

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, April 19, 2010, at 6:00 P.M. at the Council Chambers
826 N. Main Street – Cottonwood, Arizona

CALL TO ORDER & ROLL CALL

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

Planning & Zoning Commission Members Present

Ed Kiyler, Chairman
Diane Lovett, Vice Chair

Raymond Cox
Robert Williams

Judd Wasden

Jake Gonzales and Richard Kevin were absent.

Staff Members Present

George Gehlert, Community Development Director
Renee George, Administrative Coordinator

CALL TO THE PUBLIC

This is the time for the public to comment on any matter that does not appear on the agenda. Members of the Commission may not discuss items not specifically identified on the agenda. Pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Comments are limited to five minutes for each person.

No comments from the public.

APPROVAL OF MINUTES OF MARCH 15, 2010

MOTION: Mr. Chairman I move we approve the minutes of March 15, 2010.

MADE BY: Vice Chair Lovett

SECOND: Commissioner Wasden

VOTE: Unanimous

UNFINISHED BUSINESS

1. Monthly update regarding proposed annexation of State Trust Land.

Director Gehlert reminded the commission of the Joint Session meeting on April 28, 2010 at 6:00 p.m. at the new Parks & Recreation Center. Brief discussion regarding the annexation process.

No action taken by the Commission.

2. Update and possible discussion regarding proposed Hillside/Slopes Ordinance.

Charles Scully has been working on this project and has compiled information from other resource manuals and is now ready to meet with our technical staff, public works, and utilities department to begin to finalize this ordinance. We will present this draft to the people in the private sector and listen to their suggestions and/or comments. This could impact the Verde Santa Fe development, the design of the streets and the grading of lots.

No action taken by the Commission.

3. Update and possible discussion regarding the proposed Design Review Policy Manual.

No discussion on this matter just that staff is getting together with technical staff to get their input on the manual.

No action taken by the Commission.

4. Update and possible discussion regarding proposed Certificate of Compliance Process.

There was a brief discussion on this process that it will be made policy as a procedural code policy. The Certificate of Compliance which is a follow up with the approval of a Conditional Use Permit. This is a tool for staff to follow and make sure the applicant has complied with all stipulations that have been made by the commission and staff, that they are completed.

No action taken by the Commission.

NEW BUSINESS

1. **PCU 08-002** Review of a Conditional Use Permit for on-site processing of an existing slag pile. The facility would be located on a portion of a 12.25 acre parcel zoned CF (Community Facilities), just west of the Verde Valley fairgrounds. The site is also north of 89A between 6th and 12th Streets. APN: 406-42-097M. Owner: Verde Valley Fair Association; Agent: Tom Hurkett, Minerals Research & Recovery, Inc.

Director Gehlert opened discussion by reviewing the previous process of the original approval of the Conditional Use Permit (CUP) in March of 2008 to process the existing slag pile and the subsequent approvals in September and October of 2008 and the last renewal of the CUP on April 20, 2009 subject to the original stipulations. The applicant is a company called Minerals Research & Recovery, Inc. (MRR), who have leased the property to start a rock crushing facility and bagging plant to use in the manufacture of asphalt shingles, asphalt paving, concrete and as media for sand blasting. Tom Hurkett and Michael Vick of Minerals Research & Recovery, Inc.(MRR), were present to answer questions from the commission regarding the status of this project and renewal of the Conditional Use Permit (CUP).

Commissioner Wasden asked about the easement if the crushed slag material was going to be used for the surfacing as it would be a heavy traffic area. The city engineer was not present, but Director Gehlert stated there would probably be a double base course.

Commissioner Cox inquired if they would have enough traffic control there when the trucks start moving in and out along 6th Street to 89A. The point was taken to watch how this would impact the traffic flow in this area.

Tom Hurkett clarified that the easement roadway is a paved surface in accordance to ADOT specifications and approved by Tim Costello, Director of Public Works.

Chair person Kiyler stated that it has been 2 years since the commission approved this project and why haven't they seen any work started yet? Tom Hurkett responded there have been a couple of reasons, one issue was the easement and the access, and technically per the Use Permit they could not do anything on site until the easement issue was completed; the second issue the status of the economy. When we began this project the economy was strong and since that time the economy has slowed down and is not strong, as a company we had to pull things in. With the improvement of the economy and having the easement in place we are now revising our budget and getting ready to move forward. The tentative date of start up would be in 2012, with construction beginning in the first or second quarter of 2011. The estimated construction time would be approximately 6 months and the estimated facility activity would last approximately 15 years. Commissioner Cox asked about the EPA testing of the slag and if they found anything hazardous if it would slow down the process. Director Gehlert answered that the preliminary test of the slag pile has shown no significant findings. Once construction begins, soil samples of the perimeter locations would be tested for leeching. There may also be tailings nearby on adjacent properties. But they would have to get the other property owners approval before they could test their soil.

The commission continued discussion and were in agreement that this project will benefit the community, not only by removing the slag pile, but by opening job opportunities to the community. Commissioner Wasden stated it would be a good idea if MMR could spread some of the crushed slag over the dirt parking areas at the fairgrounds to control the dust and dirt problem. Mr. Hurkett, replied they would be more that willing to speak with someone from the fairgrounds about that issue.

Action taken by the Commission.

Motion: To approve PCU 08-002 subject to the 4 stipulations noted by staff.

- 1. That the site be developed in conformance to the submitted site plan and stipulations from 3-17-08; as modified by the Commission on October 20, 2008 (regarding the second access to Sixth Street).**
- 2. That the site improvements also conform to the Design Review Board action on 9-28-08.**
- 3. That a follow up Code Review process be completed prior to submittal of revised site improvement plans, in order to address concerns relating to placement of water facilities and fire hydrants, as stipulated by the Fire Department and the Utilities Department; and any other concerns regarding the current submittal.**
- 4. That PCU 08-002 be reviewed in one (1) year.**

Made by: Vice-Chair Lovett

Second: Commissioner Williams
Vote: Unanimous

- 2. PCU/DR 10-008** Review of a new Conditional Use Permit, and associated Design Review, to allow conversion of an existing garage into an acupuncture clinic. The property is located in an R-2 (Single Family/Multiple Family) zone on the east side of North Fifth Street, approximately 400 feet north of its intersection with North Main street in Old Town. The site includes 0.17 acres, including lot 9 and the north half of lot 10 within Block 6 of Hopkins Ranch subdivision, Unit 1. Address: 719 North Fifth Street. APN: 406-38-071. Owner/Agent: Jeanette Campbell.

Discussion with applicant regarding the request for Conditional Use Permit and Design Review on garage conversion to acupuncture clinic in a neighborhood zoned R-2. The applicant presented the site plan and answered all questions asked by the commission. This site has a garage in the rear of the property that will be torn down and a new structure will be built in the footprint of the existing garage with an addition which will follow the existing encroachment setback. The applicant has a hearing before the Board of Adjustment on Wednesday, April 21, 2010, asking for a variance regarding the encroachment setback. The applicant has designed the new unit to complement the existing house on the property and blend with the neighborhood. This new building as well as the parking area will be ADA compliant.

Commissioner Wasden asked about the parking and the landscaping. The applicant answered there are two trees that the parking spaces would be placed around. The first parking space that will be closer to the structure will be ADA compliant. The parking spaces will be in concrete but will be stained and stamped to complement the crushed rock driveway. I have also entered into an agreement for shared parking down the block at the Old Town Center for the Arts. Commissioner Wasden inquired about what type of signage would the applicant use? The applicant replied that she would not have any signage. There would be a mailbox slightly larger than the normal mail box with the name of the practice, Verde Valley Acupuncture Clinic and her name would be printed underneath it, as it will be a shared mail box for the Clinic and residence. The neighborhood will not be impacted by the signage. There will be a stained glass sign inside the office that will be facing out the front window, but the window is on an angle and can not be seen from the street. The neighbors that have been contacted were on both sides of the street and the neighbors directly behind the property site. There have been no negative replies and there were a couple of responses that were positive about having a clinic in the neighborhood.

Commissioner Williams stated that they might be setting a precedent for businesses to be allowed in a residential area. Commissioner Cox inquired about the R-2 zoning what types of businesses could be considered in neighborhoods, zoned R-2. Director Gehlert stated that R-2 is single family & multi-family structures such as duplexes if you have the acreage. Other uses in the R-2 zone you can build a college, a university, a hospital, convert your garage for ceramics and build a kiln out in the backyard. These of course would all need to have a Conditional Use Permit.

Action taken by the Commission.

Motion: To approve PCU 10-008 & DR 10-008 with stipulations out-lined 1 through 5 and add a sixth(6) stipulation, they are as follows:

- 1. That the request conform to the applicant's site plan, dated 2-26-10.**
- 2. That the use be limited to a small medical clinic.**
- 3. That the hours of operation be limited to between 8:00 a.m. and 7:00 p.m.**
- 4. That the design of the clinic, match the existing residence as closely as possible.**
- 5. That the application be reviewed by Staff in one year for compliance; and subject to Commission renewal in three(3) years.**
- 6. That the whole project be ADA compliant including a parking space with the proper ADA signage.**

Made by: Commissioner Wasden

Second: Commissioner Cox

Vote: Unanimous

- 3. DR 10-001** Design Review associate with the renovation of the existing Super Wal-Mart retail store located on the corner of Hwy 260 and Rodeo Drive. The site is zoned C-2 (Heavy Commercial) located at 2003 East Rodeo Drive. APN: 406-12-027P. Owner: Wal-Mart Stores, Inc. Agent: Teresa Jones, BRR Architecture.

Director Gehlert previewed the remodel request submitted by Wal-Mart. Mark Howard a representative for BRR Architecture attended the meeting to answer questions from the commission. The discussion continued concerning the request from Wal-Mart involving a new paint scheme, changes in the existing signage and a screening wall to block the view of the recycle bins that are located in the northeast corner of the site. The commission liked the new color scheme, it will give the building a sharper appearance. The commission asked Mark Howard to speak with Wal-Mart representatives to re-evaluate the following:

- Color scheme of the monument sign to be a darker color more appropriate to the area;
- The height of the screening wall to block the view of the recycle bins;
- Added landscaping to break up the wall, such as Evergreen trees.

Action taken by the Commission.

Motion: That we approve DR 10-001 with following stipulations;

- 1. That the recycle bins be maintained where they currently are; and that adequate landscaping be provided around the base of that wall.**
- 2. That the monument sign colors be changed to one of the darker building colors that had been submitted by the applicant.**
- 3. That proposed landscaping and signage be brought back to the Planning & Zoning Commission for approval. Evergreen trees recommended.**

Made by: Commissioner Wasden

Second: Commissioner Williams

Vote: Unanimous

DISCUSSION ITEMS

1. Possible future work sessions.

Director Gehlert stated there is a tentative work session set for the first Monday in May.

2. Review of Departmental reports.

No discussion.

3. Miscellaneous Updates.

Commissioner Wasden opened discussion concerning the Foxworth Building not being in compliance with the stipulated colors and the signage. The commission is concerned that a city building is not following the stipulations that had been agreed to at a previous Planning and Zoning meeting. The color scheme is all wrong, the landscaping is not completed, river rock around the base of two columns in the front of the building was not done and the window signage is not right. Chair person Kiyler stated that the signage is “cheesy”.

INFORMATIONAL REPORTS AND UPDATES

- Gardner property
- Terry Ruhlman, executive producer for ImagiFlix Studios, would like to use different areas and buildings in Old Town for a new movie project.
- Discussion regarding time frame MAGO has to submit plans.

ADJOURNMENT

Chairperson Kiyler adjourned the meeting at 8:12 p.m.