.20.050

Standards for reviewing conditional use permits.

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

- (A) The application shall be consistent with and conform to the general plan and any other adopted plans;
- (B) There shall be no significant adverse or intrusive effect upon property within three hundred (300) feet of the external boundaries of the subject property as a result of the proposed use; and
- (C) The proposed change would not be detrimental to the public health, safety and general welfare of the persons or property in the surrounding area, nor to the community in general. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(E))

19.20.060

Notification requirements.

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

19.20.070

Commission action.

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

- (A) The commission may grant a conditional use permit with conditions the commission deems necessary to secure the intent and purpose of this section and require such guarantees and evidence that such conditions are being, or will be, complied with as the commission may desire.
- (B) Deny the conditional use permit. If the commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this section will be met, it shall deny the permit. Notice of denial, including reasons therefor, shall be mailed to the applicant at the address shown in the application, and the commission shall report its actions to the city council.
- (C) At its discretion, set the matter for a public hearing. If the commission does set the matter for public hearing, notice thereof shall be given to the public by publication of a notice in the official newspaper of the city and by posting the property included in the application not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered and a general description of the area affected.

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

19.20.080

Appeals.

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

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

(C) Council Action.

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

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

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

(4) The council's decision shall be final and shall become effective immediately. Notice of the decision shall forthwith be mailed to the applicant at the address shown in the application. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(H))

19.20.090

Time limits.

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

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

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

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

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

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

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

19.20.100

Revocation and enforcement.

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

(B) Failure to comply with the conditional use permit or the standards of this chapter may result in a complaint being filed in the magistrate court as per Section 19.10.080. (Ord. No. 473, §§ 1

– 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(J))

The Show Low City Code is current through Ordinance 2024-12, passed December 3, 2024.

R1-7 Zone – Single-Family Residential (7,000 Square Feet)

19.50.250

Purpose.

This district is intended to promote and preserve medium density single-family residential development. Regulations and property development standards are designed to protect the single-family residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual homes, together with required recreational, religious and educational facilities. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-54(A))

19.50.260

Permitted uses.

- (A) One (1) single-family dwelling.
- (B) Customary accessory uses and buildings, provided such uses are incidental to the principal use.
- (C) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- (D) Publicly owned and operated schools, parks and recreation areas and centers.
- (E) Home occupations.
- (F) Manufactured housing not less than twenty (20) feet wide with axles and tongue removed, placed on a permanent foundation and anchored according to applicable codes.
- (G) Attached guest units in accordance with Section 19.25.230(A).
- (H) Group home for the handicapped. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-54(B))

19.50.270

Conditional uses.

(A)

- (1) One (1) additional single-family dwelling for use as a guest house not to exceed fifty (50) percent of the total living area of the main dwelling, provided the total intensity of land use shall be a minimum of seven thousand five hundred (7,500) square feet of lot area per dwelling unit; or
- (2) One (1) additional single-family dwelling for use as a guest house not to exceed the total living area of the main dwelling, provided the total intensity of land use shall be a minimum of eight thousand (8,000) square feet of lot area per dwelling unit.

- (B) Churches and similar places of worship.
- (C) Public utility buildings, structures, or appurtenances thereto for public service use.
- (D) Temporary home and land sales offices provided they are located within the same subdivisions as the land and homes that are offered for sale.
- (E) Private schools.
- (F) Public and quasi-public facilities which provide essential services including hospitals, police and fire stations and substations, and cemeteries.
- (G) Bed and breakfast.
- (H) Golf courses and associated facilities but not including miniature golf or commercial driving ranges. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-54(C))

19.50.280

Property development standards.

- (A) *Minimum Lot Area*. Seven thousand (7,000) square feet.
- (B) *Minimum Average Lot Width*. Fifty (50) feet.
- (C) *Minimum Lot Frontage*. Thirty (30) feet.
- (D) *Maximum Lot Coverage*. Forty (40) percent.
- (E) *Minimum Street Side Setback*. Twenty (20) feet.
- (F) *Minimum Side Yard*. One (1) side yard of five (5) feet and one (1) side yard of twelve (12) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet. Subdivisions that received final plat approval prior to January 7, 2003, may utilize side yard setbacks of either five (5) feet and twelve (12) feet or eight (8) feet and eight (8) feet except where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet.
- (G) *Minimum Rear Yard*. Fifteen (15) feet.
- (H) *Minimum Dwelling Size*. Exclusive of patios, porches, and garages, eight hundred fifty (850) square feet.
- (I) *Maximum Building Height*. Not to exceed thirty-five (35) feet.
- (J) *Minimum Off-Street Parking Requirements*. Two (2) parking stalls. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-54(D))

19.50.290

General provisions.

The provisions of Chapter 19.25 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-54(E))

19.50.300

Signs.

The provisions of Chapter 19.100 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-54(F))

19.50.310

Parking and loading.

The provisions of Chapter 19.105 shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-54(G))

19.50.320

Plan review.

The provisions of Chapter 19.15 shall apply to all uses. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-54(H))

The Show Low City Code is current through Ordinance 2024-12, passed December 3, 2024.

Article I. C-1 Zone – Neighborhood Commercial

19.70.010

Purpose.

The purpose of this district is to provide for neighborhood retail and service uses which serve the needs of adjoining residential neighborhoods and provide for medical and professional uses that accommodate regional medical service needs. The property development standards are designed to ensure compatibility between these uses and nearby residential uses. 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, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-59(A))

19.70.020

Permitted uses.

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

All uses identified as “permitted uses” in the downtown commercial zone;

Antique dealers;

Caterers;

Contractors’ offices (inside storage only);

Convenience stores, no fuel sales;

Dairy products, retail sales;

Day care centers;

Delivery service, office;

Dry goods;

Employment agencies;

Financial institutions (drive through accessibility prohibited);

Jewels (retail sales and repairs);
Laundries (collecting shops/self service);
Nail salons;
Office: Administrative and professional, including, but not limited to, architect, accountant, attorney, dentist, doctor, engineer, finance and other similar professions;
Optical goods (retail sales);
Pet grooming;
Pharmacies;
Plant nurseries, indoor (retail sales);
Recreation and health club centers;
Restaurants, beer and wine only (no drive through);
Schools, including, but not limited to, academic, beauty, business, dancing, martial arts, vocational-technical;
Tailors, custom;
Variety stores (retail sales);
Video sales and rental;
Watches, sales and repairing;
Weaving, handicraft and custom.

(B) *Warehousing*. Warehousing and storage of items incidental to allowed sales or service shall be permitted, subject to the following:

(1) All products incidental to a permitted use that are stored on the premises shall be sold at retail only and on the premises only.

(2) All such storage 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.

(C) *Public and Civic Uses (No Alcoholic Beverages)*.

Government offices;

Publicly owned and operated parks and recreation areas and centers;

Schools, public or private elementary and high schools, colleges and universities;

Places of worship, fraternal and social facilities, meeting halls and similar uses;

Cemeteries. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-59(B))

19.70.030

Conditional uses.

Bed and breakfast;

Fuel dispensing (retail only). No auto or truck repair;

Heliport (medically related);

Hospitals;

Hotels and motels;
 Manufactured home parks and subdivisions, subject to the property development standards of the MH zone;
 Microbrewery with restaurant;
 Multiple-family dwellings (must meet the standards of the R2-7 zone). Manufactured homes are excluded;
 Nursing homes;
 Overnight boarding of animals (indoor only – no livestock);
 Public and civic uses serving alcoholic beverages;
 Public/private utility structures and appurtenances thereto for public service use;
 Recreational vehicle park or campground in accordance with Section 19.25.200;
 Restaurants serving alcoholic beverages other than beer or wine;
 Restaurants, drive-through;
 Single-family residential subject to development standards of the R1-10 zone;
 Veterinary clinic. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-59(C))

19.70.040

Property development standards.

- (A) *Minimum Lot Area*. Five thousand (5,000) square feet.
- (B) *Minimum Lot Width*. Fifty (50) feet.
- (C) *Minimum Street Side Setback*. 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 thirty-five (35) feet, except by conditional use permit. The placement of manufactured homes/buildings is prohibited. All buildings located within the Neighborhood 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-1 (Neighborhood 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 ten thousand (10,000) 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*. 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.

(I) *Outdoor Storage*. All outdoor storage is prohibited. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-59(D))

19.70.050

General provisions.

The provisions of Chapter 19.25 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-59(E))

19.70.060

Signs.

The provisions of Chapter 19.100 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-59(F))

19.70.070

Parking and loading.

The provisions of Chapter 19.105 shall apply. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-59(G))

19.70.080

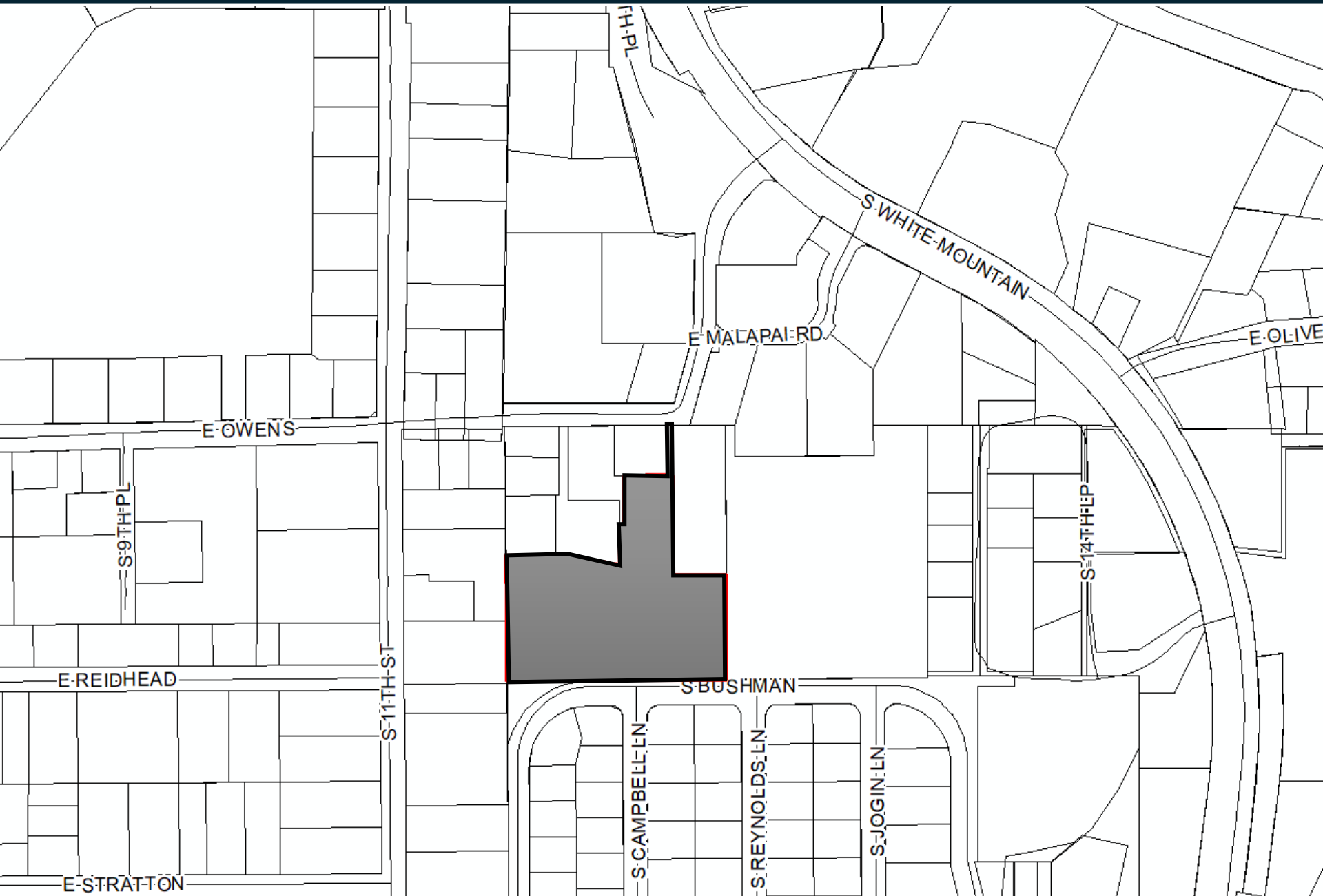
Plan review.

The provisions of Chapter 19.15 shall apply to all uses. (Ord. No. 522, §§ 1 – 4, 1-7-03; Ord. No. 2005-10, § 3, 4-19-05; Ord. No. 2006-07, § 6, 3-7-06; Ord. No. 2006-20, § 2, 8-15-06; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-59(H))

The Show Low City Code is current through Ordinance 2024-12, passed December 3, 2024.

Disclaimer: The city clerk's office has the official version of the Show Low City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above. City Website: www.showlowaz.gov Hosted by General Code.

Subject Property: APN 210-21-019A







City of Show Low Planning & Zoning
180 N. 8th Street, Show Low, AZ 85901
(928) 632-4040

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

For Office Use Only

Date received: 1-30-25
Time received: 4 PM
Received By: \$

OWNER INFORMATION

Name: St. Anthony Catholic School

Address: PO Box 789
Mailing Address Apartment/Unit#

Show Low AZ 85902
City State ZIP Code

Phone: 928-537-4497 Email: byorksmith@stantschool.org

APPLICANT INFORMATION (if different)

Name: Robert Higgins

Address: 2459 Rim Rd
Mailing Address Apartment/Unit#

Lakeside AZ 85929
City State ZIP Code

Phone: 928-521-3828 Email: rjh@pinetoplawyers.com

PROPERTY INFORMATION

Address of Property: Not assigned (Show Low City Shows 12837) Parcel Number (A.P.N.): 210-21-019A

Legal Description of Property: Section 2-, T10N, R22E; Beg Nw Cor Se4; Th E 342' Tpob; Th W 90' Th S100' Th E100' Th N 200' Th W 10' Tpob. Also: Combo 210-21-015, 017A, 019 & 023C to 210-21-019A For 2023 Roll.

Zoning Classification: R1-7 & C1 Applicant's interest in Land: Owner

What is the Nature of the Request? Building of a PreK - 8th Grade Private School Facility

APPLICATION REQUIREMENTS

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

St. Anthony Catholic School's proposed project to build a gymnasium and classrooms is in conformity with the Show Low General Plan in that it promotes the economic goal of the city to create jobs (p.24). The school currently employs 24 full and part-time employees and anticipates that once this project is completed, several more jobs will be created. The dual economic goal of the city to "create educational expansion" (P.24) will be complemented by the school turning out well-educated graduates. The City's stated goal of enhancing its "community appearance" will be promoted by the school's facility as it will host cultural and social activities on a regular basis. Those activities will showcase Show Low as a cultural and entertainment hub.

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

Construction Phase: 1. We plan to fence the construction area for safety and security, 2. We plan to only work during city designated hours for noise and inconvenience, 3. We plan to strictly adhere to all city, county, and state dust control rules.

Post Construction: The school has operated in its current/future location since 2009 and there will be no changes in the current operation that will have a negative impact on our neighbors.

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

Electric, Water, Sewer, Gas

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

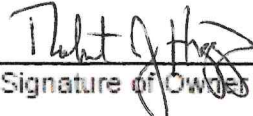
Bryan Yorksmith

Jerry Moran

David Franklin

Sean Spurr

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

 President, Board of Trustees

Signature of Owner (s)

1/27/25

Date

Signature of Owner (s)

Date

Signature of Applicant (If other than owner)

Date

WAIVER OF CLAIMS UNDER ARIZONA REVISED STATUTES § 12-1134

I, Robert Higgins for St Anthony School the owner of the property described as A.P.N. 210-21-019A

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

DATED this 30th day of January, 2025.

[Signature]
Signature of Property Owner

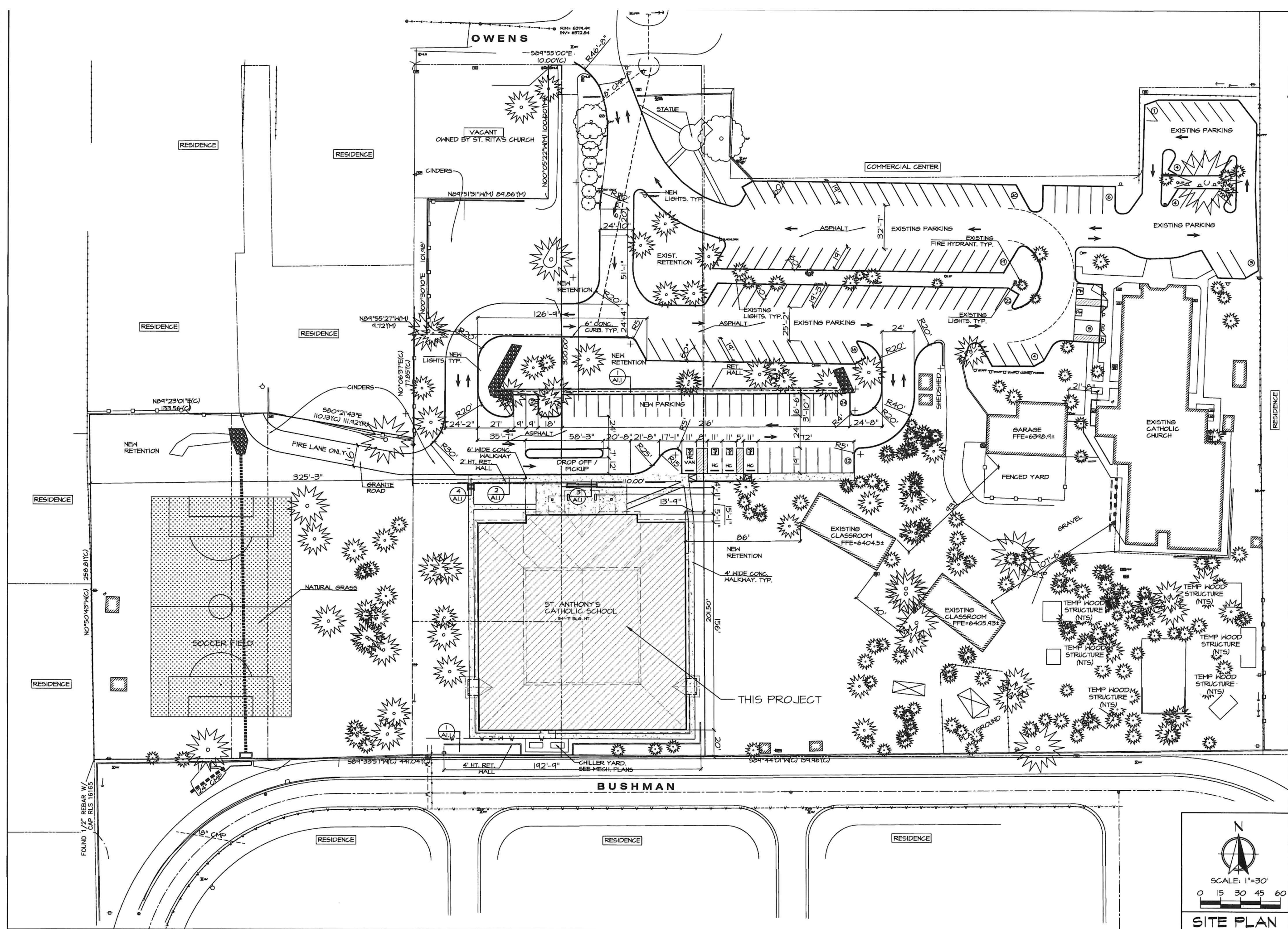
STATE OF ARIZONA)
) ss.
County of Navajo)

SUBSCRIBED AND SWORN before me this 30th day of January, 2025,
by Robert Higgins.
Name of Signer

[Notary Seal]



[Signature]
Notary Public

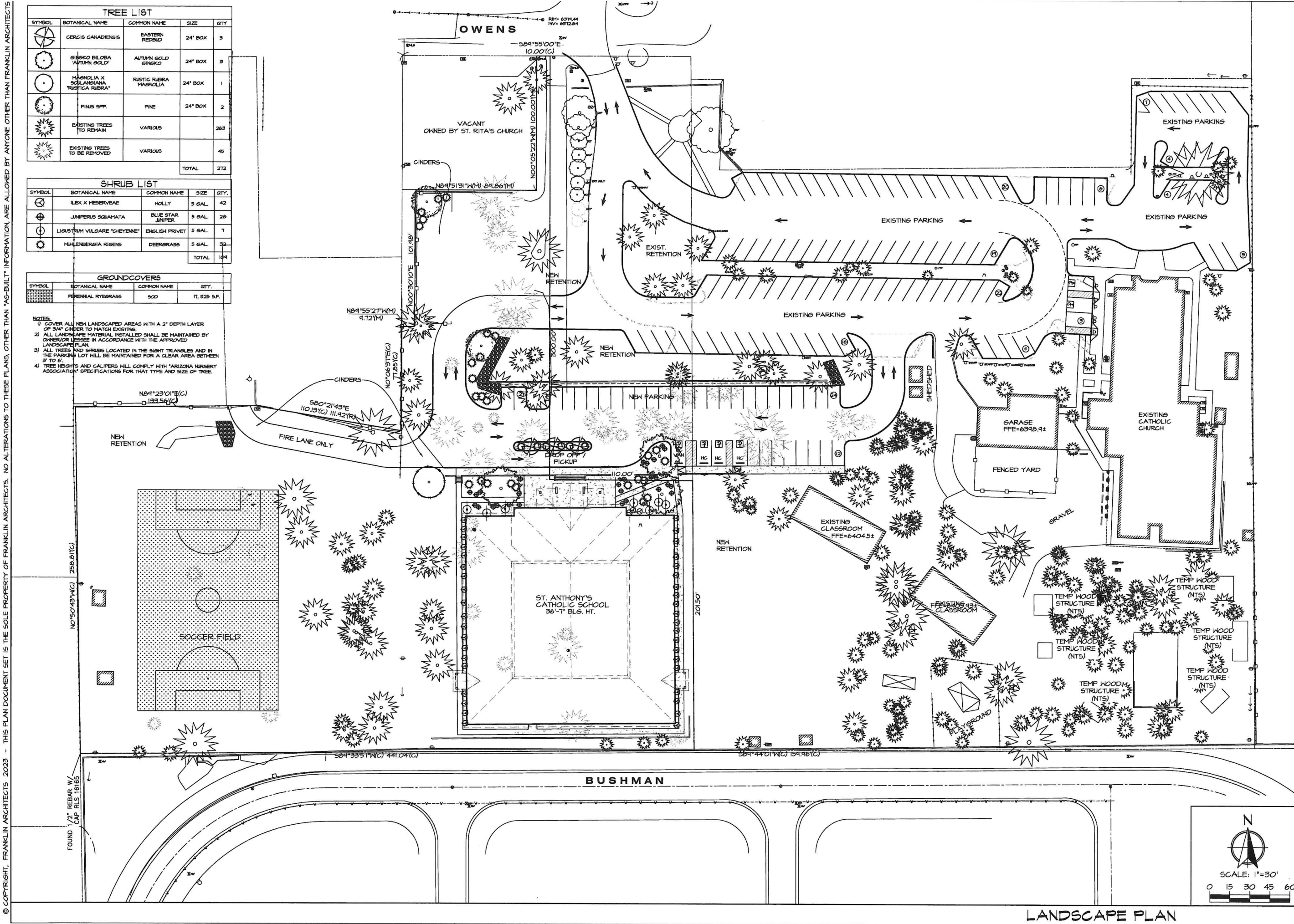


TREE LIST				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	CERCIS CANADENSIS	EASTERN REDBUD	24" BOX	3
	GINKGO BILOBA 'AUTUMN GOLD'	AUTUMN GOLD GINKGO	24" BOX	3
	MAGNOLIA X SOULANGIANA 'RUSTICA RUBRA'	RUSTIC RUBRA MAGNOLIA	24" BOX	1
	Pinus spp.	PINE	24" BOX	2
	EXISTING TREES TO REMAIN	VARIOUS		263
	EXISTING TREES TO BE REMOVED	VARIOUS		45
TOTAL				272

SHRUB LIST				
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	ILEX X MESSEYAE	HOLLY	5 GAL.	42
	JUNIPERUS SQUMATA	BLUE STAR JUNIPER	5 GAL.	20
	LIGUSTRUM VULSARE 'CHEYENNE'	ENGLISH PRIVET	5 GAL.	7
	MULLENBERGIA RIGENS	DEERGRASS	5 GAL.	32
TOTAL				101

GROUNDCOVERS			
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY
	PERENNIAL RYEGRASS	SOO	17,929 S.F.

- NOTES:
- 1) COVER ALL NEW LANDSCAPED AREAS WITH A 2" DEPTH LAYER OF 3/4" CINDER TO MATCH EXISTING.
 - 2) ALL LANDSCAPE MATERIAL INSTALLED SHALL BE MAINTAINED BY OWNER/OR LESSEE IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN.
 - 3) ALL TREES AND SHRUBS LOCATED IN THE SIGHT TRIANGLES AND IN THE PARKING LOT WILL BE MAINTAINED FOR A CLEAR AREA BETWEEN 5' TO 6'.
 - 4) TREE HEIGHTS AND CALIPERS WILL COMPLY WITH ARIZONA NURSERY ASSOCIATION SPECIFICATIONS FOR THAT TYPE AND SIZE OF TREE.



DATE:
11/14/2024

FRANKLIN ARCHITECTS
11421 NORTH 50th AVE
GLENDALE, AZ 85306 (602) 633-2350

THE LORD
OUR GOD IS
THE MASTER
ARCHITECT

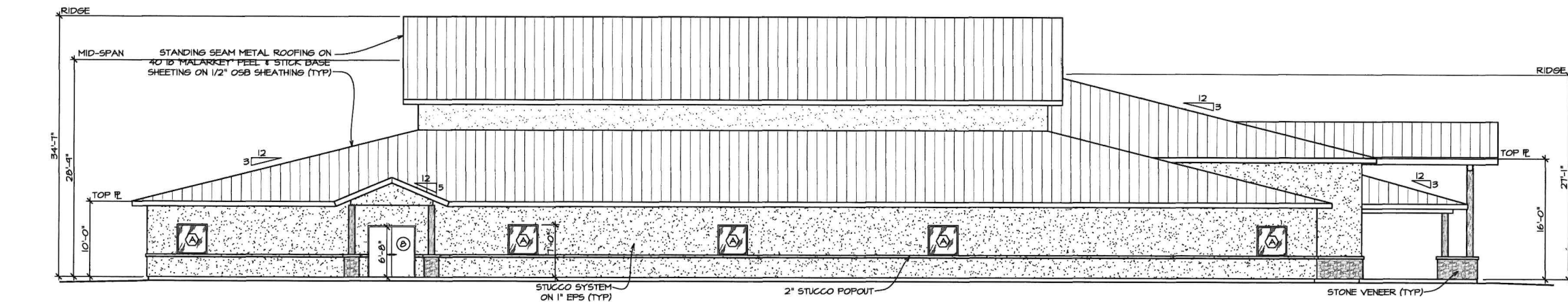
ST ANTHONY CATHOLIC SCHOOL
SCHOOL BUILDING
1400 EAST OWENS, SHOW LOW, ARIZONA 85901

PROV. 16:3

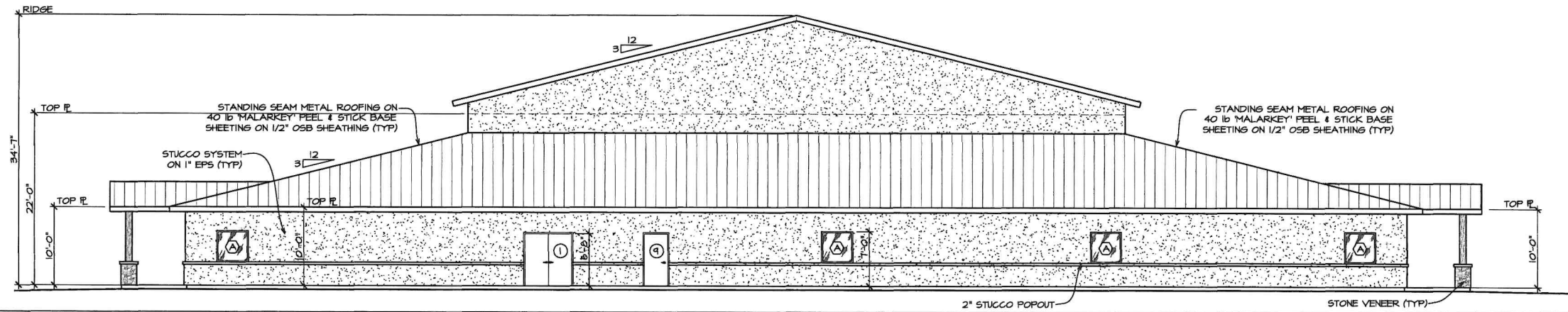
DRAWN :

JOB NO. :

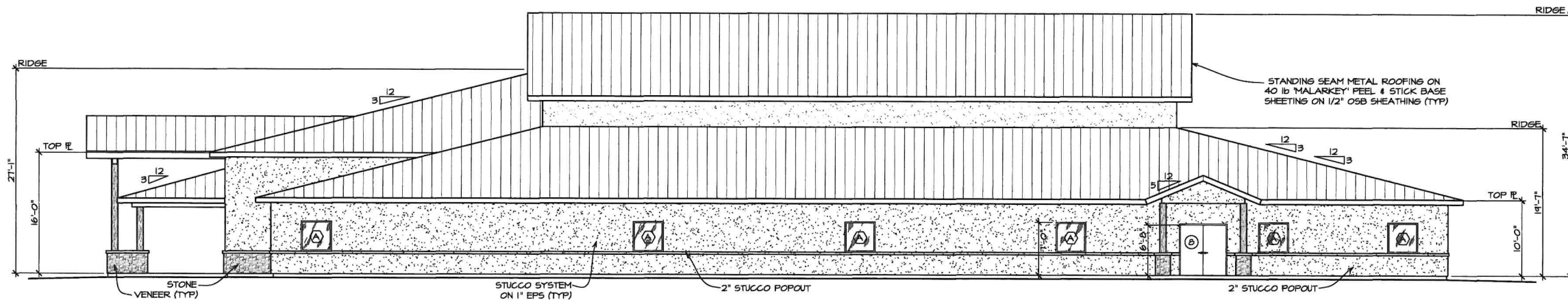
SHEET
A1.3
OF SHEETS



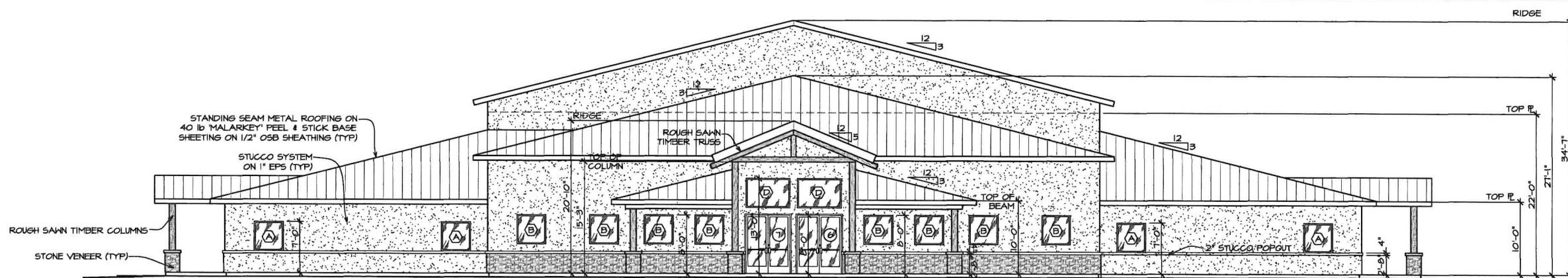
EAST ELEVATION 1/8" = 1'-0"



SOUTH ELEVATION 1/8" = 1'-0"



WEST ELEVATION 1/8" = 1'-0"



NORTH ELEVATION 1/8" = 1'-0"

DATE:
01/06/25



FRANKLIN ARCHITECTS
11421 NORTH 50TH AVE
GLENDALE, AZ 85306 (602) 633-2350

THE LORD
OUR GOD IS
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ARCHITECT

ST ANTHONY CATHOLIC SCHOOL
SCHOOL BUILDING
1400 EAST OWENS, SHOW LOW, ARIZONA 85901

PROV. 16/3

DRAWN :

JOB NO. :

SHEET

A2

OF SHEETS

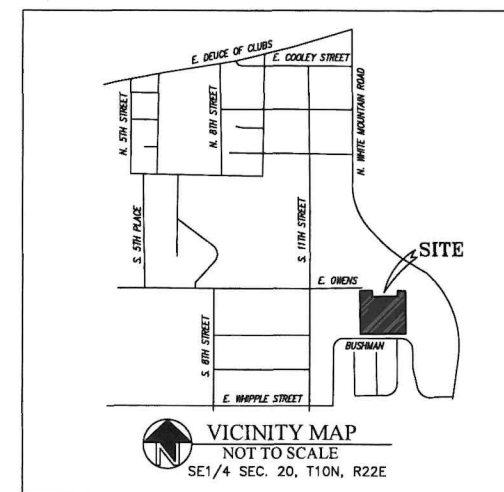
1400 EAST OWENS, SHOW LOW, AZ
GRADING & DRAINAGE PLAN

OWNER / DEVELOPER
ST. ANTHONY SCHOOL
JERRY MORAN
DEVELOPMENT DIRECTOR
JERRY@STANTSCHOOL.ORG
928.358.6872 CELL

ARCHITECT
DAVID FRANKLIN
FRANKLIN ARCHITECTS LLC
11421 NORTH 50TH AVE.
GLENDALE, AZ 85304
602.633.2350
FRANKLINARCHITECT@YAHOO.COM

SURVEYOR
OUTER LIMITS LAND SURVEYING, LLC
BRIAN EARL SEARAN, RLS #54120
PO BOX 71957
PHOENIX, AZ 85050
602.486.1154
BSEARAN@OUTERLIMITSLS.COM

GEOTECHNICAL ENGINEER
VANN ENGINEERING INC
PROJECT 29957
602.943.6997
VANNENGINEERING.COM



PROPERTY DESCRIPTION

A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 22 EAST OF THE GILA AND SALT RIVER MERIDIAN, NAVAJO COUNTY, ARIZONA.

SITE DATA

APNS: 210-21-034, -015, -013A, -017A, 023C
ZONING: C-2, R1-7
ESTIMATED TOTAL DISTURBANCE: 150,000 SF = 3.4 ACRES

FEMA FIRM

PER MAP 04017C4707F, DATED 08/17/2015, AREA WITHIN
FLOOD ZONE X

BENCHMARK

NATIONAL GEODETIC SURVEY POINT HAVING A
DESIGNATION OF 292+47 AND A PID OF ES0170,
AS DESCRIBED ON NGS DATA SHEET.
ELEVATION = 6388.29 (NAVD'88)

BASIS OF BEARING

THE EAST LINE OF THE SOUTHEAST QUARTER OF
SECTION 20, TOWNSHIP 10 NORTH, RANGE 22 EAST
OF THE GILA AND SALT RIVER MERIDIAN, NAVAJO
COUNTY, ARIZONA. SAID LINE BEARING
N00°24'48" W (AS MEASURED USING GPS NORTH)

UTILITY COMPANIES

WATER & SEWER: CITY OF SHOW LOW
ELECTRIC: APS
PHONE & INTERNET: SPARKLIGHT
GAS: UNISOURCE

AS-BUILT CERTIFICATION

I HEREBY CERTIFY THAT THE "RECORD DRAWING"
MEASUREMENTS AS SHOWN HEREON WERE MADE UNDER MY
SUPERVISION OR AS NOTED AND ARE CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.

REGISTERED ENGINEER / LAND SURVEYOR	DATE
-------------------------------------	------

REGISTRATION NUMBER

SHEET INDEX

SHEET 1: COVER + CROSS SECTIONS
SHEET 2: GRADING & DRAINAGE PLAN

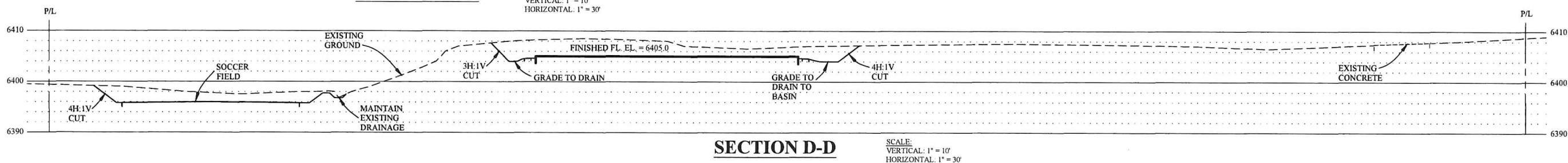
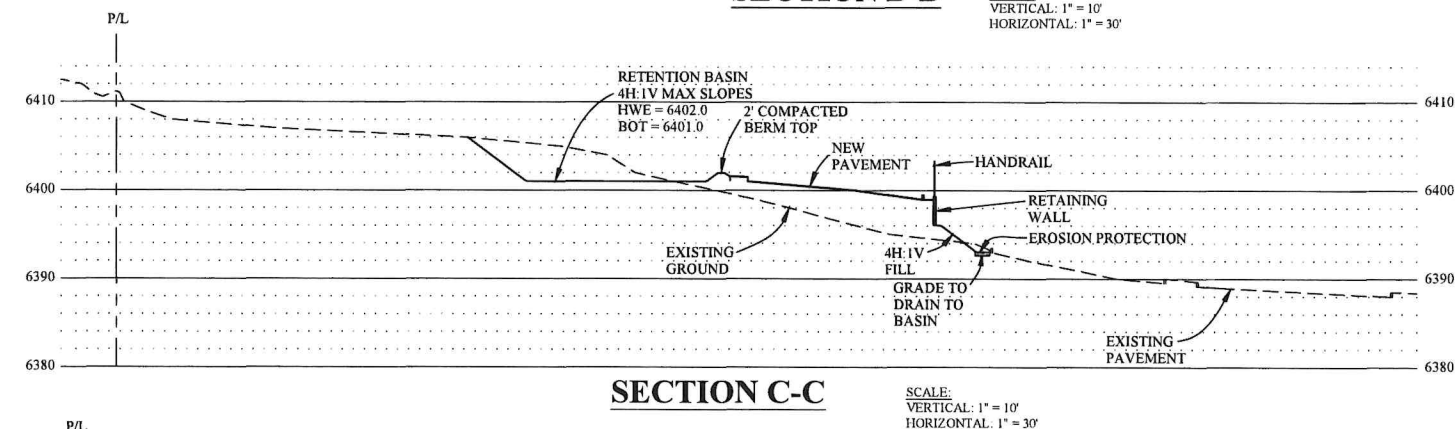
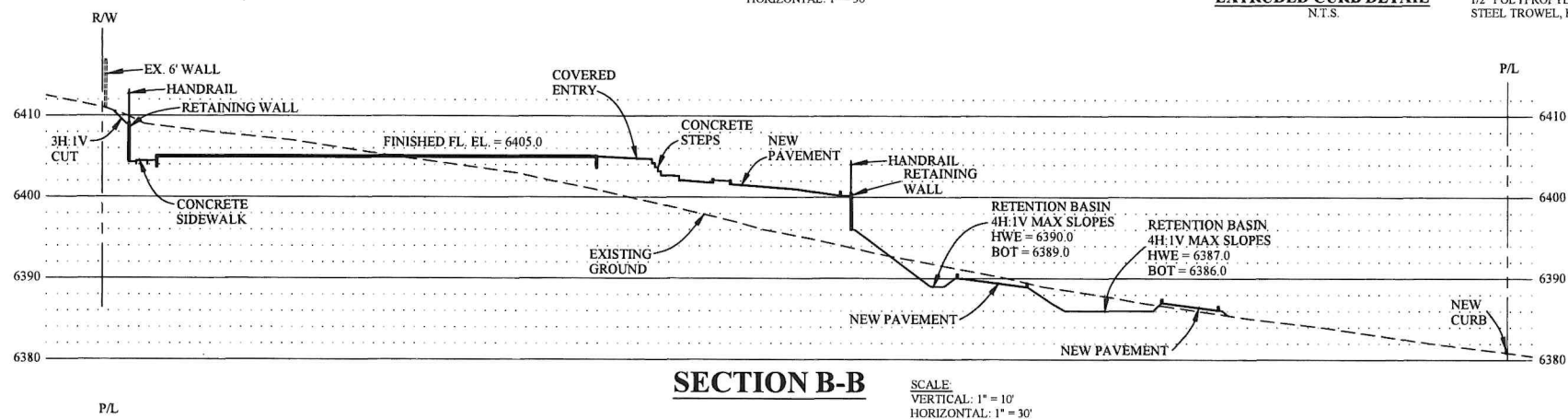
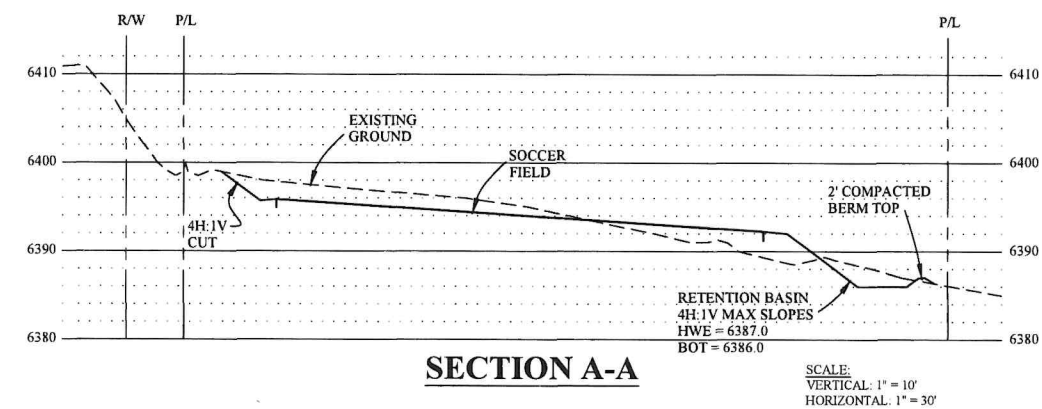


Diagram illustrating the Extruded Curb Detail. The curb is 6" high and 6" wide at the top. The curb is made of EXTRUDED CONCRETE, CURBING PER SPECS BELOW. The curb is placed on a 6" thick layer of ASPHALT, S=0.3% MIN DN. The asphalt is placed on a NEW A.C. PAVEMENT. The curb is placed on a THICKENED EDGE. The curb is placed on an AGGREGATE BASE COURSE. The curb is placed on a FINISHED GRADE. The curb is placed on a USE TACK-OIL AT INTERFACE. The curb is placed on a *PAVEMENT DESIGN PER SOILS REPORT.

EXTRUDED CURB DETAIL
N.T.S.

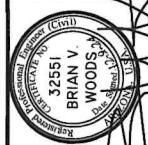
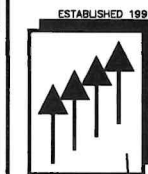
EXTRUDED CONCRETE CURB SPECIFICATIONS
2500 PSI - 3500 PSI COMPRESSIVE
& 490 PSI FLEXURAL STRENGTH,
TOOLED JOINTS, 4 FOOT ON CENTER
1/2" POLYPROPYLENE FIBERS (HARBOURITE OR EQUAL),
STEEL TROWEL, BRUSHED, OR CUSTOM FINISH

RETENTION CALCULATIONS

RETENTION IS REQUIRED FOR THE PRE-VS-POST VOLUME SO THAT THERE IS NO INCREASE IN RUNOFF.
PRE C = 0.5 (ASSUMED FOR UNDEVELOPED SITE)
POST C = 0.95
69,759 SF OF ADDITIONAL HARDSCAPE IS PROPOSED
VOLUME REQUIRED = $(AC)(P/12)(A) = (0.95 - 0.5)(69,759 \text{ SF})(2.97"/12) = \underline{7,769 \text{ CF}}$
WHERE P=2.97" (NOAA ATLAS 14)

VOLUME PROVIDED: **7,876 CF**
 BASIN B1 (HWE=6387): $(1/2)(1,610 \text{ SF} + 2,568 \text{ SF})(1.0') = 2,089 \text{ CF}$
 BASIN B2 (HWE=6390): $(1/2)(531 \text{ SF} + 1,429 \text{ SF})(1.0') = 980 \text{ CF}$
 BASIN B3 (HWE=6387): $(1/2)(830 \text{ SF} + 1,304 \text{ SF})(1.0') = 1,067 \text{ CF}$
 BASIN B4 (HWE=6402): $(1/2)(3,191 \text{ SF} + 4,289 \text{ SF})(1.0') = 3,740 \text{ CF}$

ALL BASINS HAVE 12" OR LESS OF PONDING WATER AND THEREFORE ARE ASSUMED TO DRY-UP BY PERCOLATION AND EVAPORATION.



PROJECT
ST ANTHONY SCHOOL
1400 E. OWENS, SHOW LOW
GRADING & DRAINAGE PLAN

12/09/24

JOB NO.
22-1881

SHEET

1 OF 2

ST ANTHONY CATHOLIC SCHOOL

1400 EAST OWENS, SHOW LOW, AZ
GRADING & DRAINAGE PLAN

CONSTRUCTION NOTES

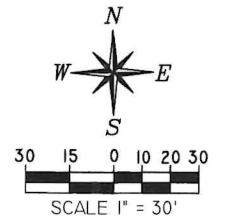
- 1 REMOVE STRUCTURES: MOBILE HOME, CONCRETE, ASPHALT PAVEMENT, RETAINING WALL, MISC. FENCING, CURBING
- 2 GRADE AREA AS SHOWN. 3H:1V MAX CUT SLOPES; 4H:1V MAX FILL SLOPES
- 3 GRADE RETENTION BASIN AS SHOWN. 4H:1V SIDE SLOPES
- 4 INSTALL CATCH BASIN PER MAG DTL 535 FOLLOWED BY 2" DIAMETER HDPE DRAIN PIPE, 3.2% SLOPE. TRENCH PER MAG SECT. 601; PROVIDE 1" MIN. COVER ON PIPE. POSITION CATCH BASIN TO MAXIMIZE CAPTURE OF OFF-SITE FLOW THROUGH WALL
- 5 CONSTRUCT 5' MAX HIGH, MOISTURE-PROOFED RETAINING WALL PER STRUCTURAL DETAIL; PROVIDE HANDRAIL WHERE DROP-OFF EXCEEDS 30"
- 6 CONSTRUCT SIDEWALK PER MAG DTL 230 TYPICAL THROUGHOUT; MODIFY WITH INTEGRAL TURNDOWN (6" OF EXPOSED CONCRETE / STEP DOWN) ALONG DRIVEWAY
- 7 CONSTRUCT SIDEWALK PER MAG DTL 230 FLUSH WITH PAVEMENT
- 8 5% (20:1) MAX SLOPE ON SIDEWALK; TYPICAL THROUGHOUT
- 9 PLACE ASPHALT PAVEMENT PER SOILS REPORT: 3" AC ON 7" ABC FOR PARKING; 4" ON 7" FOR DRIVEWAYS; AS REQUIRED, SAWCUT & REMOVE 2' MIN OF EXISTING ADJACENT ASPHALT TO ESTABLISH A NEAT MATCHLINE
- 10 PLACE 4" MIN. THICK AGGREGATE BASE COURSE
- 11 CONSTRUCT CURB RAMP, 12:1 MAX SLOPE; SIMILAR TO MAG DTL 238-1; 4' MIN. LANDING
- 12 INSTALL EXTRUDED CONCRETE CURB PER DETAIL SHOWN ON SHEET 1; TYPICAL DO NOT EXCEED 2% SLOPE IN ANY DIRECTION WITHIN ADA PARKING
- 13 PROVIDE 3' WIDE DRAINAGE OPENING PER DETAIL SHOWN
- 14 INSTALL EROSION PROTECTION: 4" ANGULAR ROCK, 8" MIN DEPTH
- 15 IF DEPTH OF COVER IS ADEQUATE, EXTEND 6" DRAIN PIPE INTO RETENTION BASIN, OTHERWISE REMOVE
- 16 AS REQUIRED, OBLITERATE OLD PARKING STRIPES AND PAINT NEW; TYPICAL
- 17 INSTALL PRECAST BUMPER CURB PER MAG DTL 150 TYPE B-3; TYPICAL

WET UTILITY CONSTRUCTION NOTES

- 1 INSTALL 1.5" WATER METER / SERVICE
- 2 INSTALL 2" PVC SCH 40 WATER LINE FROM METER TO BUILDING PER IPC
- 3 TAP EXISTING SEWER MAIN PER MAG DTL 440-3
- 4 INSTALL 4" PVC SDR35 SEWER LINE & CLEANOUTS TO BUILDING PER IPC
- 5 INSTALL 6" X 4" T.S.V.B.C. PER MAG DTL 340 (CONTRACTOR TO VERIFY WATER MAIN SIZE); TUNNEL UNDER EXISTING CURB AND BACKFILL WITH HALF SACK SLURRY
- 6 INSTALL 4" C900 PVC FIRELINE TO BUILDING, TRENCH PER MAG SECTION 601
- 7 SAWCUT, REMOVE & REPLACE PAVEMENT PER MAG DTL 200
- 8 BACKFLOW PREVENTION PER FIRE RISER ASSEMBLY
- 9 INSTALL 2" BACKFLOW PREVENTION DEVICE

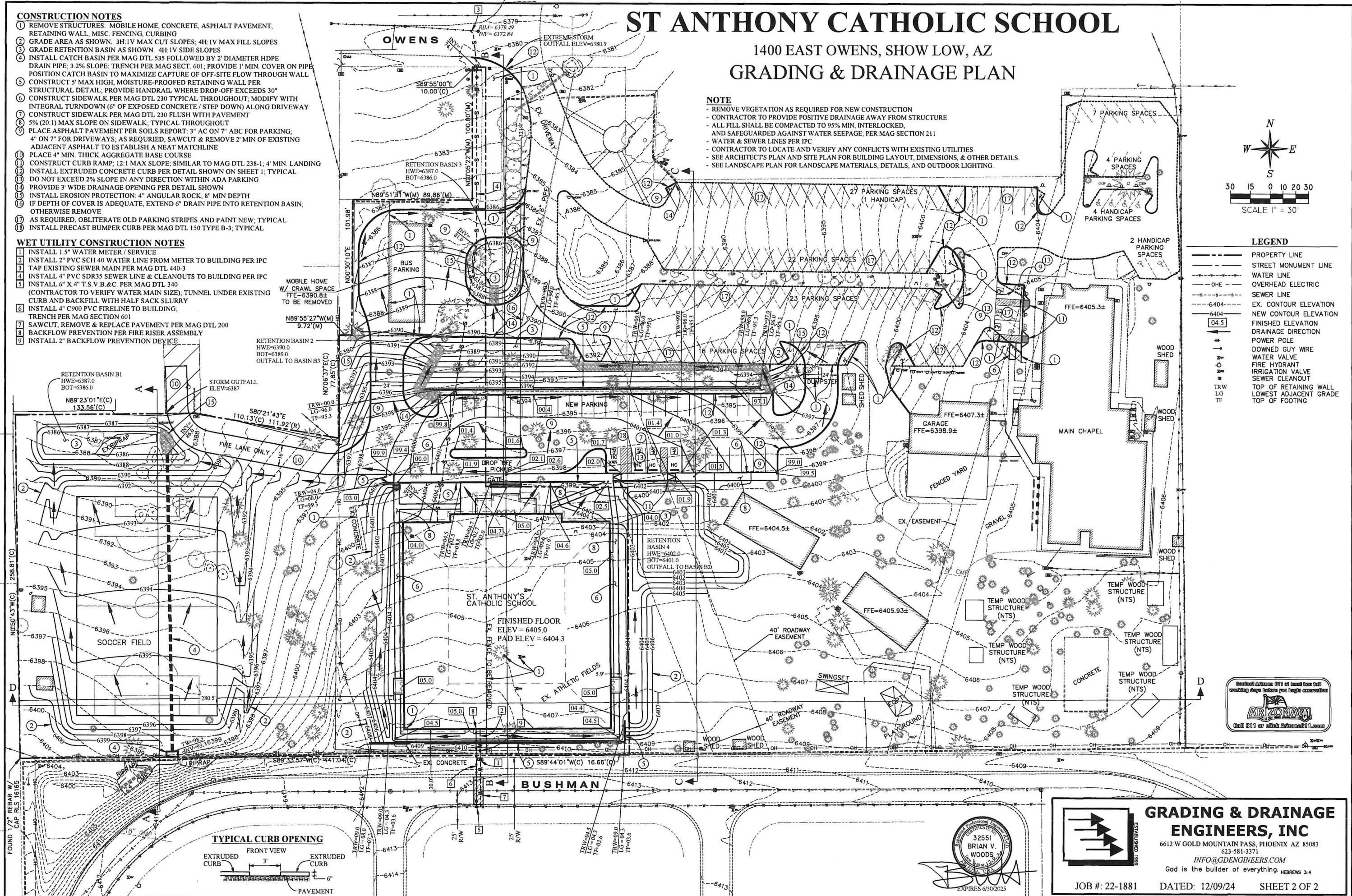
NOTE

- REMOVE VEGETATION AS REQUIRED FOR NEW CONSTRUCTION
- CONTRACTOR TO PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURE
- ALL FILL SHALL BE COMPACTED TO 95% MIN. INTERLOCKED, AND SAFEGUARDED AGAINST WATER SEEPAGE, PER MAG SECTION 211
- WATER & SEWER LINES PER IPC
- CONTRACTOR TO LOCATE AND VERIFY ANY CONFLICTS WITH EXISTING UTILITIES
- SEE ARCHITECT'S PLAN AND SITE PLAN FOR BUILDING LAYOUT, DIMENSIONS, & OTHER DETAILS.
- SEE LANDSCAPE PLAN FOR LANDSCAPE MATERIALS, DETAILS, AND OUTDOOR LIGHTING.

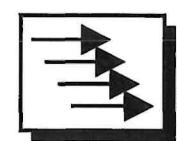
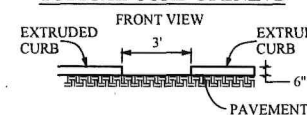


LEGEND

- PROPERTY LINE
- STREET MONUMENT LINE
- WATER LINE
- OHE --- OVERHEAD ELECTRIC
- S --- SEWER LINE
- 6404 --- EX. CONTOUR ELEVATION
- 6404 --- NEW CONTOUR ELEVATION
- 04.5 --- FINISHED ELEVATION
- DRAINAGE DIRECTION
- POWER POLE
- DOWNED GUY WIRE
- WOOD SHED
- FIRE HYDRANT
- IRRIGATION VALVE
- SEWER CLEANOUT
- TOP OF RETAINING WALL
- LOWEST ADJACENT GRADE
- TOP OF FOOTING



TYPICAL CURB OPENING



GRADING & DRAINAGE ENGINEERS, INC
6612 W GOLD MOUNTAIN PASS, PHOENIX, AZ 85083
623-581-3371
INFO@GDEENGINEERS.COM
God is the builder of everything. HEBREWS 3:4
JOB #: 22-1881 DATED: 12/09/24 SHEET 2 OF 2

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Conditional Use Permit (CUP) 602-04-271 submitted by Cody Lawyer to allow for Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 West Deuce of Clubs that being A.P.N. 210-09-032A. (Moriah Saline)

RECOMMENDATION

I **MOVE** to approve CUP 602-04-271 submitted by Cody Lawyer to allow Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 West Deuce of Clubs that being A.P.N. 210-09-032A subject to staff recommendations.

BACKGROUND

Cody Lawyer has submitted a conditional use permit application to allow Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 W. Deuce of Clubs, that being A.P.N. 210-09-032A. The applicant is renting restaurant space from the property owner. The subject property is zoned C-2 (General Commercial). Restaurants serving alcoholic beverages other than beer or wine require a conditional use permit in the C-2 zoning district.

The applicant has indicated that the hours of operation will be Sunday and Monday from 6 a.m. to 2 p.m. and Tuesday through Saturday 6 a.m. to 8 p.m.

The City Council recommended approval of the applicant's application to the State Liquor Board to serve alcohol on October 15, 2024. At the City Council meeting, the owner of Rocky's Lounge, which is in the same building and above the Show Low Café, objected to the liquor license application based on a non-compete clause in her lease. Disputes to rental agreements, including non-compete clauses, are not within the jurisdiction of the City, including the Planning and Zoning Commission.

In accordance with City Code, transmittal memos were sent to all affected agencies, the property was posted, and letters were sent to all property owners within three hundred (300) feet of the subject property. The owner of Rocky's Lounge came to the City regarding Show Low Café and spoke with representatives of the Building Department asking questions regarding building code requirements. Building code requirements are also outside the purview of the Planning and Zoning Commission.

ATTACHMENTS

1. Findings of Fact
2. Subject Property Maps
3. Application

FISCAL IMPACT

FINDINGS OF FACT

1. Cody Lawyer has submitted a conditional use permit application to allow Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 W. Deuce of Clubs, that being A.P.N. 210-09-032A. The applicant is renting the property from the owner.
2. Restaurants serving alcoholic beverages other than beer or wine require a conditional use permit in the C-2 zoning district.
3. Hours of operation will be Sunday and Monday from 6 a.m. to 2 p.m. and Tuesday through Saturday 6 a.m. to 8 p.m.
4. The City Council recommended approval of the applicant's application to the State Liquor Board to serve alcohol on October 15, 2024.
5. Current zoning of the surrounding properties include;

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

 North: Days Inn
 South: KK Express Wash, vacant commercial formerly Native New Yorker
 East: Mountain Motorsports
 West: Rocky's Cocktail Lounge, Days Inn, and vacant commercial.
7. Transmittal memos were sent to all affected agencies. No applicable comments were received.
8. The property was posted, and letters were sent to all property owners within three hundred (300) feet of the subject property.
 - An adjacent business owner spoke with representatives of the Building Department with questions regarding building code requirements for Show Low Cafe. Building code requirements are outside the purview of the Planning and Zoning.
 - One phone call was received with general questions.

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 602-04-271 submitted by Cody Lawyer to allow for Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 W. Deuce of Clubs that being A.P.N. 210-09-032A subject to the following conditions;

1. All developments shall comply with all applicable federal, state and local requirements.

STANDARDS FOR REVIEW

Project: Conditional Use Permit submitted by Cody Lawyer to allow for Show Low Café to serve alcoholic beverages other than beer or wine at their location at 480 W Deuce of Clubs that being A.P.N. 210-09-032A

General Plan

Economic Development

Goal: Provide more commercial opportunities and options.

Zoning Ordinance

Chapter 19.20

CONDITIONAL USE PERMITS

19.20.010 Purpose.

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

§ 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(A))

19.20.020 General regulations.

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

(B) Any use, legally established and in compliance with the rules and regulations of the state of Arizona and the City of Show Low, that is existing on the effective date of the ordinance codified in this chapter which is reclassified as a conditional use by this chapter for the district in which it is located shall be considered as meeting the conditions which would otherwise be imposed upon such use by this chapter, and its continuance shall not be subject to issuance of a conditional use permit; provided, however, that to the extent that such use fails to conform to the requirements of this chapter, it shall be considered nonconforming as described in Chapter 19.95, and its continuance shall be governed by all nonconforming use regulations applicable thereto.

(C) Every conditional use permit issued shall be applicable only to the specific conditional use and to the specific property for which it is issued and shall run with the property until revoked or until such time as the use is discontinued. The maintenance of special conditions imposed by the permit, as well as the compliance with other provisions of this chapter, shall be the responsibility of the property owner. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(B))

19.20.030 Application process.

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

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

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

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

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

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

19.20.040 Staff review.

An application for a conditional use permit shall be submitted to the planning and zoning director at least twenty-one (21) days prior to the public meeting. The required twenty-one (21) day period shall commence once a complete application has been received as deemed by the planning and zoning director or designee and shall not include the day of submittal, nor shall it include the day of the meeting. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public meeting. The recommendation shall set forth whether the conditional use permit should be granted, granted with conditions, denied, or set for a public hearing. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(D))

19.20.050 Standards for reviewing conditional use permits.

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

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

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

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

19.20.060 Notification requirements.

Notice of the nature of the conditional use permit application and the date of the meeting at which it will be considered shall be posted on the property and shall be mailed to the owners of all real property within three hundred (300) feet of the property for which application is made at least ten (10) days prior to the meeting.

Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(F))

19.20.070 Commission action.

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

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

(B) Deny the conditional use permit. If the commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this section will be met, it shall deny the permit. Notice of denial, including reasons therefor,

shall be mailed to the applicant at the address shown in the application, and the commission shall report its actions to the city council.

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

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

19.20.080 Appeals.

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

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

(C) *Council Action.*

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

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

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

(4) The council's decision shall be final and shall become effective immediately. Notice of the decision shall forthwith be mailed to the applicant at the address shown in the application. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09; Ord. No. 2024-06, § 1, 6-4-24. 1976 Code § 15-1-32(H))

19.20.090 Time limits.

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

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

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

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

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

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

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

19.20.100 Revocation and enforcement.

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

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

ARTICLE II. C-2 ZONE – GENERAL COMMERCIAL

19.70.090 Purpose.

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

19.70.100 Permitted uses.

- (A) All uses identified as “permitted uses” in the Neighborhood Commercial zone.
- (B) Merchandise must be sold on site. Uses permitted under this category shall include, but are not limited to, the following:

Aerobics studios;
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;
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;
Contractors' offices;
Cosmetics, retail sales;
Costume rental;
Crockery, retail sales;
Dairies, retail sales of products;
Dental laboratories;
Dental supplies;
Department stores;
Diaper supply services;
Drive through restaurant not adjacent to residentially zoned property;
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;
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;
Linen supply, laundry services;
Locksmith shops;
Martial arts studios;
Medical supplies, retail sales and rental;
Mortuaries;
Motion picture equipment, retail sales and display;
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;
Public transportation depot;
Radio and television studios;
Record retention center;
Restaurants, beer and wine only;
Restaurant equipment, retail sales;
Safes, repair and sales;
Saw sharpening shops;
School equipment and supplies, retail and wholesale;
Secondhand goods which do not accept donations;
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. Includes a single, site-built residence attached to a business for use as a caretakers residence. (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; Ord. No. 2024-06, § 1, 6-4-24. 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;
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 adjacent to residentially zoned property;
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;
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 other than beer or wine;
Secondhand goods which accept donations;
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; Ord. No. 2024-06, § 1, 6-4-24. 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 Street Side Setback*. 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; Ord. No. 2024-06, § 1, 6-4-24. 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))

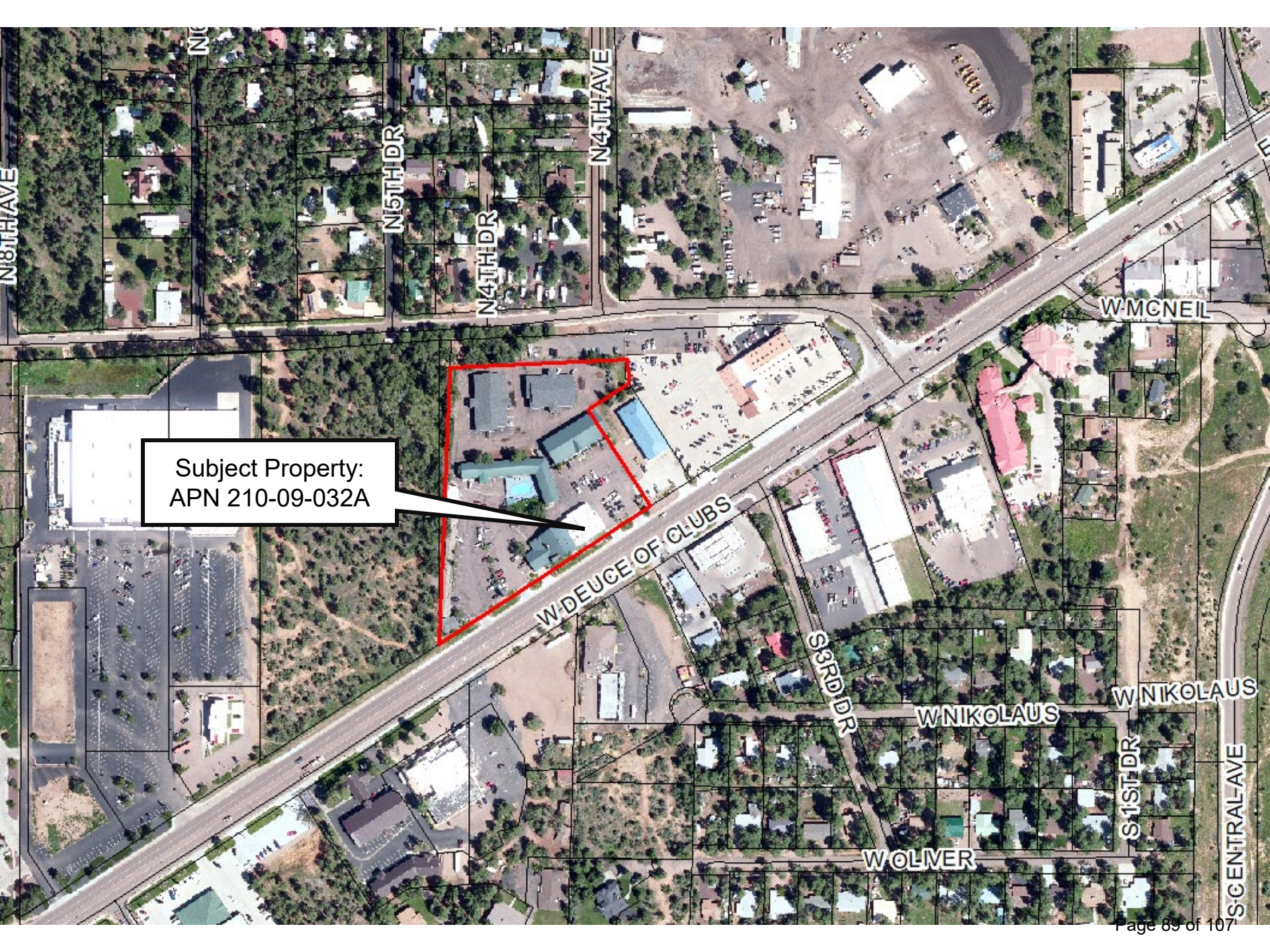
19.70.150 Parking and loading.

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:
APN 210-09-032A



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

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

For Office Use Only

Date received: 1-31-25
Time received: 230 AM/PM PM
Received By: MS

OWNER INFORMATION

Name: Harris Bhutti
Address: 480 W. Dence of Clubs
Mailing Address: _____ Apartment/Unit#: _____
City: Show Low State: AZ ZIP Code: 85901
Phone: 909 809 1392 Email: days inn show low @ outlook

APPLICANT INFORMATION (if different)

Name: Cody Lawyer
Address: [REDACTED]
Mailing Address: _____ Apartment/Unit#: _____
City: Show Low State: AZ ZIP Code: 85901
Phone: [REDACTED] Email: showlowcafe.az@gmail.com

PROPERTY INFORMATION

Address of Property: 480 W Dence of Clubs Parcel Number (A.P.N.): 210-09-0324
Legal Description of Property: Show Low Cafe

Zoning Classification: _____ Applicant's interest in Land: _____

What is the Nature of the Request? Restaurant looking to obtain full
liquor license

APPLICATION REQUIREMENTS

1. One (1) copy of 24" X 36" map and one (1) copy of the same map in 11" X 17" (additional maps may be required if requested by Staff) **All maps must be drawn to scale and shall include:**

- ☐ Lot dimensions.
- ☐ Location, size, height, use and exterior materials of all buildings and structures.
- ☐ Size and dimensions of yards and space between buildings.
- ☐ Location and height of walls and fences.
- ☐ Location, number of spaces, dimensions, circulation patterns, and surface materials for all off- street parking and loading areas, driveways, access ways and pedestrian walkways.
- ☐ Location, dimensions area, materials, and lighting of signs.
- ☐ Location and general nature of exterior lighting.
- ☐ Street dedications and improvements.
- ☐ Existing and proposed grades and drainage systems.
- ☐ Size and location of all existing and proposed public and private utilities. All easements must be shown.
- ☐ Natural features such as mesas, rock outcroppings, or streams and manmade features such as existing roads and structures, with indication as to which are to be retained and which are to be removed or altered.
- ☐ Landscaping, including all surfacing material around buildings and in all open spaces.
- ☐ A vicinity sketch showing the location of the site in relation to the surrounding street system.
- ☐ Adjacent properties and their uses shall be identified.
- ☐ A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer.
- ☐ Any information which the zoning administrator may find necessary to establish compliance with this and other ordinances.

2. A statement of how this proposed project or use will comply with the goals and objectives of the Show Low General Plan:

In the SLGP pages 24-28 really emphasizes on Economic Development. My goal is to provide an atmosphere that attracts locals and visitors. While providing 25-30 full-time jobs year round, not just seasonally. I've also hired a professional to help maintain my state liquor license, so the restaurant is always in compliance.

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

All staff will be trained and certified in all Arizona liquor laws regulations, and protocols for customer/staff safety. As a restaurant I am required to maintain a 60/40 alcohol/food ratio that prevents over serving.

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

n/a

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

Cody C. Lawyer [Redacted]

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

H. [Signature]

Signature of Owner (s)

1/31/25

Date

Signature of Owner (s)

Date

Cody C. Lawyer

Signature of Applicant (If other than owner)

1-13-2025

Date

WAIVER OF CLAIMS UNDER ARIZONA REVISED STATUTES § 12-1134

I, Hector Bluff, the owner of the property described as A.P.N. 210-09-032A

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

DATED this 31st day of January, 2025.

H. Bluff

Signature of Property Owner

STATE OF ARIZONA)
) ss.
County of Navajo)

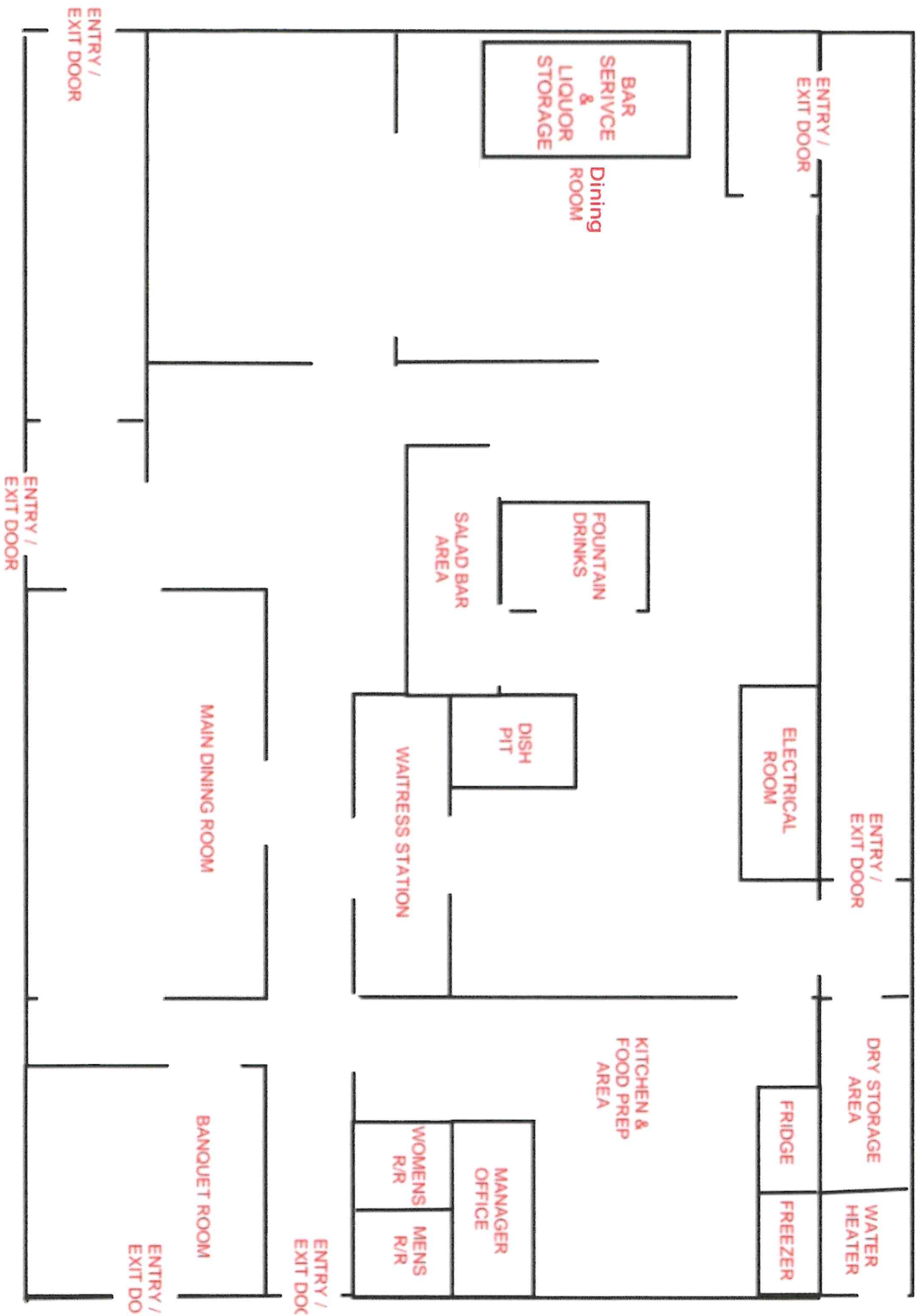
SUBSCRIBED AND SWORN before me this 31st day of January, 2025
by Trampas Johnston.
 Name of Signer

[Signature]

Notary Public
expires: 09/17/2028

[Notary Seal]





STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

REST
License 012090030802

Issue Date: 11/19/2024

Expiration Date: 5/31/2025

Issued To:

JUANITA ALICIA ESPARZA, Agent
SHOW LOW CAFE AZ LLC, Owner

Location:

SHOW LOW CAFE
480 W DEUCE OF CLUBS
STE B
SHOW LOW, AZ 85901
USA

Mailing Address:

JUANITA ALICIA ESPARZA
SHOW LOW CAFE AZ LLC
SHOW LOW CAFE
480 W DEUCE OF CLUBS
SUITE #B
SHOW LOW, AZ 85901
USA



EXP 5/31/2025

The seal of the Arizona Department of Liquor Licenses and Control is positioned over the expiration date. It is a five-pointed star with a blue center containing the state seal of Arizona. The words 'DEPARTMENT OF LIQUOR LICENSES AND CONTROL' and 'ARIZONA' are visible around the star.

POST THIS LICENSE IN A CONSPICUOUS PLACE



NAVAJO COUNTY

Public Health Services District



PERMIT TO OPERATE

ESTABLISHMENT NAME

Show Low Cafe AZ LLC

480 W. Deuce of Clubs Show Low, AZ 85901

PERMIT TYPE

EH-05 Type 3

PERMIT NUMBER

6486

OWNER INFORMATION

Show Low Cafe AZ LLC

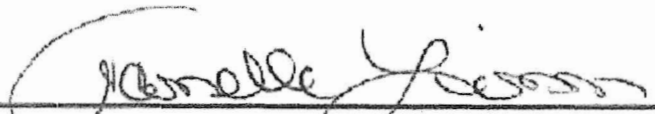
Cody Lawyer

Show Low, AZ 85901



EXPIRATION DATE

01/31/2026


Janette Linn, BSN, RN, Health Director

POST PROMINENTLY - PENALTY FOR REMOVAL
PERMITS ARE NON-TRANSFERRABLE

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, JANUARY 14, 2025, 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 Hatch, Commissioner Wilson, Commissioner Adams, Commissioner Whipple

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

GUESTS: Linda Grice, Keith Johnson, Ellesse Kempton, Zac Jackson, and others.

3. Invocation.

Commissioner Whipple gave the invocation.

4. Pledge of Allegiance.

Vice Chairman Roberts led the Commission and audience in the pledge of allegiance.

5. **NEW BUSINESS:**

- A. Consideration of Conditional Use Permit 602-04-268 submitted by Linda Grice of Young Design Group, on behalf of Verizon Wireless, to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032. (Moriah Saline)

Ms. Saline said Linda Grice of Young Design Group, on behalf of Verizon Wireless, has submitted a Conditional Use Permit (CUP) to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032.

Currently, the site proposed is utilized by White Mountain Theater and falls under C-2 zoning (General Commercial). It spans approximately 94,089 square feet, with dimensions of about 295 feet deep and 275 feet wide. At the rear of the property lies a steep hillside, also designated for C-2, and the southern boundary abuts C-2 zoning.

Section 19.115.040(N), Visual Corridor Protection, of the City Code states, "Except for placement on existing structures or towers, no new tower shall be permitted within 200 feet of the edge of the right-of-way for any arterial or collector roadways as identified in the City of Show Low's Transportation Plan." Based on this requirement for setbacks, the proposed mono-pine will be

positioned 265 feet away from the White Mountain roadway and 205 feet from Woolford Road.

In addition, City Code section 19.115.070(B)(5)(a) states; "Separation from all residentially zoned properties' shall be a minimum of 100 feet, or the fall zone as certified by an engineer, whichever is greater." This condition is met as the fall zone reaches 65 feet. The closest residential zoning boundary line to the proposed mono-pine sits approximately 150 feet away, from the proposed cell tower location. The Pine Oaks subdivision boundary line is approximately 375 feet from it from the proposed location.

To comply with City Code 19.115.070(B)(5)(b) Separation Distances Between Towers, it is important to note that the nearest existing tower is located at 1350 S White Mountain Rd and stands at a distance of 1,800 feet from the proposed mono-pine.

The applicant stated that the installation of the tower is necessary at this location because of connectivity needs, equipment specifications, and to address coverage gaps. Alternative sites nearby were evaluated but deemed impractical by the applicant.

City Code Section 19.15.040(C)(1) states that "towers shall be painted, subject to any applicable FAA standards, a neutral color so as to reduce visual obtrusiveness. At a tower site, the design of the buildings and related structures shall, to the extent possible, utilize materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings." The elevation renderings supplied by the applicant illustrates how the mono-pine tower relates to its environment. For context, the theater stands approximately 23 feet tall based on the latest plans available, with a base elevation of 6,390 feet. The proposed mono-pine will also have this same base elevation. At the western property line, the elevation is measured at 6,430 feet, while the closest residential home is situated at an elevation of 6,450 feet. The mono-pine tower will be painted a natural, pine bark color with faux branches approximately 12 to 13 feet in length tapering up to maintain the same shape of the surrounding pines.

According to the plans submitted by the applicant, there will be no lighting on the tower and compound area. Additionally, all FAA and FCC regulations will be adhered to prior to construction, thereby fulfilling the essential requirements specified in our City Code under sections 19.115.040(D) and (E).

FINDINGS OF FACT

1. Linda Grice of Young Design Group, on behalf of Verizon Wireless, has submitted a Conditional Use Permit (CUP) to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032.
2. The subject property is utilized by the White Mountain Theater and is

classified as C-2 zoning (General Commercial). It covers an area of 94,089 square feet, measuring roughly 295 feet in depth and 275 feet in width.

3. In accordance with the setback requirements, the proposed mono-pine will be located at a distance of 265 feet from the White Mountain roadway and 205 feet from Woolford Road.
4. The fall zone is 65 feet, and the nearest residential property line is approximately 150 feet away, with the Pine Oaks subdivision about 375 feet from the proposed mono-pine.
5. The nearest existing tower is located at 1350 S White Mountain Rd, 1,800 feet from the proposed mono-pine.
6. Other locations in the vicinity were considered, however they were determined to be unfeasible by the applicant.
7. Elevation renderings show the mono-pine tower's relation to its surroundings. The theater is about 23 feet tall, with a base elevation of 6390 feet, the same as the proposed mono-pine. The western property line's elevation is 6430 feet, while the nearest residential home is at 6450 feet.
8. The mono-pine tower will be painted a natural, pine bark color with faux branches approximately 12 to 13 feet in length tapering up to maintain the same shape of the surrounding pines.
9. There will be no lighting installed on the tower and within the compound area, and before construction begins, all regulations set by the FAA and FCC will be adhered to. This ensures compliance with the critical requirements outlined in our City Code sections 19.115.040(D) and (E).
10. Current zoning of the surrounding properties include.
 - North: C-2 (General Commercial)
 - South: C-2 (General Commercial)
 - East: C-2 (General Commercial)
 - West: C-2 (General Commercial) and R1-7 (Single Family Residential 7,000 square feet.)
11. The current land uses of the surrounding properties include.
 - North: Speedway
 - South: Furniture Row
 - East: National Bank of Arizona
 - West: Commercial / Residential

12. Transmittal memos were sent to all affected agencies. No applicant comments have been received.
13. One phone call from a neighboring property owner has been received regarding the proposed development indicating they were opposed to project.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, the Zoning Ordinance, 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 Linda Grice of Young Design Group on behalf of Verizon Wireless to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032, subject to the following conditions;

1. All development shall comply with all applicable federal, state and local requirements, including Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and building permit requirements.
2. The tower shall be in conformance with the submitted site plan. No further height extensions are allowed unless approved through future Conditional Use Permits.

Commissioner Adams asked if the cell tower falls within the City Code requirements and no variances are required for this request.

Director Tregaskes said that a previous request for a mono-pine near Fairway Park asked for several allowances to City Code from the Planning & Zoning Commission. Those included reducing required setbacks and setbacks to residential property lines. He said recent revisions to City Code removed the ability for the Commission to allow those types of reductions. Now the question is if it meets the minimum number required by City Code, if it does not the Commission is no longer allowed to make those reductions. He said that the submitted application meets all the requirements of City Code.

Chairman Barlow said he understood that the 1,800 feet from the nearest tower meets City Code and asked what the minimum separation distance from other towers is.

Director Tregaskes said the minimum separation from other towers is 1,500 feet.

Chairman Barlow clarified that the separation distance could not be changed by the commission anymore.

Director Tregaskes said that was correct, the ability to reduce the distance

between towers would need to go through the variance process through the Board of Adjustment.

Chairman Barlow asked why a CUP is required for cell towers, was it because of the height of the tower or because it is a communication tower.

Director Tregaskes said it is based on the height of the towers. Cell towers are restricted to commercial and industrial zoned property per City Code. With a few exceptions they are not allowed on residentially zoned property. Most of the City's commercial property is parallel to the major highways. He clarified that a tower or antenna less than 50 feet in height is an administratively approved use, it does not need to go through the CUP process unless the director felt it needs to be reviewed by the Commission. Any towers over 50 feet requires a CUP. The proposed tower is a total 110 feet, with approximately 105 feet to the top of the antennas and five (5) feet of fake pine tree topper. This the same height as the previously approved tower on Clark Road between the Circle K and Dollar General.

The applicant Linda Grice of 245 E Via Linda, Suite 211, Scottsdale, AZ came forward.

Chairman Barlow said he was looking through the submitted plans and he understood that the tower is placed at the base of the hill, near the movie theater parking lot.

Ms. Grice said that is correct and referred to the submitted photo simulation on the screen, that shows where the tower will be located on the subject property.

Vice Chairman Roberts said he understood that the applicant contracts with Verizon in order to find locations for cell towers. He then asked how the company finds locations for cell tower locations.

Ms. Grice said each carrier has an area that they cover, there is a process of fitting sites for coverage. She referenced the submitted coverage map for the area and stated that the coverage in this area is not very good. She said they use computer modeling to identify locations for proposed cell towers.

Vice Chairman Roberts said he is familiar with the area where calls are dropped and asked if this would also help with communications for first responders.

Ms. Grice said that she wasn't sure if this would improve communications for first responders.

Vice Chairman Roberts said he felt there are areas in the City where coverage is needed and asked how there could be better cell coverage in the City.

Attorney Atencio said that would need to be addressed in a different meeting.

Commissioner Adams asked what the security fencing would look like since the area is popular with teenagers.

Ms. Grice said that the equipment area for the tower would have a fence, but they were not planning on fencing the area around the base of the tower because about five (5) parking spots would need to be removed. She explained that the branches start at 15 feet high, but they could be moved to up to 20 feet high. She also said the branches will pull down and they are very difficult to climb. She said most jurisdictions don't require fencing around the base of the tower and actually feels like it would make the tower easier to climb.

Commissioner Adams asked if the applicant was concerned with vehicles hitting the tower since it is located in a parking lot.

Ms. Grice said that they are proposing to place bollards around the base, which they feel is sufficient to prevent any vehicles from hitting the tower.

Chairman Barlow invited members of the public to come forward with any comments.

Keith Johnson of 1130 East Pine Oaks Drive, Show Low, AZ said he is the Town Manager for Pinetop-Lakeside. He said has worked with Verizon and said his opposition is because he's right in the line of sight of the tower due to the elevation of his property. He referenced an Federal Communications Commission (FCC) document that states the health hazards from cell towers are much less the further away you are from it. He feels there is a hazard to being so close to the antenna. He said that it would be looking down the barrel of a gun right outside his window. He said there are several homes that are at the similar altitude as he is. He said there is a pole 1,800 feet away and wanted to know why Verizon couldn't use that pole. Mr. Johnson said the County recently voted to deny a tower and said that the Commission doesn't need to approve the request. He feels that being at eye level at a few hundred feet away is a danger to his health. He said there are other locations and that this isn't the only site that would work.

Ellesse Kempton of 1291 East Woolford Road, Show Low, AZ said she is almost directly behind the tower, and she said her neighbor is even closer. She said she wasn't sure exactly how close her property was to the tower, but feels it is quite close. She also said that her children also play down on the hill which concerns her. She feels that the proposed placement doesn't comply with the zoning requirements and the emphasized the residential character of the neighborhood. She said looking at the picture she feels there is a hazard to the tower potentially falling on the movie theater. She does not want to see the security fencing, she said she isn't sure how landscaping works on a hill or on concrete. She also said the life span of a cell tower is about 10 to 30 years wanted to know what will happen to the tower at the end of its life span. She also referenced wildlife concerns. She said prolonged exposure to EMFS can

cause cancers especially in children and elderly. She did not feel there was adequate information provided to the residents about the proposed tower. She also said that the notice was not made a minimum of 15 days prior to the hearing as required by City Code. Ms. Kempton also read a statement from her 95 year old neighbor, Lorraine Harmon that said she has concerns about health effects, aesthetics and public safety and is opposed to the proposed tower.

Zac Jackson of 1010 East Pine Oaks Drive, Show Low, AZ said he shares the same concerns of the other neighbors, his property is about 10 feet higher than Mr. Johnson's he also has two little girls that he has concerns for their health and cancer due to over exposure from cell towers. He referenced the Cancer Society and FCC. He said it was true that several years ago there was a dead zone in his neighborhood, but it is better now, so he does not feel that is a reason for the tower and asked the Commission to scrutinize the location based on the concerns of himself and his neighbors.

Chairman Barlow closed the public comment portion of the meeting.

Director Tregaskes referenced the aerial of the property on the screens. He noted the theater property is outlined in red and the red star is the approximate location of the tower. He said the measurements from aerial photos to Ms. Harmon's home to the west who provided the letter in opposition is located approximately 300 feet from the proposed tower, Ms. Kempton's home is 450 feet away, and the distance to the Pine Oaks subdivision boundary is 375 feet. He also said City Code requires that all cell towers are to be setback a distance equal to at least 125 percent of the fall zone as certified by a licensed engineer from any adjoining lot line. In this case the fall zone as certified by the engineer is 65 feet, so the minimum setback is 81 feet, the tower is setback 116 feet, which exceeds the minimum setback required. Director Tregaskes said that the landscaping and submitted plans are conceptual, assuming the CUP is approved the applicant would need to show landscaping around the equipment enclosure of four (4) feet wide as required by City Code and would need to be submitted with the building plans. He also addressed the question about notice requirements by Ms. Kempton. He said the City Code section she referenced is for the variance process that goes to the Board of Adjustment which is different from the CUP process. He said CUPs require a minimum notice of 10 days prior to the meeting. The property was also posted and letters were sent to all property owners within 300 feet. He said it appeared the public notice sign was knocked over by a vehicle, staff went out and put the sign back up. So the City did meet the minimum notice requirements for this item. He referred questions about health concerns and the reason for the site to the applicant.

Commissioner Adams was wondering why there isn't a fence around the tower and asked about the code requirement for security fencing around cell towers.

Director Tregaskes said typically you'll see a fence, but in this case they are

requesting not to. With the recent changes to City Code some options to reduce requirements such as fall zone, setback distances were removed by Commission, however the fencing around the tower can be required. Staff does not feel fencing is necessary due to bollards, but would support fencing if the Commission felt it is necessary.

Commissioner Adams asked if there are other cell towers that don't have fencing around them in the City.

Director Tregaskes said most do have fences but there are two (2) that don't have fences. Such as the one at Cellular One and off of East Cooley.

Vice Chairman Roberts said that because the site is a movie theater it would be more of a nuisance than another site due to teenagers going to the movie theater. He asked if an additional fence, in addition to the bollards be an effective deterrent and do they feel it adds to the security of the tower.

Ms. Grice stated in her opinion that a fence allows easier access to climb the tower, it's not a deterrent. Ms. Grice provided a picture of a tower at a Church with a playground that is nearby with no fence and there have been no issues. She said that type of tower is rarely fenced.

Commissioner Whipple said along the back side of the tower is closer to the steep slope the and asked if that would make it easier to grab a branch and climb the tower.

Ms. Grice it's not as close to the slope as you would think and it would be quite difficult to jump onto.

Vice Chairman Roberts understood that with the equipment for the cell tower would be landscaped to camouflage the site, but he asked how much would the houses that are above be able to see.

Ms. Grice said she doesn't believe you would see it at all.

Commissioner Hatch said the main concern of the neighbor is property value, but more so health concerns. He asked the applicant to speak to the concern of health effects and cancer.

Ms. Grice said a jurisdiction is prohibited from using health effects as a justification to deny an application. She said it is a cell tower transmitter that transmits a signal to a cell phone.

Commissioner Hatch asked what is the health effects from a cell phone to a cell tower.

Ms. Grice said a cell phone is 1,000 times more dangerous than a tower.

Commissioner Hatch asked if that could be proven.

Ms. Grice said yes.

Commissioner Wilson said she agreed that the resident who mentioned issues with dropped calls previously, and that she has experienced that calls along the area haven't dropped in a while. She asked why this site was selected.

Ms. Grice referenced the map and said they looked at the existing Cellular One site and with the location of the building there was no location for their equipment. Also, the height of the antennas would only be at 45 feet, which would only cover the meadow and not the residences on the hills. She said the commercial properties to the south of that location are not wide enough to fit a tower and meet the required setbacks. She also said most of the meadow is located in a flood plain, Verizon will not place a tower in the flood plain. The property with the new hotel is not wide enough to meet the setbacks. They spoke with Hampton Inn about that location the tower would need to be a 140 foot tall tower, that also would not be able to be a mono-pine and would be extremely expensive. Further south there were too many trees would need to be removed to place the tower. She said the FCC requires that carriers provide radiating estimates, and it is monitored and kept below the required limits.

Commissioner Hatch asked why there is so much concern with health effects from cell towers and why hasn't her company provided more information to counteract those concerns.

Ms. Grice wasn't sure.

Mr. Johnson came forward and re-read his statements from the FCC and American Cancer Society about exposure levels for the health effects from cell towers. He said the documents state access to those areas should be limited. He said based on those documents he feels that a cell tower is worse than your cell phone.

Commissioner Hatch asked Mr. Johnson if the documents indicate a minimum distance that is recommended to reduce health effects.

Mr. Johnson said they didn't, but he feels close proximity to antennas should be limited, but he said they don't have that statement for cell phones.

Commissioner Wilson said she doesn't understand why this area needs a tower, but she understands there is a need throughout the community for additional towers.

COMMISSIONER HATCH MOVED TO APPROVE CUP 602-04-268 SUBMITTED BY LINDA GRICE OF YOUNG DESIGN GROUP, ON BEHALF OF VERIZON WIRELESS, TO ALLOW FOR A 110-FOOT MONOPINE CELL TOWER LOCATED AT 1850 S. WHITE MOUNTAIN RD., THAT BEING

A.P.N. 210-32-032, SUBJECT TO STAFF RECOMMENDATIONS.; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER HATCH, COMMISSIONER WILSON, COMMISSIONER ADAMS, COMMISSIONER WHIPPLE VOTING IN FAVOR

Director Tregaskes said that unless an appeal is received by the City Clerk within seven (7) days this CUP will become 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 October 22, 2024.

VICE CHAIRMAN ROBERTS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 22, 2024; SECONDED BY COMMISSIONER WILSON; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER HATCH, COMMISSIONER WILSON, COMMISSIONER ADAMS, COMMISSIONER WHIPPLE VOTING IN FAVOR.

8. SUMMARY OF CURRENT EVENTS:

A. Commission Members

Commissioner Hatch said it's a great day in Show Low.

Commissioners Wilson, Schnepf, and Whipple had no report.

Commissioner Adams said to be careful and aware of fires due to the lack of moisture.

Vice Chairman Roberts agreed with Commissioner Adams, and encouraged everyone to be prepared for the possibility to evacuate in a short amount of time, be Firewise and clear your property of debris around your home especially in the light of the recent fires in Los Angeles. He said the City has been in similar situations in the past and especially now in light of the

extremely dry conditions.

Chairman Barlow had no report.

B. Planning and Zoning Director

Director Tregaskes said that fire dangers cannot be mentioned enough. He said a few fire fighters from Show Low got a mention on news helping with the fires in California. He said simple things make a difference, like trimming trees, and picking up pine needles, he reminded residents that the City of Show Low offers free bulky item pick up every other month on the odd numbered months and that includes bundled branches and bags of pine needles. Also, he reminded everyone to watch their pets and pipes due to very cold weather. Make sure to bring pets inside and make sure pipes are insulated so they don't freeze.

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 JANUARY 14, 2025, AT 8:14 P.M.**

ATTEST:

APPROVED:

Zach Barlow

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 January 14, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Katie Fechtelkotter