

Official Minutes of the City of Cottonwood  
Planning & Zoning Commission Regular Meeting  
Held, March 17, 2014, at 6:00 P.M. at the City Council Chambers  
826 N. Main St. – Cottonwood, Arizona

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CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:02 p. m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Ed Kiyler  
Philip Rosen

Vice Chair Diane Lovett  
Judd Wasden

Robert Williams  
Jean Wilder

Planning & Zoning Commission Members Absent

Ray Cox

Staff Members Present

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

CALL TO THE PUBLIC (NONE)

APPROVAL OF MINUTES OF FEBRUARY 24, 2014

**Motion:** *To approve the minutes of 2/24/14.*

**Made by:** *Commissioner Wasden*

**Second:** *Commissioner Rosen*

**Vote:** *Unanimous*

UNFINISHED BUSINESS-None

NEW BUSINESS

1. **PCU 14-003 JERSEY JAY'S EAST COAST FOOD TRUCK** - Consideration of a Conditional Use Permit to enable placement of a mobile food truck in a C-1 zoned property located at the southeast corner of Mingus Avenue and Main Street occupied by the Main Stage nightclub. APN 406-43-018A. Address: 1621 E. Mingus Ave. Owner: Don Riffel. Agent: Jason Marchese.:

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

**PROPOSAL:**

This is a request to allow placement and operation of a mobile food truck on the same property as Main Stage night club.

**BACKGROUND:**

The site previously had a mobile food vendor on location operating out of a trailer for 4-5 months. That vendor has since left and the current applicant would like to use the same location to provide the same type of service using a twenty (20) foot food truck. The applicant will set up picnic tables with umbrellas to provide seating for customers wishing to stay on the property to eat.

**SURROUNDING PROPERTIES:**

West (Across Main Street): Gas Station (C-1)  
East: Single Family Residence (AR-20)  
South: Vacant Lot/Mobile Home Park (C-1)  
North (Across Mingus Ave.): Office Building (C-1)

**CODE REVIEW:**

The project was reviewed by the Code Review Board on January 28, 2014. Applicant has met all requirements from staff.

**SITE PLAN:**

The food truck will be parked in a section of gravel on the west side of the parking lot. It will not take up any existing parking stalls and will not have an adverse impact on current parking requirements. The applicant will be placing picnic tables with umbrellas to provide shade for customers.

**SIGNS:**

The food truck currently has signage painted on it, and the applicant has not proposed any other advertising signs to be used on site.

**LIGHTING:**

Lighting will be placed in the center of the tables in the form of electric candles, and an exterior light will be used on the exterior of the truck to allow visibility while ordering. No other exterior lighting has been proposed.

**UTILITIES:**

Utilities are available to the site and no issues exist.

**STAFF RECOMMENDATION:**

Staff has reviewed this project and finds it fits within the Cottonwood General Plan Land Use and Zoning requirements, therefore recommends approval of PCU 14-003 subject to the following stipulations:

1. That the project is developed in conformance with the site plans submitted 01-21-14 and as may be further modified by the Planning & Zoning Commission.
2. That the project conforms to Code Review comments dated 01-31-14.
3. That the permit be reviewed in six (6) months.
4. Any other stipulations the Commission deems necessary.

Commissioner Lovett had some questions in regards to the lighting. Staff responded that the lighting will be on the tuck and in the center of the tables only. Commissioner Williams asked staff if there had been any letters or complaints received by the neighbors as there was only one member of the public at the meeting. Staff responded to the commission that the letters were sent out the day before the site was posted, and that staff had not received any comments or complaints in regards to the project. Commissioner Williams was also concerned about what the applicants hours of operation were going to be as they were not presented by staff in the report. The applicant said that he will be open for the lunch hour and will close before Main Stage closes. Commissioner Wasden wanted to see more detail on the project. Applicant presented commission with an updated picture of his mobile food truck and commission was pleased that it didn't look like the photo that was submitted to staff earlier that day. Commissioner Williams also asked where the cooking would take place. Applicant responded by stating that the cooking would happen offsite and brought to location. Commissioner Wilder asked if the truck will stay at the location or would they take it when they close. Applicant said that it would stay at the location. Floor was opened to the public for comment, there was one member of the public present that was in support of the food truck. Floor was closed to public. Commissioner Williams expressed his concern to the commission about it being a continual problem with the neighboring residential community, also his concern was with Main Stage and not having an onsite commercial kitchen for their customers, the truck just gives the people coming from the bar an excuse to loiter in this area, and that any further use or any use should be contained inside the building. Commissioner Williams stated that he would hate to see an added impact on the neighborhood, the previous food truck didn't succeed the first time why do this again. Commissioner Rosen disagreed with Commissioner Williams, the first mobile food vendor didn't succeed because of the owner, not because it was a mobile food vendor, didn't see the impact increasing since hours of operation can be controlled. Given certain restrictions Commissioner Rosen was in favor of the food truck. Commissioner Wasden expressed that he was sensitive to the neighborhood concerns from the previous food truck, he also expressed his concern in the lack of information provided in the packet, and that he didn't feel comfortable voting on something with the lack of detail. Commissioner Wasden like Commissioner Williams was surprised that no one from the neighborhood showed up at the meeting. Commissioner Wilder had no concerns with the project, it was all laid out in the packet, if the neighborhood didn't show up to express concerns so it must not be a problem for them. Commissioner Lovett would like to suggest hours as a stipulation and has no problem with the project. Commission directed some lingering concerns to the applicant

in regards to lighting, tables, and shading. Applicant responded to commission stating that all lighting on the truck (which is 2 lights) will point down on menus, and the tables will have electric tea light candles for lighting. The tables will be round plastic with a hole in the center for umbrellas which will be a green canvas. Commissioner Williams suggested a six (6) month stipulation to come back to the commission for a review, and a closing time of 10 PM. Chairman Kiyler stated that the concern with the hours is not on the weekday nights but the weekend nights when Main Stage is open later. Commissioner Rosen mentioned that on weekdays he closes by 10:00 PM and on weekends he closes at 11:00 PM. Applicant was ok with that.

**Motion:** *To approve PCU 14-003 with the stipulations that the project is developed in conformance with the site plans submitted on 01/21/2014, that the project conforms to Code Review comments dated 01/21/2014, that the permit be reviewed in six (6) months (September 2014), that the hours of operation are Monday, Tuesday, Wednesday, and Thursday till 10:00 PM and on Friday, Saturday, and Sunday they close at 11:00 PM, that all lighting conforms with the dark sky ordinance.*

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

#### INFORMATIONAL REPORTS AND UPDATES

##### 1. Park Place & Cottonwood Auto Sales

Both Park Place and Cottonwood Auto Sales have been in touch with staff in regards to their landscaping plans, and staff will work with applicants to achieve what the commission is looking for and will bring back to commission for approval.

##### 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 General Plan meeting on March 26 at the Cottonwood Recreation Center. Staff would like commission members to be present.

#### ADJOURNMENT

Meeting adjourned at 7:09 p.m.