

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, January 26, 2016, at 6:00 P.M. at the City Council Chambers
826 N. Main St. – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:04 p. m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Ed Kiyler	Vice Chairman Robert Williams	Ray Cox
Judd Wasden	Suzanne Poslaiko	Jean Wilder

Staff Members Present

Berrin Nejad, Community Development Director
Scott Ellis, Community Development Planner
Charlie Scully, Community Development Planner
Christina Papa, Administrative Coordinator, Recorder

APPROVAL OF MINUTES OF OCTOBER 19, 2015-REGULAR MEETING

Motion: *To approve the minutes of 10/19/2015-regular meeting*

Made by: *Commissioner Wasden*

Second: *Commissioner Cox*

Vote: *Unanimous*

ELECTION OF CHAIR PERSON

Motion: *To appoint Commissioner Kiyler as Chairman*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

ELECTION OF VICE CHAIR PERSON

Motion: *To appoint Commissioner Williams as Vice Chairman*

Made by: *Commissioner Wasden*

Second: *Commissioner Cox*

Vote: *Unanimous*

CALL TO THE PUBLIC (NONE)

NEW BUSINESS

1. **DR 16-001 KIDZAAM POLE SIGN-** Design Review approval for an existing unused pole sign. The project is located at 2180 State Route 89A. APN: 406-55-060. Owner: Albert Higgins Applicant: Jason Keller, Signs928 LLC. Below is Ellis's report

REQUEST:

The applicant is requesting Design Review approval to use an existing unused pole sign. The sign is for a new pediatric dental office that is located at 2180 State Route 89A.

Applicant:

Jason Keller Signs928 LLC.
425 S. 6th St.
Cottonwood, AZ 86326

Property Owner:

Albert Higgins
3100 W. Renegade Rd.
Prescott, AZ 86305

BACKGROUND:

On the June 15, 2015 the commission gave Design Review approval to Kidzaam Dental, a new pediatric dental office. One of the commission's stipulations was that future use of the freestanding pole sign be brought back for review and approval. The applicant has submitted a sign design that meets all zoning requirements.

Vice Chairman Williams asked staff if the pole sign was going to be the same as the existing sign on the building. Staff responded that it would be. Commission Cox asked the applicant if the sign will be internally lit by what type of lighting. Applicant responded that it will be internally lit by LED lighting.

Motion: *Approve DR 16-001 Kidzaam Pole Sign as presented.*

Made by: *Commissioner Williams*

Second: *Commissioner Poslaiko*

Vote: *Unanimous*

2. **DR 16-002 VERDE VALLEY EXTENDED STAY-** Design Review approval for the construction of a new building with eight (8) new guest rooms. The project is located at 925 Cove Parkway. APN: 406-55-057. Owner: Rudy & Michelle Stadelman Applicant: Bob Woods Architect. Below is Ellis's Report:

The applicant is requesting approval of a Design Review application for the construction of a new two story building with eight new guest rooms.

PROJECT DATA AND FACTS:

Applicant/Agent	Bob Woods
Owner	Rudy & Michelle Stadelman
Location of Property	925 Cove Parkway
Present Zoning and Land Use	C-2 (Heavy Commercial)
Description of Applicant's Request	Verde Valley Extended Stay, 8 new guest rooms.

LAND USE:

Description and Character of Surrounding Area
The site is located on Cove Parkway, north of State Route 89A and is surrounded by a variety of commercial uses in the area. The east side of the property borders the Cottonwood City Limits and Yavapai County.
North: C-2 - Heavy Commercial – Office Building.
East: Yavapai County Zoning C2-12 – Vacant land.
South: C-2 – Heavy Commercial – Retail Auto repair/tire store.
West (Across Cove Parkway): C-2 – Heavy Commercial – Office Building.

PROJECT PROPOSAL:

Background:

The site is vacant and undeveloped. The property owner currently owns the existing Extended Stay facility at 960 Cove Parkway, just across the street from the proposed new one. There has been enough demand for the owners to consider expanding and open another extended stay facility. This property will allow them to build a new two-story structure and provide an additional 8 hotel rooms for accommodation.

The proposed development fits within the General Plan designation for this area and the Land Use Map showing a General Commercial development.

STRUCTURE DESIGN:

Number and Proposed Use of Building (Complete Project)	1 Building for a total of 8 hotel units.
Number of Stories	2
Square Footage	4342 sq.ft. Guest rooms 180 sq.ft. Utility room 360 sq.ft. Covered sidewalk 4882 sq. ft. Total Building Area

Parking:

Each guest unit will have one (1) space, and one (1) space for employees, nine (9) required parking spaces one (1) of which must be ADA, ten (10) total spaces provided.

Lighting:

Exterior lighting as per the lighting plan dated 1-6-16 meets the lighting ordinance requirements.

Signage:

No signage has been proposed at this time.

Access:

Access will be from a shared-use driveway on Cove Parkway. The driveway will serve the proposed use and use to the north. The driveway will be shared-use driveways and are the preferred approach to access on this street.

Landscape Plan:

The landscape plan meets zoning ordinance requirements.

Utilities:

All necessary utilities are located in proximity to the site.

Architecture, Materials, Colors:

Architecture of the new building will duplicate the existing Verde Valley Extended Stay structures. The exterior finishes will be stucco walls, asphalt shingle roofing, and concrete walkways and balconies to match the existing complex. Landscaping will consist of xeriscape and will blend with existing plant materials and stone-top dressing. Color samples have been provided.

CRB Review:

This project was reviewed by the Code Review Board on December 15, 2015 for the initial approval and applicant has already met most of the requirements from staff.

STIPULATION:

Staff has reviewed this project and finds it fits within the General Commercial use of this area as depicted in the General Plan. If approved, staff recommends the following stipulations:

1. That the project is developed in conformance with the site plans submitted 01/06/2016 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated December 16, 2015.
3. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.
4. Any other stipulations the Planning & Zoning Commission deems necessary.

Chairman Kiyler asked if the building would be the same as what exists currently. Applicant responded that the colors are a little bit different, and that they will be using a corrugated metal as opposed to the solid stucco fencing. Other than those items they are pretty much the same. Commissioner Cox asked the applicant if there was any plan to put solar on. Applicant responded no not at this time. Commissioner Wasden liked the projected landscaping along Cove Parkway. Vice Chairman Williams asked the applicant what the projected timeframe of the project is. Applicant responded that they are projecting an eight month time frame from start to completion. Commissioner Poslaiko mentioned that in the packets the time frame that they gave staff was March 2016 to September 2016. Overall the Commission felt that it was a good project.

Motion: *Approve DR 16-002 Verde Valley Extended Stay with the following stipulations:*

- 1. That the project is developed in conformance with the site plans submitted 01/06/2016.*
- 2. That the project conforms to Code Review Board comments dated December 16, 2015.*
- 3. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by January 25, 2017.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

3. **DR 16-004 DARBY AWNING-** Design Review approval for the placement of an awning on an existing building in Old Town. The project is located at 1035 N. Main Street. APN: 406-34-006B. Owner: JoAnna & Tom Darby Applicant: JoAnna Darby. **This item was withdrawn by the applicant prior to the meeting**
4. **PCU 16-001 TC EXCAVATING-** Consideration of a Conditional Use Permit to allow a construction storage yard for excavating equipment in a C-1 (Light Commercial) zoned property located at 121 S. 6th Street. APN 406-42-101D. Address: 232 S. 6th Street. Owner: B&B Revocable Trust. Agent: Krishan Ginige. Below is Ellis's Report:

The applicant is requesting approval of a Conditional Use Permit to store construction/excavation equipment. The proposed site is located at 232 S. 6th Street, which is zoned C-1 (Light Commercial).

PROJECT DATA AND FACTS:

Applicant Agent	Krishan Ginige
Property Owner	B & B Revocable Trust
Location of Property	232 S. 6 th Street

Present Zoning and Land Use	C-1 (Light Commercial) – Construction Yard
Description of Applicant’s Request	Park and operate excavating equipment out of yard, to include large trucks, tractors, etc.

LAND USE:

Description and Character of Surrounding Area
The site is on the west side of S. 6 th Street, just south of the Cottonwood Recreation Center. The property is surrounded by a variety of uses, including residential, industrial, and commercial.

Adjacent Land Uses and Zoning	
North:	C-1 – Light Commercial – Residential Apartments
South:	I-2 – Heavy Industrial – Miscellaneous commercial/industrial business
East: Across 6th St.	C-2 – Heavy Commercial – Miscellaneous commercial business
West:	R-1 – Single Family Residential – Single Family Homes

PROJECT PROPOSAL:

Background:

Currently the site is a large, mostly open-air yard, with an office building near the front and several accessory buildings along the south property line. The front office building is currently used to store parts and tools and is not a place of public accommodation. Most of the property is undeveloped. The applicant has been using the yard for over a year to operate an excavating business and park large trucks/equipment. No excavating work is done on site. This type of use requires approval of a Conditional Use Permit, as construction yards are not considered a permitted use in the C-1 zone.

The property has had several Conditional Use Permits for the past 38 years for various types of storage use, including trash trucks, telephone repair vehicles, and a used car lot. The original Conditional Use Permit was approved in 1978 for outdoor storage use, and has had similar uses since.

A used car lot was approved by the Planning & Zoning Commission in 2009, however, the applicant never followed through with the project, therefore the permit expired and a new one now has to be sought for the current use. This also means the required improvements were never completed (landscaping, sidewalks, etc.), and have now become a part of the requirement for this project.

Staff received several complaints from neighbors related to the current use of this property (see Nuisance section).

The applicant has proposed hours of operation as follows:

6:00am to 6:00pm on weekdays

9:00am to 4:00pm on Saturdays

Occasional maintenance work to be done from 10:00am to 4:00pm, with all noise Ordinance requirements to be adhered to.

The front building is not currently being used for anything other than tool and parts storage.

The General Plan Land Use Map identifies this parcel as General Commercial, the area to the south as Performance Commercial/Industrial, to the east as General Commercial, and to the west as Low Density Residential. This particular property falls just outside the Performance Commercial/Industrial area, therefore it is not in conformance with the Land Use Plan.

Parking:

Five (5) parking spaces will be provided in the front of the property, with one of them being ADA accessible. Employees, large equipment, and trucks will be parked in the rear of the property, behind the gate/fence along the front.

Lighting:

Lighting will comply with Dark Sky regulations, and additional lighting is not currently proposed.

Signage:

The applicant does not propose to have any signage at this time.

Access:

Two (2) entrance/exit locations are available on either side of the property off S. 6th Street. The entrance will be at the north driveway, with a one-way drive aisle allowing traffic to proceed south to the southern driveway for exiting. Trucks coming into and out of the yard will use the north driveway.

No access to the property off of E. Beech Street will be permitted.

Landscape Plans:

A landscaping plan has been submitted that will improve the site and bring the property into current landscaping requirements as indicated in Section 407 of the Landscaping Ordinance. The applicant will be installing new landscaping to meet new and previous requirements.

Utilities:

All utilities are available to the site.

CRB Review:

This project was reviewed by the CRB (Code Review Board) on June 16, 2015 and the owner will be required to meet all conditions to continue operation of the business at this location.

REQUIRED FINDINGS:

General Findings:

The current zoning and the Land Use designations as described in the Land Use Map does not allow the proposed use of the property as a construction equipment storage yard. However, the historic use of this property has been similar, with outdoor storage of large trucks (Taylor Waste, Qwest) going as far back as 1978, all with approval of a Conditional Use Permit.

Compatibility with Surrounding Uses:

This property sits on the boundary of several different uses, from Single Family Residential and General Commercial, to Heavy Industrial. It is a largely undeveloped property that has consistently been used as storage.

Staff indicated that the storage of materials (dirt, rocks, etc.) will create a more intense use of this property that does not qualify for a Conditional Use Permit. The storage of such materials will create a heavier industrial use. The applicant has indicated on the site plan that he does intend to store a small amount of this material on site.

Traffic and Circulation:

There are not any traffic or circulation issues associated with this project or property.

Infrastructure:

The property is largely undeveloped and contains a mostly dirt/gravel yard. A requirement of use will be to pave/chip-seal all areas subject to vehicular traffic. Also, the applicant will be required to upgrade the driveways and install sidewalks in front of the property along 6th Street.

Landscaping will be required along the front of the property, including between the sidewalk and property line within the city right-of-way.

Nuisance Activities:

In early 2015, staff received numerous phone calls from neighboring property owners to the west, with concerns about noise, dust, exhaust, hours of operation, and other aspects of the use. This prompted staff to review the use, the history of the property, and require the business owner to make some adjustments to the operation, and to apply for a Conditional Use Permit. Please see attached letters.

These concerns have mostly subsided over the past few months due to operational adjustments made by the business owner. The applicant will be required to make other adjustments and site improvements to further eliminate any negative affects to the neighbors.

Neighbors were also concerned with large trucks accessing the property off of Beech Street. Staff has informed the business owner that access to the property off of Beech Street will not be permitted.

Buffering and Screening:

The property is fenced on all sides and is only visible from 6th Street and Beech Street. The fencing along the west property line as seen from Beech Street needs to be replaced, including slats, to provide the required screening from the residential area. Staff also recommended planting large evergreen trees along this property line to further screen the use from the neighbors. The applicant has indicated he will not be installing any landscaping along the west side due to a 3 foot drop from the fence to the yard.

Stipulations:

Staff has reviewed this project and finds it fits with the historic use of this property as an outdoor storage yard. Staff The following stipulations should be included if the commission moves to approve this Conditional Use Permit:

1. That the project is developed in conformance with the site/landscaping plans submitted on 12-29-15 and on 01-13-16 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 06-23-15.
3. The slatted fence on the west (rear) of the property be replaced to provide screening from the neighboring single-family homes. New slats should be installed to provide a clean appearance.
4. Storage of material (dirt, rocks, etc.) will create a more intense industrial use of this property that cannot be supported by a Conditional Use Permit, and therefore is not allowed.
5. The conditions of approval shall be completed by _____ months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.
6. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.
7. Any other stipulations the Planning & Zoning Commission deems necessary.

Commissioner Wasden had some questions regarding the site plan with the future building at the back of the property, and what that may be. Staff mentioned that at this time there is no plan as to what that future building might be. Commissioner Wilder mentioned that the proposed storage is not allowed in the current zoning. Staff mentioned that this use started before going through the process. Commissioner Poslaiko mentioned that there is some confusion under staff findings regarding the west property line fence on Beech Street, is it saying that the fence needs to be replaced with slats, or that just the slats need to be replaced. Vice Chairman Williams asked about fence height, and the restrictions on fencing. Staff responded that a six (6) foot fence is all that is allowed,

however, per the Zoning Ordinance “The height regulations shall not apply when fences of greater height are required by the Planning and Zoning Commission or Development Review Board in order to provide adequate screening as required by this Ordinance”. Applicant mentioned that they added the retention area, it was not a City requirement, but good business practice, the stock pile has been used for the past two (2) years, all the area is going to be chip seal/asphalt so that should help the dust, offsite drainage for the runoff, proposed additional parking both outside and inside the yard, the west side fencing in the proposed plan is to be replaced. Commissioner Wasden asked the applicant if there was always a three (3) foot elevation difference from the top of the materials pile and the fence line. Applicant mentioned that when they went to survey it that there was a three (3) foot difference, they did not grade it. Commissioner Wilder asked if they had any plans to make the fence higher. Applicant mentioned that at this time they would like to keep it at six (6) feet. Commissioner Poslaiko asked if they are replacing the fence and the slats or just the slats. Applicant responded that the fence itself is fine, so they would just be replacing the slats. Vice Chairman Williams asked the applicant if they approached the City two (2) years ago to discuss what could and could not be done on that property. Applicant responded that they did not, that they were told by their landlord when they leased the property what that land was for over the years and no I did not check with the City on what I could and could not do. Vice Chairman Williams asked the applicants about the City’s concerns regarding storage. Applicant mentioned that occasionally he does have storage, but how often I will or will not move, he didn’t know. Vice Chairman Williams mentioned that the material wasn’t always there, the property owner would need to come in and request a zone change, the commission can approve with various stipulations but that would mean no storage is allowed.

The floor was open to the public; there were two comments made by the public both opposing the project. The floor was then closed for public comment.

Commissioner Cox was disappointed that proper protocol was not followed by the applicant. Commissioner Wasden had concerns that the use is no longer a light commercial use, but a heavier use, also the wood fence along the side of the property that borders the apartments needs to be replaced. Commissioner Poslaiko also mentioned that the wood fence needs to be replaced, along with the west side fencing. Vice Chairman Williams had some concerns with the fourth stipulation as it will not allow him to store his materials at the location, if that stipulation is there then the applicant wants to change the drainage that is proposed, the item would need to be tabled and go back to staff, and feel that the use is more industrial then commercial, also that fencing along the west side of the property would need to provide a sound and height barrier to be more like a block wall. Chairman Kiyler mentioned that there is a lot that needs to be done to be brought up to code.

Motion: *Table PCU 16-001 TC Excavating until the February 22, 2016 meeting. Applicant to work with staff on storage materials that have to be*

removed, work with staff on drainage and have the property owner involved with this process, and fencing of the property.

Made by: Commissioner Williams
Second: Commissioner Wilder
Vote: Unanimous

- 5. PCU 16-002 TEASURE JUNKIES-** Consideration of a Conditional Use Permit to allow rental of U-Haul trucks and trailers in a C-1 (Light Commercial) zoned property located at 612 N. Main Street. APN: 406-42-040E, 406-42-040G. Address: 612 N. Main Street. Owner: Copper State Land, LLC. Agent: Michael Weber & Kathleen Francis. Below is Ellis's Report:

The applicant is requesting approval of a Conditional Use Permit to allow rental of U-Haul trucks and trailers. The proposed site is located at 612 N. Main Street, which is zoned C-1 (Light Commercial).

PROJECT DATA AND FACTS:

Applicant/Agent	Michael Weber and Kathleen Francis
Property Owner	Copper State Land, LLC/Michael Clark
Location of Property	612 N. Main Street
Present Zoning and Land Use	C-1 (Light Commercial, retail)
Description of Applicant's Request	Obtain Conditional Use Permit to operate a U-Haul rental location to provide trucks and trailers to customers.

LAND USE:

Description and Character of Surrounding Area
The site is on the south side of North Main Street, close to the cross roads of North Main Street and North 12th Street.

Adjacent Land Uses and Zoning	
North: Across Main Street	C-1 - Light Commercial – Single family residence and the Cottonwood Cemetery.
South:	R-4 - Single Family/Multiple Family/Manufactured Home – Single Family Homes
East:	C-1 - Light Commercial – Vacant structure.
West:	C-1 - Light Commercial – Vacant lot.

PROJECT PROPOSAL:

Background:

The site consists of two parcels, one of which contains an existing building currently used as a thrift store. The other parcel is part of this business and is a large vacant lot used for parking, and will be used to park the U-Haul trucks and trailers. The existing building is single story and is approximately 1,800 square feet.

Parking:

Nine (9) parking spaces, one of which will be handicap accessible, will be dedicated for the existing thrift store. Approximately 16 vehicle rental storage spaces are available for the U-Haul trucks and trailers. The property owner/applicant has already paved/chip sealed the front of the parking lot as a requirement from code review for this project.

Lighting:

No new lighting is proposed.

Signage:

A staff level review of a sign for the thrift store and a picture of a U-Haul sign to be placed in the window has been submitted (see attachment).

Access:

A single driveway entrance allows access to the property off N. Main Street. No additional access is available or proposed.

Landscape Plans:

No new landscaping has been proposed.

Utilities:

All utilities are available to the site.

CRB Review:

This project was reviewed by the CRB (Code Review Board) on October 27, 2015 and applicant has already met the majority of the requirements from staff.

REQUIRED FINDINGS:

General Findings:

The current use of a retail thrift store fits within the current C-1 (Light Commercial) zoning designation as a permitted use. The business owners would like to add an accessory use to allow renting of U-Haul trucks and trailers. This type of use falls within the General Commercial characteristics as described in the General Plan and shown on the Land Use Map.

Compatibility with Surroundings Uses:

The proposed accessory use of the property will be consistent with surrounding uses as general commercial, and will not be out of place as a commercial use in this area.

Traffic and Circulation:

The site has one driveway entrance/exit from Main Street. Traffic circulation on the property works adequately.

Infrastructure:

There are no infrastructure issues for this property. The property owner has paved a section of the lot that was dirt/gravel, as required as a condition of approval.

Nuisance Activities:

No nuisances have been identified. Staff has not received any comments, concerns, or questions from neighboring property owners.

Buffering and Screening:

The property does not currently have any screening around it. The east and west sides are bordering vacant lots, with the south side bordering a residential zone, with a chain-link fence running across the property line.

Stipulations:

Staff has reviewed this project and finds it fits within the General Commercial use of this area as depicted in the General Plan. If approved, staff recommends the following stipulations:

1. That the project is developed in conformance with the site plans submitted 01-04-16 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 11-03-15.
3. The conditions of approval shall be completed by _____ months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.
4. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.
5. Any other stipulations the Planning & Zoning Commission deems necessary.

Commissioner Wasden asked about landscaping and said that it should be improved. Vice Chairman Williams asked if the back fence was slatted, or is there some sort of buffer. Staff responded that it appeared to be shielded, not slatted. Vice Chairman Williams also asked about the gate that is in the back part of the property, and if that was to be replaced. Applicant responded that the gate is not on their property, but is on the neighbors. Commissioner Wasden asked the applicant if they would be ok with adding some landscape. Applicant mentioned that they had no problem putting in some landscaping.

The floor was open to the public; there were two (2) comments made by the public both supporting the project. The floor was then closed for public comment.

Commissioner Cox mentioned that the property has been there awhile and he doesn't see any problem with the use. Commissioner Wasden appreciated that they are keeping a manageable fleet of vehicles, the landscaping can be decorative rock, it doesn't have to be plants, but something that will enhance the street frontage as it is an entry way to Old Town Cottonwood.

Motion: *Approve PCU 16-002 Treasure Junkies to allow U-Haul trucks and trailers with the following stipulations:*

- 1. That the project is developed in conformance with the site plans submitted 01/04/16.*
- 2. That the project conforms to Code Review Board comments dated 11/3/2015.*
- 3. The conditions of approval shall be completed by six (6) months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.*
- 4. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.*
- 5. The applicant will work with the Planning staff to improve the landscaping in front of the property that faces Main Street.*

Made by: *Commissioner Williams*

Second: *Commissioner Poslaiko*

Vote: *Unanimous*

6. **PCU 16-003 WESIE'S CUSTOMS-** Consideration of a Conditional Use Permit to allow screened outdoor storage as an accessory use in a C-2 (Heavy Commercial) zoned property located at 1491 E. Cherry Street. APN: 406-06-262. Address: 1491 E. Cherry Street. Owner: Rio Arizona Holdings, LLC. Agent: Robert Wesighan. Below is Ellis's Report:

The applicant is requesting approval of a Conditional Use Permit to allow screened outdoor storage of automotive restoration materials as an accessory use. The proposed site is located at 1491 E. Cherry Street, which is zoned C-2 (Heavy Commercial).

PROJECT DATA AND FACTS:

Applicant	Robert Wesighan
Property Owner	Rio Arizona Holdings, LLC
Location of Property	1491 E. Cherry Street
Present Zoning and Land Use	C-2 (Heavy Commercial) – Automotive restoration and storage.
Description of Applicant's Request	Allow storage of various vehicle parts and miscellaneous materials to be used in the restoration of vehicles for applicants business.

LAND USE:

Description and Character of Surrounding Area	
The site is on the south side of E. Cherry Street, west of S. Main Street. The property is surrounded by office/retail spaces, and vacant land.	

Adjacent Land Uses and Zoning	
North: (across Cherry Street)	C-1 – Light Commercial – Office spaces
South:	C-2 – Heavy Commercial – Back end of a retail parts store
East:	C-2 – Heavy Commercial – Retail stores and a vacant lot.
West:	C-2 – Heavy Commercial – Dog Kennel/Grooming

PROJECT PROPOSAL:

Background:

Currently the site is a long lot, with a building, shade structure, and open rear yard. The applicant currently runs an automotive restoration business, which requires the storage and use of miscellaneous auto parts from other vehicles. The business itself is a permitted use in the C-2 zone, however, the excessive and type of outdoor storage requires obtaining a Conditional Use Permit.

Hours of operation are 8:00am to 5:00pm Monday through Friday, with occasional work being performed later than 5:00pm and on weekends.

Parking:

Adequate parking exists for the current traffic and customers that come to this business. The parking of unlicensed or inoperable vehicles will be required to be in the rear of the property, and not take up any available parking needed for the business.

Lighting:

No lighting changes are proposed.

Signage:

The applicant does not propose to have any signage at this time.

Access:

A single driveway entrance exists on the property allowing access off E. Cherry Street. No access issues have been noted.

Landscape Plans:

A small portion of the front of the property along E. Cherry Street is already landscaped and the applicant has not proposed any additional landscaping of the property.

Utilities:

All utilities are available to the site.

CRB Review:

This project was reviewed by the CRB (Code Review Board) on November 24, 2015 and the applicant will be required to meet all conditions to continue operation of the business at this location.

No automotive painting or primer will be allowed unless an approved spray booth is installed complying with all local codes and NFPA 33 standards. This will require Fire Department approval. Aerosol paint cans (rattle cans) are excluded from these requirements.

REQUIRED FINDINGS:

General Findings:

The current zoning of C-2 (Heavy Commercial) allows as a permitted use, automotive repair shops. This business is an auto-repair/auto-restoration shop which is also a permitted use in this zone. The amount and type of outdoor storage that is being done has prompted the need to obtain a Conditional Use Permit to continue the storage as an accessory use to the automotive repair and restoration.

Compatibility with Surrounding Uses:

The property sits within a section of C-2 zoning that continues on 3 sides of it, with C-1 zoning across Cherry Street. There is a mixture of office space, retail, and pet boarding/grooming immediately abutting the property. A few spaces to the west is an auto-body shop which operates as a permitted use in this zone.

Traffic and Circulation:

There are not any traffic or circulation issues associated with this project or property. The existing road is adequate to handle the traffic generated by this business.

Nuisance Activities:

City staff received complaints from neighboring property owners and businesses regarding the type of use at this location. These complaints include noise, smoke, burn-outs, unscreened storage, unlicensed vehicles, and a suspected rat problem. These concerns were brought to the attention of the business owner who has since made significant improvements regarding the organization of the storage, screening, and removal of unlicensed vehicles from the front of the lot. Staff determined that in order to continue storing items additional screening and a Conditional Use Permit would be required.

The applicant removed several vehicles that were stacked above the fence line and were visible from the public streets. He also cleaned and organized the outdoor storage of various parts and vehicles.

Painting of vehicles was also suspected, however, the Fire Department has found no evidence of this to be occurring on site.

A neighboring property owner and business is still not satisfied with the progress made by the applicant, and believes it to be a junkyard, continuing to create problems for her business (see attached letter from the neighboring business).

Buffering and Screening:

The storage of automotive parts and materials takes place at the rear of the lot, behind a fence and gate, and not visible from Cherry Street. At one point the business owner had vehicles stacked to a level that exceeded the height of the fence surrounding the property and was visible from the street. Once staff brought this to the owner's attention, the vehicles were removed to a level acceptable by the ordinance related to screened outdoor storage. The business owner also put slats in a section of chain-link fence along a portion of the property that borders the neighboring pet boarding/grooming facility. The slats should continue further down the fence line to help screen the remaining portion of the property.

Stipulations:

Staff has reviewed this project and finds the business is permitted, with the need to obtain a Conditional Use Permit for outdoor storage. If approved, staff recommends the following stipulations:

1. That all outdoor storage meets ordinance requirements related to screening of all outdoor storage.
2. That the project conforms to Code Review Board comments dated 11-25-15.
3. All outdoor storage is to be screened with slats installed in the chain-link fence surrounding the property. Stacking of vehicles or other materials is not allowed if it can be seen above the fence line.
4. All outdoor storage is to remain in the rear of the property to where it is not visible from the public street.
5. The conditions of approval shall be completed by _____ months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.
6. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.
7. Any other stipulations the Planning & Zoning Commission deems necessary.

Chairman Kiyler asked staff if this was another property that was brought to our attention by complaint. Staff responded that it was. Applicant mentioned to the commission that all

the things that are on the property are incidental to his business. Chairman Kiyler asked the applicant if he saw why people would view it as a junk yard. Applicant responded yes. Commissioner Cox asked the applicant if there was a written inventory of what is there. Applicant responded no. Commissioner Wasden asked if he would do additional landscaping if needed. Applicant responded that it would not be a problem to add landscaping if needed. Commissioner Williams asked the applicant if they sell parts individually. Applicant responded that they do not. Commissioner Kiyler asked the applicant how long they had been in business. Applicant responded two (2) years.

The floor was open to the public; there were four (4) comments made by the public opposing the project and three (3) supporting the project. The floor was then closed for public comment.

Commissioner Cox mentioned that it is a fine line between disorganized materials and a junkyard. Commissioner Wilder mentioned making a big enough building to store the items in. Commissioner Poslaiko mentioned that they should have similar compliance to what is existing. Vice Chairman Williams mentioned that rats came from a vacant field, and the cars are what has attracted them to nest, there really is an extensive amount of storage, if this could be reduced and some more screening put in. Chairman Kiyler mentioned that it was a junkyard, don't see a whole lot to restore older vehicles. The Commission had some discussion regarding the City Attorney coming to the next meeting so that they can have some guidance.

Motion: *Table PCU 16-003 Wesie's Custom until February 22, 2016.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

7. **PCU 16-004 TERRA BENI-** Consideration of a Conditional Use Permit to allow agricultural land use in I-2 (Heavy Industrial) zoned property. The site is located on S. Willard St. north of E. Tierra Verde Dr. APN: 406-08-009D, 406-08-009C, 406-08-010A. Address: N/A. Owner: Beaver Creek Development Inc. Agent: Bernadette Selna. Below is Ellis's Report:

The applicant is requesting approval of a Conditional Use Permit to allow agricultural land use. The proposed site is located on S. Willard St. north of E. Tierra Verde Dr., which is zoned I-2 (Heavy Industrial).

PROJECT DATA AND FACTS:

Applicant/Agent	Bernadette Selna
Property Owner	Beaver Creek Development Inc., et al.
Location of Property	S. Willard St. north of E. Tierra Verde Dr.
Present Zoning and Land Use	I-2 (Heavy Industry, empty lots)

Description of Applicant's Request	To implement agricultural land use on the vacant parcels to grow and sell local produce at farmer's markets.
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LAND USE:

Description and Character of Surrounding Area
Three large pieces of property are located east of S. Willard Street, north of E. Tierra Verde Drive, and south of Crimson Road and Clover Way. A smaller piece of the property is on the west side of S. Willard Street, east of S. Airpark Road. All of the land is currently vacant and undeveloped. Surrounding uses include industrial and residential.

Adjacent Land Uses and Zoning	
North:	I-2 - Heavy Industry – Various industrial uses and empty lots.
South:	AR-43 - Agricultural Residential – Single family homes.
East:	MH - Manufactured Home – Manufactured home subdivision.
West:	I-2 - Heavy Industry – Vacant lots, airport hangars, Cottonwood Airport.

PROJECT PROPOSAL:

Background:

The property owner would like to use 3 parcels, approximately 25.84 acres, of land in an industrial zone to develop agricultural uses. The intent is to grow local produce to sell at farmer's markets and set up on-site produce stands to sell from. The project will develop in phases, beginning with prepping of the land and starting with easily grown produce.

Parking:

Various sections of parking will be available off the east side of S. Willard Street, and off the north side of the property.

Lighting:

Lighting has not been proposed for this project.

Signage:

Signage has not been proposed for this project.

Access:

Will be accessed through Clover Way on the north end of the property to start. During phase II and/or III additional entrances will be added on Willard Street and Airpark Road. Interior roads will be available for farming equipment only.

Landscape Plans:

No landscaping is proposed for this project.

Utilities:

All utilities are available to the site.

CRB Review:

This project was reviewed by the CRB (Code Review Board) on December 22, 2015 and applicant will be required to adhere to comments from staff.

REQUIRED FINDINGS:

General Findings:

An agricultural use in the industrial zone can be considered a compatible use with industrial use. With it being located in a Heavy Industrial area, it will require approval of a Conditional Use Permit. This type of use should not create any detrimental impacts to neighboring property owners.

Compatibility with Surroundings Uses:

Agricultural use is not a conflicting use with Industrial. There are very similar aspects of each use that complement each other such as, hours of operation, production, processing, outdoor storage, noise, machinery, etc.

Traffic and Circulation:

No traffic impact issues.

Infrastructure:

The property owner will be working with the utility department to allow use of reclaimed water for irrigation purposes.

Nuisance Activities:

Staff has received at least four phone calls from neighboring property owners requesting information about the type of agriculture being done. The only concern raised was with fertilizer, which the applicant has indicated will not impact any neighbors.

Dust could be a possible nuisance from machinery and harvesting of produce.

Buffering and Screening:

Where practical, staff recommends landscaping as a buffer between different zoning districts. An agricultural use with planting produce will be similar to a landscape buffer and should provide an aesthetic site. The applicant is also proposing a barbed-wire fence to surround the property.

Stipulations:

Staff has reviewed this project and finds it fits within the Cottonwood General Plan Land Use requirements, and needs a Conditional Use Permit. If approved, staff recommends the following stipulations:

1. That the project is developed in conformance with the site plans submitted 01-12-16 and as may be further modified by the Planning Commission.

2. That the project conforms to Code Review Board comments dated 12-24-15.
3. Parking will need to be reviewed and approved by staff.
4. Dust control will be required over the life of the project. Applicant will submit dust control plan to staff for approval.
5. A lighting plan will need to be submitted and approved by staff prior to installation of any lighting structures. All lighting must meet Dark Sky requirements and ordinance requirements.
6. All structures will need building permits and approval.
7. The conditions of approval shall be completed by _____ months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.
8. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified.
9. Any other stipulations the Planning & Zoning Commission deems necessary.

Commissioner Cox asked if this was outside of the leased area that the City owns. Staff mentioned that it was, it is private property, and that the applicant can explain more about what they are growing. Vice Chairman Williams asked staff other than the calls that were received if staff received any other objections. Staff responded that they had not. Applicant informed the commission that they are planning orchards, nut trees (almond), the plan is to work with schools and make the gardens available for educational purposes. Commissioner Cox asked the applicant if this is an old family parcel or recently purchased. Applicant said that they have owned the parcels for twenty (20) and thirty (30) years. Commissioner Wasden mentioned that the project is very ambitious, a great project. Applicant mentioned that they are looking to use reclaimed water, and to do so the same way the City currently does its landscaping irrigation, so it would not be sprinkled. Commissioner Wilder asked if the barbed wire was for the javelina, and concerns regarding hen houses. Applicant mentioned that they will be in hoop houses, and that is totally enclosed and the hen houses would be in there. Vice Chairman Williams mentioned that there are residential areas along the property and is concerned about the trucks and the parking. Applicant mentioned that the trucks would only be there temporarily, they will not be permanent.

The floor was open to the public; there was one (1) comment made by the public opposing the project and three (3) supporting the project but had some concern. The floor was then closed for public comment.

Commissioner Poslaiko mentioned that the agricultural use is better than industrial, and has some concerns regarding chemicals. Vice Chairman Williams mentioned that it was a great use, it is what Cottonwood was; he doesn't see it being a heavy use; and the concerns regarding soil etc., that there are government agencies that test those types of things, however, one day it will be industrial, but for now this is a great use.

Commissioner Wasden mentioned that it is a unique opportunity to use the reclaimed water. Commissioner Poslaiko and Commissioner Cox asked if it was going to be an organic farm. Applicant responded that it will be as organic as possible without having to go through the USDA applications. Commissioner Wilder mentioned that not only roosters make noise but that the hens make noise too, and dust can come from the hen houses. Vice Chairman Williams asked about the time approval to meet stipulations, thinking six (6) months or a year. Applicant mentioned that they would like to be up and running in the spring. Vice Chairman Williams mentioned that they come back in a year to see dust control, etc. to review the project. Commissioner Wasden mentioned that the commission wants to be sure that the infrastructure is put in at that time so that they can just carry on.

- Motion:** *Approve PCU 16-004 Terra Beni with the following stipulations:*
- 1. That the project is developed in conformance with the site plans submitted 01/12/16*
 - 2. That the project conforms to Code Review Board comments dated 12/24/15*
 - 3. Parking will need to be reviewed and approved by staff.*
 - 4. Dust control will be required over the life of the project. Applicant will submit dust control plan to staff for approval.*
 - 5. A lighting plan will need to be submitted and approved by staff prior to installation of any lighting structures. All lighting must meet Dark Sky requirements and ordinance requirements.*
 - 6. All Structures will need building permits and approval.*
 - 7. The conditions of approval shall be completed by twelve (12) months from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation.*
 - 8. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified*

Made by: *Commissioner Williams*
Second: *Commissioner Wasden*
Vote: *Unanimous*

8. **GENERAL PLAN ANNUAL UPDATE-** Review and recommendations for annual report to City Council on the status of Cottonwood General Plan. Below is Scully's Report:

REQUESTED ACTION

Review and recommendations for annual report to City Council on the status of the Cottonwood General Plan.

BACKGROUND

The Cottonwood General Plan 2025 was adopted by the City Council on June 3, 2014, and ratified by the voters of Cottonwood on November 4, 2014. As per Arizona Revised

Statutes, the City planning agency shall provide an annual update to the City Council on the progress and implementation of the Plan.

The report is presented to the Planning and Zoning Commission for review and recommendations to be forwarded to the City Council. The recommendation is to develop a model report or template that can be updated on an annual basis.

Arizona Revised Statutes §9-461.07. Administration of general plan

A. After the municipal legislative body has adopted a General Plan, or amendment thereto, the planning agency shall undertake the following actions to encourage effectuation of the plan:

1. Investigate and make recommendations to the legislative body upon reasonable and practical means for putting into effect the General Plan or part thereof in order that it will serve as a pattern and guide for the orderly growth and development of the municipality and as a basis for the efficient expenditure of its funds relating to the subjects of the general plan. The measures recommended may include plans, regulations, financial reports and capital budgets.
2. Render an annual report to the legislative body on the status of the plan and progress in its application.

STAFF ANALYSIS

Annual Update – Review of Plan Implementation

Indicators for measuring the status of the General Plan implementation are based on the Goals and Objectives sections found in each of the 10 Plan Elements. The Goals and Objectives are assembled in a combined table format with an area for notes.

In addition, various recommendations described in the text sections of the Plan can also be included with the annual review. In some cases the General Plan includes large and broad aspirational statements concerning the vision of the city. Those may be less specific in terms of measuring progress. However, there are examples of various projects and programs where recommendations are measurable in terms of specific implementation – so those should be documented where applicable.

Status Indication:

Some goals may be indicated by completion of a project, whereas others may be shown as ongoing programs. Other unique conditions may be indicated as necessary to describe status. The following includes typical status indicators for goals and objectives:

- Preliminary Review
- In Progress
- Completed
- Ongoing

DISCUSSION ITEMS-NONE

INFORMATIONAL REPORTS AND UPDATES

There was a brief update/discussion in regards to the following, no action was taken, these were only for informational purposes.

1. New Planning and Zoning Commissioner Thomas Narwid
2. Dairy Queen Sign
3. Maverik Gas Station
4. Awning
5. Crema

ADJOURNMENT

Meeting adjourned at 10:05p.m.

APPROVED