

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, October 19, 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 6:00 p. m. Roll call was taken as follows:

Planning & Zoning Commission Members Present

Chairman Ed Kiyler Robert Williams Judd Wasden
Suzanne Poslaiko Jean Wilder

Planning & Zoning Commission Members Absent

Ray Cox

Staff Members Present

Berrin Nejad, Community Development Director
Charlie Scully, Community Development Planner
Scott Ellis, Community Development Planner
Christina Papa, Planning Technician, Recorder

APPROVAL OF MINUTES OF SEPTEMBER 21, 2015-REGULAR MEETING

Motion: ***To approve the minutes of 9/21/2015-regular meeting***

Made by: ***Commissioner Williams***

Second: ***Commissioner Wilder***

Vote: ***Unanimous***

CALL TO THE PUBLIC (NONE)

NEW BUSINESS

1. **PCU 15-002 WINERY 101-** A Request for a Conditional Use Permit approval for wine tasting as an accessory use to an art gallery currently located at 747 N. Main Street (Manheim Gallery). APN: 406-38-055. Owner Kipling Douglas Stanton. Agent: Gavin Gallifant. Below is Ellis's report:

The applicant is requesting approval of a Conditional Use Permit to allow wine tasting as an accessory use to an art gallery (Manheim Gallery). This will include constructing an outdoor patio area for customers to sit and enjoy the experience. The proposed site is located at 747 N. Main Street, on the north side of the road. The location is zoned CR (Commercial Residential) and is in Old Town.

PROJECT DATA AND FACTS:

Applicant	Gavin R Gallifant
Property Owner/Agent	Douglas Stanton Kipling/Patt Manheim
Location of Property	747 N. Main Street (Manheim Gallery)
Present Zoning and Land Use	CR (Commercial Residential, Art Gallery)
Description of Applicant's Request	Obtain a Conditional Use Permit to allow wine tasting as an accessory use for an existing art gallery by constructing and outdoor patio for customers to sit.

LAND USE:

Description and Character of Surrounding Area
The site is on the north side of North Main Street, at the intersection of North Main Street and North 4 th Street. It is bordered by CR (Commercial/Residential) properties on all four sides.

PROJECT PROPOSAL:

Background
<p>The owner of the property is allowing the applicant space within an existing art gallery to provide wine tasting to customers. The applicant would also like to create an outdoor patio with seating on the west side of the building, bordering North 4th Street.</p> <p>With a Conditional Use Permit, the CR zone allows establishments serving food or beverages, however, it does not include bars, taverns, or lounges. The wine tasting does not fall within the bar, tavern, or lounge category, and will be treated as an accessory use to the art gallery that is currently on site. The applicant will only be allowed to provide wine tasting and any future expansion to include other alcohol or more intensive use will need to be reviewed for compliance with zoning.</p>

Parking:

The property owner also owns an adjacent lot to the northeast of this property which is used as parking. No additional parking is required for this use.

Lighting:

Lighting will comply with Dark Sky regulations and meet all zoning requirements regarding lumen counts.

Signage:

Applicant has proposed a sign on the building which will match the current Manheim Gallery sign (see attached image). This sign will not be illuminated.

Access:

Access to the establishment will be available through the parking lot to the northeast, which is accessible via North 5th Street.

CRB Review:

This project was reviewed by the Code Review Board on September 15th, 2015 and the applicant will meet all requirements before a Certificate of Occupancy will be issued.

RECOMMENDATION:

Staff has reviewed this project and finds it fits within zoning requirements of the CR zone and recommends the following stipulations:

1. That the project is developed in conformance with the project plans submitted 09-29-15 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 09-18-15.
3. That the permit is only valid for wine tasting as presented as an accessory use to the art gallery and any future expansion will need to be reviewed and meet current zoning requirements.
4. The hours of operation for the outdoor patio use is determined by the Planning & Zoning Commission.
5. Any other stipulations the Commission deems necessary.

Commissioner Wilder Recused. Commissioner Wasden wanted to know the access points to the patio. Applicant responded that the access would be through the gates and through the Gallery. Commissioner Wasden asked about the hours, the gallery closes at 5:00 pm. Applicant responded that they would want to be open as late as other tasting rooms in Cottonwood, and that the Owner Patt Manhiem may change the hours of the Gallery to be open until 9:00 pm. Vice Chair Williams mentioned that all the tasting rooms close at 9:00 pm. Chairman Kiyler asked about live music. Applicant would like to have complimentary live music, nothing loud. Chairman Kiyler asked staff if outdoor music is allowed. Staff responded that no it would not be allowed under the current zoning, indoor music is allowed but not outdoor. Applicant said so no speakers outside? Commissioner Poslaiko said just to clarify that nothing can be outside, which includes the speakers, it has to be contained within the building. Staff mentioned that if the applicant was going to do a special event (which there would be outdoor music) they can apply for a special event permit but it cannot be full time as part of the use.

Motion: *To approve PCU 15-002 Winery 101 at 747 N. Main St. with the following stipulations:*

- 1.) That the project is developed in conformance with the project plans submitted 09-29-15 and as may be further modified by the Planning Commission.*
- 2.) That the project conforms to Code Review Board comments dated 09-18-15.*
- 3.) That the permit is only valid for wine tasting as presented as an accessory use to the art gallery and any future expansion will need to be reviewed and meet current zoning requirements.*
- 4.) The hours of operation for the outdoor patio use be limited to 9:00pm.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

2. **DR 15-007 RIVERFRONT WASTEWATER PLANT-** Design Review approval for the construction of a new city wastewater reclamation facility located at Riverfront Park. The project is located at 1187 E. Riverfront Rd. APN: 406-42-018U and 406-42-018W. Owner: City of Cottonwood Applicant: Roger Biggs. Below is Ellis's report:

Consideration of a Design Review for a new Riverfront Water Reclamation Facility for the City of Cottonwood, located at 1187 E. Riverfront Rd. The property is currently vacant and a portion of it may possibly be used for future soccer fields. In July 2015 the Cottonwood City Council approved the project for construction.

Two main buildings will be constructed to allow operation and maintenance of the facility, with several smaller accessory buildings on site to house operating equipment. The two main buildings will be constructed of CMU with a stucco finish. A new access road from 10th Street to the plant gate will also be constructed. Landscaping will consist of various bushes and trees, and crushed granite will be placed throughout the property for ground cover.

RECOMMENDATION:

Staff recommends approval subject to the following stipulations:

1. That the development in conformance with the plans submitted October 2015 and as may be further modified by the Planning Commission.
2. That all the Code Review issues are addressed.
3. Any other stipulations the Commission deems necessary.

Vice Chairman Williams asked if this project is built to the 500 year flood. Applicant mentioned that it will be built two feet above the flood plain. Commissioner Wasden asked what the project start time would be. Applicant responded that they would like to start by this years end.

Motion: *To approve DR 15-007 the Design Review of the Riverfront Water Reclamation Facility located at 1187 E. Riverfront Rd., subject to the following stipulations:*

- 1.) That the development conforms with the plans submitted October 2015.*
- 2.) That all the Code Review issues are addressed.*

Made by: *Commissioner Williams*
Second: *Commissioner Wasden*
Vote: *Unanimous*

OLD BUSINESS

1. **ZO 15-003- AMENDMENT TO SECTION 422 “I-2” ZONE (HEAVY INDUSTRIAL):** Consideration of a Zoning Ordinance text amendment to Section 422 deleting multi-unit residential and manufactured home parks; and adding accessory residential uses, as Conditional Uses in the I-2 (Heavy Industrial) Zone. Below is Scully’s report:

BACKGROUND

The Planning and Zoning Commission considered the proposed amendment to remove multi-unit residential and manufactured home parks from consideration as I-2 Conditional Uses at their meetings of August 17 and September 21, 2015, and recommended approval.

Upon further review of the topic, the question of accessory residential uses came up. There are several existing examples in the I-2 Zone. Examples of accessory residential use include a single unit incorporated into a light industrial property; or institutional residential uses incorporated into a medical facility or public safety facility. As long as the residential use is accessory and secondary to a Permitted Use, it would be able to be considered as a Conditional Use.

REQUESTED ACTION

Amend the Cottonwood Zoning Ordinance, Section 422 “I-2” Zone by removing R-3 multi-unit residential projects and manufactured home parks from consideration as “Conditional Uses” in the I-2 (Heavy Industrial) Zone; and adding a new section to allow accessory residential uses as Conditional Uses in the I-2 Zone where associated with a Permitted Use.

STAFF ANALYSIS

The “Accessory Residential Use” is meant to accommodate:

- Accessory dwelling unit (mother-in-law unit, granny flat) within a building;
- Residential units for institutional use, such as in-patient apartments at Spectrum/Guidance Clinic;
- Residential/dormitory use for Public Safety facilities; or
- Permanent on-site manager unit for a Self-Storage facility.

The amendment is not meant to accommodate permanent housing at I-2 sites in the form of:

- Recreational vehicle (RV) or travel trailer unit for permanent manager residence at industrial use, such as distribution facility, processing use, manufacturing shop, storage facility, contractor’s yard or storage yard; or
- Manufactured unit located on-site with an industrial building, auto body shop, office, storage facility or in a yard;

Section 307. “Temporary Use Permits” allows consideration a Watchperson’s Trailer through the TUP process for a period of one year, with extensions possible, at an active construction site.

Amend Section 422 “I-2” Zone (Conditional Uses) as follows:

DELETE

- ~~2. Residences as allowed in the “R-3” Zone, subject to the property development standards of the “R-3” Zone.~~
- ~~3. Manufactured Home Parks, subject to the property development standards of the “MH” Zone.~~

ADD

- 2. Accessory residential use located in association with a permitted use provided the residential use is secondary to the permitted use and integrated within a permanent structure, and not including a manufactured home or recreational vehicle, except for a watchperson’s trailer approved as per Section 307 “Temporary Use Permits.”**

RECOMMENDATION

Consider the previous and revised ordinance amendments and provide a recommendation for the City Council.

ATTACHMENTS

Updated Zoning Ordinance, Section 422. I-2 (Heavy Industrial) Zone, including Accessory Residential Use. (October 19, 2015)

Commissioner Wilder had some questions regarding building height, and allowed uses. Staff informed her that was existing in the ordinance and that is not what is being changed. Commissioners had no other questions.

Motion: *To recommend ZO 15-003 amendments to Section 422 “I-2” Zone (Heavy Industrial) removing subsection C, 2 and 3, replacing with a new subsection 2 for accessory residential use to be allowed as conditional use as written by staff, to City Council for approval.*

Made by: *Commissioner Williams*

Second: *Commissioner Wasden*

Vote: *Unanimous*

DISCUSSION ITEMS- NONE

INFORMATIONAL REPORTS AND UPDATES-

- 1.) Commissioners terms expiring.
- 2.) Infill project in old town.
- 3.) Historic Preservation Commission has several properties that they have landmarked.
- 4.) Catholic School has received their Certificate of Occupancy.
- 5.) Galpin RV-Staff mentioned that they think they are still in the engineering stage of plans.

ADJOURNMENT

Meeting adjourned at 6:54p.m.