

TOWN OF SPRINGERVILLE PLANNING AND ZONING COMMISSION

MEETING MINUTES

March 8, 2022, at 3:00 PM

Springerville Town Council Chambers-418 E. Main St., Springerville, AZ 85938

Attendees: Chairman Don Scott, Vice Chairwoman-Terry Shove, Commissioner Trinity Raymer, Commissioner Will Sands, Commissioner Teresa Becker, Chris Collopy Town Manager, Mischa Larisch Community Development Director, Tosca Henry-Attorney Telephonic.

1. **CALL MEETING TO ORDER:** Chairman Don Scott called the meeting to order at 3:03 PM.
2. **PLEDGE**
3. **ROLL CALL:** Community Development Director Mischa Larisch completed a roll call: Chairman Don Scott-present, Vice Chairwoman Terry Shove-Present, Commissioner Theresa Becker-Present, Commissioner Trinity Raymer-Present, Commissioner Will Sands-Present. A quorum is present.
4. **ELECTION OF CHAIR AND VICE CHAIR:** Commissioner Raymer motioned to re-elect Don Scott as Chair, Commissioner Sands second; motion passed 5-0, Commissioner Raymer motioned to re-elect Terry Shove as Vice Chair, Commissioner Becker Second; Motion passed 5-0.
5. **PUBLIC PARTICIPATION:** Terry Candelaria spoke about Springerville Smoke desire to make 245 W Main St Springerville, AZ as a Marijuana dispensary. Ginger Harding interrupted as she was confused about the wording for non-agenda and agenda items. Chairman Scott explained that this was the time to speak about anything, but agenda items would be limited to 3 Minutes per person and 10 minutes per topic. Terry Candelaria continued to speak about 245 W Main ST to include meeting all setbacks, drawing, etc. She requested approval of the Conditional Use Permit. Mike Campbell from Eagar spoke in opposition of the CUP for 245 W Main. He felt this agenda item was putting the cart before the horse since we do not have an ordinance specific to recreational marijuana. Monica Boehning from Eagar spoke against the CUP for 245 W Main St. She provided a written report which was provided to the Commission. She also thought the application was premature. Wade Finch Owner of RV Park being built North of 245 W Main St spoke against the CUP. He said families will be staying at his establishment. He just got his permit and strongly opposed the marijuana establishment. Mr. Burk who owns the property behind 245 W Main St opposed having a marijuana establishment at this site. Julianne Madrid from Springerville spoke about her family and raising her kids in the area. She spoke about how great this area was to raise her kids. She said she is an educator and spoke about DDT and its use for medical needs but was later detrimental to the Brown Pelican. She felt marijuana has a medical use but was detrimental to our youth. Mr. Finch asked about the letter he received stating he has 5 minutes. Community development Director Larisch confirmed that individuals who were within 300 feet and directly impacted did have 5 minutes to speak but the public participation for those not directly affected had 3 minutes to speak. Mr. Finch then spoke more. He spoke about family, raising children and grandchildren. He spoke about a cousin who started with alcohol, marijuana and eventually harder drugs to the point he took his own life. Douglas Wilson from Springerville spoke about eliminating everything even alcohol and tobacco. He asked we consider pulling those licenses also. Mr. Avery asked if we wanted to hear about public hearing items at this point. The Commission said no that will happen when we open the hearing. Mr. Kelly from Eagar asked the audience to raise their hand if they did not want this

here. The majority rose their hand. He said alcohol and marijuana are easy so we don't want this. CD Director Larisch asked about reading a few letters and emails received. The Commission said yes. Mr. Larisch read letters and emails from Julianne Madrid, Shannon Adams, Amber Jarvis, Kerry Nedrow on 245 W Main St. No Comments on CUP from James Rogers.

6. **ZONING ADMINISTRATORS REPORT:** None
7. **CONSENT ITEMS:** Vice chair Shove motioned to approve minutes from the February 8, 2022 regular meeting, Commissioner Raymer seconded; motion passed unanimously 5-0.
8. **LIAISON REPORT:** Vice Chairwoman Shove spoke about February 16 2022 Town Council Meeting. Presented with annual audit, Little Colorado Meats gave a report, second reading of floodplain ordinance, first reading of ordinance removing battalion chief and adding assistant chief, discussion on town irrigation water and how to make money on it.

OLD BUSINESS

9. Conditional Use Permit for 300-308 South Mountain Ave. Vice Chair Shove Moved to accept the CUP, Second by Commissioner Raymer. Commissioner Becker felt she may have a conflict of interest. She is not right next to the property, no monetary interest and no family member involvement it does not trigger a conflict. This was concurred with by legal. Motion Passed unanimously 5-0

NEW BUSINESS

10. Chair Scott introduced the item: Discussion and possible action regarding Conditional Use Permit for 245 W Main St. (Parcel 105-15-013D) to be utilized as a marijuana establishment/dispensary. Vice Chair Shove motioned to adjourn into executive session for legal consultation, Commissioner Raymer seconded motion passed 5-0. After about 45 minutes, Vice Chair Shove motioned to adjourn executive session and reconvene in the regular meeting, Commissioner Raymer seconded motion passed 5-0. Chair Scott made a motion to deny the CUP, Vice Chair Shove seconded, motion passed 5-0. Mr. Larisch recommended a reason for denial. Chair Scott, said the feeling was the cart may really be before the horse without an ordinance.
11. Chair Scott introduced the item: Discussion and possible action regarding conditional use permit for property located on W Main St, Springerville AZ (Parcel #'s 105-18-001B and 105-18-001C) Zoned C-1 to allow residences/uses as allowed in MF-7 Zone. Vice Chair Shove Motioned to approve, Commissioner Raymer seconded. Mr. Larisch gave background on the applicant and what his intentions are. What conditions i.e. multifamily housing. Chair Scott asked for clarification from Mr. Rogers representative Brandee Snyder about the multi-story. Vice Chair Shove asked about a timeline but Brandee did not have an exact only that he wants to move quickly. Mr. Burk wants a fence to keep kids and trash out the meadow, his cattle and his property. Mr. Larisch said he would have a discussion with Mr. Rogers when it came to the construction permit. Motion passed 5-0.

PUBLIC HEARING

12. Chair Scott introduced the public hearing for parcel # 105-15-010H current zone agricultural residential 20,000 sq ft lot to Zone C-1. Vice Chair Shove motioned to go into public hearing, Commissioner Raymer seconded motion passed 5-0. Mr. Larisch asked if the Commission wants the owner to give the background. Mr. Avery spoke about his existing business and his desire to expand his RV Park. His reasoning is lots of requests for more spaces due to the low rates and the condition of the park. He said people waited for spaces out of town due to cost at other

parks. He spoke about the other RV parks that surround him including the new park across the highway. Mr. Avery asked for questions, Chair Scott discussed dis-array in the area and asked if it would be cleaned up. Mr. Avery said this was not his property and he could not do anything about the property Chair Scott was asking about. Commissioner Sands asked about how many trailers would be installed. Mr. Avery said he could not answer exactly, because it would depend on demand. Vice Chair Shove asked how many spots he currently has, Mr. Avery said 36. Chair Scott asked if these were short- or long-term rentals. Mr. Avery said it would be a mix depending on what is happening around town. Commissioner Raymer asked if the RV park was installed by them or was it already there. Mr. Avery said already there. Commissioner Raymer then asked how many septic systems. Mr. Avery said 4. Chair Scott asked for public input. Kevin Burk spoke about septic and what would be required. Mr. Avery said he would not be adding to his existing property, that he would add a new septic system on this property. Bridget Laney spoke in opposition due to increased traffic and low density residential being removed from the area. She wants C-1 to stay on highway. Have concerns about ingress and egress on Becker Lake Road. Both entrances are residential. Spoke about what trailer parks bring in with residents. Felt the town should require sewer connections and understood the town was going to run sewer out to this area. Main concern was traffic and that 500 sites could be put in. Vice Chair Shove spoke about CUP requirements and building permits. Mr. Larisch read a letter from Phil Hanson who opposed the rezone. Mr. Hanson strongly objects to the action of rezoning the parcel to C-1. Commissioner Raymer spoke that all parcels that only touch Becker Lake Road are AR-20. The only parcel zoned C-1 that touches Becker Lake Road also touches US 60. Chair Scott asked if the entrance would be off Becker Lake Road. Mr. Avery said no they would enter from the existing entrance off US60. Chair Scott asked if Becker Lake Road would be blocked, Mr. Avery said no they would need to have access for safety off Becker Lake Road. Commissioner Becker asked about the CUP and being able to place conditions such as a fence. Mr. Larisch told the Commission the only thing on the agenda was the rezone and that Mr. Avery gave background on his intentions but we were not deciding anything as it pertains to an RV Park only whether to rezone to C-1. Mr. Larisch then said certain activities would not necessarily require a CUP and could be done regardless once it is zoned C-1. Mr. Avery then asked if could respond to Mr. Hanson's letter. He pointed out that Mr. Hanson's property was already next to an RV Park. He also spoke about how Mr. Hanson had just listed his property at \$4,000,000. Mr. Avery said he has not had any complaints about his existing RV Park. Vice Chair Shove asked Mr. Larisch to read the list of uses on C-1 that would not require a CUP. Mr. Larisch read the extensive list. Pat Kelly Becker Lake Road was concerned about the traffic since it has already doubled and people drive too fast and no 18 wheelers allowed. He said Mr. Jarvis told him Mr. Avery proposed a road from this property to Becker Lake Road. Just concerned about the traffic. Vice Chair Shove asked Mr. Larisch about Mr. Avery's ability to put in a road. Mr. Larisch told the Commission it would be a driveway and would be determined with a building permit. A lot of discussion went around building permits and CUP's. Chair Scott brought it back to focus of rezone only at this point. Mr. Avery said he does not intend to use Becker Lake Road as a main entrance, only emergency. Tina Padilla spoke about traffic, water issues, fire danger, and trash. Main concerns about being commercial. The road is not a commercial road. Would rather see homes go in. Brianna Laney is opposed to rezoning this parcel to commercial. Wants it to be residential vs temporary RV park. Spoke about junk and trash. 3 other parcels are already zoned Commercial

and on the market. How many more do we need. Changing zoning for neighborhoods zoned for residential then we change the character of what zoning is intended to do. Mr. Larisch clarified the process to close and open the hearings.

13. Vice Chair Shove moved to close the hearing, Commissioner Ramey second, passed 5-0. Vice Chair Shove moved to open the public hearing for parcel 105-15-005 current zone AR-20 Agricultural Residential 20,000 sq ft lots to C-1 Commercial. Commissioner Raymer second, passed 5-0. Mr. Larisch introduced Mr. Coppedge as the owner to give background. Mr. Coppedge spoke about rezoning 3.5 to 4 acres next to the highway leaving the rest AR-20. Said property was hard to farm and wanted to do something that brings revenue. He said the town needs storage units. Commissioner Becker verified his desire to put in storage units. And asked how many. Mr. Coppedge said 150 to 200. Mr. Coppedge said the storage containers would not be used. Vice Chair Shove verified about the whole property not being changed and said he need to do a lot split. Mr. Larisch verified the lot split has been done. And verified it was all highway frontage. Mr. Larisch read a letter from ADOT. ADOT wanted to remain neutral to the subject. Vice Chair Shove moved to close the public hearing. Commissioner Raymer second, passed 5-0.

NEW BUSINESS

14. New Business to discuss and possible action for rezoning of parcel 105-15-010H. Mr. Larisch reminded the commission the motion needs to be in the form of a recommendation to council. Chair Scott asked for a motion. Commissioner Sands mad a motion to recommend denial of rezoning, Commissioner Raymer second. Commissioner Becker agreed due to rezoning the whole parcel. Mr. Larisch explained to the public that this was a recommendation to council to deny and that council would hold a second public hearing. The motion passed 5-0.
15. New Business to discuss and possible action for rezoning parcel 105-15-005. Commissioner Becker motioned to recommend approval of rezoning to C-1, Commissioner Raymer second, Passed 4-1. Commissioner Sands voted no.
16. **ADJOURNMENT:** Vice Chair Shove motioned to adjourn the meeting; Commissioner Raymer seconded, motioned carried unanimously 5-0, meeting was adjourned at 4:46 PM.