

Official Minutes of the City of Cottonwood
Planning & Zoning Commission Regular Meeting
Held, November 18, 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
Jean Wilder

Planning & Zoning Commission Members Absent

Philip Rosen
Ray Cox

Staff Members Present

Berrin Nejad, Community Development Director
Morgan Scott, Development Services Operations Manager
Steve Horton, City Attorney
Christina Papa, Administrative Coordinator, Recorder
Scott Ellis, Community Development Planner

CALL TO THE PUBLIC (NONE)

APPROVAL OF MINUTES OF OCTOBER 21, 2013

Motion: *To approve the minutes of 10/21/13.*

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

Motion: *To come back to offsite signage.*

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

UNFINISHED BUSINESS

1. **ZO 13-022 SKYLINE APARTMENTS**

Director Nejad began meeting with a presentation of the items that staff had received and reviewed in regards to Skyline Apartments. Below is Nejad's report:

Applicant, Skyline Apartments, LLC and Seabourn, LLC, is requesting a zone change on three (3) parcels from Single Family Residential (R-1), Single Family Residential/Multifamily (R-2), Multiple Family Residential (R-3), and Light Commercial (C-1) to Planned Area Development (PAD) in order to convert existing apartments to condominiums and build additional condominiums in the future as housing market demands, on 5.78 acres, located between 16th and Main Streets.

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.

PAD Proposal:

The PAD rezoning request for the Skyline property includes property to the west zoned R-1, and indicated on the current General Plan land use classification map as Medium Density Residential (MDR). The east portion of the property zoned C-1 is indicated in the current General Plan as Commercial (COM).

Proposed General Plan Update (2013):

The proposed Draft General Plan 2025 indicates the Land Use classification for this area as Residential / High Density (HR). The area is located within walking distance to the commercial retail corridor along SR 89A and SR 260. Apartments and townhomes support the viability of this sub-area as a walkable, interconnected neighborhood, which is a goal of the general plan. The proposed General Plan update indicates Residential / High Density as the following:

RESIDENTIAL /HIGH DENSITY (HR): Intended to accommodate multi-unit housing and neighborhood locations with a mix of housing types. Properties could have as much as 12- 29 units of housing per acre based on the zoning and property development requirements. (R-3 & R-4 Zones)

GENERAL PLAN CONFORMANCE:

The State Statute allows such rezoning requests to be considered in terms of goals and policies of the General Plan. The aggregate of the combined parcels can be used for the determination of General Plan conformance regarding density. 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 to further the goals of supporting a mixed use, commercial core in the vicinity. The proposed PAD zoning is indicated as in conformance with General Plan goals for this area.

RECOMMENDATION:

Staff has reviewed this project and recommends approval of Z 13-022 subject to the following stipulations.

1. That the project conforms to Code Review Board comments dated 06-25-13.
2. Any other stipulations the Planning and Zoning Commission deems necessary.

Commissioner Williams along with Commissioner Wasden had some questions about the project in regards to design review and if that is what is being presented and approved tonight along with the re-zoning. Staff had answered that question informing commission that they would be approving both the re-zoning and the design concept of the development but could make stipulations to have applicant come back to the commission for Design Review approval on the buildings. There were some concerns in regards to drainage on the property and Staff had advised commission that once approved they would have to submit a much more detailed drainage plan to Staff. Commissioners also wanted to clarify that all petition letters were reflected on the map that Staff had provided to the commission. Staff verified that all letters both in and out of the 300’ radius were reflected on that map. The commission then opened the floor to the public for comments. Several individuals addressed the commission with concerns about this project, floor was then closed to the public and the commission began discussion amongst themselves. The commission members are very much in favor of good infill projects, and this project appears to satisfy the current zoning, and that the PAD zoning is used to eliminate mixed use and control area design, however, there are concerns with the concept of two story homes. The commission wanted to see the design flow better with the existing neighboring designs, they also had concerns with the materials that were being used to construct the future project. The commission would like to see similar materials used to

the neighboring design, i.e. stucco, and tiled roofs. Commissioner Wasden along with other members had serious concerns with traffic control as the roadway that the applicant presented is more of a parking lot than a through street. Chairman Kiyler also expressed his concern with seeing the project be more compatible with the existing homes surrounding the area. Commissioner Lovett expressed some concern about the start date of this project; it would make it difficult to move forward without any time frame for the project. The commission had overall concerns with accepting the project as is.

Motion: *Table ZO 13-022 with the understanding that developer will work with neighboring communities to develop a design that fits into what is existing and to present Staff with progress so that Staff can make a recommendation at the January 20th meeting.*

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

NEW BUSINESS

- 1. PCU 13-010 LOZANO IMPOUND YARD-** Consideration of a Conditional Use Permit for an impound yard in a C-2 zoned property located at 698 East Highway 89A. APN 406-06-009G and 406-06-009H. Address: 698 E. Hwy. 89A. Owner: Debbie Bluff. Agent: Anthony Lozano.

Planner Ellis began meeting with a presentation of the items that staff had received and reviewed in regards to Lozano Impound Yard. Below is Ellis’s report:

The applicant is requesting approval of a Conditional Use Permit proposal for placement of an impound lot at 698 E. State Route 89A in Cottonwood. The property is located on the northwest corner of State Route 89A and 7th Street. The subject property is currently zoned C-2 (Heavy Commercial), therefore requires a Conditional Use Permit approval.

PROJECT DATA AND FACTS:

Applicant	Anthony Lozano
Property Owner	Debbie Bluff
Location of Property	698 E. State Route 89A
Present Zoning and Land Use	C-2 (Heavy Commercial)
Description of Applicant’s Request	Use of an existing, fenced lot for storage of impounded vehicles. The existing building on the lot will be used as an administrative office and the facility is subject to 24 hour activity.

LAND USE:

Description and Character of Surrounding Area
The site is located off State Route 89A. Surrounding properties are zoned C-2 (Heavy Commercial).

PROJECT PROPOSAL:

Background
<p>This project was before the Commission on the August 19, 2013 meeting and was tabled to give the applicant more time to develop a better landscape and screening plan for the property. The applicant is requesting a Conditional Use Permit to establish a storage/impound yard for motor vehicles, and to house company vehicles. The yard will be subject to use 24/7. The building on the property will be utilized as an administrative office to conduct business activities relating to the storage yard. The applicant has been advised by the property owner that ADOT has issued a permit for the ongoing use of the existing access on 89A.</p> <p>The property has been vacant for approximately three (3) years. Staff and applicant met several times on how to improve the appearance of the lot. Existing fence and lack of space for landscaping are the main concerns. Staff recommended lowering the existing sign, but due to cost, applicant prefers to use the existing space. The applicant is willing to put in towards improvements, but he is not the owner, just leasing the property.</p>

Parking:

Parking is available on an existing concrete slab for access to the administrative office. Other parking within the fenced area will be used for impounded vehicles and tow trucks.

Signage:

Applicant has proposed use of the existing sign frame on site and will meet all requirements outlined in Section 405 of the City of Cottonwood Zoning Ordinance.

Access:

Access to the property is available off 89A and 7th Street. The applicant has proposed a circular traffic flow to eliminate confusion. Tow trucks will enter off 89A into the fenced area and exit the gate onto 7th Street.

Landscape Plans:

A new landscape plan has been submitted that includes additional plantings to help shield the area to be used as vehicle storage. This will be in combination to fence slats that will help screen the vehicles.

Utilities:

Utilities are available to the site and no issues exist.

CONCERNS:

The site is located at a strategic location which is very important to the City's image for people traveling on 89A. Staff has also received two inquiries from neighboring property owners concerning traffic on 7th Street and the visibility of the impounded vehicles from 89A. Given these concerns, the property owners do not disapprove of the project, they just want their concerns heard.

RECOMMENDATION:

Staff understands the difficult economic times, the property being vacant approximately three (3) years, and limited space for the landscape improvements and therefore recommends approval of **PCU 13-010**, subject to the following:

- 1) That the fence be solid and not showing the impound yard.
- 2) Applicant landscapes the property as indicated on new site plan.
- 3) The secondary sign frame be removed and the overall sign height be lowered.
- 4) Anything else the Commission deems necessary.

Commissioner Wasden had some questions about the sign in regards to it being illuminated. Chairman Kiyler also asked about the sign in regards to the height and if it can be lowered. Staff responded to commission about the illuminated sign and the height of the sign. Commissioner Lovett had concerns about the increase of traffic on 7th St, and wanted to know how many impounds on average a day will the applicant have. Applicant addressed commission and stated that they would have no more than 10-20 cars. The commission still had some concerns with the screening of the chain linked fence, the applicant will have slats on all chain linked fences to help screen the yard. The applicant also provided a landscape plan that would add additional screening of the gated area. The commission still had concerns in regards to an impound lot on one of the main highways through Cottonwood. The commission would like to see the issues with the sign height addressed, along with the up keep of the property, discussed a one year review stipulation for the project.

Motion: *To approve PCU13-010 with the stipulations that the fence be solid and not showing the impound yard, applicant landscapes the property as indicated on new site plan, the secondary sign frame be removed and the overall height of the sign be lowered to 10 feet (from grade level), that the sign colors (yellow and blue) be muted, and that it comes back to the commission in 1 year (November 17, 2014).*

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

2. **PCU 13-027 COTTONWOOD COVENANT DENTAL-** Consideration of a Conditional Use Permit to allow an additional sign, in C-2 zoned property located at 1061 S. State Route 260. APN 406-04-151. Address: 1061 S. State Route 260. Owner: Cottonwood Covenant Dental. Agent: Chris Totton.

Planner Ellis began meeting with a presentation of the items that staff had received and reviewed in regards to Cottonwood Covenant Dental. Below is Ellis's report:

The applicant is requesting approval of a Conditional Use Permit to allow additional sign(s), in their newly built dental office located at 1061 South State Route 260 in a C-2 (Heavy Commercial) zoned property.

Applicant:

Chris Totton
9200 E. Valley Rd.
Prescott Valley, AZ 86314

Property Owner :

Cottonwood Covenant Dental
1700 Red Hill Ave.
Irvine, CA 92614-5626

BACKGROUND:

A vacant fast food restaurant has been converted into an adult and children's dental clinic. The applicant would like to place two (2) signs on the west side of the building along the street frontage, a monument sign, and two (2) additional signs on the south side of the building facing the parking lot. One of the two signs on each side of the building will indicate the name of the adult dental clinic and the other will indicate the children's dental clinic. Section 405 of the City of Cottonwood Zoning Ordinance only allows two (2) signs per use for any one (1) street frontage. Additional signage may be allowed by Conditional Use Permit, therefore applicant is requesting CUP approval.

SIGN DETAILS:

The signs proposed for the children's dentist are approximately 36.25sqft each., the adult dental signs are approximately 48.61sqft each, and the monument sign is 39.375sqft. The total for all signs is approximately 209.095sqft. Without a Conditional Use Permit, only two signs for a total of 200sqft are allowed. The request is for 2 additional signs and 9.10 additional square feet of sign area.

The building signs and monument sign will be illuminated lettering and meet Section 408 of the City of Cottonwood Zoning Ordinance Lighting Code.

RECOMMENDATION:

Staff has reviewed the submitted sign proposal and cannot justify full sized additional sign approval based on the zoning ordinance.

The commission had some questions in regards to the size of the lettering and the height of the free standing sign. Applicant indicated that he could reduce the sign to 70% on the south side of the building, but he would be unable to lower the free standing sign due the setback landscaping, it would eliminate even having the free standing sign. Commissioner Wasden was concerned with the lighting of the sign as there is white lettering; applicant said that they can dim the lighting on the sign. There was some concern with the commission about the size of the sign lettering. The commission was also concerned that this would be a lot of signage then what is allowed. The commission thought that the sign in front would be sufficient for the business, and that allowing this condition would open the door to other businesses that have the required sign limits on their businesses to want more. The commission would like to stay consistent on signs, and over saturation is not something that the commission wants to see.

Motion: ***To deny request for additional signage.***

Made by: ***Commissioner Lovett***

Second: ***Commissioner Wasden***

Vote: ***Unanimous***

3. **DR 13-026 SYCAMORE SQUARE-** Consideration of Design Review associated with the remodeling of the existing building located at 1329 E. Hwy 89A. APN 406-06-028G. Address: 1329 E. Hwy. 89A. Owner: Peterson Revocable Family Trust. Agent: Dan Peterson.

Planner Ellis began meeting with a presentation of the items that staff had received and reviewed in regards to Sycamore Square. Below is Ellis's report:

The applicant is requesting approval of a Design Review application to refurbish a large existing vacant building to a Sears store to occupy the eastern half of the building, and allow other tenants the opportunity to occupy different portions. The proposed site is

located at 1329 E. State Route 89A, on the south side of the road. The location is zoned C-2(Heavy Commercial).

PROJECT DATA AND FACTS:

Applicant/Owner	Peterson Revocable Family Trust
Project Manager	Dan Peterson
Location of Property	1329 E. State Route 89A (south side of highway)
Present Zoning and Land Use	C-2 (Heavy Commercial, vacant retail building)
Description of Applicant's Request	Refurbish/remodel existing building to give it a facelift and provide retail opportunities for several businesses.

LAND USE:

Description and Character of Surrounding Area
The site is on the south side of SR 89A, east of 12 th Street and west of Main Street. It is bordered by C-2 (Heavy Commercial) on the north with a restaurant/retail shops, C-1 (Light Commercial) on the east and west with the Food City shopping center and bank, and R-2 (Single Family/Multiple Family Residential) on the west with vacant land.

PROJECT PROPOSAL:

Background
<p>The building is currently vacant and has been vacant for some time. The applicant would like to remodel portions of the interior and upgrade the exterior to a more modern look. A Sears store will occupy the east half of the building with the rest of the building available to up to three (3) other tenants. The remaining property on the northwest side of the building may be used in the future as a gated storage for RV's, boats, mini-storage, etc (will require Conditional Use Permit). Most of the existing structures will be used and added on to in order to create the storage area. The landscaping and asphalt will also be refurbished to present a cleaner appearance. An existing guard shack and gate along the west side of the building will be removed.</p> <p>The proposed project is in accordance with the <i>Future Land Use Map</i> according to the Cottonwood General Plan, consisting of General Commercial along SR 89A. It also meets the requirements of the C-2 (Heavy Commercial) zoning designation as described in Section 419 of the Cottonwood Zoning Ordinance.</p>

Site Design (Exhibit 2)

Land Use	
Percentage of site devoted to building coverage	21%
Percentage of site devoted to driveways/hardscape	23%
Percentage of site devoted to landscaping	41%
TOTAL	85%

Structure Design (Exhibit 3)

Number and Proposed Use of Building	1 Main building divided into 2 retail spaces and storage.
Number and Proposed Use of Existing Structures	5 Various sized metal sheds to be used as future storage.
Number of Stories	1
Square Footage	7,003 Sears 4,800 Other Retail/Office 12,272 Indoor storage for Sears/Retail

Parking:

A total of forty (40) parking spaces are required for the entire building. Sixty-one (61) parking spaces will be provided, two (2) of which will be ADA spaces.

Lighting:

Lighting will comply with Dark Sky regulations. Applicant will replace existing lighting to meet all lighting code requirements.

Signage:

The applicant has proposed a monument sign to accommodate up to three (3) signs to be used by tenants of the building. The signs will be internally illuminated with opaque backgrounds and will meet all Dark Sky and Zoning Ordinance requirements. The letters are internally illuminated and meet all Zoning Ordinance requirements and signage calculations meet the sign ordinance.

Access:

Access will be available via two (2) existing ingress/egress points on the property off SR 89A. An existing ingress/egress location off 12th street will be utilized for emergencies only.

Landscape Plans:

The landscaping plans are submitted and reviewed by staff. The exterior right of ways surrounding the property are currently landscaped and the applicant has plans to improve and add to this existing landscape. A variety of trees and bushes will remain with the addition of crushed stone in several areas to enhance bare areas. A new native stone, dry stacked wall will be built around the landscaped area facing the parking lot and be

approximately 1-2 feet high depending on slope. All landscaping will adhere to requirements per the Cottonwood Landscaping Ordinance.

Utilities:

All utilities are currently on site and no issues exist. Fixture counts have been provided to the Utility Department.

Architecture, Materials, Colors:

The building exterior will be upgraded with a new façade to include a stucco finish over the existing CMU wall and vertical ribbed metal fascia surrounding upper portions of the building's sides and back. A variety of colors will be used to accent the building and give it a modern appearance (see color board).

CRB Review:

This project was reviewed by the CRB (Code Review Board) on October 15, 2013 and applicant has already met most of the requirements from staff, anything remaining will be met before the building permit is issued.

RECOMMENDATION:

Staff has reviewed this project and finds it fits within the Cottonwood General Plan Land Use and Zoning requirements, therefore recommends approval of DR 13-026 subject to the following stipulations:

1. That the project is developed in conformance with the site and landscape plans submitted 10-21-13 and as may be further modified by the Planning Commission.
2. That the project conforms to Code Review Board comments dated 10-22-13.
3. Any other stipulations the Design Review Board deems necessary.

Commissioner Williams had some questions in regards to the free standing sign height. Staff mentioned to the commission that they received a revised sign design on Friday November 15, 2013 showing the applicant had lowered the sign height. Commissioner Wilder had questions regarding the electronic sign that would be added to the free standing sign and if that would be in conformance with the new electronic sign ordinance. Staff assured the commission that the electronic sign will meet the new ordinance before being approved. Commissioner Lovett had questions regarding the back storage area and if that is allowed in the current zoning. Staff replied that applicant would have to come back to commission with a Conditional Use Permit to use the back portion of the property for that. The commission was happy to finally see something going into this vacant property, they were happy with the new design of the building and was satisfied with the new proposed height of the sign.

Motion: *To approve DR 13-026 with the stipulation that the project is developed in conformance with the site and landscaping plans*

that were submitted on October 21, 2013 and may be further modified by the Planning Commission, and that it conforms to Code Review Board comments from the October 22, 2013 meeting.

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

UNFINISHED BUSINESS

1. OFFSITE SIGNAGE

There was a presentation given by Director Nejad to the commission in regards to offsite signage. Commission had some discussion about how the signs would help to reduce over saturation of signs particularly A-Frame signs and banners. The design of the sign should be consistent and look esthetically pleasing. Staff asked if this is something that they can take to City Council, Commission agreed that Staff present this to City Council.

ADJOURNMENT

Meeting adjourned at 10:10 p.m.