



**CITY OF COTTONWOOD
PLANNING & ZONING COMMISSION
COUNCIL CHAMBERS**

826 N. Main St.
Cottonwood, AZ 86326

REGULAR MEETING MINUTES

Monday, June 26, 2023
6:00 p.m.

I. CALL TO ORDER

Chairwoman Masten called the meeting to order at 6:00 PM

A. Roll Call

Commission Members Present

Commissioner Stephens
Commissioner Glascott
Commissioner Klinge
Commissioner Nelson
Commissioner Gehlert
Vice Chair Garrison
Chairwoman Masten

Commission Members Absent

Staff Members Present

Scott Ellis, Community Development Director
Gary Davis, Community Development Senior Planner
Scotty Douglass, City Manager
Rudy Rodriguez, Deputy City Manager
Jenny Winkler, City Attorney
Charlotte Page, Recorder

B. Approval of Minutes: May 15, 2023

Motion: I move to approve.

Made by: Vice Chair Garrison

Second: Commissioner Stephens

Unanimously carried

- II. INFORMATIONAL REPORTS AND UPDATES:** Director Ellis introduced the new City Attorney, Jenny Winkler, to the Commission. Jenny Winkler stated that she covered Planning and Zoning for the City of Chandler, and she was welcomed by the Commission.

Director Ellis said updated information on pending housing developments is included in the packets distributed to the Commission. Director Ellis expects the July meeting will include a presentation by Minerals Research about their operation. He reminded the Commissioners of the next meeting, scheduled for July 17, 2023.

- III. CALL TO THE PUBLIC:** Phil Terbell spoke about a news item, with the headline “Facing a housing crisis, Arizona lawmakers propose overriding city control.” Terbell said that the three bills, one in the House, two in the Senate, propose fewer local zoning laws, with the intent of building more houses at affordable costs. These bills have not passed, but he suggested this topic for a future agenda item.

- IV. OLD BUSINESS: NONE**

- V. NEW BUSINESS:**

- 1. CUP 23-003 - A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A STORAGE YARD AS A PRIMARY USE IN THE C-2 ZONE** - Consideration of a Conditional Use Permit to allow a storage yard as a primary use in the C-2 (Heavy Commercial) zone on approximately 0.32 acres located on the east side of S. 6th Place, approximately 90 feet south of E. Aspen Street at 231 S. 6th Place. APN 406-42-152. Applicant: Andrea Maddy.

Summary: Senior Planner Davis showed a PowerPoint presentation for the request for a storage yard for a towing facility. The CUP would be necessary as the use is not a permitted use in the current C-2 zoning, and if allowed, a six-foot fence would be needed for screening. The applicant also requested the Commission allow the six-foot fence in the front yard setback.

The subject property was described and surrounding properties uses were reviewed. Photographs of the site and adjacent properties were presented. Criteria for the CUP were described and findings of Staff support the requested CUP.

Senior Planner Davis read the following stipulations into the record:

1. The project shall be developed in conformance with the development plans as reviewed by the Planning and Zoning Commission at the June 26, 2023 meeting, except that the fence within the front yard setback may be six feet in height.

2. The project shall conform to the Code Review Board comment letter dated February 27, 2023 and any additional Code Review Board comments.
3. The project shall comply with all applicable Sections of the Zoning Ordinance including, but not limited to, C-2 Property Development Standards, General Provisions, Signs, Parking and Loading Requirements, Landscaping Requirements, and Outdoor Lighting Code.
4. A building permit application must be submitted within 24 months of Conditional Use Permit approval. If this requirement is not met, the Conditional Use Permit approval shall be revoked and new Code Review and Conditional Use Permit submittals will be required.

Commissioner Gehlert asked about the screening requirements for the proposed use, and if the subject property was developed as part of a subdivision. Commissioner Nelson asked if there are other properties in the area already used for towing storage.

Senior Planner Davis stated there is another towing company storage yard nearby, the six-foot fence proposed would be chain link with privacy slats for screening and he stated the subject property was within a subdivision.

Commissioner Nelson asked if there were similar storage yards that were issued a CUP for this use, and if any issues have been reported from any existing properties utilized for tow storage nearby. Commissioner Nelson asked what notification was given to neighbors about this CUP.

Senior Planner Davis stated that CUP applications require notification of neighbors within 300 feet of the proposal, and the property was also posted. Davis was not aware of any problems that have been identified from any existing tow yards nearby.

Commissioner Nelson said he liked the six-foot fence and felt it is appropriate for the proposed use, other Commissioners agreed with the need for a six-foot fence, and they liked the proposed landscape.

Commissioner Nelson asked the applicant, Andrea Maddy, about the proposed use. He asked if the is space is adequate to have towed vehicle storage and ample room for vehicle owners to park for picking up stored vehicles.

Andrea Maddy agreed with Commissioner Nelson's description of the tow yard usage and stated that there is adequate parking on the site for towed vehicles and for the anticipated traffic for vehicle pick up. She stated the business uses would be parked entirely off street.

Commissioner Gehlert stated the landscape proposed would have a positive impact on the streetscape.

Vice Chair Garrison commented that this area might be better zoned as industrial (I-1). He stated that many of the adjacent properties are also in use as more industrial than the current zoning designation. Vice Chair Garrison stated there are two existing towing storage facilities nearby and while the applicant's additional property is well kept, the other tow yard is using street parking and that yard is quite full. He said that such businesses should not be able to utilize off-site parking, but he was not able to find any reference in the Zoning Ordinance that would prohibit businesses from using off-site or on street parking.

Chairwoman Masten stated this is a good infill project, she also liked the proposed landscaping at the street. She said she was uncertain if current regulations would allow any conditions to be imposed for off-site parking. Chairwoman Masten agreed that the six-foot fence is needed given the use, and she agreed that the area could be rezoned, better representing the actual use of the area in the future.

Senior Planner Davis stated that some developed uses in the area are more light industrial than the current zoning, and he gave some examples of how the various business uses may have been implemented. He stated that the provisions in the C-2 zone would allow storage which would be required to be related to the principal use of a property, but storage alone is not permitted as a principal use. For this reason, the use requires the requested CUP. Senior Planner Davis agreed this area could be considered for a different land use designation during the General Plan update, to better represent the actual uses of the area.

Motion: I move to approve CUP 23-003 to allow a tow storage yard, at 231 S. 6th Place, subject to the stipulations that have been read into the record.

***Made by: Vice Chair Garrison
Second: Commissioner Stephens***

Roll Call Vote:

Commissioner Stephens - Aye

Commissioner Glascott - Aye

Commissioner Klinge - Aye

Commissioner Nelson - Aye

Commissioner Gehlert - Aye

Vice Chairman Garrison - Aye

Chairwoman Masten - Aye

Unanimously Carried

VI. DISCUSSION ITEMS: NONE

VII. SUGGESTED TOPICS FOR FUTURE MEETINGS: Chairwoman Masten stated there was a public suggestion tonight to review of how changes to state law might impact the way that City of Cottonwood does business.

Director Ellis introduced City Manager Scotty Douglass, who gave the Commission a brief statement on his recent experience and his commitment to the City of Cottonwood.

VIII. ADJOURNMENT: 6:33 PM

Motion: To Adjourn.

Made By: Chairwoman Masten
Second: Commissioner Stephens

Unanimously Carried

Notice is hereby given that pursuant to A.R.S. subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. have been waived.

Information on the above agenda items may be obtained in person from the Community Development Department, 111 N. Main Street in Cottonwood, or by calling (928) 634-5505.

A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

The Cottonwood Council Chambers and Cottonwood Recreation Center are accessible to the handicapped in accordance with Federal "504" and "ADA" laws. Those with needs for special typeface print or hearing devices may request these from the Planning Technician at 634-5505 (TDD 634-5526). All requests must be made at least 24 hours before the meeting.

Members of the Planning Commission will attend either in person or by telephone conference call.