

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, April 20, 2015, 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 6:02 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
Suzanne Poslaiko		

Staff Members Present

Berrin Nejad, Community Development Director
Doug Bartosh, City Manager
Scott Ellis, Community Development Planner
Christina Papa, Administrative Coordinator, Recorder

APPROVAL OF MINUTES OF JANUARY 26, 2015-REGULAR MEETING

Motion: *To approve the minutes of 1/26/2015-regular meeting*

Made by: *Commissioner Williams*

Second: *Commissioner Cox*

Vote: *Unanimous*

CALL TO THE PUBLIC (NONE)

NEW BUSINESS

1. DR 15-005 POLICE DEPARTMENT – 80-FOOT RADIO TOWER

Consideration of a request for an eighty (80) foot high communication tower to exceed the sixty (60) foot height limitation in the I-2 (Heavy Industrial) zoning district located at an existing City owned water tower east of South Willard Street and south of State Route 89A. APN 406-06-248F. Owner: City of Cottonwood. Agent: Gary Eisenga. Below is Nejad's report:

BACKGROUND:

The city will work in collaboration with GovNET, a federal grant recipient who builds improved infrastructure to provide high speed broadband services in rural Arizona. GovNET will rebuild the Cottonwood Police Department's current communication site at the water tank by installing an eighty (80) foot monopole tower and related equipment. Approval from the FAA has been given to GovNET indicating there are no issues with the proposed tower height.

SURROUNDING PROPERTIES:

West: Verde Valley Guidance Clinic and Veterans Administration Building (I-2 Zone)

East: River Community Fellowship Church (I-2 Zone)

South: Vacant parcel owned by River Community Fellowship Church (I-2 Zone)

North: Vacant parcel (with church driveway crossing it) owned by Canyon RV Resort (I-2 Zone)

SITE PLAN:

The existing site has a city owned water tank, and various other wireless, microwave, and communication towers located on it. Since the tower will be placed on the existing developed site, there are not any plans to change anything on site, including signs, lighting, and landscaping.

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:

With existing structures on site, staff finds this proposal fits within current uses of the property, therefore recommends approval of DR-15-005 for a new tower with an additional 20' height over the existing 60' height tower, for a total height of 80'.

Chairman Kiyler asked if the commission had approved one of these towers recently at the new communication facility. Applicant responded that they did, and that they also have a smaller tower up at Duncan Hill that may be removed at a later time. Chairman

Kiyler asked if the City was paying for this new tower. Applicant responded that they would not be and that the City Attorney is working on an Intergovernmental agreement (IGA) with GovNET. Commissioner Rosen asked if there was any potential issues with the FAA. Applicant mentioned that he was not aware of any issues, and that the representative from GovNET is working with the FAA.

Motion: *Approve DR 15-005 for a new 80' tower.*

Made by: *Commissioner Williams*

Second: *Commissioner Rosen*

Vote: *Unanimous*

- DR 15-003 KIDZAAM DENTISTRY-** Design Review approval for the remodel of an existing building in a C-2 (Heavy Commercial) zoned property located at 2180 E. State Route 89A. APN 406-55-060, 406-55-061B, and 406-55-059D. Owner: Albert & Susan Higgins Family Limited Partnership. Agent: Michael Taylor. Below is Ellis's Report:

Background	
<p>The project site currently has a vacant building on it most recently used as a restaurant. The applicant would like to remodel the existing building into a pediatric dental clinic. The exterior will receive a makeover with new paint and design features to resemble similar clinics the owner has in other cities. Existing landscaping will remain, with new landscaping added.</p> <p>The proposed use is in accordance with Commercial uses in this area. It also meets the requirements of the C-2 (Heavy Commercial) zoning designation, which allows dental offices and clinics as a permitted use.</p>	

Structure Design

Number and Proposed Use of Building	1 existing building to be remodeled into a pediatric dental clinic.
Number of Stories	1
Square Footage	1,605

Parking:

There is an existing parking lot with 23 spaces, two of which will be handicap accessible. Overflow parking is available to the north of the building if needed.

Lighting:

Lighting will comply with Dark Sky regulations. Applicant has submitted lighting plans and lumen counts meeting all requirements.

Signage:

A building sign has been proposed by the applicant to consist of illuminated signs on the south and west faces of the building exterior (see attached sign design). There is not a current submittal to use the existing freestanding pole sign.

Access:

Direct access is available off State Route 89A via an existing driveway directly onto the property. Access is also available off Cove Parkway via a drive aisle across the parking lot.

Landscape Plans:

All of the existing landscaping will remain in place with the addition of more plantings being added.

Utilities:

All utilities are currently available to the property.

Architecture, Materials, Colors:

The existing building is stucco with light colors. No major structural modifications will be made to the exterior of the building, however, the applicant will be adding new thematic design elements to give a fun, welcoming appearance. This will include repainting the building to a variety of colors, mostly various shades of purple, red, green, and yellow.

CRB Review:

This project was reviewed by the Code Review Board on January 6, 2015. Applicant will address all comments and adhere to all requirements prior to being issued a Certificate of Occupancy.

RECOMMENDATION:

The proposal fits within permitted uses in the C-2 Heavy Commercial zone allowing dental clinics, therefore staff recommends approval of DR-15-003 subject to the following stipulations:

1. The project is developed in conformance to Code Review Board comments dated 01-15-15.
2. The project is developed in conformance with the site plan submitted 04-01-15.

Any other stipulations the Planning & Zoning Commission deems necessary.

Commissioner Poslaiko asked staff about the colors. Staff responded that surrounding stores are using the same color scheme that the applicants would like to use. Staff also mentioned that the code doesn't specify colors. Commissioner Williams mentioned that it is up to the commission to determine the colors. Commissioner Poslaiko also mentioned concerns with not only the color but the architecture. Commissioner Wasden asked the applicant about the free standing sign out front and if they were going to use that. Applicant responded that they are not sure if that is their sign or if it is in the right of way. Commissioner Williams asked the applicant if the inside has the same features as the outside. Applicant responded that they do, this is part of the theme that this pediatric dental office has, it is to help eliminate fear from children and make the experience fun

and a place that they look forward to come. Commissioner Rosen mentioned that he was delighted that someone wants to come to Cottonwood and provide services to children, however, the side of the building that faces Panda Express with the checkerboard was a little too much, and wanted to see that toned down a little more, the front of the building is great, also asked if lighting was addressed. Staff responded that light was addressed. Commissioner Cox mentioned that the applicant is doing these things for a reason and it is on the end of town. Commissioner Wasden mentioned that the location is great, but wanted to see it toned down more, and felt uncomfortable with the color, mentioning that a couple of months back the commission denied a project for a small ice dispensary in the parking lot of Food City because of the color, this project stands out too much, and contradicts where the commission is wanting to go. Commissioner Wilder mentioned that this takes things to a whole new level. Commissioner Poslaiko mentioned that yes it is on the outskirts of town but what about the next person that comes in and wants to do something similar to this project. Commissioner Williams mentioned that he had mixed feelings about the project, while he thinks that Cottonwood needs a little more creativity, this is on our busiest corner, not sure if Cottonwood is ready for this, the idea is great. Chairman Kiyler mentioned that he didn't think that it conforms to our General Plan, Taco Bell, Panda Express, and Kentucky Fried Chicken (KFC) all toned down their colors at the request of the Commission, thinks that the project is too much for Cottonwood. Chairman Kiyler asked the applicant if the colors could be muted. Applicant responded that they could be muted. Commissioner Poslaiko mentioned that it needed to be toned down significantly. Commissioner Wasden mentioned the muting of the colors and the objects on the roof, if the Commission approves this project then the precedence is set for future projects, and wants to make sure the consistency is there. Chairman Kiyler mentioned that the Commission can table the project and continue it until next month, mute the colors, and garish stuff on the roof to be removed. Commissioner Williams and Rosen both mentioned that if they could tone it down color wise and architecturally and use the features more as an accent to the building that they would have no issues with it, and that they do like the originality of the project.

Motion: *To table DR 15-003 until May 18, 2015 meeting so that applicant can submit architectural and color alterations to the building.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

3. **Z 15-001 ECO VILLAGE-** Consideration of a zone change of three (3) parcels from Single Family/Multiple Family Residential (R-2) to Planned Area Development (PAD) to allow construction of 23 single family residences. The site is located between N. 7th Street and N. Quail Trail in Cottonwood. APN 406-42-012S, 406-42-012P, and 406-42-012A. Owner: IRA Services Trust CFBO. Agent: David Kennen. Below is Ellis's Report:

Background
<p>The Mingus Mountain Views project was approved initially by the Design Review Board in 2006 as a series of single family and duplex structures (24 units total) on about two acres located in an R-2 (Single Family/Multiple Family Residential) zone. A preliminary plat for the condominium style ownership of these units was also approved by the City Council in 2006. However, as a final plat was never approved or recorded, that action on the plat has now lapsed.</p> <p>The site consists of three parcels all of which are currently vacant. The applicant would like to rezone the parcels to PAD, subdivide the parcels, and build 23 new single family homes. The new development will have three models of one and two-story homes, ranging in size from approximately 1,225 sq. ft. to 1,800 sq. ft. with a year-round outdoor community use area.</p> <p>The proposed use does not conflict with the city’s General Plan and does not require any amendments.</p>

Site Design

Land Use	
Percentage of site devoted to building coverage	31%
Percentage of site devoted to driveways/parking	31%
Percentage of site devoted to open space	33%
TOTAL	95%

Structure Design

Number and Proposed Use of Building	23 new single family homes
Number of Stories	1-2

Parking

The applicant has proposed approximately 79 parking spaces throughout the development. These parking spaces will be a combination of in-garage parking, driveway parking, and on street parking.

Lighting:

All lighting will be designed to be in compliance with section 408 of the City of Cottonwood Outdoor Lighting Ordinance.

Signage:

Applicant has stated a flagstone/rock type sign identifying the subdivision will be installed on the southeast corner of the property, however, a design for this sign has not yet been submitted.

Access:

Access to the subdivision will be from W. Mingus Avenue, along N. 7th Street. Currently, this section of N. 7th Street is private. A “horseshoe” shaped road will provide access to the homes off 7th Street. This will be a one-way road with the entrance at the south end of the property and exit at the north in, both connecting to N. 7th Street.

Landscape Plans:

Numerous trees and plants/shrubs are planned throughout the site, to include providing a buffer/screen from surrounding properties. The goal is to plant edible fruit trees fronting the streets and within a community garden, provide drought-tolerant plants and ground cover throughout property.

Utilities:

Utilities will be upgraded as necessary, expanded, and brought in along N. 7th Street to accommodate the addition of the 23 homes.

CRB Review:

This project was reviewed by the Code Review Board on October 1, 2013 and applicant will comply with all comments prior to development of site.

Architecture, Materials, Colors:

Houses will be constructed with stucco exteriors, tile roofs, wood trim, and have garages under porches.

GENERAL PLAN:

Analysis: As per Arizona Revised Statutes (ARS), a change of zoning must conform to the adopted General Plan of the municipality as relates to the range of uses, densities and intensities indicated in the land use element. Such conditions are specifically described through the Land Use Map. The applicable section of ARS Title 9 (Cities) is as follows:

ARS 9-462.01. Zoning regulations; public hearing; definitions

F. All zoning and rezoning ordinances or regulations adopted under this article shall be consistent with and conform to the adopted general plan of the municipality, if any, as adopted under article 6 of this chapter. In the case of uncertainty in construing or applying the conformity of any part of a proposed rezoning ordinance to the adopted general plan of the municipality, the ordinance shall be construed in a manner that will further the implementation of, and not be contrary to, the goals, policies and applicable elements of the general plan. A rezoning ordinance conforms to the land use element of the general plan if it proposes land uses, densities or intensities within the range of identified uses, densities and intensities of the land use element of the general plan.

GENERAL PLAN CONFORMANCE:

Since this project was last presented to the Commission, the City's new General Plan 2025 was approved by voters and is now in effect. The General Plan 2025 indicates the Land Use classification for this area as Residential / Medium Density (MR).

The State Statute allows such rezoning requests to be considered in terms of goals and policies of the General Plan. In addition, the applicable State Statute section describes the method for making such determination as such: "the [rezoning] ordinance shall be construed in a manner that will further the implementation of, and not be contrary to, the

goals, policies and applicable elements of the general plan.” In this case, the General Plan supports higher density residential use in this area. The proposed PAD zoning is indicated as in conformance with General Plan goals for this area.

STAFF REVIEW:

Staff has reviewed this submittal and finds the overall proposed use of the land meets General Plan guidelines, however there are significant details missing on various aspects of the project. The applicant has met with staff several times to discuss requirements for the project (and for P&Z submittal) resulting in insufficient submittal of the project.

The “Eco Village” project is asking for relief from the existing R-2 zoning standards through the PAD zoning process. Review of key issues includes:

General Plan: The residential use and density is in conformance with the MR medium density residential Land Use classification. However, PAD zoning requires further evaluation with other aspects of the General Plan, such as circulation, sub-area analysis and so on. It may be compatible but an expanded analysis still needs to be presented.

Lot Size: R-2 Zone requires 7,500 square feet minimum lot size per unit. Proposed PAD lot sizes range from 1,916 sq.ft. to just over 7,000 sq.ft. with the majority in the 2,000 to 3,000 sq.ft. range. R-2 Zone would support a density of 5.8 units per acre, not including circulation. The proposed project proposes a density of 9.5 units per acre. The proposal conforms to medium density general plan designation.

Setbacks: Without a fully dimensioned site plan it is impossible to analyze the requested relief from standard setback requirements. Since every lot appears to be slightly different, it is typical to show setback dimensions for each lot: front, rear, side, etc.

Parking and Driveway length: Although it is indicated that residents will be “required” to park in their garage, in practice people will park in short driveways with portions of vehicle projecting over sidewalks and into street. It appears that at least 14 of the 23 units have driveways of less than adequate length to accommodate off-street parking in a conforming manner. Driveway setback dimensions should be indicated for each lot so as to evaluate this condition.

Public Street Design: The proposal is to dedicate the streets to the City. The PAD zoning allows the City Council the option to grant exceptions to Subdivision Ordinance and Off-site improvements based on the PAD standards. This question needs to be addressed by appropriate city departments.

Seventh Street: Applicant was advised in Code Review comments to contact Public Works for determination if he will be required to improve Seventh Street from Mingus Ave. to the property to accommodate increased traffic flow. Half-street (25 feet) dedication for future public street dedication was previously required as part of the proposal made 10 years ago. If Seventh Street is proposed as a public street in association with future development of other vacant parcels, then it is likely to be a standard 50 ft. right-of-way connecting to Mingus Avenue. That is why 25 feet of R-O-W dedication

was indicated previously as a requirement of the subdivision process. Street dedication can also be required through the rezoning process. This issue needs to be addressed.

Grading, Drainage, Stormwater Management and On-site Detention: It is unknown what required changes may be necessary, if any, upon completion of preliminary technical studies. Preliminary plans have not been submitted for review as required by the PAD rezoning process.

Landscaping: The Landscape ordinance describes the method of providing an index with complete names of plants, separate symbols and plant counts and size for each. Some Fruit trees are drought tolerant; most are not. All plants need to be low water drought tolerant unless some other source is addressed by water conservation plan.

Water Conservation Plan: Applicant may be required to upgrade water lines from Mingus Ave. to accommodate flow requirements for the development. The PAD ordinance describes the option to seek relief from the dual plumbing greywater requirement by providing a comprehensive water conservation plan. Details are required. The short statements do not provide any details on how any of this will be designed, operated and maintained.

Central Open Space Feature: Several uses are described and shown for the central area, ranging from drainage basin to community garden to open space. Details and clarification are needed. Exactly what kind of amenities are proposed and where?

Private Yards: What happens with individual private yards? Are there fences, walls or individual semi-private yards? Or is it all open? What if people have pets or children or simply want some private space?

Waste Collection: Will there be individual trash barrels for each unit? Will there be a coordinated trash collection program? If so, how is that done and where are barrels stored on each property? Or will there be shared trash dumpsters in a defined enclosure area? As part of the higher density residential proposal this would be a reasonable question.

Home Owners Association: CC&Rs are presented and reviewed with the Final Plat submittal.

Subdivision: It needs to be noted that a Preliminary Plat has a range of technical requirements, such as engineering work, before it can be approved. Preliminary Plat is approved for 2 years with possibility of extension for 1 more year. Final Plat requires full engineering, cost estimates and financial assurances for public dedications. The applicant gets 6 months to act on recording the Final Plat once approved by Council. Then there is one year to act on the construction of public improvements. Otherwise the Final Plat can be revoked, sending the entire process back to the beginning.

RECOMMENDATION:

Due to information and details still lacking from the applicants submittal, staff recommends the applicant resubmit the project with all required information.

Commissioner Williams asked if there was an aerial photo that shows 7th Street going all the way down to Mingus Avenue, and if that whole street is private, if it is private then doesn't the applicant have to get property owners permission to dedicate that street to the City. Staff responded that the road is private all the way from Mingus Avenue until it dead ends. Commissioner Williams again asked wouldn't the applicant need to get the property owners permission to dedicate road to the City. Staff mentioned that they can do a half street improvement as well, with right of way, but they would need surrounding property owner's permission. Commissioner Williams also asked what the Fire Departments comments were in regards to the one-way street within the development. Staff mentioned that their comments were that no parking would be allowed on the street. Commissioner Williams then responded that there would be code issues, there is a significant slope and drainage issues, lighting issues have they been addressed. Staff mentioned that there is garage lighting. Commissioner Poslaiko asked about the roads within the subdivision on some plans they show only 18' wide and other places they show 20' wide, that there are some contradictions on the project. Chairman Kiyler asked how the City enforces no parking on the street. Commissioner Williams asked if the driveways are going uphill did they submit that. Staff responded that they did not submit that. Staff also mentioned that a letter was received by the neighboring apartment complex regarding street and drainage concerns. Applicant presented a presentation. Chairman Kiyler asked applicant why drainage plans weren't submitted. Applicant responded that they were looking for rezoning at this point in time. Chairman Kiyler mentioned to the applicant that they would give them 30-60 days to come back and will supply staff with missing information. Commissioner Williams asked what is the status of getting the property owners permission for 7th Street. Applicant will work with them to turn that to the City, and that they have not approached anyone other than the apartment complex regarding the street. Commissioner Williams mentioned that the project talks about phasing part of the roads, and then in another section it has an entirely different phasing schedule, and had some concerns with the streets.

Motion: *Table Z 15-001 to provide staff with the missing information and to come back to the June 15, 2015 meeting.*

Made by: *Commissioner Williams*

Second: *Commissioner Rosen*

Vote: *Unanimous*

DISCUSSION ITEMS/ 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. Conditional Use Permits/Signage
2. Design Review Board Requirements

ADJOURNMENT

Meeting adjourned at 8:27p.m.

APPROVED