



## PLANNING AND ZONING COMMISSION MEETING

LIBRARY PROGRAM ROOM  
808 S 7<sup>th</sup> AVENUE, SAFFORD  
THURSDAY, JULY 21, 2016  
5:30 PM

### MINUTE RECORD

**COMMISSIONERS PRESENT:** Gene Fowler, Chairman; E.C. “Buff” Cunningham III, Commissioner; John Q. Figueroa, Commissioner; Boyce McBride, Commissioner; James F. Moser, Commissioner

**COMMISSIONERS ABSENT:** Diane Junion, Vice-Chair; Tracey O’Donnal, Commissioner

**STAFF PRESENT:** Dustin Welker, Planning & Community Development Director; Amber Hogle, Administrative Assistant; Dale Clark, IT Specialist

**OTHERS PRESENT:** Ken Pavloski, Rebecca Ruiz and others who did not sign in

1. **WELCOME AND CALL TO ORDER:** Chairman Fowler called the meeting to order at 5:30 p.m.
2. **ROLL CALL:** A quorum was established.
3. **PUBLIC COMMENT ON AGENDA:** None
4. **MINUTES:** It was motioned by Commissioner Figueroa, seconded by Commissioner McBride and carried unanimously to approve minutes of the May 19, 2016 Planning and Zoning Commission Meeting as presented. **MOTION ADOPTED**
5. **DEVELOPMENT REVIEW COMMITTEE MINUTES:** Members of the Commission reviewed minutes of the July 5, 2016 Development Review Committee Meeting. There were not any comments.
6. **PUBLIC HEARING:** It was motioned by Commissioner McBride, seconded by Commissioner Figueroa and carried unanimously to close the Planning & Zoning Commission Meeting and open the Public Hearing to hear comments regarding the Circle K Property Rezone at 5:35 p.m. **MOTION ADOPTED**

Chairman Fowler noted a recommendation from the Planning & Zoning Commission will be made to the Safford City Council at the August 8, 2016 Council Meeting.

- 6.1 **Case Z-04-16, Circle K Property Rezone:** An application has been received from Land Development Consultants, LLC and Circle K Stores to request rezone of Graham County parcel numbers 102-43-014A, 102-43-016A and 102-43-013 to build a new Circle K store.

Mr. Welker introduced the item and referred to the property on the map. Per annexation requirements, a neighborhood meeting and City Council Hearing were held. Circle K's plan is to build a larger facility and move from their current location to the east. The land was previously used as commercial. If the property is voted to be annexed by the City Council, tonight's rezone recommendation will go the City Council on August 8. The land is zoned agriculture residential in Graham County however if annexed the land will need to be rezoned as C-2 Highway Commercial. To clarify, Mr. Welker explained annexations are approved by the City Council only; rezones are brought to the Commission for a recommendation then taken to City Council.

Chairman Fowler inquired what was neighboring the new site? Mr. Welker replied there are two property owners to the west that were visited with in attempt to include in the annexation but they were not in favor. Copper Canyon neighbors the north and Safford East Mobile Home Park neighbors the east side.

Mr. Welker pointed out the existing limits of Safford and the area to be annexed on the map and noted the property design is conceptual only at this point. He also reported on the concerns from the neighborhood meeting from some of the residents apprehensive about possible noise from a Circle K store next door. He noted Circle K is willing to work with the residents and would be required to provide a 6 foot block wall around the property. The Planning & Community Development department has recommended trees and plants be placed for an additional noise buffer.

Mr. Welker stated the advantages of being in the city limits which include lower property taxes due to the fire district; utilities are less expensive and the Safford Police Department.

Commissioner Figueroa asked if the road to the east is currently a through street? Mr. Welker replied it currently circles around through and services the mobile home park.

Mr. Welker referred to the utilities serviced for the property: Water has been serviced in the past by the City; gas and electric are serviced through the Co-op. The property has never had sewer, however there are sewer connection areas available through the mobile home park or Copper Canyon of which one of the options will be pursued to connect to sewer for the property. The property will not be on septic.

Commissioner Figueroa inquired about the property drainage plans with contaminants when washing the parking lot? Mr. Welker responded if there are contaminants present it will be required to go through a sand filter.

David Cisiewski, representative from Circle K was present, and revealed Circle K has been undergoing a national redesign for the last 3 years. The new stores are focused more on food services in addition to other products already offered. Mr. Cisiewski noted the new construction of the Circle K in Superior, which is similar to the plan for

here. It is a plan for a 5800 square foot store with a larger driveway than what most Circle K stores currently have. Mr. Cisewski explained the larger parking area is part of a redesign study for easier accessibility for trailers and larger vehicles. He reiterated Mr. Welker's statement that a 6 foot wall would be placed around the perimeter with heavy landscaping. He also pointed out the actual store is approximately 100 to 150 feet to the nearest residential building. The property was used commercially in the past as a carpet store.

**PUBLIC COMMENTS:**

Ken Pavloski, 1627 E Copper Canyon Dr: Mr. Pavloski, a resident of Copper Canyon, opened by stating he bought a new home and will now be living next to a convenience store. There are kids who currently climb on the electric service box to jump over to get to the Circle K down the road. They (kids) bust the fence and tear up things to cross the canal and wonders if they will do more-so now? Mr. Pavloski questioned the lighting; will it affect the view of the stars? He assumes the store will have to have proper lighting for safety. Trash is already found in the subdivision (Copper Canyon) from Circle K. He agrees the store is a great idea; the taxes are a good idea, but is concerned with truck parking. Mr. Pavloski wondered if other properties in city limits are suitable for this store? He suggested an 8-foot wall; something un-scalable. Mr. Pavloski wants to see if these things will be addressed correctly? There are a lot of young families in Copper Canyon.

Rebecca Rios, 1490 E US Hwy 70: Ms. Rios resides two houses west from the proposed Circle K property. She is not opposed to it coming in however is concerned for her 2 year old daughter that plays outside nearby. Gas contamination? Noise? People fighting? Transient people? She agrees with Mr. Pavloski's comments.

Yanci Arreola, 1496 US Hwy 70: Ms. Arreola lives at the first property to the west of the proposed Circle K property. She agrees with the previous comments made but is also concerned with traffic coming in the entrance right next to her property. Other concerns are vibrations, noise, and lights in addition to the train and large trucks that already travel nearby. Ms. Arreola is concerned for the local children as well. What if kids are playing in the backyard and someone jumps the fence?

Mr. Cisewski wished to address the concerns of those present. He noted the area is open so it is very easy to cross over the property and fences as it currently stands. A 6 foot wall and other things will make the ability to cross over the bridge and canal harder which will be a deterrent for some and Circle K cannot control what people do in the canal. There will be low level security lighting. For crime control in bigger cities wrought iron is used in front. There will be 14-16 security cameras monitored locally and in Phoenix. Mr. Cisewski mentioned he did speak with the ladies present at the neighborhood meeting. Trees will be used to add a noise buffer. ADOT will be require a traffic study before entries and exits are fully determined. Mr. Cisewski clarified the larger spaces are not for semi-trucks, they are designed for commuter vans, and delivery trucks such as Pepsi. Mr. Cisewski feels Circle K has tried to consider everyone's concerns for this location and other locations during the planning process. He stated Circle K is willing to work with neighboring property owners.

Chairman Fowler inquired which door would be used for delivery access? Mr. Cisewski answered the side entry door instead of the front door which is currently being used at older locations and is congesting traffic.

Commissioner McBride asked if there are statistics on police calls to current stores in our area? Mr. Cisewski replied there are no statistics available, however Circle K has not been notified that it is high crime area for current stores in this area.

Ms. Arreola noted a recent semi truck was parked in the vacant lot last week around 8:00 p.m. and she could feel the vibration of the motor inside of her house. Her dog kept barking due to the semi.

Mr. Pavloski added police reports from other stores are in different demographics; next to brick and mortar not mobile home or “sketchy” individuals. He feels foot traffic could possibly be routed through neighbor’s yards if a wall is built.

Commissioner Moser inquired which canal is in the area? Mr. Welker stated it is the Union Canal.

7. **CLOSE PUBLIC HEARING:** It was motioned by Commissioner Moser, seconded by Commissioner Figueroa and carried unanimously to close the public hearing and enter back into regular session and 6:20 p.m. **MOTION ADOPTED**

8. **PLANNING AND ZONING COMMISSION:**

- 8.1 **Case Z-04-16, Circle K Property Rezone:** The Planning & Zoning Commission will review the Rezone Application Request for rezone of Graham County parcel numbers 102-43-014A, 102-43-016A and 102-43-013 to build a new Circle K store and make a recommendation to the Safford City Council.

Chairman Fowler asked the members of the Commission if they had any other questions or discussion?

Mr. Welker clarified the annexation for this property goes through first; then if it goes through the recommendation for the rezone will be taken to City Council.

Chairman Fowler questioned in order to shelter the neighbors from noise and light nuisances, would it be within reason to look in to an 8 foot wall almost to highway? Mr. Welker replied the block wall would need to step down as it approaches the front of the property approximately 30 feet away from the highway entrance/exit. A traffic study would be needed to determine specifics if the project progresses.

Commissioner Moser feels higher than 6 feet may be unappealing to the neighbors for vision blocking.

Duane Merrick, current property owner of the proposed Circle K area, stated the two houses to the west are complaining about traffic noises from Circle K but they already live on the highway near traffic and railroad tracks—they chose to live there.

Commissioner Moser suggested to keep lighting as soft as possible. Commissioner Cunningham reiterated they will have to due to the lighting code for the Observatory.

Commissioner McBride suggested there be enough light in front of the store for safety but the sides and back to be lower lighting if the code would allow.

Commissioner Figueroa suggested cyprus trees be used since they grow higher for a noise buffer. He agrees with low lighting in the retention area.

It was motioned by Commissioner Moser, seconded by Commissioner McBride and carried unanimously to give a positive recommendation to the City Council for this project, with the stipulation to add a buffer to the west, along with more buffer along the retention to the northwest areas and ensure the Planning & Community Development Department to work with the developer to ensure all complies with the code and is reasonable to neighbors including a fence to prevent foot traffic.

**MOTION ADOPTED**

Chairman Fowler thanked the members of the public for their comments. He feels Circle K is willing to work with the property owners to solve issues and is confident the Planning & Community Development Department will help as well. Chairman Fowler knows the recommendation doesn't make everyone happy but it is a highway location and not a residential street in the city.

Commissioner Cunningham reminded attendees to attend the Council Meeting and Mr. Welker agreed, stating they may voice their opinion to the Council on August 8.

9. **PROJECT UPDATES AND ANNOUNCEMENTS:**

Sun Pumps remodel/addition is still in progress.

Mt Graham Shopping Center permit issued for complete renovation of façade.

McDonalds still continuing plans on complete tear down and rebuild.

Channen Day is renovating property next to old Sonic location on Highway.

Skate Park Grand Opening is July 30 at Firth Park at 9:00 a.m.

The City has been working with Thatcher to make the City of Safford Golf Course a regional golf course. A joint management agreement has been made with Thatcher and was approved by both Councils. Thatcher has agreed to pay 1/3 of the deficit. The entire pro shop and dining area has been remodeled and a soft opening is planned for the first week of August with a grand opening in early fall. Commissioner Moser and Figueroa said they have heard nothing but positive remarks recently regarding the golf course.

Commissioner McBride will be leaving the Commission on September 1 and advertising for his open seat has begun.

Vice-Chair Junion's term was reappointed by Council for another 4 years.

- 10. **CALL TO THE PUBLIC:** None
- 11. **NEXT SCHEDULED MEETING:** TBA
- 12. **ADJOURN:** It was motioned by Commissioner Figueroa, seconded by Commissioner McBride and carried unanimously to adjourn the meeting at 6:42 p.m. **MOTION ADOPTED**

APPROVED:

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Gene Fowler, Chairman  
Planning & Zoning Commission

ATTEST:

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Amber Hogle, CMC, Administrative Assistant  
Planning & Community Development

STATE OF ARIZONA     )  
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County of Graham     )

**CERTIFICATION**

*I hereby certify that the foregoing minutes are a true and correct copy of the Meeting of the Safford Planning & Zoning Commission, located in Safford, Graham County, Arizona, held Thursday, July 21, 2016, and approved at a Planning & Zoning Commission Meeting on September 22, 2016. I further certify the meeting was duly called, held and that a quorum was present.*

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Date:

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Amber Hogle, CMC, Administrative Assistant