



MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING
DECEMBER 8TH, 2020 AT 6:00PM
TOWN COUNCIL CHAMBERS
22 W 2ND ST. EAGAR

Chair Deanna Davis welcomed all those in attendance and began meeting with Roll Call

Commission Present: Aaron LeSueur
Dave Kalinowski
Shawna Murphy
Deanna Davis
Ron Shepherd
Joe Sitarzewski
Dan Muth

Commission Absent: None

Staff Present: Matthew Mears, Town Manager
Britney Reynolds, Community Development Coordinator

PLEDGE OF ALLEGIANCE Chair Deanna Davis asked Commissioner Muth to lead the Pledge of Allegiance

INVOCATION Commissioner Aaron LeSueur offered the invocation

ITEM #5 PUBLIC COMMENTS: None

ITEM #6 CONSIDERATION OF THE NOVEMBER 10TH, 2020 MINUTES

Commissioner Ron Shepherd moved to approve the November 10th, 2020 meeting minutes. Commissioner Aaron LeSueur seconded; all were in favor, motion carried unanimously 7-0.

Vote: Ayes: Aaron LeSueur
Dave Kalinowski
Shawna Murphy
Deanna Davis
Ron Shepherd
Joe Sitarzewski
Dan Muth

ITEM #7 PUBLIC HEARING ON RZ2020-3; A ZONING AMENDMENT APPLICATION FOR REZONING OF 110 N. BURK ST. ALSO KNOWN AS PARCEL #'S 104-12-001 & 104-08-027 FROM AG TO R1-10 ZONING.

Property owner Daniel Nicoll stated that when the home and property was originally purchased, they were unaware that under 5 acres of land was not allowed within an agricultural zone. The Nicoll's are already in the process of selling current home along with one acre of property leaving roughly three acres to build a new home on in the near future.

Matthew Mears, Town Manager, gave recommendation that this rezoning be allowed as areas to the East and North are currently zoned R1-10 and as a town grows it is natural for zoning to be changed to meet residential needs.

Commission asked about any comments, Britney Reynolds stated there were no written comments. She was stopped while posting the property to ask why this was taking place, but the individual had no problem with this change occurring as they already believed the property to be residential.

ITEM #8 DISCUSSION AND CONSIDERATION OF ITEM 7.

Commissioner Aaron LeSueur moved to approve RZ2020-3; A Zoning Amendment Application for Rezoning Of 110 N. Burk St. Also Known as Parcel #'s 104-12-001 & 104-08-027 From AG to R1-10 zoning. Commissioner Joe Sitarzewski seconded; all were in favor, motion carried unanimously 7-0.

Vote:	Ayes:	Aaron LeSueur
		Dave Kalinowski
		Shawna Murphy
		Deanna Davis
		Ron Shepherd
		Joe Sitarzewski
		Dan Muth

ITEM #9 PUBLIC HEARING ON CONDITIONAL USE PERMIT CU2020-6; A CONDITIONAL USE PERMIT APPLICATION FOR THE PROPERTY KNOWN AS PARCEL 104-20-001A AT THE CORNER OF WEST CENTRAL AVE AND SOUTH RIVER ROAD TO ALLOW CREATION OF AN RV PARK AND PERMANENT PAD CANVAS TENT SITES ON PROPERTY.

Commissioner Dan Muth recused himself from this portion of the meeting.

Mr. Jesse Rogers, as property owner, given three minutes to present project. This property is across the road from property owner's home. Wants this property to be more of a KOA based area that will have large lots for RV's including trees and grass to be planted in the area. Wants the entrance to the park to be from River Road instead of HWY 260 as he wants to alleviate traffic from the HWY 260 area. He is aware this is a potential issue for some residents. Looking to reduce the amount of RV spaces offered to include water features and allow more space for those accessing the property. Canvas tent area will be permanent pad with permanent bathrooms but did state this could be problematic. The RV site will be roughly two and a half acres of the six-acre lot. Commission was provided with a satellite view of the area also showing the Amity ditch and where the RV park would be in relation to the lot. Recommendations from staff were for the commission to look over code section 18.60 Recreational Vehicles in assisting with the decision of allowing the RV park to continue. Mr. Mears stated that normally it would be more beneficial to the town to have retail in the area, but there is not a pressing for retail businesses in the area.

Commission asked for written comments. Britney Reynolds provided those to the commission. Also asked to provide any further comments regarding this permit. Commission was provided with names of those who are opposed to the creation of this RV park.

Public Comments

Chair Deanna Davis mandated that public would have a total of three minutes per comment due to the number of those wishing to address the issue.

Residents discussed potential increase in traffic, lack of police force to enforce potential issues, increase in ATV traffic, and fire risks. The largest complaint from many of the residents was the entrance and exit being located along River Road as it is difficult to see traffic coming from South River Road. This property was changed from residential roughly ten years ago to commercial to allow a business, against the communities wishes, which then did not take place. There were a few residents that supported the idea if there are regulations for the management of the RV park believing that this will create. Majority of the residents are suggesting that the entrance be located along Central/HWY 260. Worried about potential increase in visitors not respecting properties and ruining property as well as the values of the area. Canvas on tents possibly being torn or ruined due to high winds, there are many deer and elk within that area that cross roadways, and owner needs to be aware of Amity ditch requirements as that is a part of the property.

Commission Interaction

Commissioner Ron Shephard brought up 18.60 which states that an RV park shall be allowed within a C-1 zone by conditional use only, but that in C-1 zoning code a RV park is not listed as a conditional use permit in section 18.48 code.

Commissioner Joe Sitarzewski became a member of the planning and zoning commission after 2009 meeting because most of the board resigned after the council's decision. Feels that many times when business opportunities are brought up before town members, they turn down ideas because they do not want the tourists around. If this meets and applies with zoning and processes set forth by town, this should be approved.

Commissioner Aaron LeSueur was involved in the first meeting as well. If it follows zoning and does not create safety reasons, then this should be allowed.

Commissioner Joe Sitarzewski discussed how the commission does not determine a conditional use based on safety, but rather based on if it meets the standards and uses of the zone.

Commissioner Shawna Murphy agreed that there needs to be some consideration of businesses coming in as power plants are looking at leaving. ADOT may need to be contacted to provide safe traffic options for the RV park. She feels this meets the standards and there is enough of a barrier that this should be allowed.

Commissioner Dave Kalinowski feels that if this is designed and landscaped correctly this could be a benefit to the town. Where this is already zoned commercial, this would be a permissible use of the property. May need an ADOT survey to determine best point of access.

Chair Deanna Davis asked about tent sites as these were not provided on the drawings and asked about the wind speed for these canvas tents.

Mr. Rogers stated that the canvas tents are not a sure thing at this time. The RV park is the main concern at this time and that the tents would be a part of a second phase of construction. He would get canvas tents that are rated for wind to go with the permanent pads, poles, and bathrooms for the tents. He would not be opposed to putting cabins in the area instead of tents. Stated that cabins would be within the zoning of placing a hotel in the area. Wants to mainly put in nice landscaping and grass so it is more appealing to everyone. Chair Deanna Davis asked why Mr. Rogers is putting the RV park in this area when he had a conditional use from several years ago to do the same thing across the street in River Run Estates area.

Mr. Rogers stated that he was asked why he was doing it from HWY 260 at that time and not River Road but stated that he wants to put in boutique hotels in that area in the future. He then stated they had issues with that project because of Apache county and lot lines needing to be adjusted. With this process they discarded the project in favor of boutique hotels or a hotel.

Commissioner Shephard asked how many RV spots and tent sites.

Mr. Rogers stated there are 27 RV spots currently, but some will be taken out to allow for more room between sites. 10 tent sites potentially on the hill. At this time park will be completely RV until a later time. Tents will be to the East and South.

Commissioner Sitarzewski asked what the plan is for the entire property as the drawing provided only indicates the RV park area. Also asked if Mr. Rogers was planning on putting any kind of perimeter structure to deter guests from venturing onto people's property. Suggested Mr. Rogers should take all action possible to alleviate potential issues for nearby property owners.

Mr. Rogers stated he did not plan on putting in a perimeter structure as he feels Amity Ditch is enough of a deterrent to keep people from going onto other properties.

Commissioner Kalinowski asked Mr. Rogers about an engineered set of plans as what was provided seemed to be the bare minimum and did not include all aspects of what was to take place on the property.

Mr. Rogers stated an engineer did draw the RV plan that was provided, but at this step in the process he did not feel that spending thousands of dollars for plans was warranted if this project were to be denied. This meeting will determine if he spends more money on this project or if he goes in another direction.

Commissioners agreed that more information was needed about this permit to determine full impact of this undertaking.

Applicant Closing Statement

Mr. Rogers stated that he could be something more invasive into this area and not have to worry about coming to commission. He does not feel that traffic is an issue as he lives right from HWY 260. He dealt with this when his family decided to change the farm ground, they owned into a subdivision area and the residents wanted to oppose that because they wanted it to stay farmland. He wants to make something beautiful that will tie in with what he plans for across HWY 260. Believes this will attract people to the community that will boost economy. Mr. Rogers is willing to provide more information to commission if that is what needed and required if it is feasible.

ITEM #10 DISCUSSION AND CONSIDERATION OF ITEM 9

- Tabled


RECONVENE TO REGULAR MEETING

ITEM #11 REPORTS

None

ITEM #12 ADJOURNMENT

Chair Deanna Davis adjourned meeting [7:29 p.m.]


Chair Signature


Director Signature