

Coconino County Planning and Zoning Commission
Meeting of Wednesday, August 26, 2020
Zoom

Members Present

Tammy Ontiveros–Madam Chair
Sat Best
Ray Mayer
John Ruggles
Tyanna Burton
Jim Clifford
Mary Williams

Members Absent

Don Walters – Vice-Chair

Staff Present

Jason Christelman, Director
Jess McNeely, Assistant Director
Bob Short, Principal. Planner
Zach Schwartz, Sr. Planner
Aaron Lumpkin, County Attorney
Marty Hernandez, Recording Secretary

Madam Chair Ontiveros called the meeting to order at 5:30PM. She noted procedures to the audience.

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

MOTION: Commissioner Williams made the motion to approve the minutes from July 29, 2020.

SECOND: Commissioner Clifford seconded.

DISCUSSION: N/A

VOTE: The vote was unanimous.

III. PUBLIC HEARINGS

1. Case No. CUP-20-029: A request for a Conditional Use Permit to use a recreational vehicle (RV) as a permanent residence on a 10-acre parcel in the AR (Agricultural Residential, one-acre minimum parcel size) Zone. The subject property is located at 2219 N Forest Line Road approximately three miles north and east of Ash Fork and is also identified as Assessor’s Parcel Number 206-36-014D.

Property Owner: Clay Living Trust, DTD, Tucson, Arizona

Applicant: Ken Clay, Tucson, Arizona

County Supervisor District: 1 (Art Babbott)

STAFF: Mr. Short gave a PowerPoint presentation and summarized the staff report.

APPLICANT: Patricia Clay, Tucson, AZ, had read the staff report and agreed with the conditions.

PUBLIC: No one from the public had comments.

COMMISSION: The Commissioners did not have any questions.

MOTION: Commissioner Ruggles made a Motion to approved CUP-20-029.

SECOND: Commissioner Burton seconded the Motion.

DISCUSSION: NA

VOTE: The Motion passed unanimously.

2. Case No. CUP-20-035: A request for a Conditional Use Permit for a 197-foot, 8-inch meteorological (met) tower on a .3-acre portion of a 9660.86-acre parcel in the G (General, 10-acre minimum parcel size) Zone. The site is located 18 miles east of Valle on the subject property identified as Assessor's Parcel Number 502-05-001.

Property Owner: Babbitt Ranches, LLC, Flagstaff, Arizona

Applicant: SWCA, Flagstaff, Arizona

Representative: Devin Petry, Flagstaff, Arizona

County Supervisor District: 1 (Art Babbott)

STAFF: Mr. Short gave a PowerPoint presentation and summarized the staff report.

APPLICANT: Devin Petry, Next Door Energy Resources, Flagstaff, AZ, had read the staff report and agreed with the conditions. The company has addressed all concerns from the AZ Trail Association.

PUBLIC: Linda Webb, 3586 N. Captain Colton Lane, Flagstaff, AZ, had concerns since the met tower determines if there is enough wind to support a wind farm. She felt like the tower would not meet some of the requirements for the County's plan for sustainable energy. Wind farms are just as environmentally unsound as other resources, i.e., gas and oil. She asked the Commissioners to really consider if this was appropriate for this area. Chair Ontiveros encouraged Ms. Webb to get involved with the Utility Scale Renewable Energy and contact Melissa Shaw. Ms. Webb said stated she was involved with the group.

COMMISSION: None of the Commissioners had comments.

MOTION: Commissioner Ruggles made a motion to approve CUP-20-035 with the Conditions as stated in the staff report.

SECOND: Commissioner Williams seconded.

DISCUSSION: NA

VOTE: The Motion passed unanimously.

3. Case Nos. AM-20-007 and ZC-20-010: A request for a Flagstaff Area Regional Plan Minor Amendment to change the Area Type from Rural to Suburban and a Zone Change from the AR (Agricultural Residential, one-acre minimum parcel size) Zone to the RM-10/A (Residential Multiple Family, 10 units per acre maximum density) Zone for the development of a 93-unit residential housing development on a 14.18-acre parcel. The subject property is located at 870 S State Route 89A approximately three-quarters of a mile south of the Interstate 17 interchange and is also identified as Assessor's Parcel Number 116-08-005A.

Property Owner: Nackard Family Trust UDT DTD, Flagstaff, Arizona

Applicant: Christifulli Communities LLC, Flagstaff, Arizona

Representative: Brad Dixon, Flagstaff, Arizona

County Supervisor District: 3 (Matt Ryan)

STAFF: Mr. McNeely gave a PowerPoint presentation and summarized the staff report. Commissioner Ruggles discussed the proposed lighting plan, which while well thought out, needed more detail.

Mr. McNeely stated a lighting permit would be required. This was only a conceptual plan. Mr. McNeely recommended Commissioner Ruggles adjust conditions as needed. Commissioner Best thought it would be in the audience's best interests to review what was important and what was in the Commission's purview.

Mr. McNeely reminded everyone that the Commission is making findings. Everything requires permits. The Commission does not approve permits. Focus on the findings, not what is out of the control of the Commission and Board.

Commissioner Best stated we cannot hear testimony on water supply, and Mr. McNeely agreed. This is more about infrastructure planning.

Commissioner Ontiveros asked if there was a prairie dog colony or other wildlife concerns.

Jessica Simmons, Coconino County Urban Wildlife Planner, stated there was none.

APPLICANT: Brad Dixon, 110 W. Dale, Flagstaff, AZ, is the civil engineer for the project.

Nick Christifulli, Flagstaff, AZ, presented information through a PowerPoint presentation. The area is very important to him. He wants to build a quality community with affordable housing. His vision is to have access to mountain biking, a dog park, walking paths, a community garden, and clubhouse. He feels there is a housing shortage for working families in Flagstaff.

Duane Westin, 508 N. Humphries St., Flagstaff, AZ, presented a photo from 1954 of the subject property. The purpose was to show how the area has developed over time. This property has been for sale on and off for some time. He thinks this is a better project than what could happen under the present zoning. He reiterated there was a housing shortage. People will know exactly what they will get with this project. Under present zoning, there could have a mixture of different types of buildings with several on a lot. He clarified that there would be 93 units on the site, single story. There would also be as

much or more run-off with a wild-cat subdivision. With what is planned, they will have a significant amount of impervious surfaces, especially with the detention basin. For the rezoning and plan amendment, it will not be a subdivision but owned by one owner. This development will fit within the site, with native landscaping, while trying to reduce impact on the neighbors, LEED certified, focused on conservation, and he thinks this project can meet the criteria for rezoning and amendment. The project should meet the housing needs, meets the future vision plan for Flagstaff, the change meets the housing needs, and ties in with the surrounding area. Housing and rental prices are increasing. The hospital has purchased 150 acres nearby. The hospital has a plan but not sure what it is yet, but a good tie in for housing for the employees. Ten percent of the housing will be set aside for affordable housing. Flournoy Meadows is consistent with the goals and objectives of the area plan. He went through the plan and compared it to what would be included in this development. He requested the Commission approve both.

Brad Dixon, Flagstaff, AZ, discussed drainage since the neighbors had several questions regarding this. The project will be meeting County requirements for stormwater management. Peak discharge rates will not be increased. City of Flag uses low impact first flush. The county is allowing a similar retention. It addresses water flow rate, water volume that is released from the site, and will help mitigate any water volume increases through the culvert. It also provides water quality treatment.

Mr. Dixon discussed on-site utilities that will include on-site wastewater treatment. The treated wastewater will be pumped to a sub-surface drip system on the western boundary site. The county has tested the area, and it is favorable to this type of drip system. ADEQ will be responsible for the permitting on this site. We will follow their guidelines for the system, as they have very strict standards. There will be an on-site water system and storage for service and fire suppression, with 8 fire hydrants. Currently this property is not within fire district boundaries but will be requesting annexation by Highlands Fire District. A meeting was held with ADOT and will be doing a traffic impact study and complying with recommendations. For the lighting standards, we plan to meet Zone 1 requirements. We want to make sure we provide lighting for safety. The site plan shows a variety of community access to trails, as we are coordinating with FS to make sure they agree with the trail plan.

Joelle Wirth, Easy Treat Company, Flagstaff, AZ, sells and produces wastewater treatment plant systems, with a proven track record. The plan is to have a recirculating synthetic media filter that produces tertiary treated wastewater which is then treated with UV disinfection and then distributed to sub-surfaces. We are wanting to be green, water efficient, with low flush toilets, low flow faucets, meeting LEED standards.

Commissioner Ruggles asked Mr. Dixon about the Zone 1 lighting, stating there is very little difference in lumens but significant. Mr. Dixon agreed with Zone 1 lighting.

Commissioner Ruggles stated he would change the condition if approved.

Commissioner Best wanted to verify that the lighting would be fully shielded. He asked for a rendering of the detention basin. Mr. Dixon did not have anything to show the perspective of the basin, but it would be a part of the community, walking paths, with landscaping and while being maintained.

Commissioner Best asked about the angle of the drop for the basin and the level lead. Mr. Dixon stated they are still looking at that but possibly a 4:1, also looking at the Silver Level Lead.

Commissioner Best asked about affordable housing, what does that mean?

Mr. McNeely said the comprehensive plan's definition "owned or rented housing costing less than 30 % of the households' total gross income, assuming this income equals the medium or county area". It may be put in a Condition regarding the percentage of units put into affordable housing.

Mr. Dixon said it was agreeable to put it into a Condition to help with concerns.

Commissioner Ontiveros stated some of the comprehensive plan regarding the availability of all economic sectors and wanted Mr. Dixon to address those policies. Mr. Dixon said since this was still in the preliminary stages and was agreeable to the 10% of the property rentals in the affordable range, he felt like he would be meeting the need.

Commissioner Williams asked if an economic analysis had been done and wanted rental pricing. Nick Christifulli stated a one bedroom would be \$1650, 2-bedroom \$2500, and a 3 bedroom-\$3000. He compared the Pine Cliff Alliance rentals to his community.

Commissioner Clifford wanted clarification on the number of units.

Mr. Dixon stated 45 duplexes and 3 singles residences. This is based on market knowledge. Each unit will have 2 parking spaces plus extra for guests. ADA will be met, as required.

Commissioner Clifford wanted to know what Mr. Dixon thought affordable housing was for Flagstaff. Mr. Dixon based the average was \$20/\$25/per hour. Numbers were discussed and at \$16/hour does not make this affordable. Commissioner Clifford did not think this was a good fit in affordable housing for the community. Focus needs to turn to the rural residents and not geared toward suburban/city residents. This does not have the infrastructure of the city.

Mr. Christifulli stated this was suburban and not rural.

Commissioner Clifford voiced concerned about the affluent water being discharged into the ground. Mr. Dixon stated this is not equalivent to drinking water but for irrigation.

Ms. Wirth stated they must meet ADEQ standards for water quality for discharge.

PUBLIC: Sarah Watson and speaking for her husband David Deville, 80 Seneca Dr., Flagstaff, AZ, gave a Power Point presentation, and voiced opposition. She reviewed Plan Amendment Finding. It does not meet the regional plan. The property is not within shopping, jobs, or public transportation. The project would be inconsistent with adjacent property, a working ranch and national forest, and not compatible. The increase in density will be a negative impact of the area. There would be traffic impacts as vehicles are always speeding, with no turning lanes, with curves blocking views of traffic. Ms. Watson feels like there would be added light pollution with loss of dark skies. This property is high in natural resources for this land per the county maps. Wildlife would be impacted. There would be no improvement or benefit and is inconsistent with the County's vision and plan.

Aude Stang, 41 Pinecone Dr. Flagstaff, AZ, presented a PowerPoint and voiced opposition. The Zoning Ordinance states, "urban residential should be located primarily in incorporated municipalities or in areas where full range of urban services and infrastructure are available". There is conflict in Regulations and the more restrictive

should govern. Intent to safeguard and enhance existing area, which it does not. This will set precedence for future projects. The Zoning Ordinance is to safeguard and enhance the existing area. Viola's Garden Center had to down zone. There is a place for such development but not here. The leadership should consider this.

Brian Griffith, 6 Pine Ridge Dr., Flagstaff, AZ, spoke for Roger Clark, Darrin Blackman, Susan Bigley, Cathy Stears, Norbert and Susan Langbecker. Mr. Griffith presented a PowerPoint presentation regarding the flood issues and repeated flooding of Pine-Del. Pine Del has septic failures. The meadow would be pushed to the limits. Soil samples are not viable. Pine Del will take the brunt of septic failure. There would be wildlife impacts. on 89A is a scenic corridor. Mr. Griffith went through the Comprehensive Plan to show how it was not being followed. He discussed affordable housing which this development does not follow the Flagstaff Regional Plan. Over 3000 people have signed the petition opposing this zone change and Plan Amendment. He went through the findings of facts, citing the inconsistencies, flooding, wastewater, traffic and out of character for the area.

David Kimerley, 7025 S. Hwy 89A, Flagstaff, AZ, spoke for his family. His land is adjacent to the proposed project. He thanked all involved in working on the Comprehensive Plan. He wanted to talk about the Comprehensive Plan and the road map it provides for the residents and their future. He wondered why this is was being called a "minor" amendment and feels it violates the Comprehensive Plan in every way. He owns a working ranch, in a rural setting, zoned agricultural. Sheep trail runs through near this area. He spoke of integrity and the way of life; some things are not for sale. He is a proud neighbor of this area.

Art Escobedo, 3821 S. Box Canyon Trail, Flagstaff, AZ, co-owner of Viola's Flower Garden. Four years ago, when they moved Viola's, they had to downgrade their zoning request. Now they are grateful and wants to keep this area as it is. Do not up zone and it goes against what Viola's was made to do. Do not hold this project to a different standard.

Chair Ontiveros called for a 5-minute break. The hearing reconvened at 8:52pm.

Eileen Taggart, 9895 N. Bryant Rd., Flagstaff, AZ, stated she is a real estate agent in Flagstaff and has never opposed a development but opposes this development. 89A is a gateway to Flagstaff. The county should protect this gateway. This community does not fit in, as there is no infrastructure around to support this.

Blake Cain, W. Lois Lane, Flagstaff, AZ, was speaking on behalf of the Nackard Family Trust. He is representing Russell Sotheby, who is selling the property. They are in favor of Zone Change and Amendment, as Flagstaff is growing and there is a need for homes. Chelsea McKiernan, 44 Ponderosa Drive, Flagstaff, AZ, feels fortunate to be able to have a home here and wants to keep this area a rural setting. The proposed project is not affordable for Flagstaff population. This will change the character of the area and does not meet the Comprehensive Plan and required findings.

Sam Peron, 601 E. Piccadilly Dr., Flagstaff, AZ, just moved to Flagstaff. He is in support of the neighborhood. He thought this was affordable and much needed.

Dr. Jessie Finch, 293 Dengue, Flagstaff, AZ, objects to the Zone Change. There is no evidence to support this is affordable housing. She feels like this worsens conditions for

affordable housing. Developers are taking advantage of the residence. Dr. Finch favors individuals over developers.

Sue King, 32 Pinecone Dr. Flagstaff, AZ was speaking for Adam Richards, 33 Pinecone Dr., Flagstaff, AZ. He was against this proposal for this rural meadow site. This meadow is so much more to the residents. This project has negative effects with no benefits for the County.

Robert Stang, 41 Pinecone, Flagstaff, AZ, voiced opposition. He has a sense of what is right and wrong, as well as the Commission. He hopes this company's interest will not circumvent the residents of the area.

Vicki Anderson, 57 Pine Del Dr., Flagstaff, AZ, retired teacher, and wanted to enjoy the rural area when she retired. She talked about the hiking trails and wildlife. She is opposed to the development as it goes against the Comprehensive Plan and Regional Plan.

Tracy Highrigns, 82 Seneca Dr., Flagstaff, AZ, spoke of the current conditions as now the area is heavily trafficked with traffic back-ups, water run-off, flooding, and septic issues. This is a wonderful view when entering Flagstaff.

Becky Hipsher, 35 Pinecone Dr., Flagstaff, AZ, is opposed to the rezoning. The complex will not be compatible with the area. She and her family enjoy the Highland Trail and watching the wildlife. She reiterated how this would not benefit the health, safety, and welfare of the community

Karan Patel, Canyon Drive, Flagstaff, AZ, represents the Patel family of Flagstaff. From a business standpoint, his employees have a hard time finding affordable housing.

Alfred Baul, 52 Pine Del Dr., Flagstaff, AZ, spoke for himself and wife Mary Ann, and they are opposed to the development. He thanked the Pine Del residents for doing the research on this matter. Snow removal would be an issue. The dump area would be "the park" which the snowmelt would run into Pine Del. This development would be next to the forests, which increases the threat of fire that already exists with campers, tourists, children, etc.

Mary Sojourner, 2706 Tishepi Trail, Flagstaff, AZ, lives in Kachina Village, and uses the traffic circles and Old Munds Hwy. This is a heavy traffic area, especially during events. Old Mund Highway has become a "play" area, with a new development, these people will discover this road causing more problems with road maintenance.

Dr. William Troutt, 53 Pine Del, Flagstaff, AZ, objects to the development, as it puts profit above prosperity.

Bruce Celiz-Hagen, 35 Pinecone Dr, Flagstaff, AZ, wanted to point out this is not affordable housing.

Rick Lopez, 5 E. Cedar Ave, Flagstaff, AZ, stated change is hard and knows there have been many proposals over the years to keep Flagstaff from growing. One day that "field of flowers will be gone". The landscape will change. The only way to prevent that is for the people that are opposed to this should buy the property. Do we want to be an elitist community or an inclusive community? He stated there is a lack of family housing and does not think it is affordable housing. Does the Commission want to be wanting to be a part of the solution for continue to be a part of the problem for housing?

Brad Birdsell, 31 Pine Del Dr., Flagstaff, AZ, is opposed to the development.

Derrick and Mary Broadbent, 51 Pine Del Dr., Flagstaff, AZ, is opposed to the development. Mr. Broadbent is an engineer and feels the snow melt will be a problem, and that an appropriate engineering study should be done.

Anne Harns, 30 Pine Del Dr., Flagstaff, AZ, opposed to zoning. She sees a great deal of wildlife in the area as she trail runs.

Tasha Griffith, 6 Pine Ridge Dr., Flagstaff, AZ, and opposed to the Zone Change. She thought this plan adversely impacts the existing character of the area.

COMMISSION: Commissioner Mayer is torn about this project. Flagstaff needs affordable housing. He thought 89A is the most beautiful drive. He stated he didn't have a problem with the project but needed to be located elsewhere. He did not feel it was affordable housing for Flagstaff. If it cut the units by 30%, it might be different.

Commissioner Burton followed Commissioner Mayer. The idea is great but not in this area. She was concerned about the gateway and this development would stand out. With it being next to a working ranch, there are safety concerns.

Commissioner Williams cannot make the findings for the amendment or zone change. This high-density development does not belong in the agricultural zoning. She felt it showed a lack of understanding and disregard for what Planning and Zoning have done for the Comprehensive Plan.

Commissioner Ruggles stated the amendment to the Comprehensive Plan is not feasible to change it. He cannot make finding for the amendment. It would be unreasonable to expect this will not be developed now or in the future. Commissioner Ruggles could not make findings for the Zone Change. This is not the right place for this development.

Commissioner Best read from the Comprehensive Plan section on Natural Resources and based on that he cannot make the findings. He could not make the findings for the amendment as well. Everyone worked very hard on the Amendment for the County. They tried to give developers incentive to cluster, while protecting the values of the Comprehensive Plan and Regional Plan.

Commissioner Clifford agreed with all the other Commissioners. The aerial map from 1954 looked like a river. This is not affordable housing. This is an apartment complex with rotating doors. If this was a low-density development, it might be different.

Commissioner Clifford could not support either case. He must side with the public that lives here, not a developer that wants to make progress in the County. This is a beautiful gateway headed to Oak Creek. He has been caught in the flooding in the area and understand the situation.

Commissioner Ontiveros had considered all written documents and what was presented. She could not make the findings. Reciting Finding H-preserve the natural character...

The proposed site is a meadow. For the Zone Change she could not make finding #3 Chair Ontiveros likes the project, but it is just in the wrong place.

MOTION: Commissioner Ruggles made a Motion to recommend denial to the Board of Supervisors for AM-20-007.

SECOND: Commissioner Williams seconded the Motion.

DISCUSSION: NA

VOTE: The Motion passed unanimously.

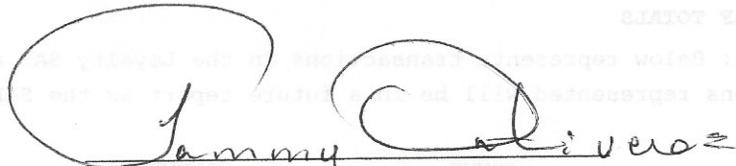
MOTION: Commissioner Williams made a Motion to recommend denial of ZC-20-010 to the Board of Supervisors.
SECOND: Commissioner Best seconded the Motion.
DISCUSSION: NA
VOTE: The Motion passed unanimously.

IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

No one from the public spoke.

Chair Ontiveros adjourned the hearing at 10:11pm.

V. CONTINUATION OF STUDY SESSION IF NEEDED



Chairperson, Coconino County
 Planning and Zoning Commission

ATTEST:



Secretary, Coconino County
 Planning and Zoning Commission