

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, January 28, 2013, at 6:00 P.M. at the Public Safety Building
199 S. 6th Street – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:00 p.m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Ed Kiyler, Chairman	Diane Lovett, Vice Chair	Jean Wilder
Robert Williams	Judd Wasden	

Commissioner Speer was absent (excused)
Commissioner Cox was absent

Staff Members Present

George Gehlert, Community Development Director
Leslie Wager, Administrative Coordinator, Recorder
Charles Scully, Long Range Planner, Community Development
Dan Lueder, Development Services General Manager

APPROVAL OF BY-LAWS

Vice Chair Lovett stated in section 208.1 it says the Chair states the recommendation and then allows applicant to respond, it does not state that staff will give a presentation. Director Gehlert agreed and recommended the Commission add a staff presentation prior to the applicant's testimony.

Motion: ***To approve the By-laws with one change as follows: That "Staff will provide a presentation prior to the applicant's testimony" be added to section 208.1.***

Made by: ***Vice Chair Lovett***
Second: ***Commissioner Wilder***
Vote: ***Unanimous***

CALL TO THE PUBLIC

There was no public comment.

APPROVAL OF MINUTES OF DECEMBER 10, 2012

Motion: ***To approve the minutes of 12/10/12 as written.***

Made by: ***Vice Chair Lovett***

Second: *Commissioner Williams*
Vote: *Unanimous*

UNFINISHED BUSINESS (NONE)

NEW BUSINESS

1. **DR 12-022** Consideration of Design Review application for renovation of an existing 6,600 square foot building, parking and landscaping improvements in order to enable the use of the facility as a bar and dance hall. The site is located at the southeast corner of Main Street and Mingus Avenue in a C-1 (light commercial) zone. Address: 1 South Main Street. APN: 406-43-018A. Owner: Eileen M. Riffel. Agent: Josh Bartosh.

Director Gehlert stated the applicants are renovating a portion of the existing building for use as a bar. The project includes use of only the westernmost 1/3 of the building footprint. A front patio enclosure has also been proposed for the frontage along South Main Street. Director Gehlert stated aside from the front porch enclosure, the only exterior improvements proposed at this time are grading, surfacing and landscaping improvements associated with the expanded parking area. The structure has formerly been used as a church, mattress store and billiard hall. A residence is also located on the site as part of a separate structure. The residential structure would remain as part of this proposal.

Director Gehlert stated staff issues are as follows:

- Rear Exiting and Occupancy Load: The Fire Department is still reviewing exiting requirements for the east half of the building where the bathrooms are located. Additional exiting improvements may therefore be required. A maximum occupancy load will also be determined as part of the final submittal.
- Residential Buffer: The code requires a screened buffer wall adjacent to the residential zone located to the east; and a ten foot landscaped area in this location. These are currently unaddressed by the site plan.
- Drainage and Detention Area: A grading and drainage plan was recently submitted for this proposal. The plan suggests the placement of a detention area in the Southeast corner of the site, displacing some parking spaces.
- Mingus Avenue Streetscape: The landscape code requires a ten foot landscaped strip along the street frontage which is not currently addressed in the site plan. The existing developed portion of the site features a two foot strip. There appears to be enough room to meet the code. The Commission may want to discuss this with the applicants.

Staff recommends approval of **DR 12-022** subject to the following stipulations:

1. That the site be development in conformance with the letter of intent and associated plan submittal (as may be further modified by the Commission).

2. That landscape revisions be provided which address the residential buffer and streetscape requirements.
3. That a right-of-way permit be obtained for any resulting patio encroachment.
4. That any amplified sound occur in conformance to the City noise ordinance.
5. That any changes to the floor plan which require additional parking be subject to review by the Planning and Zoning Commission.
6. That all other Code Review comments from 9-18-12 be addressed.
7. That the applicant obtain a building permit for all site improvements.
8. Anything else the Commission deems necessary.

Rebecca Riffel, owner, stated the vision of this project is not to open another bar to the community as much as the area is lacking a place for live entertainment, music event center. The building was built in the 1960's and does not have enough parking to accommodate the existing building or any of the businesses that have been in the building. The building is currently abandoned and it has become a parking lot for police and transients.

Josh Bartosh, agent, stated the long range goal for the building is an event/community center. The idea is to eventually abandon the residential property behind the building and rezone it to be used as parking for the building. Riffel added she currently owns and lives in the residential area behind the building.

Commissioner Wasden inquired if the existing landscaping would remain. Riffel stated most of the existing landscaping is dying and will be replaced with seventy plants and trees.

Vice Chair Lovett inquired if there was any chance of a second access point into the property. Riffel stated based on safety issues they will keep the driveway one way on Mingus Avenue.

Chairman Kiyler inquired if the ten foot landscape buffer would be required on the Mingus Avenue frontage. Director Gehlert stated the City will compromise due to the existing parking and newer parking even if it is reduced to five feet to keep the consistency.

The Commission as a whole inquired about signage for the bar and requested the Commission be given the opportunity to review the signage proposal before it is approved by Staff.

- Motion:** *To approve DR 12-022 with the following nine stipulations:*
- 1. That the site be developed in conformance with the Letter of Intent and associated plan submittal.*
 - 2. That landscape revisions be provided which address the residential buffer and streetscape requirements.*
 - 3. That a right-of-way permit be obtained for any resulting patio encroachment.*
 - 4. That any amplified sound occur in conformance to the City noise ordinance.*
 - 5. That any changes to the floor plan which require additional parking be subject to review by the Planning and Zoning Commission.*
 - 6. That all other Code Review comments from 9-18-12 be addressed.*
 - 7. That the applicant obtain a building permit for all site improvements.*
 - 8. That a secondary exit in the building is installed and approved by the Fire Marshal and Building Official prior to final inspection and issuance of and Certificate of Occupancy.*
 - 9. That submittal for signage be brought before the Planning and Zoning Commission for approval.*

Made by: *Vice Chair Lovett*
Second: *Commissioner Wilder*

2. **Z/PAD 12-006** Consideration of a zoning map change from the current Yavapai County Zoning designation of R1L-70 (Residential Single Family / Limited) to the City of Cottonwood zoning of PAD (Planned Area Development) following the recent annexation of the Quail Canyon Subdivision, Units I and II. The associated site plan proposal would adjust building setbacks for ten (10) residential lots encumbered by stream channels. No changes are proposed to the current allowable density or land uses. The property includes 121 acres located south of the Quail Springs Rand Road / South Quail Canyon Road intersection. Applicant: Al Gradijan, Quail Canyon Partners.

Director Gehlert stated the City annexed the Quail Canyon properties in 2011 but has not yet established City zoning on the property. The owner has approached the City requesting variances for ten affected lots, most of which are gathered along the front portion of the subdivision within view of Quail Springs Ranch Road. The affected lots would encroach into what would otherwise be required setback areas. Most are located in the front yards and feature a reduction from fifty feet to twenty-five feet. The acreage is characterized by rolling terrain crossed by substantial FEMA wash corridors. As the subdivision was planned under the current R1L-70 zoning, there was no provision for any kind of special treatment of these drainage channels. As a result, several of the lots are partially encumbered by natural floodways.

Director Gehlert stated Staff has one issue as follows:

- Exception to PAD Code: Rezoning the property to Planned Area Development would provide an opportunity to establish custom building envelopes for the affected lots as part of an adopted site plan. The Commission would have to be willing to approve an exception to the PAD Code (Section 424.D) which ordinarily requires the submittal of a Master Development Plan. Under Section 424.b.15., the Commission has the ability to relieve all or part of the code requirements (including special design review standards, architectural requirements, landscaping/streetscape, open space, etc.), subject to a specific finding that those components are not necessary to promote the intent of the PAD Code in this instance. As the subdivision is already platted, the adjustment of the affected building envelopes would help preserve the integrity of the wash corridors and associated slope areas.

Director Gehlert stated Staff recommends approval of Z/PAD 12-006 with the following stipulations:

1. That an exception is approved (subject to Sec. 424.B.15) relieving the requirement to submit a Master Development Plan on the basis that the subdivision is already platted and fully developed and was accepted by the City as part of the annexation which occurred in 2011; and in the interest of protecting the integrity of the existing wash corridors.
2. That the residential sites be developed in conformance with the letter of intent, dated 12-28-12; and with the associated site plan (as may be further modified by the Commission, or City Council).
3. Anything else the Commission deems necessary.

Commissioner Wilder inquired if the changes to the setbacks were being done to offset flooding. Director Gehlert stated yes, Yavapai County had reduced the setback from fifty feet to twenty-five feet for one home that was built. The building envelope was moved closer to the street to accommodate the flood zone. Currently there is only one home built in the subdivision all other properties are vacant.

Mike Gardner, Casa Verde Consulting, stated the lots are 1.6 acres so even with the adjusted setbacks there is still plenty of room for a home and septic system. The change in building envelope allows the preservation of wash corridors and will keep houses out of the washes. The reduced setback will only pertain to the homes located on Quail Springs Ranch Road.

Motion: **To approve Z/PAD 12-006 with the following three stipulations:**
1. That an exception is approved (subject to Sec. 424.B.15) relieving the requirement to submit a Master Development Plan on the basis that the subdivision is already platted and fully developed and

- was accepted by the City as part of the annexation which occurred in 2011; and in the interest of protecting the integrity of the existing wash corridors.*
- 2. That the residential sites be developed in conformance with the letter of intent, dated 12-28-12; and with the associated site plan.*
 - 3. That disclosure statements be recorded for all affected parcels and all adjoining parcels acknowledging the adjusted building envelopes.*

*Made by: Vice Chair Lovett
Second: Commissioner Wasden
Vote: Unanimous*

DISCUSSION ITEMS

1. Update regarding on-going General Plan review process

Planner Scully stated the General Plan Steering Committee has just completed their second meeting. The Steering Committee will meet twice a month at the Cottonwood Recreation Center in the Cottonwood Room from 3-5pm. The public is welcome to attend these meetings as they will continue through June 2013.

Planner Scully noted the Planning and Zoning Commission will be required to hold a public meeting in regards to the General Plan before it is brought before the City Council. Planner Scully stated the public meeting will take place approximately one year from now.

INFORMATIONAL REPORTS AND UPDATES

Director Gehlert stated in the next couple of months the Commission will be reviewing two wireless cell towers. There will be a request for a zone change across from Mingus Union High School on Camino Real and the permit for the Larry Green Hyundai has been issued.

ADJOURNMENT

Chairman Kiyler adjourned the meeting at 7:32 p.m.