

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, FEBRUARY 25, 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, and City Attorney; Anna Atencio

GUESTS: Eileen Vasquez Lindstrom, Bill & Andrea Walsh, Drake, Camryn Lester, Easten Canter, Cody Lawyer, Brenda Vario, Bradoc Waite, Ian Watts, Samm Najera-Sanchez, Mandy Dunlap, Elizabeth Blevins, Laura A. Doty, Jim Gosliga, Charles A. Brault, Sheri Eppinger, Amanda Muder, Scott Eppinger, William Mata-Herrera, Clarissa Finley, L. Wood, Alissa Loomis, James Simmons, David Ramsey, Laura Rodriquez, Eddie Narramore, Gordon Terracina, Joshua Doss, Kaylob Dupuis, Cody Rowe, Trish Lawler, Mary Siegrist, Kris Cunningham, Darren Cox, Kevin Canter, Jerry [illegible], Peter Escalante, Mark Diltz, Chris Bennett, Jimmy Jones, Tammy Carpenter, Angela Catterson, Derek Shafer, Felicity Canter, Bog Higgins, Ashley Windau, Ricardo Windau, Lane & Chad Meier, Erin Holmes, Scott Towe, Jodi Whitehead, Ashley & Dallas Dickason, Eva Haverland, Josh Johnson, Deane [illegible], Josh Jameson, Kathy Heim, Richard Weigel, Bryan Yorksmith, Lena Hall, Paige & Boycin Hansen, DeeRinda Wilson, Lina Wilson, Gary Burgess, Parker Jameson, Kyle [illegible], Rick Fernau and guests.

3. Invocation.

Commissioner Adams gave the invocation.

4. Pledge of Allegiance.

Commissioner Wilson led the Commission and audience in the 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.

Director Tregaskes said 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 have been supplied by the applicant and is included in the review packet.

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 said property 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 a 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.

Director Tregaskes said he received a phone call this afternoon with general questions, but no objections to the request.

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 approve 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.

Commissioner Adams asked if there was anything out of the ordinary with this application.

Director Tregaskes said no, that this would be a decrease on what would be allowed on the property. There would be a church, parking lot and a sports field or fields, so the use will be less intensive than what was currently allowed.

Vice Chairman Roberts asked if this means that the traffic concerns would be less with a church than with the previous proposal for 70 condominiums because traffic is usually the biggest concern.

Director Tregaskes said the overall traffic would be less than the original proposal, with the condos you would likely see more traffic throughout the week, however with a church you would see more traffic on Sundays. There are some tradeoffs but believes overall traffic would be less for a church.

Chairman Barlow asked if the church is a Conditional Use under the current R2-7 zoning district or is it not permitted at all.

Director Tregaskes said that was an option discussed with the applicant. One option would be to apply for a CUP or the other to apply for a zone change where a church and a school would be a permitted use. With a CUP there are requirements that construction must be started within 12 months and be completed within 18 months. With the zone change as requested the time limit would be eliminated and allow for more flexibility on time frames for construction.

Chairman Barlow asked the applicant what the timeframe for the project is.

Rick Fernau of White Mountain Bible Church said their goal is to have a building completed by spring/summer 2026 for the 40th anniversary of the Church. He said there is also a possibility of partnering with the city to offer additional sports facilities when needed

Chairman Barlow opened the public hearing.

Chairman Barlow closed the public hearing since no one came forward.

VICE CHAIRMAN ROBERTS MOVED 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.; 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.

Director Tregaskes said this item is scheduled for a public hearing with the City Council next Tuesday, March 4, 2025 at their regularly scheduled meeting.

- 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.

Director Tregaskes said 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 East 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 East 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.

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 feet 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 include:

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. Staff mailed letters to all property owners within 300 feet of the 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. No opposition was received.

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 including ADOT requirements.

Commissioner Adams asked about the comment from ADOT requiring a traffic impact statement, and if the Planning and Zoning Commission approves the CUP, but ADOT finds an issue with the project what would happen.

Director Tregaskes said the Commission is covered under condition one of the CUP. The Commission is approving the school, if ADOT determined something was required on White Mountain Road the applicant would be required to comply with those requirements as well.

Commissioner Wilson asked why the fencing is a recommendation versus a requirement.

Director Tregaskes said staff is making it a recommendation of approval because it is not a requirement of City Code. However, because there are single family homes that back up to the property staff felt a fence is appropriate for the project. Staff spoke with a representative for the project today regarding the condition and they said it was something they were already planning on and if it was approved as recommendation, it would become a requirement.

Chairman Barlow referenced the history of the project phases and asked if the commission is seeing this request due to the initial condition of the first CUP or any type of change this substantial would require it to come back to the Commission for a CUP.

Director Tregaskes said the original condition that said any expansion requires an additional CUP, but also because it is an adjacent property that was not included in the original CUP application that is zoned residential.

Commissioner Hatch asked what time frame for the project was.

Bob Higgins, the applicant, said the time frame they anticipate is late spring/early summer 2025 depending on weather and that it would be completed within one year.

Chairman Barlow clarified that the expansion is for the school and not the church.

The applicant said it is for the school.

Commissioner Wilson said she appreciated the expansions.

COMMISSIONER ADAMS MOVED 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; 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 there is a seven day appeal period if no qualified appeal is received by the City Clerk this CUP will become effective.

- 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.

Director Tregaskes said 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 regarding rental agreements, including non-compete clauses, are not within the jurisdiction of the City, including the Planning and Zoning Commission.

In accordance with the 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.

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.

Ms. Atencio said the Planning and Zoning Commission does not address leases including non-compete clauses, also the City does address building code issues, however that is not under the purview of the Commission either. She said the Commission is here to address the CUP.

Vice Chairman Roberts wanted to disclose that he did have a conversation with the applicant regarding the reasoning for the CUP even though she already went through the City Council for the liquor license and he directed her to contact staff with those questions.

Commissioner Adams asked if there was anything out of the ordinary with this CUP request.

Director Tregaskes said that this application is typical of what we have seen in the past. He said that last July a change to City Code removed the CUP requirement for restaurants serving beer and wine only. He said that is now a permitted use through the State Liquor Board and no longer requires a CUP from the Commission. He clarified since the applicant wants to sell alcohol other than beer and wine at their restaurant, a CUP is required.

Chairman Barlow said that he was going to open the item for the public to speak on the item, however there will be a three-minute limit on statements per person. He said that he would appreciate if there was a person designated to speak on the same concerns to respect everyone's time. He wants to make sure that everyone's concerns are heard but also there was no need to hear the same thing repeated multiple times.

Marchelle Eva May Haverland-Johnson of 760 North 4th Drive and owner of Rocky's Cocktail Lounge at 420 W Deuce of Clubs stated her business is in the same building as Show Low Café and you must access the business through a stairwell. She said three businesses, a bar, hotel and a family restaurant, which is Show Low Cafe, have operated in harmony with each other for the past 30 years due to a non-compete clause in their leases with the Tenney family. She said the property was sold to new owners who have claimed to honor the previous lease until it expires. She said the landlord

agreed not to lease space in the building or property to any liquor, bar, sports bar or entertainment establishment. Ms. Haverland-Johnson said that the lease is a law abiding contract between landlord and tenant and if it is disregarded it is breaking the law. A lease should be honored, respected and acknowledged by a government branch. If the City Planning and Zoning Commission decides to disregard the lease it will inadvertently be a breach of a written contract which is being accessory to a crime and opens the City to a lawsuit for aiding and abetting. She claims the city is breaking the law and she will be suing the city.

Commissioner Hatch said the City Attorney said very clearly earlier that lease agreements are not under the purview of the Planning and Zoning Commission. He did not want to be curt, however her issue is with the landlord and nothing to do with the Planning and Zoning Commission. He said we are here for a CUP for a liquor license not her lease agreement.

Ms. Haverland-Johnston said her landlords told her they have told Show Low Café that they are not allowed to sell liquor, but they aren't able to do anything because they are in California. She claims that it is biased and unethical.

Chairman Barlow informed Ms. Haverland-Johnson that her time to speak was well over the allotted three minutes and asked for the next person to come forward.

James Simmons of 1000 North 22nd Avenue said that every business needs to be handicap accessible and Rocky's Cocktail is not ADA accessible, but Show Low Café is. His grandfather is 100 years old but cannot make it upstairs to the bar to have a beer.

Elizabeth Blevins of 2526 East 8th Sundown Lane, Snowflake, AZ urged the Commission to deny the CUP to allow Show Low Café to serve alcoholic beverages because there is a direct conflict with the existing business, Rocky's Cocktail Lounge at the same location. She said although the Commission has no authority on the non-compete clause of the lease, they do have the ability to act in the best interest of the community. Show Low Cafe will not have any issues being successful if they are not able to serve liquor. However, it will be detrimental to Rocky's Cocktail Lounge because they are a bar and selling beer, wine and liquor is their livelihood. Ms. Blevins said she understood that the owners of Rocky's Cocktail Lounge came to Cody Lawyer of Show Low Café with agreement to provide alcohol, however the offer was rejected. She feels the approval will put Rocky's Cocktail Lounge out of business and it will be another vacant retail space, which is a disservice to the community. She urged the Commission to deny the CUP.

Anna Quintanilla of 2813 Kempa Drive, Lakeside, AZ said she is an employee of Rocky's Cocktail Lounge she opposes the liquor license because she is a bartender and if the Commission approves the CUP she feels she will lose her job and won't be able to provide for her family.

Laura Doty of Concho said goes to Rocky's Cocktail lounge for Karaoke and other events there. She said this should never have been granted to Show Low Café. She stated that it is saying to the business community their contracts and leases are as useless as a used piece of toilet paper. This is really hurting businesses in Show Low and is unacceptable.

Jimmy Jones of 4345 S Lake Drive said he supports Rocky's and wanted to let everyone know that he would be more than happy to carry anyone who wants to go to Rocky's up and down the stairs.

Alissa Loomis of 673 North 6th Drive asked if anyone has seen Cheers, this bar is like Cheers. Show Low is based on community, families, the culture of Show Low comes from neighbors. She said Rocky's has always been a family-like bar even when it was One Eyed Jacks and Compone's. The Show Low Café has existed without a liquor license for many years. She asked why things have to change. She wants to keep the heritage of Show Low the same.

Ian Watts of 100 West Cooley, said that the hours Show Low Café will be serving alcohol won't even affect Rocky's because the peak hours for each business are completely different. He said it won't affect Rocky's Cocktail Lounge, and no one is going to lose their job. Show Low Café is working hard every day to open and needs to make money back and asked the Commission to make the right decision.

Mandy Dunlap of 2120 West Park Valley Road wanted to address a comment that two business could work together to provide alcohol. She said it is illegal for Rocky's to provide alcohol from the bar because they are a separate business, so that is not an option for Show Low Café.

Joshua Doss of 100 West Cooley Street is a patron and previous employee of Rocky's Cocktail Lounge. He said that they struggle to bring in patrons during daytime hours. They have very loyal customers. Rocky's does a good job of operating legally. He also said that there are lots of good people who go to Rocky's to play pool and sing Karaoke and it is very welcoming to come into the bar. He is worried they are going to lose business during the weekdays due to Show Low Café. The weekends are the only two days a week when the bar makes money. He said Show Low Café is for families and doesn't believe it should have a bar.

Gordon Terracina 861 North 33rd Avenue, said he is a patron of Rocky's and Show Low Café before they closed. He encouraged the Commissioners to use their common sense. He asked if Show Low really needs another place that sells hard liquor. Show Low Café is a place for families and encouraged the Commissioners to think if this is really what the city needs.

Peter Escalante of 2120 West Park Valley Drive is a former employee and

patron of Show Low Café. He said that he would hear many people say that they would like to have a beer or alcoholic beverages with their meals. He feels that it benefits both businesses since Show Low Café closes at 2pm.

Lena Hall of 2241 North 22nd Drive said as a small business owner who had a corporate company come in and hurt her business, she really empathizes with Eva. She said because this business is on top of the other business there is a conflict of interest. She said if the City approves the CUP, and another business goes out business because of it and the citizens become jobless it is a moral issue and hoped the Commission would take that into consideration.

Cody Rowe of 200 West Cooley has worked at Show Low Café for seven years. He said just like Peter said so many people are interested in having an alcoholic beverage with their meals. He said they can't go upstairs with their meal and get a drink. However, he said there is nothing that said they can't go upstairs after dinner to have more drinks. He feels that these are two businesses that could grow together as businesses. He said that Show Low Café has been closed for over 18 months. Rocky's had no competition while Show Low Café was closed. He said that they are trying to grow as a business and bring more money into the community.

Josh Johnson, of 760 North 4th Drive, said Eva is his wife, he said as far as the law there is extension of premise is within the building, so they could provide alcohol for Show Low Café. He said that Show Low Café has no idea what their peak hours are or how they make their money. For over 30 years there have been two separate businesses, one sells alcohol, and one sells food, and they have done just fine with no issues. He said if they can't understand that it is heart breaking.

Clarissa Finley of 41 North 5th Drive said she has been going to Rocky's since they opened, the owners have put in lots of work on the building. She said you can tell how much they care about their customers, she said they are responsible and do a great job. She asked the commission to vote no.

Delena Herrera of Lakeside said she was a long-time Show Low resident. Show Low Cafe has always been a staple in Show Low and it has the best chicken fried steak. She said there never has been a building with two liquor licenses in the City of Show Low and feels that is for a good reason. She asked if the Commission has a say in the businesses, she feels that they should. She feels Show Low Cafe doesn't need another liquor license they can serve mimosas, so they don't need hard liquor.

Josh Doss said as a previous employee of Rocky's Cocktail Lounge, it's a very big problem to have someone drinking downstairs at Show Low Café and they are not stopped from drinking too much and then go to Rocky's it could become a problem to sift through people who were already drinking.

Chairman Barlow closed the public comment portion of the meeting and

brought the matter back to the commission for discussion.

VICE CHAIRMAN ROBERTS MOVED 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.; SECONDED BY COMMISSIONER ADAMS; 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 there is a seven-day appeal period if no qualified appeal is received by the City Clerk 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 January 14, 2025.

COMMISSIONER WILSON MOVED TO APPROVED THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF JANUARY 14, 2025; SECONDED BY COMMISSIONER WHIPPLE; 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 Wilson reminded citizens that they can go to the Show Low Chamber of Commerce website with all the events in the area, there is food expo this coming weekend, a construction expo at the college.

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

Commissioner Adams said he agreed with Commissioner Whipple as it is super dry it is very important to be careful in the forest.

Vice Chairman Roberts said the Fire District gave a presentation at the City Council last week and they said it is highest fire danger level ever seen in the City. He asked everyone to make sure that we are alert and fire safe. He also understands that insurance policies are being cancelled, and new home buyers are not able to get insurance policies due to the high fire risk in the area. Because of this, he said people need to do what we can, so we do not suffer as our number one concern is fire the fire danger.

Chairman Barlow agreed

B. Planning and Zoning Director

Director Tregaskes said the next Planning & Zoning commission meeting of March 11, 2025, will be canceled due to the lack of agenda items.

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 FEBRUARY 25, 2025, AT 8:03 P.M.**

ATTEST:



Zach Barlow, Chairman

APPROVED:



Planning and Zoning Director

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Planning and Zoning Commission of Show Low held on February 25, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25th day of March, 2025.



Katie Fechtelkotter