

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING
OF THE TOWN OF PINETOP-LAKESIDE PLANNING AND ZONING
COMMISSION, HELD ON THURSDAY, AUGUST 10, 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

Vice Chairman Turner called the meeting to order at 6:00 p.m.

Vice Chairman Turner led the Pledge of Allegiance.

Roll Call:

The following Members were present:

John Salskov	Chairman
Harry Turner	Vice Chairman
Jack Pence	Commission Member
Todd Fernau	Commission Member
Timothy Williams	Commission Member

The following Members were absent:

Alison Stewart	Commission Member
Tim Kendzlic	Commission Member

Also Present:

Jeremiah Loyd	Community Development Director
Keith Johnson	Town Manager
Mackenzie Valichnac	Deputy Clerk
Kristi Salskov	Town Clerk
Rob Hephner	Creative Service Specialist
Annie DeRosier	Marketing Coordinator
Stephanie Irwin	Mayor
Sterling Beus	Vice Mayor
James Brimhall	Council Member

B. Call to the Public

Vice Chairman Turner called for public comments.

Chuck Robertson stated, “I’m Chuck Robertson and I don’t know most of you folks and I’ve only been on the mountain for almost 40 years now. I own a piece of property adjacent to the piece that Brett Cote sold, traded, or whatever you want to call it. I know that tonight’s agenda is only regarding the six acres that you want to rezone from R-low to R1-4, I believe. My question is simply is this at all tied directly to the re-zoning for the RV park. Pretty simple question and I don’t know why it is separate on the agenda from the next meeting. I own property and live on Vallery Lane so it affects me a lot. I don’t know who can answer that question.”

Vice Chairman Turner answered that Mr. Robertson’s questions will most likely be answered during the presentation of the agenda items.

Chuck Robertson continued, “You can’t answer that question? I’m concerned that this is directly tied to the re-zoning of the RV park since it’s the same development. I have no problem re-zoning this for houses. I bought a house there. Just so you are all aware, in case some of you are not, a lot of us got together years ago to rezone Vallery on the north side to R-1, because we did not want smaller pieces divvied up for mobiles, etc. So, if this is tied to the RV park I am not enthused, I would rather see it stay R-Low. I have no objection to houses being built. However, the fact that you separated the two developments, I am not enthused.”

Vice Chairman Turner suggested that Mr. Robertson listen to the agenda item presentation, and if his questions are still not answered then he can come up and ask them again.

C. Consent Agenda

C.1 Consider approval of the Minutes of the Regular Meeting of the Planning and Zoning Commission held on June 8, 2023.

Commissioner Williams moved to approve the minutes of the Regular Meeting of the Planning and Zoning Commission held on June 8, 2023. Commissioner Pence seconded the motion and by show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Todd Fernau	X		
Tim Williams	X		
Jack Pence	X		

Vice Chairman Turner declared the motion passed unanimously.

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 Forest to Medium-Density Residential for 6.1 acres on the southeastern portion of APN 212-01-036P.

Community Development Director Loyd stated that tonight the Commission will hear a request to re-zone 6.1 acres, but before the land can be re-zoned the Land Use Element needs to be amended. The Land Use Element dictates zoning. Forest is not a recognized land use designation because it does not correlate with any density. There was an attempt to rectify that with the major amendment to the Land Use Element last year, but a referendum was filed against it. Director Loyd went through his presentation and staff report. The property owner has been proactive and has Fire-Wised the property. Director Loyd stated that the applicant is requesting that area have the same density as what is across the street in the County.

Jim Beck offered the following comments, *“Commissioners, my name is Jim Beck. I have lived in Pinetop for a long time. I seem to remember several months back there was a referendum that was against the changes in the Future Land Use map. I see that this is a minor amendment. Perhaps the Town is allowed to make minor adjustments to the Land Use map. But the citizens at the time who signed the referendum did not want any changes to the Land Use Map. This change is another subdivision. I noticed that we have another subdivision going in, I don’t think that construction has started on Woodland Lake Road, and another across from the Maverick gas station in Lakeside. Both of these are in Lakeside. I seem to recall, I don’t know much about it, but there was an exchange with Show Low near Show Low Lake of some land from Pinetop-Lakeside. I might not have this accurate, but we have several subdivisions that will be constructed. I think of a box and if you have a box and you start shoveling in dirt, before long that box is going to be full. To me that box represents, what is it, 11.4 square miles of Pinetop-Lakeside. It’s not too big of an area. There are citizens who are concerned about not having a limit to*

growth and just approving it. Several communities around the country are, for instance the New Hampshire Municipal Association has this quote, 'Communities have found ways to retain their small-town values, historic characters, scenic beauty and sense of community yet sustain a prosperous economy. They have done it without accepting the cookie cutter development that has turned many communities into faceless places that young people flee, and tourists avoid and which no longer instill a sense of pride in residents.' I noticed that Boulder City has a vision statement, and their vision statements says, 'the city of Boulder City is committed to preserving it's status as a small town with small town charm, historical heritage and unique identity while proactively addressing our needs and enhancing our quality of life.' I'm just saying that eventually, if all of this development is allowed without limited growth and that means changing some zoning laws, we are going to be- you know there are towns like Prescott that used to be a nice small town. People are moving out of Prescott because it is gridlocked and there are strip malls and a sea of subdivisions. I was just talking to a lady, Kimberly from Sedona, and I said, 'oh I haven't been there for a long time'. She said, 'oh you don't want to go there because they have developed it so much that it is horrible there now'. We used to live in Mesa, and I remember that Gilbert used to be a small town and so did Chandler and now there are thousands upon thousands of people there. I am concerned and I would like the Town to be concerned that instead of bending your knee to the almighty dollar you respect and protect and preserve the qualities that a small town gives us. Thank you."

Chairman Salskov stated that he would like to address the comments about Boulder, since he lived there. Salskov stated that the median home price is over one million dollars. The town purchases land as it becomes available and the tax rate is extremely high. That is how they manage to do that.

Jim Beck stated that he talked to the Mayor of Boulder, and they have a property tax but it is a very small percentage.

Chairman Salskov stated that it's based off of the home value and the homes have a high value so the owner's still end up paying a lot in taxes, even though it's a small percentage.

Jim Beck continued, *"I'm just concerned about maintaining and preserving the natural environment and our small town. We already have it where you can't turn left on to the 260 in the summer. And grocery stores where you have to stand all of the way down the rows of the aisles to the back of the store. We already have a lot of people here, especially in the summer."*

Vice Chairman Turner asked to confirm if this is the same zoning that is across the street.

Community Development Director Loyd answered that the land use designation is the same and the zoning is similar. The county has different zoning and there are a few different zones across the road.

Commissioner Pence asked if mobile homes would be allowed and if this would be connected to the sewer.

Community Development Director Loyd answered that this would be addressed during the subdivision process adding that some zoning allows for class A manufactured homes but it doesn't always exclude modular homes since they are built to the same standard as site built homes.

Commissioner Pence moved to recommend approval of a Minor Amendment to the Land Use Element of the General Plan amending the Land Use Designation from Forest to Medium-Density Residential for 6.1 acres on the southeastern portion of APN 212-01-036P to the Town Council. Commissioner Williams seconded the motion and by a show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Todd Fernau	X		
Tim Williams	X		
Jack Pence	X		

Vice Chairman Turner declared the motion passed with a 5-0 vote.

D.2 Discussion and Legal Action regarding Z-86, a zoning amendment from R-Low to R1-4 for 6.1 acres of the southeastern portion of APN 212-01-036P.

Community Development Director Loyd stated the request is to rezone from R-low, which is 1 acre lots, to R1-4 which is as low as quarter acre lots. There is a maximum of 24 lots that could go on this property. The applicant is showing 16 lots and they meet the requirements of R1-4. The applicant has previously proposed different ideas for this property. Neighbors requested that there be a buffer of what is similarly zoned across the street and this zone change would accomplish that.

Applicant James Gappmeyer stated, *“When I have talked to residents along Vallery in the past, their concern was that there needed to be a buffer or some kind of change*

between the commercial property up front and their homes. I have told everyone that I have talked to that I would put a residential buffer. That is exactly what I am looking for tonight. There is a church that is near it and there is commercial that is next to it. I feel that this matches closely to what is across Vallery Lane. I think there is mobile homes and other site-built homes, so I feel like this matches what is over there and what people have asked me for.”

Chairman Salskov asked the applicant what size of homes they intend to put on the lots.

James Gappmeyer stated they have considered multiple sized houses due to the utilities and not know where the drainage will need to go. They are considering 1,500-3,000 square feet.

Commissioner Pence asked if the remaining trees on the property will be preserved.

James Gappmeyer responded that they intend to keep as many trees as possible adding that the property was Fire Wised to remove dead and sick trees and preserve the healthy trees.

Chuck Robertson stated, *“So its 6.1 acres, but how much of the property owned by James goes beyond the 6.1 down Vallery? I can’t tell from the map. In other words, the 6.1 acres ends where?”*

Community Development Director Loyd answered that it goes a little bit passed where the pavement ends, and the intention is to have the ingress and egress be on the paved road.

James Gappmeyer confirmed that the 6.1 acres goes a little further than the pavement and that Bill Bess from Navajo County did not have a problem with the ingress and egress being on the pavement.

Chuck Robertson continued, *“So your whole property goes beyond the 6.1 acres on Vallery, correct?”*

James Gappmeyer confirmed that is correct.

Chuck Robertson continued, *“So the buffer you are producing is just along that portion of the strip? I am just trying to get an idea.”*

James Gappmeyer responded that there is another 15.4 acres past this area that they intend on splitting into three 5 acre lots.

Community Development Director Loyd stated that the area extends about 1,300 feet past the pavement.

Chuck Robertson continued, *“Again, I want to state that I do not have a problem with the development. I do have concerns if it is connected to future RV parks and this is just being done haphazardly versus one total development. I know how fun it is to sit up there and make these decisions. I appreciate you taking the time to listen. Thank you.”*

Jim Beck stated, *“I was looking at the General Plan and the General Plan, to me, is like the Constitution of the United States. It’s like the supreme law. The General Plan is the supreme law of Pinetop-Lakeside. When I looked at the land use goals, objectives, and policies, number one, ‘protect existing properties from adverse impacts created by new adjacent users.’ So, I am assuming that there is only one person that lives on Vallery Lane because he and I are the only ones who will speak, besides Larry. It says on objectives and policies, number 8, ‘pursue land use goals always mindful of the rights of individual property owners.’ I would think that these two would apply. Under land use goals implementation and measures number 6, ‘promote the reduction and elimination of non-conforming land uses.’ On economic development goals, objectives, and policies, ‘ensure that all developments are high quality and sensitive to the environment’. And lastly, on environmental planning goals number 2, ‘participate in forest area stewardship responsibilities to maintain a healthy environment.’ Thanks for letting me talk.”*

Larry McCormick stated, *“Larry McCormick, I happen to live in Pinetop Lakes so I live in the county. I guess I would like to make the point that growth is difficult for homeowners especially those who have been present for many years as some or most of the people on Vallery Lane. But there seems to be problems. You see, you can either get along with the current residents or you can be adversarial. In my eyes, I don’t think that there is consistency in R1-4, 4 homes per acre. 24 possible homes concerns everyone on Vallery Lane. Going west everything is zoned R-low I believe. So now we are going to eventually have 24 homes placed on that buffer. The buffer is 240 feet deep. It’s a cash grab. One home per acre or 4 homes per acre, who is going to make the money? That is where I see it going. There are a lot of questions that need to be answered but I don’t know if you have the answers. Utilities, are they going to be above ground or below ground? Will it be on sewer or septic? Again, we are talking about where the pavement ends. The road is not the biggest road in the world and not the widest. I imagine cars cars going either direction needing to slow down before they pass one another. There are a lot of issues. Are we depending on the county to address and enforce them or is this something that we will be doing at a later time? I don’t know. The site plan that I have seen is conceptual. You say*

that you are going to save as many trees as possible but if someone wants to build their house on one of those lots and the architect has a home that they need every inch they can get. You know they are going to go down. So, I don't buy into the argument that they are going to save as many trees as we can. Not only for that but for the future builds that occur, whether it's the RV park or whatever. So, it seems premature in my eyes to approve R1-4 zoning when we do not have a lot of answers. Thank you."

Chairman Salskov stated that when the RV park was proposed years ago, residents were worried about fire. If they Fire Wise and cut down trees, that will reduce the risk of a fire. Residents were worried about the value of their homes. A 1,500 square foot home is valued at half a million dollars, so everyone's home values should go up. The utilities on Vallery are above ground, so if the new development's utilities are above ground, then it would match the surrounding area and if they are below ground then it would be an improvement. This is no longer National Forest, and something will end up going on this property. The applicant has worked to address the concerns of the neighbors.

Commissioner Williams asked if they could add a condition that there cannot be more than 16 lots.

Community Development Director stated that conditional zoning is difficult to implement down the road. The conditions should be applied during subdivision process, not zoning because they meet the requirements of R1-4 zoning right now.

Commissioner Fernau stated that the Town is growing and there is a shortage of housing. Developers have started to look at National Forests for land swaps. There is a lot of private land and that should be developed intentionally so that developers do not resort to converting National Forest.

Commissioner Pence wanted to address Larry McCormick's concerns. He stated that water flow, drainage, sewer, and other concerns will be addressed during the subdivision process.


Chairman Salskov motioned to recommend approving Zoning Amendment Z-86 to the Zoning Map of the Town of Pinetop-Lakeside, thereby amending the Zoning Map for 6.10 acres in the southeast portion of APN 212-01-036P from R-Low to R1-4 to the Town Council. Commissioner Pence seconded the motion. By a show of hands the following vote was recorded:

	AYES	NAYS	ABSTAIN
John Salskov	X		
Harry Turner	X		
Todd Fernau	X		
Tim Williams	X		
Jack Pence	X		

Vice Chairman Turner declared the motion passed with a 5-0 vote.

E. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 6:55 p.m.

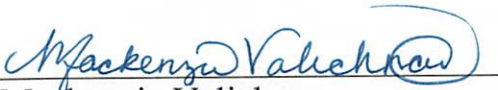

 Vice Chairman Turner

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 10th day of August 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of August 2023.




 Mackenzie Valichnac
 Deputy Town Clerk