

Coconino County Planning and Zoning Commission
Meeting of January 27, 2021
Web-Based Technology Zoom

Members Present

Tammy Ontiveros – Madam Chair
Don Walters – Vice-Chair
Sat Best
John Ruggles
Tyanna Burton
Jim Clifford
Mary Williams

Members Absent

Staff Present

Jason Christelman, Director
Jess McNeely, Assistant Director
Bob Short, Principal. Planner
Zach Schwartz, Sr. Planner
Melissa Shaw, 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 Ruggles made the motion to move the approval of the minutes from January 6, 2021 to February 24, 2021 as not all Commissioners received them.

SECOND: Commissioner Clifford seconded.

DISCUSSION: N/A

VOTE: The vote was unanimous.

Chair Ontiveros stated pursuant to Section 8 of the Commission by-laws concerning public hearing procedures the Chair may change the order of the applicant's cases. CUP-20-064 and DRO-20-012 will be the first case and CUP-20-028 will move to the second case.

III. PUBLIC HEARINGS

1. Case No. CUP-20-064 and DRO-20-012: A request for a Conditional Use Permit and Design Review for an APS substation (utility facility) on a 2.3-acre portion of

a 29.71-acre parcel in the PC (Planned Community) Zone where CH-10,000 (Commercial Heavy, 10,000 sq. ft. minimum parcel size) standards have been applied. The subject property is located north of Brannigan Park Road and west of the Pilot Station in Belmont and is identified as a portion of Assessor's Parcel Number 203-40-007.

Property Owner: North Winds Commerce Center LLC, Phoenix, Arizona

Applicant: APS-Arizona Public Service Land Services Department, Phoenix, Arizona

Representative: Coe and Van Loo Consultants, Inc., Phoenix, Arizona

County Supervisor District: 3 (Matt Ryan)

STAFF: Mr. Schwartz gave a PowerPoint presentation and summarized the staff report. He noted there had been a modification for Condition #2 not shown in the staff report (shown in red): *“The applicant shall install multimodal facilities (for pedestrians and bicyclists) adjacent to the subject property on Branningan Park Road and a Flagstaff Urban Trail System (FUTS) standard path at the rear of the property adjacent to Coconino National Forest approved by the Engineering Supervisor and Public Works Department. The facilities shall be at a minimum a four (4) foot wide shoulder with roll curbs to Maricopa Association of Governments (MAG) standards and an eight (8) foot wide FUTS trail within a public access easement.”*

Commissioner Best pointed out that this is now near a neighborhood where it was not 20 years ago. How can the wall look less industrial? Mr. Schwartz stated the landscaping ordinance has a mixture of trees and shrubs and will help break the wall up.

APPLICANT: Ryan Weed, 4550 N 12th Street, Phoenix, AZ, had read the staff report and agreed with the Conditions and the modifications.

PUBLIC: No one from the public spoke.

COMMISSION: All Commissioners could make the findings.

MOTION: Commissioner Ruggles made a motion to approve CUP-20-064 with the modification noted in the PowerPoint for Condition #2.

SECOND: Commissioner Clifford seconded.

DISCUSSION: NA

VOTE: The vote was unanimous.

COMMISSION: All Commissioners could make the findings. Commissioner Best wanted a modification to Condition # 1 *The applicant shall have an invasive weed monitoring and mitigation program approved by staff.*

MOTION: Commissioner Best made a motion to approve DRO-20-012 with the modification for Condition #1.

SECOND: Commissioner Williams seconded.

VOTE: The vote was unanimous.

2. Case No. CUP-20-028: A request for a Conditional Use Permit modification (of CUP-19-050) to allow the sale of water to private individuals at a water standpipe facility (utility installation) on a 14.35 acre parcel in the G (General, 10-acre

minimum lot size) Zone. The parcel is located at 7887 E. Old Route 66 in Williams and is identified as Assessor's Parcel Number 203-17-001.

Owner/Applicant: Louie and Antoinette Serna Family Trust, Grand Canyon, Arizona

County Supervisor District: 3 (Matt Ryan)

STAFF: Mr. McNeely gave a PowerPoint presentation and summarized the staff report. Chair Ontiveros asked where the Cottage Industry was in relation to the subject property. Another map provided showed the property owners that were opposed, but no analysis was done to show the property owners name and address, as this information was sent in by a neighbor. Chair Ontiveros was uncomfortable with this particular map as it did not provide any information.

Chair Walters stated this map was unsubstantiated. He wanted the adjacent property cleaned up, as it is owned by the applicant. The round-about-on both properties should be included as it would pertain to the standpipe.

Commissioner Best said one letter in opposition stated there had been violations in the past. Mr. McNeely stated there were no open violations. To make the findings, that would not be relevant. Mr. McNeely stated any Condition could be added and violations could drive the Conditions. Commissioner Best thought with a renewal, violations should be taken into considerations.

Commissioner Ruggles clarified that "meeting the Conditions" rather than "addressing violations" is what drives the decision.

APPLICANT: Ann and Louie Serna, PO Box 520, Grand Canyon, AZ, had read the staff report and agreed with the Conditions. She wanted to address the violation issue. The Ponderosa Fire Chief was training his staff on the use of the machinery and someone called the County thinking they were selling water.

She had added ten 15-foot ficus trees. They would not have a problem taking the dilapidated building down.

PUBLIC: Maggie Knight and Stephen Knight, 8026 E Rt 66, Williams, AZ, were speaking for Willian Renfro, 7974 E Long Bow Ave, Williams, AZ and Antoinette Stoubenel, 7691 E Pittman Valley Rd., Williams, AZ. She stated that the first finding could not be met, reviewing Finding#1 stating the Parks Area Plan with several excerpts, including "existing neighborhood character", "no commercial business". Mr. Renfro had inquired about a Commercial use and was discouraged. There will be increased traffic, speeding issues, with negative effects. The County has denied this once and quoted the AZ Daily Sun article from March 2015. She said living across the street, she has seen many violations with Commercial Water haulers.

Cody Slim, 8058 E Rt 66, Williams, AZ, his concerns were the amount of traffic in the community with the children playing. People do not obey the speed limit.

Dallas Howell, 12060 Parks View, Parks, AZ, stated he was in opposition due to the location being in a rural residential neighborhood, traffic, and does not apply to the Park Area Plan.

Kodi Mortenson, 453 Sherwood Forest Rd, Williams, AZ, looking at the maps, they are not showing all the housing that exists now. Traffic and speeding are a concern. Water Hauler trucks are very loud. The residences in the area are mostly elderly and do not

know how to use technology and hope their voices are heard. This use does not go with Parks Community Plan.

Zale Delp, 520 N Good Lane, Williams, AZ, was concerned about the traffic and lights. There would be safety hazards with the extra trucks and want to try to protect the area. A water haul has been added near Bearizona. This business does not comply with the Parks Area Plan. Which commercial use will be next?

Kevin Smith, 7217 E Smith House Rd, Williams, AZ, speaking for Thomas Carter, 407 Good Lane, Williams, AZ. There are still ongoing concerns about the same requests for this permit. Why do you continue to review and bring to the Planning and Zoning Commission? The photos omit information, new structures and construction and finds the photos subjective towards approval. It does not fall within the area plan and does not fall within the 500 feet of the interstate for businesses. This increased traffic damages the roads with these heavy trucks, causes more safety issues. He thinks the majority of traffic will come from Pittman Valley, Parks exit or the KOA camp.

Judy Gillum, 7748 Pittman Valley Rd, Williams, AZ, this is not the first time we have been through this with this permit trying to be obtained. This is not needed or warranted by the landowners. Traffic is a concern on this 2-lane road that is not set up for commercial use.

COMMISSION: Chair Ontiveros represents this district. She had read all pertinent information. She feels this is clearly a Utility Facility. She noted that CUP-20-069 was just renewed administratively, as a Utility Facility. She reviewed the Parks Area Plan and the Staff Report. The water delivery trucks will still be in the area but not getting water from this location. She stated I-40, Rt 66, and a Cottage Industry is in the area. There is still going to be water haul traffic which is inevitable. People will drive to the closest water haul to get their water.

Commissioner Ruggles had visited the site. There are no visual impairments when entering and exiting the site. He agreed with everything Chair Ontiveros stated.

Commissioner Williams agreed with this being a utility and could make the findings.

Commissioner Walters thought it was laid out clearly and agreed.

Commissioner Clifford agreed but wanted to clarify the description as it stated, "limited Commercial Sales". A letter from Ms. Serna stated to a neighbor that she would have no more than 6-10 commercial trucks a week. He wanted to make sure that no Commercial Water Trucks would be using this.

Chair Ontiveros stated whatever is in their application is not what may be approved. She referred to the Conditions in the Staff Report. The applicant will have to abide by what is approved, not what they asked for in their application.

Commissioner Best asked the expiration date. Chair Ontiveros stated January 27, 2026.

If the County receives complaints, they will be noted and at expiration they could look back to see if there were any. Commissioner Best asked for a definition of "residential end users". Another issue is that part of this is located on another property that is not listed. Commissioner Best also noted that this is on part of another parcel that is not listed. If there are complaints, he asked the public to send to the County. He could not vote for this, without truck weight clarification.

Chair Ontiveros reread Condition #1 to clarify. Mr. McNeely discussed the weight of private trucks vs. commercial trucks (26,000 lbs. or more).

Mr. McNeely stated Compliance Management will handle complaints and help the applicant become compliant.
Commissioner Burton talked about the weight of trucks and what the roads and driveway were rated for. She could make the findings.
Commissioner Burton had researched truck weight and found that a large private truck weighs about 8000 lbs. She could make the findings.
Chair Ontiveros stated she lives in a water hauling area and sees all types of private trucks and have no idea what the size of a private cistern would be.
Commissioner Best wanted to add “serving residential end users” to Condition #1.
Commissioner Best was not advocating harassment, just compliance.
Chair asked Mr. McNeely to modify Condition #1 to add “residential end users”.

MOTION: Commissioner Walter made a motion to approve CUP-20-028 with modifications to Condition #1.

SECOND: Commissioner Clifford seconded.

DISCUSSION: NA

VOTE: The vote was unanimous.

IV. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

No one from the public spoke.
Chair Ontiveros adjourned the hearing at 8:09 pm.

V. CONTINUATION OF STUDY SESSION IF NEEDED



Chairperson, Coconino County
Planning and Zoning Commission

ATTEST:



Secretary, Coconino County
Planning and Zoning Commission