

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, July 15, 2013, 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 6:00 p.m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Ed Kiyler, Chairman	Judd Wasden
Diane Lovett, Vice Chair	Robert Williams
Philip Rosen	Jean Wilder

Planning & Zoning Commission Members Absent

Ray Cox

Staff Members Present

Berrin Nejad, Community Development Director
Christina Papa, Administrative Coordinator, Recorder
Steve Horton, City Attorney

CALL TO THE PUBLIC

There was no public comment.

APPROVAL OF MINUTES OF MAY 20, 2013

Motion: *To approve the minutes of 5/20/13 as written.*

Made by: *Commissioner Lovett*

Second: *Commissioner Williams*

Vote: *Unanimous*

UNFINISHED BUSINESS (NONE)

NEW BUSINESS

1. **PUC 13-009** Consideration of a Conditional Use Permit to enable placement of Gunner's BBQ Pit C-1 zoned property located at the south east corner of Mingus Avenue and Main Street occupied by the Main Stage night club. APN 406-43-018A. Address: 1621 E. Mingus Ave. Owner: Eileen Riffel. Agent: Tamara Jarvis.

Director Nejad began meeting with a presentation of the items that staff has received and review in regards to Gunner's BBQ Pit. Below is Nejad's report:

The applicant requested a Temporary Use Permit (TUP) to have a BBQ stand at the location on May 13, 2013 and the request was approved. The permit is good for total of 28 days a year; therefore in order to have the business permanently, a Conditional Use Permit (CUP) approval is necessary.

Meantime, staff was working on preparation of a "Mobile Vendor Ordinance" and gave a presentation to the City Council on May 14, 2013 at a work session. At this meeting, Mrs. Jarvis was present and spoke to the Council about her business and issues she is dealing with and relocation. Gunner's BBQ used to be located in front of the Home Depot in Cottonwood and she wanted to relocate to 1 S. Main Street where Main Stage is also located. In general, the City Council was very receptive of Mobile Food Vendor businesses within the city at the meeting and directed staff to continue with work on the ordinance.

Some surrounding neighbors signed a petition which alleged that noise, trash, and foot traffic had increased after this business opened.

Ms. Jarvis applied for a CUP approval to have her business permanently at this location. The TUP allowance for 28 days has expired; therefore she requested an extension on TUP until the Planning Commission holds a public hearing meeting for the CUP request. An administrative permission has been granted for her request.

Staff received one phone call inquiring more information on the project and one letter in support of the business at this location. The neighbors' petition and their property location map were enclosed with the staff report.

CRB (CODE REVIEW BOARD):

This request was reviewed by CRB on May 15, 2013.

UTILITY ISSUES:

Utilities are available to the site.

GENERAL PLAN:

The General Plan map depicts this property for commercial, adjacent properties for medium density residential uses. The request complies with the General Plan recommendation.

RECOMMENDATION:

Based on the analysis and findings included in this report, staff recommends approval of request of **PCU 13-009**.

Various members of the public were called up to state whether they supported this business or did not support the business. Most supporters stated that the BBQ Pit

has good food, complies with all health codes, is clean, and does not generate much noise if any. Most of the non-supporters complained about the noise level at night, the lighting of their signs, parking, and smoke issues.

Ms. Jarvis stated that all smoking that is done in regards to cooking is off site, that the noise level is minimal mostly laughing and talking, she also stated that her hours of operation from Thursday-Saturday match those at Main Stage, which means that they are opened until 2:00am.

Commissioner Williams brought up his concern about the hours of operation, and the BBQ Pit being open until 2:00am. Commissioner Wasden had concerns about the hour of operations as well, and clarified that the noise is due to Main Stage and not the BBQ Pit. Chairman Kiyler reminded members of the public that this was a meeting about the BBQ Pit and not of the bar Main Stage.

Motion: *To approve PUC 13-009 with the following stipulations.*

- 1. That the establishment changes its closing hours of operation 30 minutes earlier than the Main Stage operating hours, which are; Sunday – Closed, Monday – Wednesday 11am-6pm, Thursday – Saturday 11am - 1:30am.*
- 2. That it is subject for review in 6 months (January 20, 2014 meeting).*

Made by: *Commissioner Wasden*

Second: *Commissioner Rosen*

Vote: *Unanimous*

DISCUSSION ITEMS

1. Wireless Communication Tower- Steve Horton

Discussion and possible action to recommend that the Council approve an amendment to the City's Zoning Ordinance to allow cell towers up to 30 feet higher than the presumptive limit of 60 feet upon a showing of the need for the extra height.

It was discussed by the commission that this be an agenda item for the next meeting on August 19, 2013. City Attorney Steve to bring a formal ordinance to that meeting.

INFORMATIONAL REPORTS AND UPDATES

Commissioner Wasden brought up the corner/curve in old town and maybe having visual signs/red curb to enforce no parking. The commission also brought up the sign lighting of the church sign at the round-a-bout on Mingus and Willard. Staff is to check into the sign lighting, and the ordinance that the City has in regards to brightness, and colors of sign lighting.

ADJOURNMENT

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

APPROVED