

Official Minutes of the City of Cottonwood  
Planning & Zoning Commission Regular Meeting  
Held, November 19, 2018 at 6:00 P.M. at the City Council Chambers  
826 N. Main Street – Cottonwood, Arizona

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CALL TO ORDER & ROLL CALL

Chairman Robert Williams called the meeting to order at 6:01 p.m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Robert Hart  
Christopher Dowell  
Jesse Dowling  
Thomas Narwid  
Vice Chairman Judd Wasden  
Chairman Robert Williams

Planning & Zoning Commission Members Absent

Susan Masters

Staff Members Present

Scott Ellis, Planner  
Jim Padgett, Planner  
Amber Richards, Planning Technician, Recorder

APPROVAL OF MINUTES OF October 15, 2018 REGULAR Meeting & July 12, 2018 SPECIAL Meeting.

***Motion: To approve the minutes of 10/15/2018 and 07/12/2018.***

***Made by: Vice Chairman Wasden***

***Second: Commissioner Narwid***

***Roll Call Vote: Robert Hart – Aye***  
***Christopher Dowell – Aye***  
***Jesse Dowling – Aye***  
***Thomas Narwid – Aye***  
***Vice Chairman Judd Wasden – Aye***  
***Chairman Robert Williams – Aye***

CALL TO THE PUBLIC:

None.

OLD BUSINESS:

None.

NEW BUSINESS: Commission moved item number four (4) up to be the first item under new business followed by item number five (5) which was moved up to be the second item under new business.

1. **PCU 18-007 - VERDE VALLEY HOMELESS COALITION COLD WEATHER SHELTER** – A request for a Conditional Use Permit to operate a Cold Weather Shelter located at the Verde Valley Homeless Coalition Drop in Center on C-1 (Light Commercial) zoned property located at 14 S. Main Street. APN: 406-41-002. Owner: Verde Valley Properties of the Southwest, LLC, Applicant: Raena Avalon / Verde Valley Homeless Coalition.

There was a brief presentation by Jim Padgett. Applicant is requesting a Conditional Use Permit to operate a cold weather shelter. The site is currently being used as a drop in center. The addition of the cold weather shelter would come into effect any time the weather is forecasted to drop below 35 degrees. This would allow the shelter to open overnight and invite members of homeless population to be housed through the night. Cottonwood City Council did approve an ordinance back in January addressing the cold weather shelter which has previously been operated at YES, The Arc on Willard Street. That cold weather shelter would move to the drop in shelter location at 14 S. Main. During the night, the Homeless Coalition would be required to have somebody on staff for security. Photos were shown. Commissioner Hart asked if there will be two separate facilities? Jim stated they would be operating as a drop in center and cold weather shelter in the same location and reiterated that the cold weather shelter only goes into effect when weather is forecasted to be below 35 degrees. Commissioner Narwid asked if the Conditional Use Permit has a time limit and Jim Padgett stated that there is not a time limit. Raena Avalon, a representative of the Homeless Coalition introduced herself to the Commission. She explained that the intention of the cold weather shelter is to only have the overnight accommodations when the temperature is forecasted to drop below 35 degrees. The weather forecast would be checked within a 48 hour window. Commissioner Narwid asked is there any accommodations for pets? Raena stated yes, but pets would have to be on a leash and with their owner at all times. Commissioner Narwid also asked about when there are extreme heat conditions. Raena Avalon stated that they have not addressed that yet. Commissioner Dowell asked how many people used shelter when it was at YES, The Arc. Raena stated that nobody used it, probably because the location was not good. However, since July, the Homeless Coalition at 14 S. Main has helped approximately 160 unduplicated individuals. Commissioner Dowell asked if there was a referral from Fire, would they accept that individual? Raena stated yes, if there limit had not been exceeded at the time of the referral. Floor was closed to the public.

**Motion: Approve PCU 18-007 Verde Valley Homeless Coalition Cold Weather Shelter with the following stipulations:**

- 1. The project is developed in conformance with the development plans submitted for the November 19, 2018 Planning and Zoning Commission meeting.**
- 2. The project conforms to the Code Review Board comments dated October 26, 2018.**
- 3. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued prior to issuance of a Certificate of Occupancy.**
- 4. Cold Weather Homeless Shelter shall operate within the requirements of Ordinance 637 including Exhibit "A".**

**Made by: Vice Chair Wasden  
Second: Commissioner Dowell**

**Roll Call Vote: Robert Hart – Aye  
Christopher Dowell – Aye  
Jesse Dowling - Aye  
Thomas Narwid – Aye  
Vice Chairman Judd Wasden – Aye  
Chairman Robert Williams - Aye**

- 2. PCU 18-008 SINGLE FAMILY RESIDENCE IN THE C-1 ZONE – A request for a Conditional Use Permit to construct a single family residence on C1 (Light Commercial) zoned property located at 123 S. 15<sup>th</sup> Street. APN: 406-41-024. Owner: Verde Valley Newspapers Inc., Applicant: Doug Braly.**

There was a brief presentation by Jim Padgett. This is a Conditional Use Permit request for a single family residence to be located in a C-1 zone. C-1 does allow this as long as a Conditional Use Permit is obtained. The surrounding area where the single family residence would be located currently has mixed uses, there are other single family residences, commercial uses and mobile homes. Some photos were shown. Jim stated that the applicant was present to answer any questions. The applicant introduced himself as Doug Braly. Applicant stated he will be living on the property. There were no questions from the Commission. The applicant had a question. He asked if the Conditional Use Permit would be permanent and can the granted use be transferred if ownership changes? According to Scott Ellis, yes, the conditional use permit stays with the property. Floor was closed to the public. The commission did not have any questions, just comments that they were in favor of the project.

**Motion: Approve PCU 18-008-Residence in a C1 Zone with the following stipulations:**

- 1. That the project conforms to Code Review Board comments dated October 26, 2018.**
- 2. That the project conform to the plans as submitted for review by the Planning Commission for the November 19, 2018 Public Hearing.**
- 3. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued prior to issuance of a Certificate of Occupancy.**

**Made by: Vice Chairman Wasden**  
**Second: Commissioner Dowling**

**Roll Call Vote: Robert Hart – Aye**  
**Christopher Dowell - Aye**  
**Jesse Dowling - Aye**  
**Thomas Narwid – Aye**  
**Vice Chairman Judd Wasden – Aye**  
**Chairman Robert Williams - Aye**

- 3. DR 18-010 DUNKIN DONUTS – A request for Design Review approval to construct a ~3,300 square foot shell building to house a Dunkin Donuts restaurant and a retail shop on C-2 (Heavy Commercial) zoned property, located at 1006 S. Main Street. APN: 406-04-045W. Owner: Neal Borden. Agent: Chris Cooper.**

There was a brief presentation by Scott Ellis. This is a request for Design Review approval to construct a shell building for a Dunkin Donuts. Photos were shown. Scott stated that the applicant was there to answer any questions. There was conversation regarding ingress and egress and some confusion with how it was presented which was clarified by Scott Ellis and Chairman Williams. Vice Chairman Judd Wasden asked about signage. Scott stated staff has not seen any proposals for signage yet. Chairman Williams asked about the modification of the easement and that Starbucks was going to modify it. It is on Starbucks property, not Dunkin Donuts so would not apply to the Dunkin Donuts property. The applicant's representative, Chris Cooper introduced himself. He clarified that the five (5) parking stalls are right in and right out only. He stated he was open to questions if the Commission has any. Commissioner Hart asked if the five (5) stalls would be employee parking? Chris Copper stated probably, yes. Commissioner Hart also asked if the applicant looked for another location for the trash enclosure other than at the entrance. Chris Cooper stated yes, the other location was not allowed by staff. Scott Ellis explained that the trash enclosure cannot be visible from the street. Commissioner Hart also had a question regarding side

elevation B and stated that it does not seem to be an accurate representation on how the building would look. There was an in depth conversation about the elevations and this was eventually cleared up by the applicant. Commissioner Hart also had a suggestion to change some of the landscaping. Vice Chairman Wasden pointed out that the depictions do not properly show the building as planned. There is no landscaping in front of the building and the patio is shown to be much larger than it actually is. Applicant agreed and confirmed that the building was shifted forward, approximately 10 feet. Vice Chairman Wasden also expressed concern of continuity, with this site being on a prominent corner, specifically in regard to the wall being put in by Starbucks. Rather than stopping the wall on Starbucks's property, he would like to see that wall continue onto Dunkin Donut's property as well. He would not like to see separation by vendors. Applicant was agreeable for this to be a stipulation. Vice Chairman Wasden also asked why the small parking lot had to be right in, right out only. The applicant stated that that comment came from transportation they wanted the driveways to be twenty (20) feet apart. The right in right out is best for traffic flow. Other comment, because it's a prominent corner, not sure how he feels about the display. Vice Chairman Wasden also had concern about the checkerboard wall. There was in depth conversation about this among the Commission. The applicant stated that there is relief with the materials being used, which are metal shingles, and it's not just a painted wall. Vice Chairman Wasden also pointed out the beige wall on the south elevation. He thought something more could be done to break it up, such as skirting. The applicant suggested extending brick. Commissioner Narwid suggested using less of the colored panels on the checkerboard wall. The wall was discussed at length by the commission. The applicant offered to provide photos to show the relief and shadow effect of the checkerboard wall. Floor was closed to the public. Chairman Williams was glad that applicant provided clarification on the checkered wall. Vice Chairman Wasden reiterated that the piece of ingress/egress is going to be a problem that will have to be dealt with and there needs to be a better way to get people out. ADOT will probably have to address later.

***Motion: Approve DR18-010 Dunkin Donuts with the following stipulations:***

- 1. That the project is developed in conformance with the development plans submitted for the November 19, 2018 Planning and Zoning Commission meeting, and as may be further modified.***
- 2. The project conforms to Code Review Board comments dated April 20, 2018, and all subsequent review comments provided throughout the development of this project.***
- 3. All Arizona Department of Transportation requirements are met prior to issuance of building permits.***
- 4. Building Permits shall be applied for by twelve (12) months from the date of approval by the Planning & Zoning Commission.***
- 5. A Certificate of Zoning Compliance documenting the completion of the Design and Review Boards stipulations shall be issued prior to the Certificate of Occupancy.***
- 6. Continuation of design and materials for wall to match Starbucks wall on building perimeter.***

**7. Stipulation for trash container to be constructed of the same brick material used in the building.**

**Made by: Vice Chairman Wasden**  
**Second: Commissioner Hart**

**Roll Call Vote: Robert Hart – Aye**  
**Christopher Dowell – Aye**  
**Jesse Dowling – Aye**  
**Thomas Narwid – No**  
**Vice Chairman Judd Wasden – Aye**  
**Chairman Robert Williams – Aye**

4. **DR 18-013 PINNACLE CONSULTING CELL TOWER** – A request for Design Review approval to construct a 60 foot tall mono-elm cell tower on C-1 (Light Commercial) zoned property, located at 890 S. Main Street. APN: 406-04-045X. Owner: Catholic Church Diocese of Phoenix and Olmstead Thomas Bishop Fbo. Agent: Pinnacle Consulting, Inc.

There was a brief presentation by Jim Padgett for Pinnacle Consulting to locate a 60 foot cell tower on 890 S. Main Street. Photos were shown. Applicant was available to answer any questions. The applicant introduced herself. Commissioner Narwid asked about longevity of the elms, specifically who is responsible for the maintenance? Applicant stated that Sun Stay Towers owns and operates the mono-elm and the applicant maintains it as needed. Weather can impact longevity. A crew comes out once every 60 to 90 days to see if any of the branches need replacing. Commissioner Narwid also asked for a frequency of branches falling off. Applicant stated the branches can fall, but it does not happen often. The branches are tested on a regular basis. Commissioner Dowling was concerned about appearance and that it is wider on top than on the bottom. Also, previous mono-pines in the City were not constructed to look as they were presented. He asked that the applicant makes sure what is presented is what we actually get. The applicant explained that with the elm, it is bushier and there are actual leaves and you are able to make a more denser look than what you get with a mono-pine. Larson Camouflage out of Tucson will be designing the mono-elm and she can provide photos of a tower that is already up in Tucson. Vice Chairman Wasden asked about base and whether it can be a dyed brown block that wouldn't require much maintenance. Chairman Williams asked how many carriers could utilize the mono-elm. The applicant stated it is constructed for three (3) carriers but can only realistically support two (2) carriers. The floor was closed to the public. The commission briefly discussed and agreed that if the mono-elm looks as it's being presented, it should be fine and that a low maintenance wall would be good.

***Motion: Approve DR18-013 Pinnacle Consulting Wireless Communication Facility with the following stipulations:***

- 1. That the project is developed in conformance with the development plan submitted for the November 19, 2018 Planning and Zoning Commission Meeting.***
- 2. That the project conforms to Code Review Board comments dated April 20, 2018.***
- 3. Building permits shall be applied for by twelve (12) months from the date of approval by the Planning and Zoning Commission or the Design Review shall be subject to revocation procedures.***
- 4. A Certificate of Zoning Compliance documenting the completion of the conditions shall be issued prior to the Certificate of Occupancy.***
- 5. The masonry block wall at the base of the structure be constructed of maintenance free, dyed brown masonry block.***

***Made by: Vice Chairman Wasden  
Second: Commissioner Narwid***

***Roll Call Vote: Robert Hart – Aye  
Christopher Dowell – Aye  
Jesse Dowling – Aye  
Thomas Narwid – Aye  
Vice Chairman Judd Wasden – Aye  
Chairman Robert Williams - Aye***

- 5. DR 18-014 IMMACULATE CONCEPTION SENIOR LIVING – A request for Design Review approval to construct a ~142,000 square foot senior living facility on CF (Community Facility) zoned property located at 700 N. Bill Gray Rd. APN's: 407-23-018E & 407-23-018C. Owner: Immaculate Conception Roman Catholic Parish & Roman Catholic Diocese of Phoenix. Agent: Stuart Mills & Brittany Rose.**

Brief presentation by Scott Ellis. Applicant and several members for the project were available for questions. John Martin introduced himself and other representatives from the church. He explained that the project is the same number of units as previous approval, except it was reduced from a four (4) story to a three (3) story building due to concerns from the Fire Chief. Commissioner Hart noticed the leach field for the septic system is in the middle of the play area and existing soccer field. He wanted to know whether there was a reason for it being located there. Krishan Ginige from SEC came up to answer this question. There were several factors that went into it being placed where it is currently. The future school and future buildings were just place holders at the early stages of development and

may be relocated later. Commissioner Dowling pointed out that County has overall say of placement of leach fields. Scott Ellis stated that the play areas are conceptually placed and not something that needs to be discussed at this time. There was also in depth conversation about the towers and the possibility of continuing the entire element on one of the towers to match the rest of the elevations. Chairman Williams asked about the parking lot and how far down from the highway is it? The applicant was not sure on an exact distance, but stated that the parking lot would not be very visible from highway due to it being recessed. The floor was closed to the public. The commission agreed that it's a good project and will be a nice addition to Cottonwood.

***Motion: Approve DR18-014 Immaculate Conception Senior Living with the following stipulations:***

- 1. That the project is developed in conformance with the development plans submitted for the November 19, 2018 Planning and Zoning Commission meeting.***
- 2. The project conforms to Code Review Board comments dated April 11, 2017, project submittal comments dated July 5, 2017, including a Traffic Impact Statement, Code Review comments dated August 21, 2018, any and all prior project approval stipulations, and any other comments generated during plan review of this project .***
- 3. The Lot Line Adjustment is completed, approved by staff, and recorded with Yavapai County prior to submittal for building permits.***
- 4. Approval is only for the current phase (I) shown on plans submitted for this meeting. Additional phases and future expansions for this and other uses (i.e. high school, middle school, etc.), are required to go through the appropriate review processes, including Code Review and Design Review if applicable.***
- 5. Design Review approval is contingent on meeting all requirements associated with the approval of PCU 17-004 and PCU 17-004 EXT.***
- 6. A Certificate of Zoning Compliance documenting the completion of these design and review stipulations shall be issued prior to the Certificate of Occupancy.***

***Made by: Vice Chairman Wasden  
Second: Commissioner Dowell***



***Roll Call Vote: Robert Hart – Aye***  
***Christopher Dowell - Aye***  
***Jesse Dowling – Aye***  
***Thomas Narwid - Aye***  
***Vice Chairman Judd Wasden – Aye***  
***Chairman Robert Williams - Aye***

6. **ZO 18-004 AMENDMENT TO SECTION 405 SIGN REQUIREMENTS –** Consideration of a Zoning Ordinance text amendment to Section 405.B.3 and 405.E.5 regarding prohibiting flag banners.

There was a brief presentation by Scott Ellis. Currently within the sign ordinance, there is nothing mentioned about flag banners. Several photos were shown of flag banners around town. Staff would like to include a definition of flag banners and prohibit them. Many of the banners around town are not maintained and faded. The commission asked whether all existing signs would need to be removed if this gets approved. Scott said that the details would have to be discussed with Code Enforcement and the City Attorney. There were also questions on whether banners would be completely banned. Scott explained that there would be some exceptions, such as grand opening banners. Currently, animated signs are not allowed. Commissioner Dowling asked if there would be issues with flags in general such as the United States flag, or a Confederate flag etc. Scott clarified that those are actual flags and treated separately as they are not considered flag banners.

***Motion: Recommend approval to City Council of ZO 18-004 Amendment to section 405 Sign Requirements consideration of zoning ordinance text amendment section 405.B.3 and 405.E.5 regarding flag banners.***

***Made by: Vice Chairman Wasden***  
***Second: Commissioner Dowling***

***Roll Call Vote: Robert Hart – Aye***  
***Christopher Dowell – Aye***  
***Jesse Dowling - Aye***  
***Thomas Narwid – Aye***  
***Vice Chairman Judd Wasden – Aye***  
***Chairman Robert Williams – Aye***

7. **ZO 18-012 AMENDMENT TO SECTION 418 C-1 LIGHT COMMERCIAL ZONE –** Consideration of a Zoning Ordinance text amendment to Section 418.D.3 and 418.D.5 regarding front and rear yard setbacks on C-1 zoned properties within the Arts, Culture and Entertainment District.

Scott presented that staff is looking to change front and rear yard setbacks on a case by case basis within the Arts, Culture and Entertainment District. Currently, there are several vacant properties where the City must enforce setbacks as they are written in the code. This makes the properties difficult to develop. Chairman Williams asked if this can be part of Design Review rather than being addressed at staff level. Scott explained that staff should have the ability to address setbacks before a project goes to Design Review to make sure the project is

viable. Commissioner Narwid asked if this can happen anywhere within the City. Scott clarified that this would only be for the Arts, Culture and Entertainment District on a case by case basis. Projects will still be subject to Design Review. Chairman Williams asked if the decision can be overrode once approved by the Community Development Director. Scott stated that the project still has to come to Design Review for approval.

***Motion: Recommend ZO 18-012 Amendment to section 418 C-1 Zone Light Commercial consideration of zoning ordinance text amendment to section 418.D.5 regarding front and year yard setbacks and landscaping requirements within the Arts, Culture and Entertainment District boundaries.***

***Made by: Vice Chairman Wasden  
Second: Commissioner Hart***

***Roll Call Vote: Robert Hart – Aye  
Christopher Dowell – Aye  
Jesse Dowling - Aye  
Thomas Narwid – Aye  
Vice Chairman Judd Wasden – Aye  
Chairman Robert Williams - Aye***

**DISCUSSION ITEMS:**

None.

**INFORMATIONAL REPORTS AND UPDATES:**

None.

**ADJOURNMENT:**

Meeting adjourned at 8:10 p.m.