

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING
OF THE TOWN OF PINETOP-LAKESIDE PLANNING AND ZONING
COMMISSION, HELD ON THURSDAY, JANUARY 26, 2023
AT TOWN OF PINETOP-LAKESIDE COUNCIL CHAMBERS
325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE, AZ 85929**

SOME MEMBERS OF THE COMMISSION MAY PARTICIPATE TELEPHONICALLY.

A. Call to Order

Chairman Salskov called the meeting to order at 6:01 p.m.

Roll Call:

The following Members were present:

John Salskov	Chairman
Harry Turner	Vice Chairman- <i>attended telephonically</i>
Alison Stewart	Commission Member
Timothy Williams	Commission Member, arrived at 6:08 p.m.
Tim Kendzlic	Commission Member
Todd Fernau	Commission Member
Jack Pence	Commission Member

Also Present:

Jeremiah Loyd	Community Development Director
Stephanie Irwin	Mayor
Lynn Krigbaum	Council Member
Mackenzie Valichnac	Deputy Town Clerk
Kristi Salskov	Town Clerk
Rob Hephner	Creative Service Specialist
Tina Robinson	Creative Service Specialist

B. Call to the Public

Chairman Salskov called for public comments.

Robert Ingels stated, *“Thank you Chairman, Commission and Staff. I’m a 40+ year resident and currently reside on Penrod Lane. I have a couple things I want to address. It’s a new year and we have a lot of opportunities in our community now.*

With new members on the Planning Commission it may be a chance to work ahead to create an atmosphere where the citizens can have involvement in the General Plan and Work Sessions in a manner that will be beneficial to both the decision makers, when the time of voting comes around, as well as the recommendation that will come from the Planning Commission. I know that with the updating going on that the community survey results will be out and maybe this will provide some guidance to the Commission, Council and Staff as well as the citizens that we can see what input came from the community in that survey. I look at this as an opportunity for the community as we look ahead. Having served in the past as a Planning Commissioner, a member of the 2020 Vision Committee, and having other committees in the Town, for example Open Space, it may be time to look at having an interactive citizens committee that may give input to both the Planning Commission as you guys move ahead with what will ultimately happen with our General Plan in 2025. Maybe it's time for a 2040 Vision Committee so that we can look even further ahead at what impacts we can expect and how we can handle them while trying to meet the vision and General Plan that has been adopted as well as what changes can be proposed as we move ahead. I will bring up again that, at times, at meetings if we had our zoning maps and General Plan maps and those things visible for the public coming to meetings. It might be more exciting would maybe entice people to come and get a feel for what is in the documents. Not everyone goes online for information, and I am one of those. Within these three minutes, if it's possible in the next few months, we could have an agenda item that might talk about establishing a committee and how we would best interact with the Commission and others. With that, I am looking forward to the year ahead. Thank you for your commitment to serve on the Commission."

Chairman Salskov thanked Mr. Ingels for his comments. No other comments were offered.

C. Minutes

C.1 Minutes of the Regular Meeting of the Planning and Zoning Commission held on December 8, 2022.

Commissioner Kendzlic moved to approve the minutes of the regular meeting of the Planning and Zoning Commission held on December 8, 2022. Chairman Salskov seconded the motion and by show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Alison Stewart	X		
Tim Kendzlic	X		
Todd Fernau			X
Jack Pence			X

Chairman Salskov declared the motion passed with a 4-0 vote, with Commissioner Fernau and Commissioner Pence abstaining.

D. New Business

D.1 Discussion and Legal Action regarding a minor amendment to the Land Use Element of the General Plan changing the land use designation from Low-Density Residential to Medium-Density Residential.

Community Development Director Loyd stated that this area, White Mountain Club Estates Unit 2, is shown as Low Density on the General Plan Land Use Map but it is a dense and compact area. There are 14 parcels that are under 1 acre and do not meet the requirements for R-Low. These parcels should have never been designated Low Density and the surrounding area is mostly Medium Density. Director Loyd stated that this is an effort by the Town to correct the map to accurately depict what is actually out there. This is a request to have a minor amendment on the 14 parcels that equal 7.74 acres from having a Low-Density designation to a Medium Density designation.

Chairman Salskov asked for clarification that it is required for the parcels to be at least one acre to be designated as Low Density and therefore these parcels are non-conforming.

Community Development Director Loyd confirmed that these parcels are non-conforming, and he is unsure why they were ever designated as Low Density. Building permits should not have been issued if the parcels were incorrectly designated. Director Loyd added that the next agenda item is regarding a gentleman who requested a lot line adjustment, but it couldn't be granted due to the incorrect designation.

Chairman Salskov asked if the only way to bring the parcels to the correct density would be to complete a land combination.

Community Development Director Loyd answered that the gentleman who requested the lot line adjustment owns two parcels and even after the combination they still do not meet the one-acre requirement. No building permits could be issued to the owners of these parcels.

Commissioner Stewart asked if all of the parcels had structures on them or if any were vacant.

Community Development Director Loyd answered that it appears that all of the parcels have a structure on them. Another reason why a combination cannot be completed is because there would be two structures on the newly created parcel. Both are over 1,200 square feet and therefore could not be considered a guest home under the R-Low zoning requirements.

Commissioner Kendzlic added that some of the parcels surrounding this area are even smaller.

Community Development Director Loyd confirmed that parts of the surrounding area are zoned R1-4.

Commissioner Williams asked when this was approved.

Community Development Director Loyd answered that the subdivision was approved before the Town was incorporated. Director Loyd stated that in the 2001 General Plan there was a stipulation that if a lot didn't meet the development standards, one building permit could still be issued for single family residential. But that language has been struck and isn't in the current General Plan.

Commissioner Pence asked if there is potential for the lots to be further divided if the zoning was changed to R1-4, which only requires a minimum of 10,000 square feet.

Community Development Director Loyd answered that most of the lots are already small and already at a quarter acre.

Chairman Salskov added that since there are already homes on the parcels, there would most likely be set back issues if they tried to further split the lots.

Community Development Director Loyd stated that they could legally subdivide if they met the development standards for R1-4.

Chairman Salskov added that it would also need to be allowed in the HOA

requirements and deed restrictions, which most likely says they cannot divide.

Chairman Salskov invited Robert Ingels to the podium for comment.

Robert Ingels stated, *“It does seem very appropriate for R1-4 to be in the neighborhood that is long established and most of the dwellings on the property were built before the Town was even incorporated. That sized parcel being recommended for the zoning amendment would allow the existing homes to have lesser setbacks than in the R-Low district which could allow people to add on garages. It would be very sensible and neighborhood and community friendly to approve this change. On the D.2 part, the reason I wrote a question mark, is because I didn’t know if this would allow for subdividing larger parcels that are barely an acre lots into several additional buildable lots and if there were any intention for doing that. I don’t see it in the literature. But if the applicant is able to answer that, that would be something that is comforting if there wasn’t a desire to create more buildable lots. That is just my thought.”*

Community Development Director Loyd added that the Town is the applicant for D.1 and Mr. Sullivan is the applicant for D.2.

Mark Terrill stated, *“I’m a resident on Woodchuck Lane and own one of the lots in question and is highlighted on the map. I am in favor of the amendment that Jeremiah Loyd has presented. I like that if there is future stuff that I would like to do on my lot that I would be able to. I like this change and it is not an issue.”*

Commissioner Kendzlic made a motion to recommend approval of a minor amendment to the General Plan Land Use Element for the following 14 parcels (311-47-131A, 311-47-131B, 311-47-140, 311-47-141, 311-47-142, 311-47-143B, 311-47-143C, 311-47-145, 311-47-148A, 311-47-148B, 311-47-149A, 311-47-149B, 311-47-149C, 311-47-150.) to the Town Council. Commissioner Stewart seconded the motion. By a show of hands, the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Tim Kendzlic	X		
Alison Stewart	X		
Timothy Williams	X		
Todd Fernau	X		
Jack Pence	X		

Chairman Salskov declared the motion passed with 7-0 vote.

D.2 Discussion and Legal Action regarding Z-84. An amendment to the zoning of parcels from Low-Density Residential to Medium-Density Residential.

Community Development Director Loyd stated that as previously mentioned, Mr. Sullivan requested a lot line adjustment after purchasing his neighbor's parcel but that he was unable to process the request due to the parcels being undersized. The request is to accurately show what is occurring in the neighborhood and change the zoning from R-Low to R1-4.

Chairman Salskov invited Barney Sullivan to the podium for comment.

Barney Sullivan stated, *“We have owned our property at 1693 Woodchuck, for about 15 years. There have been several owners of the property that I just purchased, 1619 Woodchuck. The property comes up behind mine and it's a nice corridor between me and the neighbors behind me. Its open space and a nice corridor for animals. I was always afraid someone would buy that and say, 'oh there's a good place to put my old trailer and rat car and stuff.' So, I had a chance to buy the property when my neighbor, Spencer, had to move. I've always wanted to incorporate that land into mine, 1693 Woodchuck, just in case I had to sell the property. This would preserve that land. When I talked to Jeremiah, he said there is no way someone would be able to build on it. I want to preserve it as open land for the neighbors, its kind of like a park if you look at the design. So that is my sole purpose.”*

Chairman Salskov thanked Mr. Sullivan for his comments. Chairman Salskov clarified that this adjustment will make one lot bigger and the other smaller but is not creating a new parcel and no new homes will be built.

Commissioner Pence asked for a copy of the plat map.

Community Development Director Loyd stated that there is a copy of the plat map from Navajo County on the front page of D.2.

Commissioner Stewart asked if the parcels will be about .4 acres.

Community Development Director Loyd stated that he doesn't have the exact acreage, but they will both be over a quarter acre. The parcels need to be at least a quarter acre and meet the setback requirements to be approved.

Mark Terrill, Mr. Sullivan's neighbor, stated that he is in favor of this decision.

Commissioner Williams made a motion to approve the request regarding Z-84 amending the zoning of APN 311-47-149B and 311-47-149C from R-Low to R1-4 in White Mountain Club Estates Unit 2 to the Town Council, Chairman Salskov seconded the motion and by a show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Tim Kendzlic	X		
Alison Stewart	X		
Timothy Williams	X		
Todd Fernau	X		
Jack Pence	X		

Chairman Salskov declared the motion passed with a 7-0 vote.

E. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 6:26 p.m.

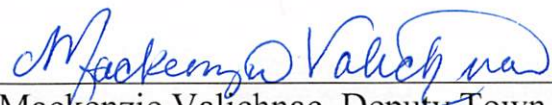


Chairman Salskov

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 the Town of Pinetop-Lakeside, Arizona, held on the 26th day of January 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of January 2023.


Mackenzie Valichnac, Deputy Town Clerk