

APACHE COUNTY COMMUNITY DEVELOPMENT

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**PLANNING AND ZONING COMMISSION
MINUTES FOR July 10, 2025**

Commissioners

District I

Carey Dobson
Bobby Fite
Brad Jarvis

District II

Kay Hauser
Dan Muth, Chair

District III

Brad Peterson, Vice-Chair
Bob Pollock
Travis Johnson

Alternate

Michael Bragiel

Staff Members in attendance

Matthew Fish, Director
Christopher Resare, Chief Deputy Attorney

Shanna Pearce, Plan Reviewer

Assessor's Office

Roxanne Drye, Appraiser III

Working Lunch Session

Call to Order:

Vice Chair Brad Peterson called the working lunch session to order at 12:03 p.m.

Oath of Office – Brad Jarvis

Mr. Fish administered the Oath of Office to Mr. Brad Jarvis, who affirmed and was officially sworn in as a member of the Commission.

Update on Potential Commercial Properties in Alpine

Mr. Fish advised the Commission that a flyer, which was read into the record, had been sent to the Alpine Alliance and would be distributed to its members via email. He noted that Planning staff had responded to public comments and emails regarding the proposed commercial rezoning.

Mr. Fish reviewed the color-coded map identifying both currently assessed commercial properties and those being proposed by staff as prime locations for commercial development. He provided an overview of each area and the associated parcels.

Mr. Fish provided further clarification on two specific parcels:

Parcel 101-13-003: Previously approved for a Conditional Use Permit (CUP) in 1995 for the construction of log cabins. It now appears to be the primary residence of the Holiday family and may require additional discussion during the rezoning process to determine if it is a suitable fit for commercial designation.

Parcel 101-17-001C: Identified as a U.S. Forest Service building, currently owned and operated by the federal government as a base for the Alpine District. The Deputy County Attorney will research whether zoning applies to this property and report back to staff.

Mr. Fish reviewed updates to the draft notification letter to be sent to potentially affected property owners, noting the addition of language clarifying that a Conditional Use Permit (CUP) may still be required even if a parcel is zoned commercial. This revision had been discussed at the June meeting. He added that a copy of Article 4, outlining commercial zoning regulations, would accompany the letter. The Commission agreed that a response deadline should be included and directed staff to send the letters the following week.

Mr. Fish stated he would investigate whether residential use is permitted on commercially zoned property. While his initial understanding was that living on a commercially zoned parcel was allowable. The Commission and staff briefly discussed the differences between non-conforming and grandfathered uses.

Commissioner Fite relayed concerns he had received from some Alpine residents regarding potential tax increases and general distrust toward the County's intentions. He noted that some residents would prefer Alpine remain unchanged, while others questioned the purpose of the rezoning. Mr. Fish affirmed that participation in the rezoning was not mandatory. Mrs. Drye, from the Assessor's Office, reiterated that under Arizona Revised Statutes, property is assessed based on "current use" unless or until that use is changed by the owner.

Mr. Fish acknowledged that a common concern among residents is the perceived loss of control over development in Alpine. Many fear the rezone will eliminate the Conditional Use Permit process, thus reducing their ability to provide input and oversight on commercial activity.

Mr. Fish concluded the update by reminding the Commission that a public Q&A Community Meeting would be held in Alpine on Wednesday, July 23, 2025, and noted that five (5) or more members of the Commission may be present in an unofficial capacity.

Discussion – Proposed Conditional Use Permit (CUP) for Country Club Villas Properties LLC RV Park (Applicant: Mike Meixler)

Mr. Fish presented the request for a Conditional Use Permit submitted by Country Club Villas Properties LLC for the development of an RV Park. He provided a summary of staff's evaluation, recommendation, and the proposed conditions for approval.

Applicant Mr. Mike Meixler addressed the Commission. He reported that two (2) fire hydrants are currently installed on-site and presented his business plan, including potential amenities. While the RV park is intended to remain private, he stated that there may be an option to open access to the adjacent clubhouse through a membership system.

He explained that the RV park would be managed by an on-site manager and security personnel, with stays limited to a maximum of 30 days. The site is intended for short-term use and not permanent residency. Mr. Meixler emphasized their intent to keep the park clean, quiet, and secure, with the goal of serving visitors such as hunters, seasonal residents, and those looking to escape summer heat or plan future home construction.

Commissioner Fite inquired whether the RV park would be open to the public or members only. Mr. Meixler clarified that the RV park itself would be open to the public on a nightly rental basis, with fees covering water, sewer, and electricity. He added that while the clubhouse is located on a separate, adjacent parcel, the current plan is to reserve clubhouse access for RV guests only. The concept of membership had not yet been finalized, but future consideration may include allowing the public to use clubhouse amenities on a membership basis.

Commissioner Peterson asked for clarification on the use of the term "membership." Mr. Meixler clarified that "membership" referred to access to amenities, not the RV park itself. He acknowledged feedback from attendees at a recent meeting expressing disappointment that the clubhouse would not be open to the general public. In response, he indicated willingness to consider broader access if the amenities.

Mr. Fish amended staff's recommended conditions based on the discussion and updated information as follows:

1. Development shall conform to the submitted site plan unless otherwise amended by the Commission.
2. All structures and improvements shall meet County building and health regulations.
3. Applicant shall maintain appropriate buffers and mitigate dust and drainage on-site.
4. Access and internal roads shall meet County Engineering standards.

5. Final letter of approval from the Concho Fire Department confirming use of fire hydrants on-site is required.

Discussion regarding the proposed Conditional Use Permit (CUP) for the Juniper Springs Solar and Storage project. This item is scheduled for a public hearing on the August 7, 2025, Planning and Zoning Commission agenda.

Discussion was postponed until after the public meeting.

Setting a Date for the Next Special Work Session – Renewable Energy Ordinance

Mr. Fish recommended scheduling the next Special Work Session to continue discussions regarding the Renewable Energy Ordinance during the week of August 18–21.

Commissioner Peterson noted that to avoid scheduling conflicts with the County Fair, the meeting should either be held early in the week—on August 18 or 19—or postponed until after the fair, during the week of August 25–28.

Following discussion, the Commission agreed to schedule the Special Work Session for Tuesday, August 26, 2025, at 4:00 p.m. (MST). The meeting will be held at the Apache County Annex Building in the Board of Supervisors’ Hearing Room.

Mrs. Hauser recommended that the agenda includes discussion on the proposed Preferred Energy Generation Area and proposed amendments to the Renewable Energy Ordinance.

Discussion – Proposed Preferred Energy Generation Areas and Potential Amendment to the Comprehensive Plan

Mr. Fish opened the discussion by offering an alternative approach. He explained that while staff was fully prepared to recommend initiating the process to amend the Comprehensive Plan to include the Preferred Energy Generation Areas and associated map and text, staff was now seeking direction from the Commission. In light of recent discussions during Special Work Sessions, Mr. Fish asked whether the Commission preferred to move forward at this time or postpone action until further discussion on the Renewable Energy Ordinance rewrite had occurred.

Commissioners Johnson and Jarvis recommended delaying the amendment process. Commissioner Peterson, however, expressed support for moving forward with the preferred areas, emphasizing the importance of integrating them into the County’s planning efforts.

Mrs. Hauser asked staff for a timeline for the proposed amendment. Mr. Fish explained that if the Commission chose to proceed, the item would need to be placed on the agenda for the next public meeting, requiring immediate advertisement. Otherwise, the item

could be scheduled for the September Planning and Zoning agenda, with a potential appearance before the Board of Supervisors in October, pending the Commission's recommendation.

Mr. Fish reiterated that while he was in favor of the concept of Preferred Energy Generation Areas, he did not want to "paint ourselves into a corner," acknowledging the unpredictability of future developments.

Commissioner Peterson clarified that even if the preferred areas were established, projects located outside these areas could still apply for a Conditional Use Permit (CUP). However, he emphasized that the preferred areas would serve as a planning tool to help guide development to appropriate locations, particularly within the designated industrial power zone.

Commissioner Johnson pointed out that the Special Work Session that had just been scheduled could serve as the forum to further discuss this topic. He questioned the effectiveness of designating preferred areas if CUPs could still be approved elsewhere, stating that "the preferred area doesn't mean anything if you can do this anywhere."

Commissioner Peterson disagreed, stating that the preferred areas are a meaningful tool to guide future development and maintain oversight. He emphasized that without such areas, nearly the entire county—except the northern two-thirds—would be open to potential energy development.

Commissioner Johnson confirmed that the purpose of the upcoming work session was to discuss the Renewable Energy Ordinance, which should include a detailed review of the preferred areas. Commissioner Peterson stated his belief that the ordinance and the preferred areas were distinct, and that the preferred areas could be addressed separately under the County's Comprehensive Plan.

Commissioner Johnson inquired whether staff had researched how Navajo County approached similar issues. Commissioner Peterson followed up by asking Mr. Fish if such research had been conducted.

Mr. Fish, citing time constraints, proposed tabling further discussion on this matter until after the public hearing.

The Work Session was recessed at 12:55 p.m. to allow for the 1:00 p.m. Public Hearing and was reconvened at 1:42 p.m. following the conclusion of the hearing.

The working lunch session adjourned at 2:30 p.m.

Public Meeting

Call to Order.

Vice Chair, Brad Peterson called the public meeting to order at 1:10 p.m.

Roll Call/Determination of a Quorum.

Mr. Peterson determined a quorum was present by roll call. There were Seven (7) Commissioners in attendance; Brad Jarvis, Bobby Fite, Brad Peterson, Kay Hauser, Bob Pollock, Mike Bragiel, and Travis Johnson.

Review and Approval of Minutes – Special Work Session held May 28, 2025

MOTION: Mrs. Hauser moved to approve the minutes of the May 28, 2025 Special Work Session as drafted. The motion was seconded by Mr. Pollock.

There was no discussion.

VOTE: The motion passed unanimously with six (6) ayes, zero (0) nays, and one (1) abstention.

Abstention: Mr. Fite, who was not present at the May 28, 2025 meeting.

Review and Approval of Minutes – Working Lunch Session and Public Hearing held June 12, 2025

MOTION: Mr. Pollock moved to approve the minutes of the June 12, 2025 Working Lunch Session and Public Hearing as drafted. The motion was seconded by Mr. Fite.

There was no discussion.

VOTE: The motion passed unanimously with seven (7) ayes, zero (0) nays.

Conditional Use Permit Application – 2025-27 Applicant: Mike Meixler, Country Club Villas Properties LLC discussion and possible recommendation for approval.

Mr. Fish summarized the request and reiterated staff's recommendation for approval and conditions as discussed during the earlier work session.

Commissioner Bragiel inquired whether the proposed 30-day maximum stay would be strictly enforced. Mr. Meixler responded that many RV parks include such limits to prevent long-term residency and associated impacts, such as excess vehicles. He explained that their proposed rules would require occupants to vacate for a period of time if the maximum stay is reached.

Member of the public Don Yuskey, whose property borders the old 15th fairway, asked whether the RV park would be limited to the area around the former clubhouse. Commissioner Peterson clarified that the parcel in question lies between the lake, the clubhouse, and the Game and Fish property to the north—specifically located just east of the bridge and in the adjacent cul-de-sac.

Mr. Peterson closed the public hearing.

Commissioner Hauser asked for the conditions to be restated. Mr. Fish reiterated staff's five recommended conditions, including the requirement for fire hydrant certification by the Concho Fire Department.

Commissioner Bragiel asked whether a timeline for development completion would apply. Mr. Fish explained that once building permits are issued, typical timelines range from 12 to 18 months. Mr. Peterson asked Mr. Meixler when construction would begin. Mr. Meixler responded that, pending approval, he anticipated beginning within four (4) months. He noted that electric pedestals may cause delays due to ongoing supply backlogs of up to one year.

Mr. Peterson suggested including an additional condition requiring that development begin within 12 months of approval, with the applicant returning to the Commission if that timeline is not met. Mr. Meixler agreed.

Commissioners supported the addition of the 12-month development requirement.

There was no further discussion.

MOTION: Mr. Bragiel moved to recommend approval of CUP 2025-27 with the following conditions. The motion was seconded by Mr. Fite.

Conditions of Approval:

1. Development shall conform to the submitted site plan unless otherwise amended by the Commission.
2. All structures and improvements shall meet County building and health regulations.
3. Applicant shall maintain appropriate buffers and mitigate dust and drainage on-site.
4. Access and internal roads shall meet County Engineering standards.
5. A final letter from the Concho Fire Department shall confirm that both fire hydrants on-site are in working order.
6. Applicant shall have twelve (12) months to obtain necessary permits and begin construction.

VOTE: The motion passed unanimously with seven (7) ayes and zero (0) nays.

Recommendation: Approval with conditions.

Call to the Public.

Chairman Peterson provided members of the public three (3) minutes each to speak.

Mark Seipke expressed concern about the potential loss of tourism revenue due to renewable energy projects. He emphasized that tourism generates significant income for the county and urged the Commission to consider designated areas for renewable development to allow both industries to coexist.

Linda Weiland, advised against adopting other counties' ordinances, particularly Navajo County's Renewable Energy Ordinance. She advocated for maintaining the current Conditional Use Permit process and continuing to refine the draft ordinance to meet Apache County's unique needs, citing transparency, efficiency, and staffing constraints.

Mark Ostermann described potential legal and economic issues based on research from other states allowing wind development on private property. He warned of complaints and lawsuits from neighboring landowners, premature termination of lease payments to landowners, and increased litigation costs for the County related to tax disputes with renewable energy companies.

Tera Davis spoke about economic development, arguing that large-scale wind farms are not aligned with the County's goals for quality of life and sustainable growth. She raised concerns about the environmental impact of turbine decommissioning, including unrecyclable materials left behind.

Amy Butcher addressed concerns over the economic and environmental costs of wind farms. She reported the submission of a petition with approximately 1,400 signatures opposing wind energy development in Apache County. She encouraged the Commission to listen to residents and proposed restricting renewable development to designated solar-only zones.

Monica Boehning emphasized the importance of zoning and land use planning to balance individual property rights with community protection. She expressed disappointment in the Commission's perceived lack of response to resident concerns and criticized the distribution of a pro-industry flyer lacking balanced information. Ms. Boehning urged the Commission to act fairly and protect those most likely to be negatively affected.

Following Ms. Boehning's comment, Mrs. Hauser asked Mr. Fish if he was familiar with the flyer referenced. Mr. Fish stated he was not and asked if it was distributed by the County. Ms. Boehning clarified it was handed out by a private resident. A copy of the flyer was submitted to Mr. Fish, and several attendees confirmed receiving it.

No further public comments were made.

Report from Staff to the Commission

Mr. Fish advised the Commission that there was no report from staff.

Adjournment

Vice Chair Brad Peterson adjourned the public meeting at 1:42 p.m. (MST).

Vice Chair Brad Peterson reconvened the Working Lunch Session at 1:42 p.m. (MST).

Continued discussion of the proposed Preferred Energy Generation Areas and Potential amendment to the Comprehensive Plan to include the area descriptions And associated map.

Mr. Fish reminded the Commission that the discussion was whether to begin amending the Comprehensive Plan to include the proposed preferred area language or delay until further discussion on changes to Article 4 regarding renewable energy.

Mr. Peterson emphasized the preferred area map should move forward independently of the ordinance and voiced concern that new proposals were derailing prior progress. He warned against development agreements, noting they can bypass public input.

Mr. Fish stated staff preferred to keep all options open and not limit future ordinance flexibility, clarifying this position wasn't in favor of any side.

Mr. Bragiel suggested making it more difficult to develop in non-preferred areas to encourage development within preferred zones. Mr. Peterson agreed but favored restricting development entirely to preferred areas, though he acknowledged the current ordinance still allows conditional use permits.

Mr. Resare noted any restrictions must be justified to avoid legal issues and clarified development agreements do include public input and can offer enforceable terms.

Ms. Boehning reminded the Commission of the detailed rationale previously provided for the preferred area.

Ms. Drye cautioned against rushing the decision, pointing out not all residents may be aware of the proposed changes. Mr. Fish and Mr. Johnson agreed that further discussion was warranted.

Mr. Peterson advised Mr. Johnson that participation in discussion may not be appropriate if he intends to recuse from voting. Mr. Fish said staff would seek legal guidance.

Mrs. Hauser requested that the August work session include both the preferred area and the Renewable Energy Ordinance as agenda items. Mr. Fish confirmed.

Mr. Ostermann stated the majority of county residents oppose renewable projects in the proposed areas. Mr. Fish clarified the distinction between meeting attendees and the broader population, with Mr. Ostermann identifying District 3 (southern third of the county) as the area of concern.

No further discussion.

Discussion regarding the proposed Conditional Use Permit (CUP) for the Juniper Springs Solar and Storage project. This item is scheduled for a public hearing on the August 7, 2025, Planning and Zoning Commission agenda.

Mr. Fish provided an overview of the Conditional Use Permit (CUP) application submitted for the Juniper Springs Solar and Storage Project. The application is approximately 700 pages and includes detailed plans for solar development east of the Springerville Substation on five sections of Arizona State Trust Land. Staff is reviewing environmental concerns in coordination with Arizona Game & Fish.

Mr. Fish outlined the anticipated project timeline:

2025: CUP approval; execution of interconnection agreement with Tucson Electric Power (TEP)

2026: Land use agreement finalization with the State Land Department; negotiation of power purchase agreement

2027–2028: Begin engineering, development agreement, and road maintenance planning

2028–2030: Construction phase (~2 years)

2030: Commercial operation expected to begin

Access to the site is proposed via a TEP service road (pending agreement) or County Roads 6040 and 6001. Staff expressed concerns about road maintenance due to an estimated 120 trips per day during construction, including heavy equipment. A development agreement may be required to address road impacts.

Environmental considerations were discussed, including impacts to pronghorn antelope habitat and local water sources. Arizona Game & Fish submitted two letters outlining habitat concerns and recommended wildlife corridors. Staff will distribute these letters to the Commission.

Fire and emergency response were discussed. Although the site lies within the Round Valley Fire District, primary response will likely come from St. Johns Fire Department. Staff will coordinate with emergency services to ensure adequate planning.

Mr. Alex Yachanin, representing the developer, provided additional context. The project is impacted by recent federal changes to solar tax credits, but development is still proceeding. The developer is currently working through TEP's interconnection process and engaging with the Arizona State Land Department. No formal grazing agreement has been reached with Mr. Johnson, who maintains water infrastructure on the site, but discussions are ongoing. The developer confirmed that all project land is State Trust Land; nearby private parcel numbers included in the CUP are for reference only.

The developer committed to addressing environmental concerns, working with Game & Fish, and providing a list of other operational solar and wind projects for Commission review.

Mr. Resare noted that while the State Land Department could override county zoning decisions, they typically defer to local jurisdiction. The CUP must be approved prior to lease finalization and auction by the State Land Department.

The Commission agreed to move forward with placing the item on the August 7, 2025 public hearing agenda. Staff will continue review and coordination with all relevant agencies.

No further comments.

The working lunch session adjourned at 2:30 p.m.