

Official Minutes of the City of Cottonwood  
Planning & Zoning Commission Regular Meeting  
Held, May 16, 2011, at 6:00 P.M. at the Council Chambers  
826 N. Main Street – Cottonwood, Arizona

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CALL TO ORDER & ROLL CALL

Chairman Kiyler called the meeting to order at 6:01 p.m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Kiyler	Vice Chair Diane Lovett
Robert Williams	Judd Wasden
Jean Wilder	Raymond Cox
Donald Speer	

Staff Members Present

George Gehlert, Community Development Director  
Dan Lueder, Development Services General Manager  
Leslie Wager, Administrative Coordinator, Recorder

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.*

APPROVAL OF MINUTES OF APRIL 18, 2011

***Motion:***        ***To approve the minutes of April 18, 2011 as written.***

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

UNFINISHED BUSINESS

1. Discussion Regarding Parking Code

Chairman Kiyler moved this item to the end of the agenda.

NEW BUSINESS

1. **RCU 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 zone CF (Community Facilities), just west of the Verde Valley Fairgrounds. The site is also north

of 89A between 6<sup>th</sup> and 12<sup>th</sup> streets. APN: 406-42-097M. Owner: Verde Valley Fair Association. Agent: Tom Hurkett, Minerals Research, Inc.

Director Gehlert stated this is a review of the conditional use permit issued to Minerals Research in 2008 on a large parcel owned by the Verde Valley Fairgrounds. Director Gehlert gave a slide show presentation to the Commission with a revised site plan detailing the location and access point of the slag pile. Director Gehlert stated the proposal would enable the establishment of a rock crushing facility and bagging plant at the site to accommodate processing of slag to be used in the manufacture of asphalt shingles, asphalt paving, concrete and as media for sand blasting. The bagging facility will be located roughly 1,000 feet west of residential area.

Director Gehlert stated in 2008 the Design Review Board approved landscaping to block view and provide buffering of the slag pile. A month later the Commission approved an amendment to the C.U.P. which provided an alternate access directly to Sixth Street via an adjacent lot. Director Gehlert noted the C.U.P. has been reviewed yearly since the original approval in 2008.

Director Gehlert stated the proposal was approved in 2008 with the following four stipulations:

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 grading permit be secured prior to commencing access improvements.
4. That PCU 08-002 be reviewed in one (1) year.

Tom Hurkett, from Minerals Research, stated the revised site plan eliminated the high conveyors, reflects what will be built on site and the original easement off of Aspen Street has been relocated to Sixth Street. Hurkett stated at the last Design Review the City stated all buildings will need to have fire sprinklers; due to the high cost of installing sprinklers in all three buildings they have streamlined them to one large building.

Chairman Kiyler inquired as to the type of trucks that will be used and operation time of the trucks. Hurkett stated operation would be 6 a.m. to 10 p.m. and they would have the same trucks running as the ones entering and leaving the Cement plant in Clarkdale. Chairman Kiyler inquired how many trucks would be running in one shift. Hurkett stated there would be eight to ten trucks a day.

Commissioner Wasden inquired when the operation would start, timeline for the project. Hurkett stated the project had been delayed due to the turn in the economy but is going better now. Hurkett stated on site work will start in 2012 and production will start in 2013.

Chairman Kiyler inquired how long it will take to take down the entire slag pile. Hurkett stated approximately fifteen years.

**Motion:**            **To approve RCU 08-002 with the following stipulations:**  
                          **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 10/20/08 (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 grading permit be secured prior to commencing access improvements.*
- 4) *That RCU 08-002 be reviewed in one (1) year.*

**Made By:** *Vice Chair Lovett*  
**Second:** *Commissioner Wasden*  
**Vote:** *Unanimous*

2. **PCU 11-008 and DR 11-008** Review of a request for a new Conditional Use Permit to allow a landscaping materials yard in a C-2 (Heavy Commercial) zone; and for Design Review of the associated commercial facility, parking, storage and landscaping improvements. The one acre site is located at the north extension of Zalesky Road, just north of its intersection with SR 89A. Address: 3420 East 89A. APN: 406-07-011C. Owner: Vortex Healing Park, LLC. Agent: Mario Cascias, Mario and Mario Landscaping.

Director Gehlert stated the subject property is a one acre portion of a large forty acre site owned by Vortex Healing. The subject property is part of a C-2 (Heavy Commercial) zone which parallels Highway 89A. Commercial services and a church are located across 89A to the south and an RV park is located to the west and north with vacant forest land located to the east.

Director Gehlert stated there will be no structural development on site, only canopies for the nursery and material storage. There will be a screening treatment of Juniper trees in front of the berm which is located in the one hundred foot right of way along 89A. Director Gehlert stated the road is at a lower elevation than the right of way and the vegetation should screen the material from the road.

Director Gehlert stated the proposed sales office would be a temporary trailer to which the City usually requires a structure with foundation. This is something the Commission will need to address.

Chairman Kiyler inquired if there were intentions for the temporary building to be followed by a permanent building and if there was a concept of what the building would look like. Director Gehlert stated no; he has not received anything from the applicant to indicate that. Chairman Kiyler noted the difficulty in completing Design Review without seeing the look and design of the sales building.

Commissioner Wasden stated he would also like to see what the building or temporary office will look like. Commissioner Wasden stated with the large open right of way he would like to see something in the middle to help with dust and possibly more screening.

Commissioner Williams inquired if the gap between trees on the berm will be filled in. Commissioner Williams stated where the trees currently sit he does not believe they will screen material well.

Gilbert Contreras, Designer/Draftsman, stated the trees which have not been getting water now are and will fill out, plus the berm is quite high. The office trailer is not very big and with the berm it will not be visible from the road.

Chairman Kiyler noted a good reference to how the Commission likes things put together is the Welcome Center on Bill Gray Road.

Contreras stated this is quite an investment for the owner, who is hoping the business will do well and eventually would like to meet the Welcome Center preference of the Commission. As of right now the owner is simply trying to get the business going. Contreras stated the owner, Mario Cascias, has a yard in Sedona which is very nice looking and well maintained. Contreras stated they are currently working with ADOT on a landscape proposal for the right of way along 89A.

Commissioner Wasden stated he would like to see wrap around screening to the road which would look professional and draw attention to the business. Contreras stated that is one of the things they are working with ADOT to achieve.

Commissioner Cox suggested the owner work with ADOT on placing wildflowers in the right of way as there is not as much cost involved, they would bloom by fall with the monsoons and would not require a lot of water.

Vice Chairman Lovett stated the startup of a business is difficult and can understand why the sales trailer is necessary and suggests putting plants, flowers around the trailer to dress it up. This area is our gateway to the City and we want it to look nice.

Mario Cascias, owner of Mario and Mario Landscaping, stated the building (trailer) to be used is made to be an office only. The building has wood siding, big windows and is thirty feet long by ten feet wide. Cascias stated he will make the building look nice as it is just to get the business started. Cascias stated his business in Sedona is nice and clean, that is how he keeps and runs his business. Cascias stated the piles of gravel are eight to ten feet high, at the highest, and will not be visible from the road. Cascias stated he will be happy to plant more trees and likes Commissioner Cox's idea of adding wildflowers in the right of way. Cascias stated he can blend the building into the landscape by adding trees and vines around it.

Commissioner Wasden inquired if the trailer will have skirting around it. Cascias stated he will build a block wall around it for customer display and will paint the building to match the landscaping. Cascias stated he is willing to do what the Commission would like to see.

Abby Ashford, from the public, stated in defense to Mr. Cascias, his building in Sedona is beautiful and very attractive.

Chairman Kiyler stated he would like to add a seventh stipulation stating the applicant submits concept photos of the sales office trailer to Staff for approval. Chairman Kiyler inquired if Mr. Cascias was familiar with and agreed to the Staff recommended stipulations. Cascias stated he was familiar with the stipulations and agrees to them.

Commissioner Wasden stated he would like to change the wording in stipulation number four to allow the office trailer.

**Motion:** *To approve DR 11-008 with staff recommended stipulations, the Commission modifying #3, #4 and adding #7. The seven stipulations are as follows:*

- 1) That the proposal be developed in conformance to the site plan, elevations and letter of intent dated 4/29/11.*

- 2) *That all comments from the Code Review meeting of 4/5/11 be addressed.*
- 3) *That the applicant submit an amended landscaping/screening plan to include the streetscape.*
- 4) *That the sales office trailer be ADA accessible.*
- 5) *That the applicant comply with City codes pertaining to surfacing and dust control.*
- 6) *That the proposal be reviewed for compliance in one (1) year.*
- 7) *That the applicant submit concept photos of the sales office trailer for approval by Staff.*

**Made By:** Vice Chair Lovett  
**Second:** Commissioner Wasden  
**Vote:** Unanimous

3. **PCU 11-009 and DR 11-011** Review of a request for a new Conditional Use Permit to allow a restaurant and catering operation in a C-R (Commercial-Residential) zone in Old Town; and for Design Review of the associated commercial facility. The site is located on a 0.19 acre lot along the south side of North Main Street, 100 feet east of its intersection with North Willard Street. Lot 3 of Hopkins Ranch Subdivision, Unit 1. APN: 406-38-003. Owner: Charlene Zack Family Trust. Agent: Charlene Zack.

Director Gehlert stated the site is part of a C-R (Commercial-Residential) zone. Residential and home office uses are located to the east and west. A wine/beer bar is located in a C-1 (Light Commercial) zone across North Main Street to the north; and an R-1 (Single Family) zone is located to the south.

Director Gehlert stated this parcel is located in the Hopkins Ranch Subdivision and is one of three lots owned by Charlene Zack. The middle lot will be used for a restaurant/catering business which will operate on Thursday, Friday and Saturday nights from 5pm to 10pm. The project will require interior renovation to provide a kitchen facility.

Director Gehlert stated Staff issues are as follows:

- **Parking:** The proposal as described would require 10 parking spaces, per Sec. 406.D.6(1) of the Parking Code. Sec. 406.C.2.b allows for off-site parking to be considered if it is located within 300 feet of the use. The City Council has recently directed staff to begin the process of developing a parking plan for Old Town, including modifications to the Zoning Ordinance that would take into consideration the proximity of public parking to new uses. There are over thirty parking spaces located within 300 feet of this site both on-street and among to separate public parking lots.
- **Handicap Parking:** Handicap parking would be accommodated on site.
- **Trash / Grease Trap:** Require enclosures and screening.
- **Landscaping:** Due to its location in Old Town, the historic and residential character of the nearby structures and neighborhood, it is unclear what level of landscaping improvements should be required in response to this change of use. Staff would like to discuss with the Commission the treatment of the streetscape, side and rear buffer areas that would otherwise be required by Code.

Vice Chair Lovett inquired where the proposed parking would be. Director Gehlert stated that employee and handicap parking would be provided on-site, and that there are over 30 public parking spaces located within 300 feet of the site, including 8 spaces on the street adjacent to the site, and over 30 spaces located across North Main Street on either side of the old Parks and Recreation building.

Commissioner Wasden inquired how Staff issues of trash, landscaping and side and rear buffer areas would be handled. Director Gehlert stated the new landscape code it is hard to enforce in a historic area. The front portion of the property is already manicured and most of the land is occupied by the structure.

Charlene Zack, Owner, brought in photos of the subject property and stated she would like to keep the neighborhood intact. Zack stated the restaurant would be intimate fine dining with a simple sign. Zack stated the trash will still be street pick up due to only open three nights a week. Zack is uncertain which nights would be best for business as the business is unknown and brand new.

Commissioner Speer stated his concern with the parking set up. Zack stated there is plenty of parking around and close. Old Town is more of a walking area now.

Commissioner Wasden stated he likes the proposal, feels it is a good addition to Old Town and is not concerned about the parking.

Commissioner Cox stated he believes open three nights a week will be good and decide which nights will work best for the restaurant along with the catering business.

Tom Pender, a neighboring business owner, stated he is in favor of this proposal. Pender stated he would not like to see Abbey's Kitchen limited to three nights a week if successful. Pender stated customers use his parking lot to stop for a drink and explore Old Town.

Commissioner Williams inquired if the Commission needs to worry about days of operation or can just stipulate hours of operation. Chairman Kiyler stated he has no concern with days of operation just the hours of operation due to the residential zone.

Chairman Kiyler stated the Commission would amend stipulation number four to eliminate specific days of operation.

***Motion:*** ***To approve PCU 11-009 and DR 11-011 with five staff recommended stipulations, the Commission amending #4 to eliminate specific days. The five stipulations are as follows:***

- 1) That the proposal be developed in conformance to the site plan, elevation and letter of intent dated 4/1/11.**
- 2) That all comments from the Code Review meeting of 5/3/11 be addressed.**

- 3) **That any outdoor cooking conform to the Fire Department requirements.**
- 4) **That the restaurant be open no more than four nights per week from 5 PM to 10 PM.**
- 5) **That the proposal be reviewed for compliance in one (1) year.**

**Made By: Commissioner Williams**  
**Second: Vice Chair Lovett**  
**Vote: Unanimous**

4. **Discussion Regarding the Parking Code.** Director Gehlert stated during the last joint session, the effect of the parking code in Old Town was discussed. The Council and Commission discussed the possibility of amending the parking ordinance to eliminate or relieve the parking code in Old Town on a conditional basis. People will need to be educated on the requirements and employees should be advised not to park on the street. Director Gehlert advised the Commission that the amendment will be on the agenda in the next couple of months.

Commissioner Wasden suggested adding spaces from the old Foxy Fashions building would be a good investment and there are two lots behind the Orion Bread Company. Development Services General Manager, Dan Lueder, stated the City is looking at both parcels. Foxy Fashion appraisal came in very good and awaiting the appraisal for Orion. Both parcels would allow for nice directional signs for public parking. Lueder stated there is a big push to get the parking in Old Town figured out and believes there will be one hundred and fifty new parking spaces within the next year and a half.

#### INFORMATIONAL REPORTS AND UPDATES

Director Gehlert stated the Building Department is close to issuance of the Big 5 Sporting Goods Store permit.

The second reading of the Highland Senior Complex will go before the City Council on June 7, 2011.

Verde Santa Fe Annexation in process, no petition filed.

Resurrecting of the Bicycle committee is underway.

Chairman Kiyler advised the Commission that he contacted Dan Lueder with a request for I-Pads for the Commission. Mr. Lueder, in turn, advised the Commission the request has been made and will now be a Council decision for the next budget year.

#### ADJOURNMENT

Chairman Kiyler adjourned the meeting at 7:40 p.m.