

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, February 24, 2014, at 6:00 P.M. at the Verde Room at the Cottonwood Recreation
Center
150 S. 6th St. – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:05 p. m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Ed Kiyler	Robert Williams	Philip Rosen
Judd Wasden	Jean Wilder	Ray Cox

Planning & Zoning Commission Members Absent

Vice Chair Diane Lovett

Staff Members Present

Berrin Nejad, Community Development Director
Steve Horton, City Attorney
Scott Ellis, Community Development Planner
Charlie Scully, Community Development Long-Range Planner
Christina Papa, Administrative Coordinator, Recorder

CALL TO THE PUBLIC (NONE)

APPROVAL OF MINUTES OF JANUARY 27, 2014

Motion: ***To approve the minutes of 1/27/14.***

Made by: ***Commissioner Rosen***

Second: ***Commissioner Williams***

Vote: ***Unanimous***

UNFINISHED BUSINESS

1. **DR 13-025 KOOLER ICE & WATER:** Consideration of Design Review approval to erect a small structure to dispense purified water and bagged ice, in a C-1 (Light Commercial) zoned property located in the northeast corner of the Food City parking lot. Address: 1419 E. State Rte. 89A. Owner: Verde Valley Plaza LLC Agent: Don Waller.

Planner Ellis began meeting with a presentation of the items that staff had received and reviewed in regards to the Cooler Ice & Water Kiosk. Below is Ellis’s report:

The applicant is requesting Design Review approval to erect a small structure to dispense purified water and bagged ice. The building will be located in the northeast corner of the Food City parking lot in a C-1 (Light Commercial Zone) which allows for the sale of food and beverage products.

PROJECT DATA AND FACTS:

Property Owner	Verde Valley Plaza L.L.C.
Agent/Representative	Don Waller
Location of Property	1419 E. State Route 89A
Present Zoning and Land Use	C-1 (Light Commercial, retail establishment)
Description of Applicant’s Request	Design Review approval to place a self-serve, free standing structure that dispenses water and bagged ice to customers.

LAND USE:

Description and Character of Surrounding Area
The site is on the northeast side of the Food City parking lot which is located on the southwest corner of SR 89A and Main Street. It is bordered by C-2 (Heavy Commercial) to the west with a vacant retail building, to the south by a PAD (Planned Area Development) with multi-family residential duplexes, C-1 (Light Commercial) on the east (across Main Street) with Safeway Shopping Center and 2 banks, C-2 (Heavy Commercial) across 89A to the north with a used car lot.

PROJECT PROPOSAL:

Background
The applicant is in the business of setting single kiosk water and ice machines in different locations. He owns this same set up in Flagstaff and other areas to provide a convenient service to customers. The applicant would like to bring this type of business to Cottonwood and locate the kiosk in the Food City parking lot. The machine dispenses 16lb bags of ice, and can also fill jugs with filtered water. It will be a self-serve machine and available for use 24 hours per day.
The proposed project is in accordance with the <i>Future Land Use Map</i> according to the Cottonwood General Plan, consisting of General Commercial along State Route 89A. It also meets the requirements of the C-1 (Light Commercial) zoning designation.

Structure Design

Number and Proposed Use of Building	1 Main structure to be used for dispensing water and bagged ice.
Number of Stories	1
Square Footage	Approximately 110 sq.ft. for the structure.

Parking:

The structure will take up approximately two (2) existing parking spaces on the north end of the parking lot approximately 50-60 feet from SR 89A and parking stalls will remain on both sides of the structure for customers. No additional parking requirements are needed.

Lighting:

All four sides of the structure can have up to two (2) encased 25w fluorescent light bulbs and applicant will ensure compliance with Section 408 of the City of Cottonwood Zoning Ordinance Outdoor Lighting Code and will meet all Dark Sky regulations.

Signage:

Signs will be molded onto the structure and displayed on all four sides. The only proposed sign to be attached to the structure is a lighted open sign on the front.

Access:

Access to the parking lot is available via two ingress/egress locations off State Route 89A and two ingress/egress locations off Main Street. The location of the structure and adjoining parking spaces will not create any access issues into the parking lot. The use of two parking spaces for the structure will not negatively impact parking for other tenants in the shopping center.

Landscape Plans:

Proposed site is an existing parking lot and there will be no place for landscaping therefore, no landscape plans are proposed for this structure and location.

Utilities:

All utilities are currently available to the site and no issues exist.

Architecture, Materials, Colors:

The structure is made of an aluminum alloy frame. A canopy covers the roof-top ice maker to shield from view. The exterior of the structure will have a bluish-white paint surrounding it in order to eliminate view of the metal frame.

CRB Review:

This project was reviewed by the CRB (Code Review Board) on September 10, 2013 and again on January 28, 2014 and the applicant has met all of the requirements from staff.

RECOMMENDATION:

Staff has reviewed this proposal and it meets requirements of the Zoning Ordinance, however, staff has concerns about the location of the structure and its impact on the design criteria the City is trying to establish along the SR 89A corridor. The structure will be located within sight of a heavily traveled portion of SR 89A, and will not be screened. Staff recommends the following stipulations:

1. That the project is developed in conformance with the site plans submitted 01/14/14 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 01/31/14.
3. Any lighting meets current Dark Sky and Cottonwood Zoning regulations.
4. Any other stipulations the Planning & Zoning Commission deems necessary.

Commissioners had a discussion regarding the location change and the color of the kiosk. Commissioner Rosen asked if it could be shielded from the roadway so that it would be more esthetically pleasing. Applicant asked if it was the color of the kiosk that was the problem, commission said the color and graphics and the fact that the manufacture cannot change the colors is the main problem with the project. The commission agreed that the colors and graphics are not complimentary to the surrounding area.

Motion: ***To deny.***

Made by: ***Commissioner Williams***

Second: ***Commissioner Wasden***

Vote: ***Unanimous***

NEW BUSINESS

2. **RCU 98-061:** Review of a Conditional Use Permit for a multi-family duplex located in a C-1 (Light Commercial) zone. APN 406-41-012. Address 13 S. 15th Street. Owner: Flying Leap LLC. Agent: N/A.

Planner Ellis began meeting with a summary of the conditional use permit that is in review. Below is Ellis's report:

The following is a review of a Conditional Use Permit which allows a multi-family duplex located in a C-1 Zone. The property is located at 13 S. 15th St.

Original Approval: The original approval of this Use Permit was conditioned on 3 stipulations. The stipulations are as follows:

1. Administrative review and approval of a landscape and screening plan.
2. Installation of all required landscape, screening and building safety improvements within 90 days. Staff will investigate the sewer issues regarding the second unit on the property.
3. Use permit granted with a 1 year review.

Investigation: An inspection was performed on February 6, 2014 and the property is in compliance with the stipulations noted above.

RECOMMENDATION: This multi-family duplex has existed for almost 15 years and has met the stipulations as set forth above. Staff recommends that the Use Permit be made permanent and that there be a review of the permit in 5 years.

Motion: *To approve RCU97-037 with the stipulations that the project is brought back for review in 5 years (February 2019).*

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

3. **RCU 249:** Review of a Conditional Use Permit for an open-air sales lot located in a C-1 (Light Commercial) zone. APN 406-05-036H. Address: 1125 E. State Route 89A. Owner: Vojnic Family Trust. Agent: N/A.

Planner Ellis began meeting with a summary of the conditional use permit that is in review. Below is Ellis's report:

The following is a review of a Conditional Use Permit which allowed the operation of an open air sales lot in a C-1 Zone (light commercial). The property is located at 1125 E. Hwy 89A and is known as Park Place.

LAST REVIEW: The last review of this Use Permit was on December 15, 1998 and was renewed subject to 10 stipulations. Those stipulations are as follows:

1. Applicant to comply with the landscape/screening required by the Zoning Ordinance as approved by the Development Review Board.
2. It will be the applicant's responsibility to obtain any state and city licenses and registrations required.
3. Lighting – The lot shall be lit by pole lamps installed on site. All lighting shall be to Code.
4. Site to be kept neat and clean at all times. It shall be the applicant's responsibility to keep the site orderly and attractive. Rummage sales or similar sales shall not be an allowed use.

5. No limit on the hours of operation.
6. Parking and grading to be approved by the City Engineer's department.
7. Business registration requirements for permits/licenses shall be displayed at the lot. The applicant will be ultimately responsible for said permits/licenses if problems exist with an uncooperative user.
8. Camping on site – Overnight stays will be permitted only with the City's specific written permission obtained at the Planning and Zoning Office.
9. Review in three years
10. The rear 65 feet will not be used unless the applicant applies to the Planning and Zoning Commission.

Investigation: An inspection was performed on February 6, 2014 and the property is in compliance with the stipulations noted above, **except** number 1, landscaping.

RECOMMENDATION: Park Place has been in operation for approximately 17 years. Staff recommends the property owner update the landscaping along State Route 89A. and that this Use Permit be extended and reviewed in 5 years.

Commissioners had a discussion regarding the time frame that this permit come back to review if the commission and staff would like to see landscaping, maybe a one-year review that way the landscaping gets done and can be reviewed. Applicant mentioned that he doesn't have water to the site and asked if he could replace the dead landscaping with rocks, otherwise he would have to haul water to the site. Commissioner Wasden would like to see a continuation of the type of vegetation that is being used with the surrounding businesses. Commissioner Williams asked if a water meter could be put in, Commissioner Cox pointed out that there is a water meter box on the edge of the property where the neighboring business has water connected, this means that water is available to the site and applicant could connect to water there. Chairman Kiyler suggested that the applicant put together a landscaping plan to bring back to the next meeting that addresses these issues, and costs involved in connecting to water.

Motion: *To table RCU 249 and come back to commission at next meeting (March 17, 2014) with a landscaping plan.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

4. **RCU 67:** Review of a Conditional Use Permit for an auto sales facility located in a C-1 (Light Commercial) zone. APN 406-04-041B. Address 847 S. Main St. Owner: Lupe Lozano. Agent: N/A.

Planner Ellis began meeting with a summary of the conditional use permit that is in review. Below is Ellis's report:

The following is a review of a Conditional Use Permit which allows the operation of an auto sales facility located in a C-1 Zone. The property is located at 847 S. Main Street and is known as Freedom Auto Sales.

Last Review Approval: The review approval of November 15, 1999 for this Use Permit extended the use for one (1) year conditioned on 4 stipulations. The stipulations are as follows:

1. That the modular building, when paving requirements are completed, comply with the requirements of the Code Review Board.
2. That no banners, signs and display of vehicles be placed within the ADOT right of way.
3. That the parking lot surface be repaired in an acceptable manner with City requirements.
4. That the Use Permit be reviewed in one (1) year for compliance.

Investigation: An inspection was performed on February 6, 2014 and the property is in compliance with the stipulations noted above.

RECOMMENDATION: An auto sales facility has been in operation at this location for almost 30 years. Staff would recommend that the Use Permit be extended and reviewed in 5 (five) years.

Commissioners had a discussion regarding the landscaping or lack of, and if they could make a stipulation that landscaping be put in. The commission would like to see some landscaping done at the property to conform to neighboring businesses that have had to add it. Chairman Kiyler had mentioned that the original permit was given to Freedom Auto Sales, and this is a new business. Commissioner Wasden mentioned that it is time for this business to conform with the current requirements and put in landscaping. Commissioner Wilder mentioned that the owners should have been at the meeting to present their conditional use permit and would like to see them present at the next meeting.

Motion: *To table RCU 67 and have the owner of the property and current Business Owner bring back to the commission a landscaping plan for the next hearing (March 17, 2014).*

Made by: *Commissioner Cox*
Second: *Commissioner Rosen*
Vote: *Unanimous*

5. **DR 14-001- AT&T WIRELESS COMMUNICATION TOWER AT VFW:** Consideration of a request for a ninety (90) foot tall wireless communication facility to exceed the sixty (60) foot height limitation in the CF (Community Facility) zoning district located at 705 E. Aspen Street (VFW-AT&T YA70). APN 406-42-097L. Owner: Veterans of Foreign Wars Post 7400. Agent: Capital Telecom Acquisition.

Long-Range Planner Scully began meeting with a presentation of the items that staff had received and reviewed in regards to the AT&T Wireless Communication Tower at the VFW. Below is Scully's report:

PROPOSAL:

This is a request from Capital Telecom, a developer of cell towers for wireless provider AT&T, to install a wireless telecommunications facility ("cell tower") with a height of 90 feet (60 feet is the permitted height) at property located south of the VFW (Veterans of Foreign Wars, Post 7400) facility at 705 E. Aspen Avenue. The site is east of S. 6th Street and north of the Slag Pile and Verde Valley Fair Grounds. The antenna support structure is proposed as a 90 foot height monopole that is camouflaged with a faux pine tree effect, which is referred to as a "monopine" type cell tower. The location of the 90 foot "monopine" structure will be setback from the property line at least 90 feet to ensure that any potential structure collapse will not be across any adjacent property or street. The monopine supports three (3) sector frames, each with three (3) antennas per sector for a total of nine (9) antennas at the upper portion of the monopine.

BACKGROUND:

Structures, including cell towers, and any related support buildings, site plan, landscaping and signage are subject to Design Review, as per the following section regarding applicability:

Section 304. (Design Review) B. Applicability.

1. *The provisions of this Section shall apply to all buildings, structures, signs, site plans, landscape plans and other plans which are to be hereafter erected, constructed, converted, established, altered (including resurfacing and repainting), or enlarged within the City of Cottonwood.*

In addition, the review of the structure Height and related placement issues is subject to:

Section 404. (General Provisions) H. Height Regulations.

8. *Wireless Communication Facilities: So as to ensure the protection of scenic view resources in and around Cottonwood, which otherwise define a significant and valued aspect of the character of the city, the following regulations shall apply to new and expanded wireless communication facilities:*
 - a. *The regulations contained in this Ordinance are intended to be in compliance with the Federal Telecommunications Act of 1996, which shall supersede any regulations contained herein;*

- b. *The overall height of any wireless communications structure, antenna and/or antenna array shall not be greater than a maximum of sixty (60) feet from the ground to the highest physical point on the structure, provided, however, that a wireless communications structure, antenna and/or antenna array up to ninety (90) feet from the ground to the highest physical point on the structure may be permitted in any zoning district other than the R-1 District and the Old Town Historic District with the approval of the City Council, upon a showing by the applicant that the additional height is the least intrusive means of filling a significant gap in a wireless communications provider's coverage within the City. In making this determination and allowing a wireless communications structure, antenna and/or antenna array to exceed the sixty (60) foot height limitation by up to thirty (30) additional feet, the City Council shall consider the findings and recommendations of the Planning and Zoning Commission, which shall hold a public hearing on any proposal to exceed the sixty (60) foot height limitation. The Council may or may not hold a separate hearing on the proposal following its receipt of the Commission's findings and recommendations, and may impose reasonable conditions on its approval of any proposal to exceed the sixty (60) foot height limitation, either based on the recommendations of the Commission or on its own motion;*
- c. *Encourage the location and colocation of wireless communications equipment on existing structures thereby minimizing adverse visual, aesthetic and public safety impacts, and effects upon the natural environment and wildlife, and to reduce the need for additional antenna-supporting structures;*
- d. *Wireless communication facilities shall be discouraged within any Historic District or in proximity to any historic properties in the City of Cottonwood unless designed in a manner that avoids adversely impacting such historic resources through the use of design techniques that minimize or hide the facility; and*
- e. *Such structure shall be located and constructed so that if it should collapse, its reclining length would be contained on the property on which it was installed.*

SURROUNDING PROPERTIES:

West: Industrial & Office (I-2 & C-2)

East: Verde Valley Fairgrounds (CF Zone) & Residential (R-1)

South: Slag Pile and Verde Valley Fairgrounds (CF Zone)

North: Aspen Business Park (PAD)

CODE REVIEW:

The project was reviewed by the Code Review Board.

Building permits are required for the structure and any support buildings.

SITE PLAN:

The cell tower compound directly abuts the east end of the VFW building. It consists of an equipment shelter and monopine antenna support structure within an enclosure surrounded on three sides by an 8 foot chain link fence and one side by the existing VFW building.

SIGNS:

Signs should be limited to:

1. Emergency information and warning sign located on fence or structure; and
2. General identification placed on gate or fence.

LIGHTING:

Minimal lighting primarily used for maintenance. Lighting to comply with horizon shielding requirements.

LANDSCAPING:

None shown.

STAFF ANALYSIS:

The site is generally setback several hundred feet from any surrounding uses in an area historically occupied by industrial uses. A wireless communication facility, including support structures and antennas is limited by the Zoning Ordinance, Section 404. H. 8. (Wireless Communications Facilities) to sixty (60) feet in height. An exception may be granted to allow up to thirty (30) additional feet where a determination is made that such exception is appropriate and reasonable.

An outside professional engineer, Mr. Rick Tannehill, P.E., was hired to evaluate the technical merits and assertions of Capital Telecom's for a 90-foot wireless communication facility. A report depicting his findings is attached in your packets which confirms the applicant's assertions and does not disagree with any of them. Mr. Tannehill will be attending the meeting to answer any question that may arise.

STAFF RECOMMENDATION:

Based on the finding of facts in the expert's report, staff recommends approval of the request to build 90-foot wireless communication facility at 705 E. Aspen, VFW location in Cottonwood, Arizona.

COMMISSION ACTION OPTIONS:

The Planning and Zoning Commission is required to hold a public hearing on the request to construct a wireless communication facility that exceeds the sixty (60) foot tall by thirty (30) feet to allow a ninety (90) foot tall "monopine" structure to be located at the VFW Post south of Aspen Avenue. The Commission is further requested to forward

findings and recommendations to the City Council on this matter for their consideration of the request.

The City Council shall consider the findings and recommendations of the Planning and Zoning Commission. The Council may or may not hold a separate hearing on the proposal following its receipt of the Commission's findings and recommendations, and may impose reasonable conditions on its approval of any proposal to exceed the sixty (60) foot height limitation, either based on the recommendations of the Commission or on its own motion.

Commission was advised by the City Attorney that the Design Review that is in front of the commission tonight can only make findings and recommendations to the City Council, but that final approval of this project will be made by Council. Also, that due to Federal Law that they cannot deny a wireless carrier or discriminate against a carrier. Applicant presented project to the commission along with physical maps that showed the coverage area before the 90ft tower and after. The applicant clearly presented the need for coverage in the area that they were looking to locate the 90ft monopine. Commissioners wanted to know the difference that the 60ft towers would make over the 90ft tower. The applicant said that it would take at least 3-4 towers total of 60ft to achieve the coverage needed that the one 90ft tower would have. The applicant also indicated that they would have to go into residential neighborhoods to achieve the coverage by the 60ft towers. The location at the VFW would be optimal for what AT&T is looking for in their gap of coverage. Floor was open to the public and there were both opposing and supporting sides to the project. Public brought up matters of public health and safety, City Attorney again advised commission that they lack the jurisdiction on health and safety that the Federal Law holds the regulations, and they cannot base any findings or recommendations on health and safety. Floor was closed to public and City Attorney advised commission that their discussion be focused on how many and how high, that is what staff was presented with and the decision before the commission. Commission Rosen asked applicant the costs involved for a 65ft tower. Applicant responded with a range of 25-30 thousand for a plain pole not a monopine, and that they would have to add an additional 20-30 thousand more to it for the monopine. Commissioner Rosen wanted to know what the difference in cost would be from a 65ft tower to a 90ft tower. Applicant responded that the cost would be about the same. Commissioner Williams expressed to the commission that he would not be happy seeing a forest of towers and it is a matter of if they want to see 4-6 towers or 1-2 towers. Commissioner Rosen expressed that the City would be better off with fewer towers and if we can limit the amount of towers it would be better, we have no choice due to federal law that all the commission can do is recommend, and that recommendation and the impact it will have on the City. Commissioner Wasden expressed his dislike in the 90ft tower, and would have liked to have seen the presentation with both the 90ft tower and the 3-4 additional 60ft tower locations. Commissioner Wasden said that a 90ft tower will stand out more than a 60ft tower and did not like the size or location of the presented tower at the VFW. Commissioner Cox agreed with Commissioner Wasden that the lack of other options didn't give the commission a full idea of what the impact would have been if they wanted the 60ft towers. Commissioner Wilder thought that the 90ft tower would be more practical than having several 60ft towers around town.

Motion: *To recommend approval as the least intrusive option to City Council the request to build a 90-foot wireless communication facility at the VFW with the stipulation of a monopine design with a minimum of 3 branches per foot.*

Made by: *Commissioner Williams*

Second: *Commissioner Rosen*

Vote: *5-1*

6. **DR 14-002- AT&T WIRELESS COMMUNICATION TOWER AT MINGUS HIGH SCHOOL:** Consideration of a request for a ninety (90) foot tall wireless communication facility to exceed the sixty (60) foot height limitation in the AR (Agricultural Residential) zoning district located at 1801 E Fir Street (Mingus Union High School Campus-AT&T YA71). APN 406-12-001H. Owner: Mingus Union High School District #4. Agent: Coal Creek Consulting LLC for AT&T Mobility.

Long-Range Planner Scully began meeting with a presentation of the items that staff had received and reviewed in regards to the AT&T Wireless Communication Tower at the VFW. Below is Scully's report:

PROPOSAL:

This is a request from AT&T to install cell tower with a height of 90 feet at property located at the Mingus High School campus south east of the intersection of Fir Street and Camino Real. AT&T proposes to construct a new 90 foot tall wireless telecommunications facility ("cell tower") to be located south of the main driveway entrance from Camino Real to the west parking lot of Mingus High School. The antenna support structure is proposed as a 90 foot height

monopole that is camouflaged with a faux pine tree effect, which is referred to as a "monopine" type cell tower. The center of the 90 foot "monopine" structure will be setback over 94 feet from the property line abutting the street to ensure that any potential structure collapse will not be across any adjacent property or street. The facility will consist of a new equipment shelter and ground mounted transformer located within a six (6) foot chain link fence compound. The monopine supports three (3) sector frames, each with 4 four antennas per sector for a total of twelve (12) antennas at the upper portion of the monopine.

BACKGROUND:

Structures, including cell towers, and any related support buildings, site plan, landscaping and signage are subject to Design Review, as per the following section regarding applicability:

Section 304. (Design Review) B. Applicability.

1. *The provisions of this Section shall apply to all buildings, structures, signs, site plans, landscape plans and other plans which are to be hereafter erected, constructed, converted, established, altered (including resurfacing and repainting), or enlarged within the City of Cottonwood.*

In addition, the review of the structure Height and related placement issues is subject to:

Section 404. (General Provisions) H. Height Regulations.

8. *Wireless Communication Facilities: So as to ensure the protection of scenic view resources in and around Cottonwood, which otherwise define a significant and valued aspect of the character of the city; the following regulations shall apply to new and expanded wireless communication facilities:*

- f. *The regulations contained in this Ordinance are intended to be in compliance with the Federal Telecommunications Act of 1996, which shall supersede any regulations contained herein;*
- g. *The overall height of any wireless communications structure, antenna and/or antenna array shall not be greater than a maximum of sixty (60) feet from the ground to the highest physical point on the structure, provided, however, that a wireless communications structure, antenna and/or antenna array up to ninety (90) feet from the ground to the highest physical point on the structure may be permitted in any zoning district other than the R-1 District and the Old Town Historic District with the approval of the City Council, upon a showing by the applicant that the additional height is the least intrusive means of filling a significant gap in a wireless communications provider's coverage within the City. In making this determination and allowing a wireless communications structure, antenna and/or antenna array to exceed the sixty (60) foot height limitation by up to thirty (30) additional feet, the City Council shall consider the findings and recommendations of the Planning and Zoning Commission, which shall hold a public hearing on any proposal to exceed the sixty (60) foot height limitation. The Council may or may not hold a separate hearing on the proposal following its receipt of the Commission's findings and recommendations, and may impose reasonable conditions on its approval of any proposal to exceed the sixty (60) foot height limitation, either based on the recommendations of the Commission or on its own motion;*
- h. *Encourage the location and colocation of wireless communications equipment on existing structures thereby minimizing adverse visual, aesthetic and public safety impacts, and effects*

upon the natural environment and wildlife, and to reduce the need for additional antenna-supporting structures;

- i. *Wireless communication facilities shall be discouraged within any Historic District or in proximity to any historic properties in the City of Cottonwood unless designed in a manner that avoids adversely impacting such historic resources through the use of design techniques that minimize or hide the facility; and*
- j. *Such structure shall be located and constructed so that if it should collapse, its reclining length would be contained on the property on which it was installed.*

SURROUNDING PROPERTIES:

West: (across Camino Real) Vacant property owned by the School District (R-2 Zone)

East: Mingus High School (AR-20)

South: Mingus High School (AR-20) & Verde Village (County Residential)

North: Mingus High School (AR-20) Vacant properties and Residential (PAD)

CODE REVIEW:

The project was reviewed by the Code Review Board on January 21, 2014. Building permits are required for the structure and any support buildings.

SITE PLAN:

The facility consists of a 6 foot chain link enclosure with the monopine antenna support structure, equipment shelter, and electric equipment. The enclosure includes a gravel access drive and parking area with a row of shrubs along the inside fence line at the south of the site.

SIGNS:

Two signs are proposed:

3. Emergency information and warning sign placed on fence or building support wall.
4. Address identification placard placed on gate.

LIGHTING:

Minimal lighting to be installed. Additional ground are where chain link, security lighting can be installed if required. Lighting height maximum 8 feet above grade to comply with horizontal shielding requirements.

LANDSCAPING:

At least 17 shrubs are indicated along the south line of the project site adjacent to and within the fenced compound.

STAFF ANALYSIS:

A wireless communication facility, including support structures and antennas is limited by the

Zoning Ordinance, Section 404. H. 8. (Wireless Communications Facilities) to sixty (60) feet in height. An exception may be granted to allow up to thirty (30) additional feet where a determination is made that such exception is appropriate and reasonable. The City Council shall consider the findings and recommendations of the Planning and Zoning Commission, which shall hold a public hearing on any proposal to exceed the sixty (60) foot height limitation. The Council may or may not hold a separate hearing on the proposal following its receipt of the Commission's findings and recommendations, and may impose reasonable conditions on its approval of any proposal to exceed the sixty (60) foot height limitation, either based on the recommendations of the Commission or on

its own motion.

STAFF RECOMMENDATION:

If the findings of facts that proved the need for an additional 30', totaling up to 90' tower, staff recommends approval.

COMMISSION ACTION:

The Planning and Zoning Commission is requested to hold a public hearing on the request to construct a wireless communication facility that exceeds the sixty (60) foot height by thirty (30) feet to allow a ninety (90) foot height monopine structure at the campus of Mingus High School east of Camino Real. The Commission is further requested to forward findings and recommendations to the City Council on this matter for their consideration of the request.

Commissioner Rosen had some questions in regards to other wireless carriers being able to use the towers. Applicant responded that that they are structurally designed to accommodate other carriers, there would be additional ground construction at that time and it would be at the expense of the other carrier. Chariman Kiyler asked why the 2 towers were close together. Applicant said that due to the consumer demand for the gap in coverage these sites together will make up that gap in coverage and while there may be some overlap in coverage it fills all the gaps that would exist if they didn't have the second tower. Also, that the gap in coverage was mainly to the west of Mingus High School and that is why this site was optimal for the second tower. City Attorney had mentioned to the commission that the applicant wanted to locate the tower closer to the street and staff had them push it back. Commissioner Williams had concerns about visibility from the road and if fencing could be slatted, and landscaping be done to make it look more esthetically pleasing. Applicant said that they can screen it from the view of Camino Real. Commissioner Wasden had the same concerns as before with the lack of options given to the commission.

Motion: *To recommend approval as the least intrusive option to City Council the request to build a 90-foot wireless communication facility at Mingus High School with the stipulation that plans with monopine have a minimum of 3 branches per foot, there be plans for landscaping, and the fencing facing Camino Real and existing fencing be slatted.*

Made by: *Commissioner Williams*
Second: *Commissioner Wilder*
Vote: *5-1*

INFORMATIONAL REPORTS AND UPDATES

1. Food City

Food City has contacted staff in regards to new colors being proposed that will be more esthetically pleasing and fit in to what the Commission wants to see in the City.

2. General Plan Update

There was a brief update made by Berrin Nejad Community Development Director in regards to the upcoming General Plan open house. There will be a second open house meeting on March 26 at the Cottonwood Recreation Center. Staff would like commission members to be present.

ADJOURNMENT

Meeting adjourned at 8:55 p.m.

APPROVED