



## OFFICE OF THE COCONINO COUNTY BOARD OF SUPERVISORS

### SPECIAL SESSION MINUTES

**April 14, 2021**

**5:00 p.m. – Special Session**

**Present:** Chair Matt Ryan, Vice Chair Lena Fowler, Supervisor Patrice Horstman, Supervisor Jeronimo Vasquez were present virtually via Zoom meeting technology. Supervisor Judy Begay was present telephonically.

**Also Present:** County Manager Steve Peru, Deputy County Manager/Public Works Director Lucinda Andreani, Deputy County Manager Joanne Keene, Deputy County Attorney Rose Winkeler, Public Affairs Director Eric Peterson, Clerk of the Board of Supervisors Lindsay Daley and Deputy Clerk of the Board Valerie Webber were present virtually via Zoom meeting technology.

Chair Ryan called the Special Session meeting to order at 5:02 p.m. and led the pledge of allegiance.

Deputy County Attorney Rose Winkeler clarified that the Board cannot consider issues related to water sufficiency as it is regulated by the State, and statutes do not allow counties to consider same. She advised the Board to disregard any statements made regarding water sufficiency. She further reminded the Board that a passing vote would have to be a super majority vote of the Board, so at least four votes in favor of the application. She further noted the Board need to address the record before them in order to place on the record how they make their findings.

Chair Ryan outlined the public hearing process and noted that public comments are not for discussion.

#### **Call to the Public:**

There were no comments from the public for items not on the agenda.

**Public Hearing:**

1. Public Hearings, consideration and possible adoption of Ordinance 2021-04 and Resolution 2021-03 for Case No. ZC-20-011 and SUB-20-011: A request for a Zone Change from the RS (Residential Single-family, 6,000 sq. ft. minimum parcel size) Zone to the PC (Planned Community) Zone with approval of a master development plan and subdivision preliminary plat. **Community Development:**

**Presenter:** Community Development Director Jay Christelman.

**Powerpoint:** Kachina Highlands Zone Change and Preliminary Subdivision Plat, ZC-20-011 and SUB-20-011.

Community Development Director Jay Christelman presented a powerpoint that described the location of the parcel and the request for the Kachina Highlands Subdivision Zone Change (ZC-20-011) and Preliminary Subdivision Plat (SUB-20-011). He displayed vicinity and aerial maps and a zoning map of the development and described the citizen participation meeting results.

He answered questions asked by Supervisor Horstman related to community concerns related to the density of the proposed development, noting the adjacent manufactured home park has almost 50% more dense than what Kachina Highlands is proposing.

Community Development Director Jay Christelman continued his presentation by addressing the need for a 75%, super majority vote as a result of a community petition, outlined as follows:

- Zoning Ordinance requires a majority of at least 75% of Board members to approve a zone change if:
  - At least 20% of the property owners within 300 feet of the zone change properties protest the zone change; and
  - These owners own at least 20% of the land area within 300 feet of the zone change properties
- 39% of the property owners owning 30% of the land within 300 feet have protested this zone change
- A 75% majority of the Board is required to approve the zone change

He further explained the findings that need to be made for approval of the request and reviewed Planning and Zoning Commission's recommended subdivision conditions for approval.

Upon inquiry from Supervisor Vasquez and Supervisor Horstman, Highlands Fire District Representative Eric True described the evacuation and traffic plan in the event of a fire emergency.

Chair Ryan called for a break at 6:50 p.m. and reconvened open session at 6:55 p.m. Supervisor Begay was not present.

Applicant Representative Ian Braun described his experience in subdivision designing, noting the proposed development is a cluster subdivision as allowed in the Subdivision Ordinance. He spoke about plans that address concerns that were brought up during the Planning and Zoning Commission meeting regarding Kachina Village Improvement District capacity for the proposed development, fire emergency evacuation plans, spring and wetland protections and traffic mitigation plans.

Applicant Chris Brown and Casey Christiansen shared a presentation that provided some highlights on the site plan, site constraints, amenities, the 2016 approved subdivision plan and proposed plan, the product and lot sizes, open space and trails and off-site improvements.

Upon inquiry from Vice Chair Fowler, Community Development Director Christelman answered questions related to outside lighting requirements.

Chair Ryan opened the public hearing for public comment at approximately 7:23 p.m.

Public Affairs Director Eric Peterson noted for the record that Supervisor Begay rejoined the meeting at approximately 7:24 p.m. He explained the process for raising a virtual hand in order to make public comment.

Attorney Tony Cullum, 14 East Hale, Flagstaff, Arizona, representing Charlie Hoover who lives in Kachina Village, is very opposed to the new zone change as it does not meet the Kachina Village Area Plan. The proposed has more houses than originally approved and will bring more traffic and he has concerned with the density. The land is very pretty and everyone is very concerned with 625 neighbors who signed a petition opposing the project. After numerous extensions, the proposed plan has more homes and less density and the neighbors are highly opposed to the project.

Jan Balsom , 4292 Canyon Loop, echoed Mr. Cullums statements, there is nothing in the plan that follows the Kachina Village Area Plan. She spoke about her concerns with fire danger, traffic, snow complications and the 33% increase in development.

Stephanie Seaback, 4292 Canyon Loop, asked how sidewalks, an HOA and private road fit in with the Kachina Area Plan. They welcome affordable housing that fits within the plan but this is not it. The Supervisors should exit near the gas station and see how many cars come and go. She urged the Board to see how this does not fit within the plan.

Shari Perralta, 2727 Teshepi Trail, the new development is just about across the street. She said she appreciates the Board has read all the comments. Why do we want more houses, why does the developer want more houses? The density would just increase. The Northern Arizona Audubon Society is strongly against the subdivision as it will impact the upper Tovar Spring. There is a petition that was signed by 625 residents who do not want the re zone. The community cares about this. They want air quality and the wildlife habitat and potential of another 172 cars is too much traffic.

Cassandra Mueller, 10150 North Celeste Way, Manager of Kachina Village Mobile Home Park, spoke about the amount of vehicles that will come with the amount of homes in the proposed development. A daily trip with work and home would include 690 trips on a two-way road. The snow removal is crazy and there is a question as to what will they do with all their snow? She has not been able to make it up the hill with snow multiple times and with a stop sign, you're asking for accidents. The hill is also blind and someone can get hurt right after the incline. An added turnoff would be dangerous. There is no way the community would be able to get out of there in case of a fire.

Jessie Gray, 24236 Hano Trail, the traffic evaluation includes assumptions, specifically related to the school bus interchange. She is concerned for parents parked and waiting for their children plus, there are students that have to walk up Tovar. On February 13<sup>th</sup>, inclement weather inhibited herself and others from making it up the hill, how will additional traffic make it? The suggested traffic changes fall short.

Denice Napaletano, 2423 Hano Trail, thanked the Board for the opportunity to speak. She started a petition to deny any increase to Kachina Highlands. There are 626 signers on the petition that hope to keep the subdivision as originally proposed. She agrees with everyone's concerns related to traffic and fire emergencies. She spoke about the proposed use and benefit easement, noting she didn't get any more information from Mr. Christelman as stated. She would like to know how many will be developed? The homes with five-foot setbacks would only have 10 feet between houses.

Berta Glawischnig, 2336 Keams Canyon Trail, said she has an issue with the fire evacuation plan. She spoke about the many roads in the area and how the community could evacuate but with over 300 people in the new development and current homeowners, there is a big problem with evacuating. She is concerned with the natural birding area and wildlife corridor impacts.

Carol (*last name unknown*), 4289 Canyon Loop, agrees with all the statements. If the proposal gets approved, her trust in County government will be impacted. She looked at the Kachina Area Plan when purchasing her home as she supported the values and aspirations of same.

Yasmine Sealy, 4289 Canyon Loop, agrees with all statements. This is disappointing as it does not fit with the Kachina Village Area Plan, even the originally approved subdivision. People have an investment as this is their home. She is firmly against the additional 43 homes being proposed. People spent time helping develop a plan for the area in which they live. Developers come in for an investment but we have a vested interest. She has concerns with the springs, what will happen if the issue is denied tonight?

Dean Barker, 2339 Tovar Trail, said he agrees with everything said so far, especially about the area being peoples' homes. What about internet traffic in addition to auto traffic? Adding additional homes will not allow internet to work better. He said he lives next to the gas pipe line and parking will be an issue, with four parking spots per unit. Most storage will be in the garage so with two in the driveway, the rest will be in the street. He stated he sees signs of elk and deer in the area, this is a corridor. He is firmly against the proposed development.

Laurie Morris, 3338 Kachina Trail, said she agrees with all comments. She lived here since 1989 and walks and sees all the wildlife. She spoke about the potential disturbance of the birds, trees and wildlife and said they hate to see it and hopes the development does not go through.

Lynn Neal, 3038 Shanto Trail, agrees with everyone else that the master plan does not meet the Kachina Village Area plan nor objectives of the Comprehensive Plan. She pointed out that they are actually talking about 227 units versus the original 130. Comparisons of the density to neighboring manufactured home park is biased, it represents a small portion of Kachina Village. She has actively seen the wildlife corridor and disagrees with the County's assessment. Traffic along Kachina Trail to the bus stop on Ancient is extremely congested.

Tom Verstrae, 3260 Tovar Trail, he spoke about the proposed three-way stop being a recipe for disaster as people don't stop now. He feels the assumptions about the traffic has been glossed over, looking at the best case scenario without consideration for traffic and snow issues. The amount of cars will be based on the number of units built, you end up with four or five college students with vehicles, making parking next to impossible. He sees an elk hit three or four times a year on I-17 in that area.

Paul Wutt, 3686 Ancient Trail, said he sent in a presentation and spoke about various plans he has reviewed. He spoke about reasons people are drawn to the area; the springs and wetlands. He further provided a historical overview of development that has taken place in the area since the 1960's, without consideration of environmental sustainability and stated the proposed development is ill conceived and will add increased density. He is concerned about the wildlife corridor and roadways in the wetlands and spoke about same.

Chair Ryan closed the public hearing for public comment at 8:21 p.m. and called for a break.

Chair Ryan reconvened open session at 8:31 p.m.

Applicant Casey Christiansen provided follow up clarification on citizen concerns related to the Kachina Area Plan and Comprehensive Plan. He noted the plat will have 173 platted lots, 173 single family homes, only a portion of the single-family homes are attached by a common wall. With regards to the use and benefit easement, it provides for a more useable space. As far as density concerns, it increases internal open space. The wildlife corridor has been expanded with the proposed open space.

Applicant Chris Brown noted there will be minimal visibility from I-17 with the planned open space. The HOA will contract with a landscape company for snow removal and there are snow storage areas planned for in the development. Every house will have a two car garage with adequate parking on the street. As far as affordable housing, the master plan offers a diverse offering of layouts to touch price points across the spectrum to appeal to different buyers. Square footage ranges from 1,350 square feet to 3,000 square feet.

Representative Braun stated the new Subdivision Ordinance strongly encourages cluster developments, and the development was designed with that in mind.

Applicant Brown noted the project was designed to provide improvements and amenities to the area; he briefly described same.

Upon inquiry from individual Board members, Applicant Christiansen answered questions related to the price range for proposed affordable housing and snow removal.

Chair Ryan spoke about the development as it relates to the importance of the proposed amenities, traffic improvements and open space. He noted should the Board move to approve the proposal, he would like to build upon the monitoring program, by including it in the development agreement. He stated the Board could discuss other elements that may be addressed, adding that he felt it was a well-designed community.

Supervisor Patrice Horstman spoke about the importance of community involvement and expressed her appreciation of all the work staff has done. She spoke at length about the proposed zone change request to increase density and stated she respects private property rights.

She read the findings that need to be made to approve the request on the record and addressed each finding; the plan is an excellent plan for a different community, it does not meet the character of the community. The overall density of the area is lots and homes over 6,000 square feet, not including the manufactured home park. She spoke about the natural environment in the community and impacts of increased density, people and traffic that will affect the area. Traffic will also add noise and pollution and increase safety risks. The proposed development does not fit in with the Area Plan, does not address affordable housing, increases the danger of wildfires, road improvements will happen later than sooner. She noted she does not see that the findings can be made to approve the zone change.

Vice Chair Fowler thanked the community for their letters and emails, commending them for their compassion for the community. As elected officials they value the input. The Board has worked on community assessments and changed the Zoning Ordinance to address the resulting needs. She briefly addressed the elements of concerns that were brought up by the community and how those were addressed by staff and the developer. She stated she supports the zone change.

Supervisor Vasquez spoke about his concerns regarding the amount of community opposition to the development, even though it is a better design than the first approved development, it is out of the character of the neighborhood.

Chair Ryan suggested the Board note their inability to make the findings if they do not support the proposal.

Supervisor Begay stated the development is well designed but the people in the community have a voice also. The community should be included in any decision and the Board needs to listen to the community and involve them by listening to their concerns.

Chair Ryan noted again that it is important to state the reasons for not being able to make the findings.

**Supervisor Horstman moved as follows:**

**Motion:** Request the Board to not consider and deny adoption of Ordinance 2021-04 and Resolution 2021-23 for Case No. ZC-20-011 and SUB-20-001, deny the zoning request change for RS zoning to PC zoning and that it maintain the zoning at RS, Residential Single Family Zoning, for 6,000 square feet minimum parcel size.

**Supervisor Judy Begay seconded the motion with a correction that SUB-20-001 as stated, be corrected to SUB-20-011.**

**Supervisor Patrice Hortsman accepted the correction and included in her motion, for the record, that she moved to deny the zoning change because she does not find that the change is consistent with the goals, objectives and policies of the Comprehensive Plan, and this Zoning Ordinance and that the change will be detrimental to the public health, safety, comfort, convenience and welfare, and the change will adversely affect the established character of the surrounding neighborhood and would be detrimental to the adjacent properties.**

**Supervisor Judy Begay agreed with the addition to the motion and correction and affirmed her second to the motion.**

Chair Ryan acknowledged there was a lot of community passion expressed and he appreciates their support and involvement. He noted he does support the development, adding that there is a crisis with housing and affordability, making these tough issues to address. He urged the community to get involved and become proactive to protect the various elements of their surrounding environment.

Individual Board members briefly spoke about possibilities moving forward in supporting the community and various elements that need to be addressed in the area.

Vice Chair Fowler said she liked the plan as it would have been a community improvement that would support improvements that are needed as the County cannot afford to make them. In addition, it supported our latest ordinance and would help people that need housing. This would have been another place for the community to purchase a house. She thanked the citizens for their input and providing a voice and stated she has a different understanding of the Area Plan. There is a need to address housing and economic development in the County to make housing more affordable. She spoke about the importance of partnerships to help pay for much needed improvements.

**Chair Ryan called for the question.**

The motion passed with Supervisor Patrice Horstman, Supervisor Judy Begay and Supervisor Jeronimo Vasquez voting “aye”; Supervisor Matt Ryan and Supervisor Lena Fowler voting “naye”.

There being no further discussion, Chair Ryan adjourned the meeting at 10:38 p.m.

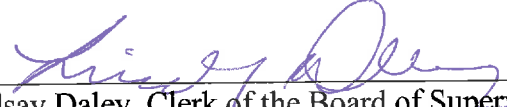
**COCONINO COUNTY BOARD OF SUPERVISORS**

(SEAL)



  
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Matt Ryan, Chair

**ATTEST:**

  
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Lindsay Daley, Clerk of the Board of Supervisors



Warrant listing for 4/22/2021 as required by ARS-11-217.D

The minutes shall include all demands and warrants approved by the board in excess of one thousand dollars and multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period.

Check Number	Vendor	Check Amount
11408	6215 - DALIA AMBRIZ	1,060.50
11413	6885 - B&L AUTOMOTIVE @ LAKE POWELL	1,023.91
11416	6726 - REBECCA E BROWNING	1,600.00
11417	3410 - CEDAR CREST/FLAGSTAFF LP	2,140.00
11418	1019 - COCONINO COUNTY	7,932.11
11419	1019 - COCONINO COUNTY	12,782.24
11420	1019 - COCONINO COUNTY	399,319.49
11421	1019 - COCONINO COUNTY	37,143.89
11422	1019 - COCONINO COUNTY	77,061.33
11423	1019 - COCONINO COUNTY	74,151.17
11424	1019 - COCONINO COUNTY	325,808.20
11425	1019 - COCONINO COUNTY	161,857.17
11426	1019 - COCONINO COUNTY	56,930.31
11427	1019 - COCONINO COUNTY	25,480.46
11428	1019 - COCONINO COUNTY	3,951.34
11429	1371 - KIMBERLY K CONLEY	1,120.00
11430	1959 - CRM OF AMERICA LLC	4,022.29
11432	1674 - DIAMOND DRUGS INC	9,148.60
11433	3125 - UNITED INFORMATION SERVICES, INC	2,072.88
11434	2356 - FERRELLGAS LP	1,000.00
11439	1009 - GOODMAN'S INTERIOR STRUCTURES	134,349.61
11445	5993 - MESSAGES AND MORE LLC	1,269.69
11446	5059 - NORTH COUNTRY HEALTHCARE INC	1,075.00
11447	6987 - OXFORD HOUSE RIORDAN	1,647.86
11449	4447 - PERSONNEL SAFETY ENTERPRISES/ZEE MEDICAL	3,020.95
11452	4461 - SHAMROCK FOODS	2,695.63
92104921	1 - AFLAC PREMIUM HOLDING	3,333.78
92104923	1933 - AMERIGAS PROPANE LP	2,986.89
92104924	6506 - ANDERSON SECURITY AGENCY LTD	4,963.07
92104926	1895 - ARIZONA PUBLIC SERVICE	2,348.29
92104927	6874 - THE BLIND BROTHERS, LLC	7,649.50
92104928	6760 - BUD GRIFFIN CUSTOMER SUPPORT - ARIZONA LLC	3,976.00
92104934	2530 - QWEST COMMUNICATIONS COMPANY LLC	2,360.62
92104938	4471 - CITY OF WILLIAMS	22,882.00
92104943	5813 - CONSTANT AND ASSOCIATES, INC	9,999.80
92104947	1716 - EMPIRE SOUTHWEST LLC	1,400.97
92104949	5788 - EXHIBIT ONE CORPORATION	8,630.88
92104950	1134 - FLAGSTAFF NATIVE PLANT & SEED	1,265.00
92104953	1466 - GOODMAN CONTRACTING INC	3,116.00
92104960	2401 - KONICA MINOLTA BUSINESS SOLUTIONS USA INC	2,231.84

92104962	4842 - LANMOR SERVICES INC	15,555.56
92104966	6646 - SILVERMAN, MATTHEW JAMES	1,542.26
92104968	6362 - ANNA NELSON	1,398.00
92104973	1995 - FLAGSTAFF PRECISION RESTORATION SERVICES LLC	1,470.00
92104974	5721 - RHINEHART OIL CO LLC	7,339.62
92104981	1282 - STERICYCLE INC	2,870.00
92104982	2518 - CEQUEL COMMUNICATIONS LLC	3,505.35
92104985	6375 - TAMMY HARDY	1,555.00
92104987	1690 - THOMSON REUTERS-WEST PAYMENT CENTER	8,704.25
92104989	3663 - TIMBERLINE DENTAL PLLC	2,274.20
92104990	4349 - TOWN OF FREDONIA	2,843.52
92104991	1755 - UNS GAS INC	1,185.85
92104992	1755 - UNS GAS INC	1,605.23
92104993	5849 - VANGUARD TRUCK HOLDINGS LLC	3,259.86
92104994	6598 - VARI SALES CORPORATION	3,985.93
92104995	5173 - CELLCO PARTNERSHIP	1,021.84
92104996	5173 - CELLCO PARTNERSHIP	3,401.61
92104997	5173 - CELLCO PARTNERSHIP	2,537.32
92104998	5169 - VOYA INSTITUTIONAL TRUST COMPANY	5,665.83
92105005	10 - SUPPORT PAYMENT CLEARINGHOUSE	3,904.21

Warrant listing for 4/29/2021 as required by ARS-11-217.D

The minutes shall include all demands and warrants approved by the board in excess of one thousand dollars and multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period.

Check Number	Vendor	Check Amount
11562	6506 - ANDERSON SECURITY AGENCY LTD	4,810.70
11563	6813 - AVERTEST, LLC	4,094.90
11566	1019 - COCONINO COUNTY	4,525.86
11568	1959 - CRM OF AMERICA LLC	10,889.36
11573	2628 - FLAGSTAFF SHELTER SERVICES INC	8,471.72
11575	4350 - GOLIGHTLY TIRE	12,031.37
11578	5318 - THE J STREIFF LAW FIRM PC	6,400.00
11580	6936 - MP ACQUISITION LLC	47,338.50
11581	5059 - NORTH COUNTRY HEALTHCARE INC	2,875.00
11585	1243 - PERFORMANCE STRATEGIES	4,420.05
11587	1735 - PTS OF AMERICA LLC	7,719.00
11588	2851 - PRO PETROLEUM INC	17,548.85
11590	4461 - SHAMROCK FOODS	11,647.89
11591	2496 - CAROL HENDERSON-DAHMS	1,333.50
11592	1406 - KATHY A TURNER	2,944.96
11593	1341 - TYLER TECHNOLOGIES INC	120,196.24
92105006	2120 - ALLIANT GAS LLC	1,611.60
92105009	6506 - ANDERSON SECURITY AGENCY LTD	4,924.37
92105010	1895 - ARIZONA PUBLIC SERVICE	7,290.00
92105011	1895 - ARIZONA PUBLIC SERVICE	2,311.47
92105016	2077 - CATHOLIC CHARITIES COMMUNITY SERVICES INC	12,181.47
92105021	6258 - CITY OF FLAGSTAFF	6,252.10
92105022	5873 - CLIMATEC LLC	5,050.00
92105023	6459 - CODE 3 TECHNOLOGY LLC	12,717.29
92105026	1655 - CONNECTION INC	17,277.89
92105027	5471 - L.N. CURTIS & SONS	2,624.77
92105034	7013 - EXECUTIVE HEATING & AIR CONDITIONING	5,775.00
92105035	4346 - FLAGSTAFF EMERGENCY PHYSICIANS, PLLC	1,364.71
92105036	4476 - FLAGSTAFF SURGICAL ASSOCIATES	1,495.46
92105038	1140 - FLAGSTAFF MEDICAL CENTER	9,682.26
92105039	1140 - FLAGSTAFF MEDICAL CENTER	5,986.66
92105040	1140 - FLAGSTAFF MEDICAL CENTER	14,472.50
92105041	2048 - FRANKLIN COVEY CLIENT SALES INC	2,836.29
92105042	4989 - GLOBAL MANAGEMENT LLC	1,500.00
92105043	6852 - GLOBAL MARKET INNOVATORS, INC	7,412.26
92105051	6477 - HYE TECH NETWORK & SECURITY SOLUTIONS LLC	21,830.75
92105055	5616 - JABARAH L NICHOLS	8,000.00
92105056	2056 - LABORATORY CORPORATION OF AMERICA	1,532.31
92105069	4444 - NORTHERN ARIZONA RADIOLOGY PC	1,201.67
92105070	1664 - NORTHERN LIGHT TREE COMPANY & LANDSCAPE MAINT LLC	2,800.00

92105071	2250 - NORTHLAND INVESTIGATIONS LLC	2,700.00
92105074	7022 - THOMAS O'HARA	1,800.00
92105081	2092 - PROFORCE MARKETING, INC	10,269.36
92105083	5721 - RHINEHART OIL CO LLC	9,585.29
92105087	1196 - DAN SLAYTON	1,217.20
92105093	1116 - TALLPINES ENVIRONMENTAL CONSULTING COMPANY	2,727.00
92105094	3551 - JOEL A TERRIQUEZ	1,050.00
92105098	5539 - MELVIN TUCKER	1,759.50
92105099	1755 - UNS GAS INC	1,347.33
92105100	1755 - UNS GAS INC	8,381.74
92105101	2903 - UNITED RENTALS (NORTH AMERICA) INC	2,344.93
92105108	3075 - AMANDA J WILLEY	1,400.00
92105111	2808 - YAVAPAI COUNTY GOVERNMENT	4,866.76
92105112	5815 - ERIN WIDMAN	1,137.50