

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, March 18, 2013, at 6:00 P.M. at the Yavapai County Building
10S. 6th Street – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

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

Planning & Zoning Commission Members Present

Ed Kiyler, Chairman Raymond Cox
Robert Williams Jean Wilder

Vice Chair Lovett and Commissioner Wasden were absent

Staff Members Present

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

CALL TO THE PUBLIC

There was no public comment.

APPROVAL OF MINUTES OF FEBRUARY 25, 2013

Motion: *To approve the minutes of 2/25/13 as written.*

Made by: *Commissioner Williams*

Second: *Commissioner Cox*

Vote: *Unanimous*

UNFINISHED BUSINESS (NONE)

NEW BUSINESS

1. **DR 12-019** Consideration of Design Review application for renovation of a historic building located at 1060 North Main Street. APN: 406-22-048. Owner: 1060 North Main LLC. Agent: Robert Backus.

Director Gehlert stated the subject property includes 2,749 square feet of commercial space on the first floor and 852 square feet of mixed use on the second floor. The first floor would be developed as a pizzeria with a bar. The second floor would be devoted to a residence and small salon. The first floor also

includes a proposal for an open air service window and numerous outdoor patios on the north, east and west sides of the building. Staff issued permits a few months ago on some interior stabilization work following the initial acquisition of the building by the current owner. Code Review was completed in August regarding finish work associated with the interior building shell. At that point there still was no proposed use and exterior changes amounted to a little more than paint. The owners recently submitted the pizzeria proposal and elevations which suggest some fairly elaborate detailing and signage. The elevations also suggest the use of live torches as part of the exterior décor and lighting. As the building is already built to the property boundaries, there are no proposed additions to the building footprint. An outdoor deck has also been added to the second floor.

Director Gehlert stated the Staff issues are as follows:

- **Encroachments:** The proposal includes a series of encroachments into adjacent public rights-of-way and easements, as depicted in the enclosed site plan. A licensing agreement will be considered by the City Council with regard to use of these areas on March 19, 2013.
- **Cantilevered Sign:** The sign code generally limits cantilevered signs to 24 square feet in area. The code also prohibits signs above the roof line. In this instance, there is also a second story roofline. The code is not clear about how to interpret this issue.

Director Gehlert stated Staff believes the design fits well with Old Town, including the proposal for the open air service bar, patios and signage. Staff therefore supports approval of DR 12-019 subject to the following:

1. Development in conformance with the submitted letter of intent, site plan and elevations.
2. Anything else the Commission deems necessary.

Bob Backus, Backus Building, stated this is an on-going process as Backus Building and Eric Jurisin are cleaning up the north end of Main Street, creating a nice entrance coming from Clarkdale into Old Town.

Commissioner Wilder inquired where parking for the building will be located. Chairman Kiyler stated there is a parking lot to be built by the City across the street. Dan Lueder, Development Services General Manager, stated parking restrictions do not apply in Old Town. Lueder added the parking lot will be completed this summer.

Eric Jurisin, owner, stated this corner lot has a lot of beauty with the bridge and the trees, it is a great spot and they are doing quite a bit to enhance it. Commissioner Wilder inquired about the small salon on the second floor. Jurisin stated the salon will be for his daughter and will be used for the next two years then he would like to turn the studio into a rental for the Tavern Hotel.

The Commission agreed the project would be a nice addition to Old Town.

- Motion:** *To approve DR 12-019 with the following two stipulations:*
- 1. Development in conformance with the submitted letter of intent, site plan and elevations.*
 - 2. That the sign proposal be brought before the Planning and Zoning Commission for review.*

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

2. G 13-002 / Z13-003 Consideration of a request for a minor amendment to the Cottonwood General Plan and a zone map change.

G13-002 Consideration of a request for a minor amendment to the Cottonwood General Plan for approximately fifteen acres located at the southwest corner of East Fir Street and Camino Real. The request would change the General Plan's land use designation for this acreage from "Public/Institutional" to "Residential Medium Density." APN: 406-12-001A. Address: 1780 S. Camino Real. Owner: Mingus Union High School District #4. Agent: Mike Gardner, Casa Verde Consulting.

Z13-003 Consideration of a zone map change from AR-43 (Agricultural/Residential 43,000 square foot minimum lot size) to R2 (Single family/multiple family) and associated Preliminary Site Plan to enable development of a multi-family residential community approximately fifteen acres. APN: 406-12-001A. Address: 1780 S. Camino Real. Owner: Mingus Union High School District #4. Agent: Mike Gardner, Casa Verde Consulting.

Director Gehlert stated this item regards a 15 acre parcel owned by Mingus Union High School District #4 located on Camino Real across from the High School at the southwest corner of the Fir Street intersection. The applicant would like to rezone the property to R-2 in order to enable a higher level of residential development on the site. The proposal requires approval from the Planning and Zoning Commission as well as the City Council:

- A minor amendment to the Proposed Land Use Map associated with the Cottonwood General Plan, changing the land use designation for this acreage from "Public/Institutional" to "Residential Medium Density."
- A zoning map change from AR-43 (Agricultural/Residential 43,000 square foot minimum lot size) to R2 (Single Family/Multiple Family).

Director Gehlert stated the site, which is currently vacant, is characterized by flat and rolling terrain crossed by a portion of Little Oak Wash. The applicant has offered a conceptual site plan in support of the zoning change which depicts a series of two-story multi-family structures including 6-12 units each. The site plan appears to reserve the steepest slopes and drainage areas from development. The plan suggests four new access drives along Camino Real and two along Fir Street.

Director Gehlert stated the applicants held a community meeting at Mingus Union High School on February 15, 2013. A notice regarding the community meeting, Planning and Zoning Commission meeting and pending City Council hearing was mailed to all property owners within 300 feet of the property, approximately 70 mailings. A notice regarding the P&Z Commission and City Council hearings was also advertised and posted on-site.

Director Gehlert stated Staff issues are as follows:

- a. **Conceptual Proposal:** The P&Z Commission and City Council have in the past accepted conceptual site plans in support of certain zoning requests (as opposed to completed development plans), notably for commercial development along State Route 260, including the site of the Larry Green car dealership, the Super Wal-Mart; and the C2 properties located along the east side of State Route 260. They were all subject to later approval of a final site plan, grading, drainage and traffic improvements. There is generally a time limit associated with action on a conceptual proposal.
- b. **Density Issue:** The overall density allowance would be increased from 15 units to 166 units. There is a slight discrepancy between the Residential Medium Density allowance and the R-2 zoning allowance in that the RMD designation would cap the development at 11 units per acre. The R-2 designation would allow 11.6 units per acre. To address this issue, the action should cap the total allowable units at 11 units per acre (11 units x 15 acres=165 units).
- c. **Traffic and Drainage Improvements:** There will be significant grading, drainage and traffic impacts associated with this proposal. Traffic will increase along Camino Real and East Fir Street; and at the adjacent intersection. Per Ordinance 144 (Off-Site Improvements), the developer will be responsible for providing adequate drainage and traffic information and for their share of associated improvements necessary to offset those impacts. Sidewalk improvements along both Camino Real and East Fir Street will also be required together with possible right-of-way dedications.
- d. **Location of Driveways:** The number of access points should be reduced along these two collector streets. Access drives should also occur further from the intersection, due to potential for added stacking in this location following development.
- e. **Elimination of Old Right of Way:** There is an old City right-of-way which crosses the southern portion of the property which the City may quick claim to MUHS.
- f. **Architecture:** No architectural information has been offered as part of this submittal.
- g. **Buffering:** The Commission may wish to consider additional buffering treatments adjacent to existing residential areas.
- h. **Future Land Divisions:** The integrity of the site proposal could be lost with and subsequent division and disposal of portions of this property which do not acknowledge the proposed site design (i.e., continuity of access and drainage ways, etc.) Any proposed division of this property

should be subject to P&Z review as part of a proposed site plan amendment.

Director Gehlert stated Staff believes the subject property is well suited for the proposed development and supports the plan amendment and zoning change. Staff therefore recommends approval of GP 13-002 and Z 13-003 subject to the following stipulations:

1. That a final site plan be approved by the Planning and Zoning Commission, together with building elevations, grading/drainage, surfacing and landscape plans prior to issuance of any permits.
2. That the total number of residential units be limited to 165.
3. That the final site plan establish methods for buffering adjacent residential development located on the south and west boundaries.
4. That access points adjacent to the Fir Street intersection be eliminated; and other access drives be consolidated to the extent feasible.
5. That all required rights of way and utility easements be dedicated by plat, or otherwise recorded, as may be required by the City. Any division of this property into four or more lots will require plat approval by P&Z Commission and the City Council.
6. That any subsequent minor divisions of this property also be subject to review by the P&Z Commission.
7. That the developer provides traffic and drainage studies and be responsible for all related improvements determined to be necessary to offset impacts of the resulting development (per Ordinance 144).
8. That a building permit be issued within two years or the action is null and void.
9. That all other Code Review comments be addressed.
10. Any other conditions that may be deemed appropriate as part of the Commission and City Council review.

Mike Gardner, Casa Verde Consulting, stated in 1994 the General Plan designation of this land was "public education". In 2008 the school board decided to sell the property and requested for the designation to be changed in the General Plan. Gardner stated the forty year old zoning no longer fits the property. The most likely General Plan designation for this property is Medium/High Density or Commercial. Commercial designation does not seem appropriate therefore the school board would like to see the property designated as multi-family, medium density, residential.

Chairman Kiyler inquired if the school still plans to sell the property. Gardner stated yes and the funds would go to capital improvements for the school. Commissioner Williams inquired if the applicants had any objections to the timeline set by Staff. Gardner stated in order to meet the timeline the school would have to sell the property now, which would be hard to do. If the property is not sold and a plan submitted within the next two years then the applicant would have to go through this process again which is more time and money. Commissioner Williams inquired what the applicant would consider a reasonable time limit. Gardner stated with the current real estate market it could take a

couple of years to sell the property and a couple of years for the city process which could make it a four to five year process. Gardner stated the applicant would prefer to have no time limit set.

Tim Foist, Mingus Union High School Superintendent, stated the school has owned this property for forty years. The original goal of the school was to build on this property however, the state will not allow it as the property is too small and there is a major road dividing this property from the school. Foist stated this property is a saving account for the school as the State has taken two million dollars from student driven funds. The money from the sale of this property will allow the school to continue to bring in master teachers, arts and theater continually bringing other area students to MUHS. The school currently has 1,159 students with twenty-two school buses, seventeen of those school buses need to be replaced and these funds would help with that.

The Commission agreed the concept for the property would fit the surrounding developed areas.

Motion: *To approve G13-002 and Z13-003 with the following nine stipulations:*

- 1. That a final site plan be approved by the Planning and Zoning Commission, together with building elevations, grading/drainage, surfacing and landscape plans prior to issuance of any permits.*
- 2. That the total number of residential units be limited to 165.*
- 3. That the final site plan establish methods for buffering adjacent residential development located to the south and west boundaries.*
- 4. That access points adjacent to the Fir Street intersection be eliminated; and other access drives be consolidated to the extent feasible.*
- 5. That all required rights of way and utility easements be dedicated be plat, or otherwise recorded, as may be required by the City. Any division of this property into four (4) or more lots will require plat approval by the Planning and Zoning Commission and the City Council.*
- 6. That any subsequent minor divisions of this property also be subject to review by the Planning and Zoning Commission.*
- 7. That the developer provide traffic and drainage studies and be responsible for all related improvements determined to be necessary to offset impacts of the resulting development (per Ordinance 144).*
- 8. That a building permit be issued within five years or the action is null and void.*
- 9. That all other Code Review comments be addressed.*

Made by: *Commissioner Williams*

Second: Commissioner Cox
Vote: Unanimous

DISCUSSION ITEMS

Planner Scully gave the Commission an overview of the draft Circulation and Open Space elements for the Cottonwood General Plan 2025.

INFORMATIONAL REPORTS AND UPDATES

George Gehlert introduced the new Community Development Manager Berrin Nejad. Gehlert will be retiring in June and Nejad has been hired to replace him. Nejad is originally from Turkey, Istanbul; she has a master's degree from Arizona State University. Nejad comes to us from Kansas where she was employed as a Planner for the past three and a half years.

Gehlert stated in regards to the previously proposed wireless cell towers, Staff has been approached by a third party provider of Telecom. The applicants for the proposed ninety foot towers were unable to prove hardship at the December Board of Adjustment meeting. Staff will meet with the applicant in the first part of April as they are looking to obtain a Conditional Use Permit.

Gehlert stated the former Arby's building will be turned into a dental office; the proposed change has already been through the Code Review process. ADOT is requiring access improvements which are slowing the project down.

Gehlert stated plans have been received by the Community Development Department for the Taylor-Padgett project and the Gateway Green project.

ADJOURNMENT

Chairman Kiyler adjourned the meeting at 8:00 p.m.