

MINUTES OF THE WORK SESSION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD TUESDAY, NOVEMBER 3, 2009 AT 6:15 P.M. IN THE COUNCIL CHAMBERS.

Vice Chairman Jarchow called the Work Session to order at 6:15 p.m. Roll call was taken, and a quorum was present.

	Present	Absent
Chairman Mark Coble	_____	<u>X</u>
Vice Chairman John Jarchow	<u>X</u>	_____
Brian Gilbert	_____	<u>X</u>
Jim Snitzer	<u>X</u>	_____
Rob Ingels	<u>X</u>	_____
James Maloney	<u>X</u>	_____
Ken Haught	<u>X</u>	_____

STAFF PRESENT:

Paul Esparza, Community Development Director; Brian McCabe, Town Planner; and Lisa Figueroa, Community Development Secretary.

ITEM 3, CONSIDERATION AND APPROVAL OF THE MINUTES OF THE WORK SESSION AND REGULAR MEETING HELD OCTOBER 20, 2009:

Vice Chairman Jarchow noted The Meeting Minutes indicate Commissioner Maloney seconded the motion to approve the minutes, but said he was recorded as being absent. Commissioner Snitzer noted page two, line 35 should read "...houses to the west..."

STAFF REPORTS:

Mr. Esparza said the Sierra Blanca Nursing Home Developer has requested to stain the blocks of the building. He said the Site Plan was approved without any color to the building and indicated he made an administrative decision to allow them to stain the blocks. He said he worked with them, and stated they selected two colors from the Design Theme Board.

Mr. Esparza updated the Commission regarding the state planning conference. He said one session was lead by Betty Drake who is collaborating with Counts Planning, LLC on the General Plan update. He said the discussion revolved around the idea of having ten reasons to create a place people want to visit. He said Prescott Valley has a very nice civic center/library complex with park areas around it. He said it is something the Town should keep in mind when the Town proceeds when creating a civic center. Brian McCabe said he attended a seminar regarding Request for Qualifications processes, and stated he felt the Town did a good job when they considered a consultant for the General Plan update. Vice Chairman Jarchow asked Mr. McCabe

what he thought about Betty Drake's presentation. Mr. McCabe said it was a conceptual presentation about open space preservation. He said there were good ideas generated in regards to the General Plan Advisory Committee.

Mr. Esparza noted Commissioner Gilbert would attend the regular meeting by telephone.

THE WORK SESSION WAS ADJOURNED AT 6:30 P.M.

Dated this 12th day of November, 2009.

PINETOP-LAKESIDE PLANNING & ZONING COMMISSION

/s/ Lisa Figueroa, Community Development Secretary

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD TUESDAY, NOVEMBER 3, 2009 AT 6:30 P.M. IN THE COUNCIL CHAMBERS.

ITEM NO. 1, CALL TO ORDER, AND ASCERTAIN QUORUM:

Vice Chairman Jarchow called the Regular Meeting to order at 6:30 p.m. Roll call was taken and a quorum was present.

		Present	Absent
Chairman	Mark Coble	_____	<u>X</u>
Vice Chairman	John Jarchow	<u>X</u>	_____
	Brian Gilbert	<u>X</u>	_____
	Jim Snitzer	<u>X</u>	_____
	Robert Ingels	<u>X</u>	_____
	James Maloney	<u>X</u>	_____
	Ken Haught	<u>X</u>	_____

STAFF PRESENT:

Paul Esparza, Community Development Director; Brian McCabe, Town Planner; Kelly Udall, Town Manager; and Lisa Figueroa, Community Development Secretary.

Commissioner Gilbert joined the meeting by conference call at 6:32 p.m.

ITEM NO. 2, PLEDGE OF ALLEGIANCE:

Vice Chairman Jarchow led the Pledge of Allegiance.

ITEM NO. 3, CONSIDERATION AND APPROVAL OF THE MINUTES OF THE WORK SESSION AND REGULAR MEETING HELD OCTOBER 20, 2009:

COMMISSIONER INGELS MOVED TO APPROVE THE MINUTES OF THE WORK SESSION AND REGULAR MEETING HELD OCTOBER 20, 2009, WITH LINE 35 OF PAGE TWO TO READ, "...houses to the west..." AND TO CORRECT THE MOTION TO APPROVE THE MINUTES. COMMISSIONER SNITZER SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

ITEM NO. 4, PUBLIC PARTICIPATION:

There was no public participation.

ITEM NO. 5, GENERAL PLAN LAND USE MAP AMENDMENT:

Vice Chairman Jarchow and Commissioner Ingels recused themselves from this discussion.

Mr. Esparza stated this item is connected with the Zoning Map Amendment, which asks the Commission to consider the General Plan Land Use Map Amendment. He said the General Plan Land Use Map currently identifies the eastern most portion of the parcel zoned as Community Commercial, with the remaining portion zoned Medium Density Residential. He said the Land Use Map is a tool the Town uses to base future zoning. He said in order for a zoning request to conform to the General Plan; they must consider a General Plan Land Use Map amendment. He said the Community Commercial area located along the highway is typically a use found within C-1 zoning districts. He said the Medium Density Residential use is residential in nature and may contain one to four dwelling units per acre. He said this was previously presented to the Commission on October 20. He said staff recommends the proposed zone change.

David Norton said he is concerned with the drainage on the property and said he would like to know how the Town plans to deal with that issue on that property. He said if the property is developed, the drainage flow could be changed, and said the adjacent properties could be flooded out. He said there is no difference in altitude between his house and the parcel, and stated it is a lake bottom.

Jerry Little said he is concerned with the flood plain and said he does not want to see heavy industrial uses on the property. He said he would like to know how much land is necessary for a trade in order to zone it commercial. He said he would support rezoning the front ten acres as long as it does not include the acreage adjacent to his property. He said Navajo County is planning to pave Settlers Lane, and said he does not want additional traffic impacting his neighborhood.

Rusty Rogers said he understands this is a procedural issue. He said he understands government has rules to enable them to make changes, but not without first considering whether the change will meet their Master Plan. He said a municipality should make sure it meets their needs and should require detailed maps or site plans. He said he has not seen any reasonable explanation for changing this property to commercial and stated he hopes the Commission would hold the Town to the same standards as any other developer.

Joe Mettie said he said he has seen Cooper Lane when the culvert was full of water. He said there is still flooding even though one property owner installed a larger culvert as his own expense. He indicated his property and his shop were flooded after three homes were built near his home. He said he contacted Navajo County, who said they could not do anything after coming out to inspect his property. He said he is concerned the Town would do the same thing. He said he is not in favor of the amendment. He said he heard the Town would not have to pay for the paving of Settlers Lane, and said it would fall on the homeowners. He expressed his disappointment and said it is not right.

Clark Halls said said when the property was first annexed, the Town told him they had to rezone it to R-Low because they had to accommodate the annexation. He said he understands that only

a portion of the property would be exchanged and the rest would remain as the Town's property. He said he sees no reason to rezone the entire parcel to C-1. He said it is unacceptable to have commercial property across the street from his home, and said changing the zoning would decrease the value of his property. He said this action by the Town is unreasonable and homeowners would have to look out for themselves. He stated there is available commercial property along Highway 260. He said the Town is being short sighted.

Mr. Esparza said the Town participated in the Mountain View Improvement District and gave a 30-foot easement along the southern end of the property to Navajo County to allow for the paving of Settlers Lane. He said the amendment did not go before the voters, as it was categorized a minor amendment. He said the Commission could make a recommendation to the Town Council to consider the rezone. He stated there are two types of amendments, a major and a minor, and said there are certain criteria to trigger a major amendment. He said this item does not fall within that category. He indicated this amendment would allow the Town to create a large area for light commercial, which is limited along Highway 260. Commissioner Maloney asked Mr. Esparza if the drainage issue would be addressed in a Site Plan. Mr. Esparza said before any development occurs on the property, it would have to go through the Site Plan process, which includes reviews, drainage studies, landscaping and other reports. Commissioner Snitzer said some concerns included providing buffers and asked if any buffers would be included. Mr. Esparza said depending on the use, buffers would be included in the Site Plan review to determine how the project could affect adjoining properties. He said buffers could include trees, shrubs, walls, setbacks, and fencing. Commissioner Haught asked if the Commission could recommend only a portion of the parcel be rezoned. Mr. Esparza said the proposal is for the entire 20-acres. Commissioner Haught asked if there has been a neighborhood meeting to discuss other options to satisfy some of the homeowners concerns. Mr. Esparza said a neighborhood meeting was held on September 29 and all property owners within 300 feet of the parcel were notified. He said only a few property owners attended. Commissioner Gilbert asked if there have been any comments or concerns from Navajo County. Mr. Esparza said he spoke to Greg Loper, the Navajo County Planning Director, and said he did not have any concerns or comments.

COMMISSIONER GILBERT MOVED TO RECOMMEND TO THE TOWN COUNCIL THE APPROVAL OF THE GENERAL PLAN LAND USE MAP AMENDMENT FOR A PORTION OF THE 20-ACRE TOWN OWNED PARCEL LOCATED ON THE CORNER OF SETTLER'S LANE AND WOODLAND ROAD, APN 212-37-096B FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. COMMISSIONER MALONEY SECONDED THE MOTION AND IT CARRIED WITH THREE IN FAVOR. COMMISSION HAUGHT WAS OPPOSED.

Commissioner Snitzer said he would like the adjacent property owners concerns to be taken into consideration if and when the parcel is developed.

ITEM NO. 6, REZONING OF THE 20-ACRE TOWN OWNED PARCEL:

Mr. Esparza highlighted the information for the Commission. He said the property was annexed into the Town in May of 2008. He said it was zoned R-Low, which was comparable to Navajo

County Zoning. He said they held a neighborhood meeting on September 29 and posted the property in accordance with Arizona Law. He said they notified adjacent property owners by mail. He said staff recommends the zone change with the stipulation that any future development would be subject to a Site Plan review.

Commissioner Haught asked staff if any property owners supported the zone change. Mr. Esparza said he did not recall any homeowners supporting the zone change. Commissioner Snitzer commented regarding the paving of the road, and said he understands it is so the property could be developed. Mr. Esparza said the road improvements had been discussed for some time prior to the requested rezoning of the property. Commissioner Snitzer asked if any preexisting plans would change because of the rezoning. Mr. Esparza said no, and stated Navajo County has different road standards than the Town.

Mr. Norton said Mr. Esparza's assumptions are not true. He said the stream that runs behinds the houses is bigger than the Council Chambers when it floods. He said building a ditch would not extend past the property line, and said pollution would flow into Rainbow Lake, killing the wildlife. He said the water does not flow, it is stagnant. He said he would like the Commission to leave it alone.

Mr. Little said the Town did not have to widen the road and said it was already approved. He said the road must have been widened because someone wants to use the road for commercial traffic. Mr. Esparza said the widening of the road had nothing to do with the requested zone change.

Mr. Rogers said no other options were presented at the neighborhood meeting other than the 20-acres. He said staff indicated they needed to rezone the property in order to do the land exchange. He said the exchange may have initially been supported if it were only between the White Mountain Nature Center and the Town. He said he would like the Town to wait to rezone the property until there is a plan for the property. He asked the Commission to protect their homes.

Mr. Mettie distributed pictures of the property to the Commission. Commissioner Maloney noted the pictures they are reviewing for Commissioner Gilbert.

Mr. Halls said rezoning the property is a major change for homeowners. He supported Mr. Rogers comments in holding the Town to the same standards. He said he is concerned there may not be any buffering. He said the zoning should have followed proper procedure and asked if the party paid the fees. Mr. Esparza said no. Mr. Halls said the County has been considering repaving Settlers Lane and nothing happened, but said as soon as the Town got involved, the County began marking the road to begin the project.

Commissioner Snitzer said he is torn on the issue. He said he is in favor of the exchange with the Nature Center and realizes it would be nice for the Town to have a facility to work on their equipment. He said he has seen the water and agreed it is a problem. He said he would not mind if staff came back with a more conceptual plan. Mr. Esparza said the Town is not planning to develop the property. Commissioner Haught said he would like to see some transitional zoning

options to accommodate the property owners. Commissioner Maloney asked how many neighborhood meetings were held. Mr. Esparza said there was one neighborhood meeting and it was previewed for the Commission before tonight's public hearing. Commissioner Gilbert asked if the Commission may make a recommendation for a portion of the parcel. Mr. Esparza said they may make any recommendation they see fit.

Town Manager, Kelly Udall, said there is not a specific number of acres to be exchanged because the Town is not to that point yet. He suggested the Commission fashion their motion to consider a certain number of acres. Commissioner Snitzer clarified they could say not to exceed a percentage of the property. Commissioner Haught said he thinks the Town should hold another neighborhood meeting. Commissioner Maloney said the public has had three opportunities and stated he feels it would be counter productive if they did not make a recommendation.

COMMISSIONER MALONEY MOVED TO RECOMMEND TO THE TOWN COUNCIL TO APPROVE A REQUEST TO REZONE, NOT TO EXCEED THE NEGOTIATED EXCHANGE AND NOT TO EXCEED 75% OF THE PARCEL. COMMISSIONER SNITZER SECONDED THE MOTION AND IT CARRIED WITH THREE IN FAVOR. COMMISSIONER HAUGHT WAS OPPOSED.

Commissioners Ingels and Jarchow returned to the meeting at this time.

ITEM NO. 7, SPR-09-244 NAVOPACHE ELECTRIC CO-OP SITE PLAN:

Mr. Esparza said he wanted to bring this item before the Commission for feedback. He said there are some outstanding issues the developer is working on. He said this is the largest area in the Commerce Park and indicated there would be two phases. He said the initial phase includes the administration building and the storage area. He said any comments from the Commission would be provided to Navopache Electric. Vice Chairman Jarchow asked when they would come before the Commission. Mr. Esparza said it depends on how long it takes for the issues to be addressed. Mr. Esparza said the building will have a 3:12 pitch because each building will exceed 10,000 square feet in accordance with the Town Code, and said there is some masonry on the structure. He said metal siding is noted on the plans and said staff will address that issue. Commissioner Maloney asked if there would be any landscape buffer along Porter Mountain Road. Mr. Esparza said there is interior landscaping. Vice Chairman Jarchow said he is concerned the landscape architect uses the proper materials for this area. Commissioner Ingels said he would have preferred a presentation or comments from someone representing the development. The Commission discussed whether the drainage runoff would be directed toward Billy Creek. Commissioner Maloney asked if local contractors are involved. Mr. Esparza said yes, there are. Vice Chairman Jarchow asked Mr. Esparza if there are long term plans for the undisturbed corner portion of Porter Mountain Road. Mr. Esparza said it's frontage and said the Town may require additional landscaping. Commissioner Ingels stated he realizes Porter Mountain Road does not have to comply with the 20-foot frontage, but said it would benefit the Town to consider a frontage that is pedestrian friendly. Vice Chairman Jarchow agreed, and said it would make sense noting the Safe Routes to School project. Vice Chairman Jarchow asked if the 40-foot access off of Porter Mountain Road would be a future access point. Mr. Esparza said

he is not sure, but indicated he would inquire about that. Mr. McCabe said the Site Plan does not illustrate the street in that location, but said utilities may be located there.

ITEM NO. 8, STAFF REPORTS:

The staff reports were given during the work session.

ITEM NO. 9, ADJOURNMENT:

THE MEETING WAS ADJOURNED AT 8:14 P.M.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the Minutes of the Regular Meeting of the Planning & Zoning Commission of the Town of Pinetop-Lakeside, Arizona, held on the 3rd day of November 2009. I further certify that the meeting was duly called and held and a quorum was present.

Dated this 12th day of November 2009.

PINETOP-LAKESIDE PLANNING & ZONING COMMISSION

/s/ Lisa Figueroa, Community Development Secretary