

MINUTES OF THE REGULAR MEETING OF THE THATCHER PLANNING & ZONING COMMISSION

Tuesday, April 11th, 2023 – 6:00 pm

MEMBERS PRESENT: Chair Wayne Layton, Vice Chair Billy Orr, David Griffin,
Brandon Homer, Ray Tuttle, Dan Turley

MEMBERS ABSENT: Machael Layton

STAFF PRESENT: Tom Palmer, Alan Bryce, Gary Allred

VISITORS: Tracy Allred, Charlie Farris, Kym Gifford, Justin Mack, Jace
Elkins, Rachel Allen

1. Welcome and Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

Chair Layton called the meeting to order and established that all members of the commission were present except Machael Layton.

4. Approval of Minutes

The Commission unanimously approved the minutes from the December 13th, 2022, meeting.

5. Public Hearing – Re-zone Request

A request to re-zone parcel 104-33-226 from a mix of R1-10 (Single-Family Residential) and R1-8 (Single-Family Residential) to just R1-8 (Single-Family Residential). The total parcel is approximately 38.24 acres and is part of the Spring Canyon Estates subdivision east of 1st Avenue at the intersection of Eagle Drive in Thatcher. The applicant is Justin Mack with QBC Homes LLC.

Wayne Layton before the opening of the public hearing stated that Billy Orr has expressed that he would like to recuse himself from the vote because of a potential conflict of interest.

Billy Orr then clarified that the applicant is a cousin through marriage, and he also works for the same engineering company that is working on the development.

Wayne Layton then did a brief explanation of how the meeting was to proceed, asking that the applicant and the public address the commission and not have a discussion amongst themselves. He then opened the public hearing.

Jace Elkins stated that he works for Bowman Consulting and was hired to engineer the final plat. He gave a brief explanation of why the re-zone was requested. The current zoning is a mix of (R1-8) which is 80' wide lots of minimum 8,000 SF and (R1-10) which is 100' wide lots of minimum 10,000 SF. He then stated that the original approved plat had 148 lots. With the Town wanting the subdivision to meet current standards, the current zoning would not allow them to create close to the original 148 lots.

Tracy Allred expressed his concern of having homes built on smaller lots in the open space behind his house. If he had his way, they would be big homes on a nice big piece of property. He then expressed his opinion in favor of keeping the current zoning to allow for a mix of lot sizes.

Rachel Allen expressed her desire to not approve the re-zone. She then expressed concern over the smaller lot widths and compared it to the Cota subdivision, expressing concern for parking and safety for children. She also likes the idea of having a variety of lot sizes available for the varying income ranges in Town. She is also concerned that there are a lot of smaller lot subdivisions already and is worried that it would push people to build outside of Thatcher. She is in favor of larger homes for an overall nicer community.

Kym Gifford stated that she is the realtor for Justin Mack. She wanted to address some Rachel's concerns. She stated that in any housing community no matter the lot size there are going to be a need to drive slow for the safety of the children. She then stated that the homes in the community will not just be small homes, there will be a range of home sizes. She also stated that they are aware of the income ranges, and larger lots are not always feasible, and that the Town is growing and there is a huge need for housing. Kym also stated that the homes in the subdivision are going to be beautiful and well-constructed with good resale value. She then stated that the new lot layout site plan has better traffic flow than the original approved plat.

David Griffin asked if the subdivision was going to be done in phases. Jace Elkins answered yes with the next phase directly east of the first phase and will be approximately 24 homes with a potential of 1 or 2 more phases later.

David Griffin then asked Tom Palmer if the Town was going to require streetlights. Tom answered yes, they are required by code. David then asked what the street sizes would be. Alan Bryce answered that the original approved plat streets are 21' from centerline of road to back of curb. The current standard is 17.5' from centerline of road to back of curb. He then stated that the Town would like to see the future roads meet the current standard.

There was general discussion amongst the commission about concerns of the narrower streets. Tom Palmer stated that the streets will meet the current standard adopted by the Town Council.

Wayne Layton stated that the pre-plat was already approved in the past and that this hearing is for a re-zone request. He asked about the current zoning open space requirement. Mr. Bryce answered that the open space requirement for (R1-8) is 15% and for (R1-10) is 12%.

Jace Elkins stated that with bigger lots there would be less open space required.

Kym Gifford stated that they have account for more open space on their preliminary lot layout than what would be required.

Justin Mack stated that the open space has been moved to a more user-friendly location than what was approved in the past. He also stated that the home sizes and quality would be the same no matter the lot size. He then stated that the overall quality of the subdivision would be at a high standard and that they just want to have the most lots allowable.

Ray Tuttle asked if they have done a separate lot layout with the current zoning. Jace Elkins answered yes, they have messed around with it. Ray then asked if it was available here to look at. Jace answered no.

There was general discussion that the original final plat that showed the current zoning but that the lot layout was not the best.

Tracy Allred voiced concern over the additional traffic that a potential proposed 147 new homes would put on 1st Avenue. Wayne Layton stated that a pre-plat was already approved and that this was a hearing for a re-zone request.

Brandon Homer also stated that the meeting was for a re-zone request and that there would be future plat approval that would need to take place.

There was general discussion on if there was a pre-plat approved. Tom Palmer then gave a history of the subdivision. The pre-plat and final plat were approved by the Town and accepted over 10 years ago. There are homes currently built there. The development stalled and was reverted back to a single parcel. A new owner would need to follow the current standards for the development, but the Town feels that since the subdivision was already approved, they would not need to do a pre-plat if they stayed in substantial conformance to the original approved plat.

David Griffin stated that he feels if the layout of the subdivision is changed, then they would have to go back to pre-plat. Tom Palmer answered that the code gives staff the discretion to determine if it is in substantial conformance. As a staff we have determined that as long as

the number of lots don't increase and they adhere to current standards of drainage and open space there is no need to go back to pre-plat.

Tom Palmer stated that the hearing tonight is not to determine if there is going to be a subdivision or not. That was already determine by a prior staff, P&Z Commission, and Town Council.

David Griffin then asked if a subdivision plat ever expires. Tom Palmer answered yes, but in this case, they have built homes in the subdivision already.

Kym Gifford Stated that their lawyer expressed the same thing. That the subdivision has already been approved in the past and built on so there is no going backward. Going forward it would have to conform to the current standards of the Town.

There was general discussion on if the plat was approved with current zoning, why would it need to be changed. Tom Palmer stated that the zoning wouldn't need to be changed but the owner initiated the zoning change.

Ray Tuttle asked if the zoning does not change what will happen with the subdivision. Justin Mack answered that the lot layout would be changed to meet the current zoning.

There was general discussion of what was approved in the past is not up to the current standard and that go forward the subdivision would need to meet current standards.

Kym Gifford stated that with the current standards and keeping the current zoning there would be less lots than the original approved plat. So, the re-zone request is so they can create more lots to come close to the original 148 lots already approved.

Ray Tuttle stated that the subdivision was approved but the final plat has expired.

Ray Tuttle asked what was going to be done with the required open space. Kym Gifford stated that it is going to be green space and they have had preliminary discussions with the town to potentially take it over, and they are planning to provide more open space than what is required.

Ray Tuttle expressed concern for the parking and speeding on the streets of the subdivision and stated that it might be good to have a main drive with no houses fronting on it like Quail Ridge or possibly adding speed bumps. He also expressed concern about traffic at the intersection of Eagle Drive and 1st Avenue.

Rachel Allen expressed concern again and was against the proposed re-zone.

Ray Tuttle stated that it was interesting that the only citizens that are at the meeting are the two that are potential the least affected and wondered where the other neighbors are.

Tracy Allred stated that he would not like to have houses right behind him.

The public hearing was then closed by Mr. Layton.

6. Discussion and Recommendation

David Griffin stated that the subdivision is already approved and what we would be deciding is the lot sizes.

Brandon Homer stated that you would not be able to tell much of a difference between an 8,000 SF lot compared to a 10,000 SF lot.

Billy Orr stated that the new preliminary lot layout was clean and looked good. He also stated that the traffic would be a Town concern.

Brandon Homer asked who owned the land to the south and if that was a potential future development. Because of a potential main drive that could go in on that land for future development.

David Griffin asked Alan Bryce how the Town feels about the zoning change. He answered that the Town has no preference on the zoning either way it fits into the general plan.

Ray Tuttle asked if there was going to be walls and fences around and in the subdivision. Justin Mack answered yes, but not sure what type or material yet but it will be nice.

There was general discussion on the potential change of zoning was not substantial, and that the developer was not trying to push for more lots than what was already approved.

David Griffin made a motion “to Re-zone parcel 104-33-226 from a mix of R1-10 (Single-Family Residential) and R1-8 (Single-Family Residential) to just R1-8 (Single-Family Residential)

Brandon Homer Seconded the motion

Vote: Was Unanimous in favor of the motion without Billy Orr participating in the voting.

7. Staff Report

The Public Works crews paved the parking lot at the park on Reay Lane and the Highway with concrete.

The street paving and repair project is still going on.

The Public Works crews are also paving the secondary parking lot and putting in new sidewalks at the park by the baseball fields.

For the P&Z Commissions information, the previous re-zone request change for the property on the highway and 1st Avenue to go to all C-2 (Commercial) was passed by the Town Council. Also, the previous re-zone request for the lot on church street to go all R1-8 (Single-Family Residential) was passed by the Town Council.

8. Adjournment

The meeting was adjourned.