

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, HELD TUESDAY, MAY 19, 2015, IN ROOM 16.**

Chairman Jarchow called the Regular Meeting to order at 6:00 p.m. Roll call was as follows:

ROLL CALL:	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
John Jarchow	<u>X</u>	<u>    </u>	Timothy Williams	<u>X</u>	<u>    </u>
James Snitzer	<u>X</u>	<u>    </u>	Ken Haught	<u>X</u>	<u>    </u>
Rob Ingels	<u>X</u>	<u>    </u>	Adam Staley	<u>    </u>	<u>X</u>
Richard Smith	<u>X</u>	<u>    </u>			

STAFF PRESENT: Paul Esparza, Community Development Director and Jill Akins, Assistant to the Town Clerk.

ITEM NO. 3, CALL TO THE PUBLIC:

There were no requests from the public to address the Commission at this time.

ITEM NO. 4, CONSENT AGENDA OF REGULAR MEETING MINUTES FOR APRIL 7, 2015 AND REGULAR MEETING MINUTES FOR MAY 5, 2015:

**COMMISSIONER SMITH MOVED TO APPROVE THE REGULAR MEETING MINUTES FROM THE APRIL 7, 2015 MEETING AND THE REGULAR MEETING MINUTES FROM THE MAY 5, 2015 MEETING. COMMISSIONER HAUGHT SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.**

ITEM NO. 5, INFORMATION/DISCUSSION RE: CHAPTER 17.88 DESIGN REVIEW, ROLE OF THE PLANNING AND ZONING COMMISSION AS DESIGN REVIEW BOARD:

Chairman Jarchow read from the design review code 17.88.030 said “This chapter shall apply to all buildings, structures and signs which are to be hereafter erected, constructed, converted, established, altered, painted, repainted or enlarged which are located within the Town except those explicitly below.” He said it does not appear that is being done. He said under 17.88.010 Purpose it says “This chapter will help encourage, protect and enhance the attractive appearance of the Town.” He said if the results of the third General Plan survey are interpreted correctly the people who responded want mountain character and want a design theme in the Town. He said he is not trying to blame or criticize anybody, but said when things are looked at that have been done he is not sure if the McDonalds remodel, Dollar General, Car Quest or the Kentucky Fried Chicken remodel fit the criteria. He said in the chapter it states the majority of the wall material cannot be stucco but said the Kentucky Fried Chicken is entirely stucco. He said the roof slopes of the Dollar General and Car Quest are not correct. Commissioner Haught said design review had not been done by anyone and said it had only been done up to a certain point. Commissioner Williams said design review had been done just not to the degree that is

being discussed. Chairman Jarchow asked if Lon Hoffman had the color of his building approved before he repainted. Mr. Esparza said he had not. Chairman Jarchow said the Mayor did not have his sign color approved before he repainted his sign. Vice Chairman Snitzer said the General Plan says the Code would be focused on to ensure quality. He said this is an example of what the General Plan says, but said Mayor and Council should also support the Codes being enforced. Commissioner Haught asked if a permit would need to be pulled to repaint. Mr. Esparza said only for new construction. Chairman Jarchow said 17.88.050 C. says "Prior to any change in building design or color, such as repainting of buildings or signs that do not conform with those colors on the Design Theme Board, remodeling or alteration of a building or structure as to the exterior character, the property owner or his/her representative shall obtain the approval of the Planning and Zoning Commission; except that the repaint of a building or sign may be approved by the Director." Vice Chairman Snitzer said there would have to be communication to the community letting them know the design review codes. Chairman Jarchow said Lon Hoffman was on the Town Council for years and should have known the codes. Mr. Esparza said approved colors on the design board can vary to some extent. Chairman Jarchow said under 17.88.020 definitions sections 4. "Colors include greens, browns, grays and other colors which occur naturally in the White Mountains of Arizona." He said if we have the codes they need to be enforced by the Town and the Commission. More discussion ensued regarding design review, function of design review and enforcement of design review. Commissioner Haught asked if this item could be presented to the Council as an agenda item for them to give some guidance whether they would support enforcement of the Design Review Code before the Commission spends time revamping the Design Review Code. Vice Chairman Snitzer said the Commission serves at the will of the Council. He said the survey responders said they want to project a certain image of the community as a small mountain community, and said if the Commission wants to project that image then some things would have to be said no too. Chairman Jarchow said design review guidelines say a. "Any building smaller than ten thousand (10,000) square feet shall have a roof pitch of at least 4:12. A lower pitch may be allowed as part of an approved Western-style architectural design theme." He said this would not fit with the Taco Bell remodel. He said item c. says "Any pitched roof shall have a minimum sixteen (16) inch overhanging eaves." He said Dollar General and Car Quest do not. He said building materials iv. "Stucco shall not exceed fifty (50%) percent of the total coverage area." He said Kentucky Fried Chicken and McDonalds are both over fifty percent. Commissioner Williams said Kentucky Fried Chicken remodel was repainting the existing stucco. Chairman Jarchow asked how does the Commission get non-conforming buildings to comply and make major changes that would bring them in to compliance. More design review discussion ensued. Commissioner Ingels said the Commission has the tools, but said they need to be used at the right time. He said there would need to be communication and education. He said the communication he received from the surveys said the citizens care about how the Town looks. He said the economic opportunities for future businesses and growth would be enhanced by having an attractive community. He said attractive to him would be natural colors and promoting the mountain environment, and said removing the hot colored flags blowing in the wind at the edge of the sidewalk. He said the commission needs to create value and show economic benefit to the people expected to be compliant in design review. Commissioner

Williams said to bring this to Council before going through and changing the Design Review Code. Commissioner Ingels said to present a work plan to Town Council to receive Town Council input and direction. Chairman Jarchow said to place this on Council agenda, and said to advise the Commission if the Council supports the Commission as a design review board or not. Vice Chairman Snitzer suggested the wording be different. He said a power was delegated to the Commission, but said it had not been enforced. He said by the surveys the people in the community would like quality in the community and to project a certain image of this community. He said in order to project the image the design review standards need to be applied. He said there is no point for the Commission to apply the standards if there is not the support of the Mayor and Town Council. He said it would mean saying "no" to some property and business owners. Mr. Esparza said in a new build this would be easily attained, but said remodels would be a concern. He said to what extent does the Commission apply all of the design review codes. Commissioner Haught said the Commission would need to be careful regarding consistency in approval. He said the Commission can not have criteria for Taco Bell when other businesses had been granted other criteria. He said he agrees to go to Council first for direction on policy. Vice Chairman Snitzer said there had been limited enforcement on new constructions and very limited on remodels. Commissioner Haught said property values and property rights would have to be protected. Mr. Esparza said the Maverick store was the most recent full review of the codes and full site plan for new commercial construction. He asked for the Commissioner's opinion regarding the Maverick. Vice Chairman Snitzer said the Commission did pretty well. Commissioner Ingels said it went okay. Commissioner Haught said not a perfect job but, said it was good. Commissioner Ingels said he is impressed with Mr. Esparza's work regarding the Taco Bell remodel. He said the Code is reasonable and said a sense of small town is in the General Plan. Commissioner Haught said he would like to continue pro-growth and fill vacant buildings to create more tax revenue for the library and police department. He said the only way to pay for these things is through growth and development. Chairman Jarchow said this would also be done through redevelopment. Chairman Jarchow said the third survey showed results wanting to make Pinetop-Lakeside special. He said the architectural and visual environment would have long term effects. A discussion ensued regarding the proposed cell tower and the definition of structure regarding the tower. Chairman Jarchow said the surveys said the appearance of the Town is important. Commissioner Ingels said the feather signs and the A frames in Town do not help the appearance of the Town. Commissioner Williams said the A frame enforcement had been better. Mr. Esparza said his department had been enforcing the sign code and collecting A frames and laying down feather flags. Chairman Jarchow asked what would have to be given to Town Council. Mr. Esparza said Council would have to be shown that a remodel can meet the requirements. Commissioner Williams suggested Chairman Jarchow and Vice Chairman Snitzer present to Town Council and have the Council give feedback. Mr. Esparza said he would talk to the Town Manager regarding how to proceed. Discussion ensued regarding presenting to Town Council and what to present to Town Council. Commissioner Ingels said the Commission would need the backing of the Council to enforce codes. Vice Chairman Snitzer said he would like another Town survey for community feedback. Chairman Jarchow agrees to reconstitute the survey subcommittee and produce a survey at least once a year. He said this would let people

know their opinion is important to the Town. Chairman Jarchow said the next step in Design Review would be to let the Town Manager know the Commission would like Council to confirm they would support the purpose of the Design Review chapter and have the Council give direction to the Commission.

ITEM NO. 6, STAFF REPORTS:

Mr. Esparza said there would be a Public Hearing meeting on May 20, 2015 at 6:00 p.m. to discuss the Communications Tower Variance. He said the Commissioners had been given the proposal for review. Chairman Jarchow said the applicants are in attendance and said the Commissioners would be able to ask the applicants questions. Richard Wise said the existing tower is fifty-six feet with a twenty-two foot antenna for a total of seventy-eight feet in height. He said the proposed tower would be one hundred and fifty feet. He said there would be antennae's around the sides of the tower but not on top of the tower. He said the tower would not be any higher than one hundred and fifty feet. He said he would like to install a lightning rod on top of the tower. He said the rod would be approximately four feet above the tower and would protect the tower. He said no lighting is required on the tower. Commissioner Williams asked would the tower be painted, camouflaged or foliage used to disguise the tower. Mr. Wise said a one hundred and fifty foot pine tree would look out of place. He said most trees are fifty to seventy-five feet. He said the Commission would see the foundation design and said the foundation would be designed by a civil engineer. He said the purpose of the tower is for interconnection for mountain top sites. He gave a lengthy explanation, background of the company and services that would be provided by the tower. Commissioner Williams asked about cell phone service coverage. Mr. Wise said due to the height of the tower he would be able to accommodate other carrier's antennae on the tower. He said he had received positive feedback from the neighbors. Commissioner Ingels said he lives on Penrod Road and said he had concerns regarding the height of the tower. He said he met with Mr. Esparza and Ms. Racette and shared with them his variance request concerns and his concern of the Town Council acting as a Board of Adjustment in granting a variance. He said he is a small business owner and said he supports small business owners throughout the Town and said the design review process and the site plan review is very important to him. He said there are two existing towers on the site. Mr. Wise said one tower is a temporary testing tower. He said when the new tower is installed the services would transition over to the new tower and the temporary tower and the existing tower on the back of the property would be removed. Commissioner Ingels asked what the closest distance from any property would be. Mr. Wise said the new tower set back would be approximately eighteen feet on the back of the tower and twenty feet on the side. More discussion ensued regarding the communication tower. Commissioner Ingels said his concerns are the height of the tower on a small piece of commercial property. He said the Town lacks regulations for this type of structure. Chairman Jarchow said the Commission would not be granting the variance. Commissioner Smith said the tower would provide more communication opportunities. Mr. Wise said the location of the tower lends itself very well to future sites for Verizon, T mobile, AT&T and Sprint. Mr. Wise said this tower would eliminate the need for multiple smaller towers throughout Town. Commissioner Haught

said the Town would realize tax revenues from having the Tower in Town. Mr. Wise said if the Town Council approves the variance, then the foundation would be done by a structural engineer. He said he would like to have the tower completed by the end of the summer. He said he would have a site plan completed in June 2015. Commissioner Ingels said the current design review standards are not adequate to deal with a tower at this time. He said if the variance passes, he suggests the Commission look at what other communities have chosen to do to have the antennae structure blend in to the community. Vice Chairman Snitzer said the Commissioner would have to be careful, and said this variance is applying under the current zoning codes. More discussion ensued regarding the variance, design review and site plan review. Mr. Wise said a nine foot by twenty-two foot military communications building would be placed on the back of the property. He said the site landscaping is open for discussion. He said the fencing is for security to keep trespassers out. He said the tower would be made out of galvanized steel. He gave an explanation on painting the tower versus leaving the tower unpainted.

Mr. Esparza said after the last meeting he talked with the architect regarding the Taco Bell remodel. He said more wood and natural materials would have to be incorporated in the design. He said the architect would talk to the owner regarding the Town regulations. He said he does not want the owner to be discouraged to the point of not moving forward with the remodel. He said he had not received a revised remodel. He said he would bring the Commission the revised plan when it is received.

Mr. Esparza said there would be a development review committee meeting on the Buck Springs residential development. He said the fire department, ADOT and the utilities would be at the meeting. He said the committee would take the preliminary plat and discuss the issues. He said the land is in the Town limits and zoned planned unit development. He said the preliminary plat would be approved by the Commission.

Leah Chavez said she had unofficial results to give on the General Plan proposition 401 vote. She said as of 5:30 p.m. six hundred and six votes were cast and said three hundred and fifty one are yes votes and two hundred and fifty three are no votes. She said this is a fifty seven percent margin.

#### ITEM NO. 7, FUTURE AGENDA ITEMS:

Chairman Jarchow said the June 2, 2015 Planning and Zoning meeting would be canceled. He said the next meeting would be held on June 16, 2105. Mr. Esparza said open space changes are ready for council presentation, Taco Bell remodel plan and Buck Springs site plan would be future agenda items. He said he would also have a design review update on the communication tower.

The meeting adjourned at 7:49 p.m.

Dated this 1<sup>st</sup> day of June 2015.

PINETOP-LAKESIDE PLANNING AND ZONING COMMISSION

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Jill Akins, Assistant to the Town Clerk