



**CITY OF COTTONWOOD
PLANNING & ZONING COMMISSION
VIRTUAL GOTO MEETING**
Online Meeting Platform

REGULAR MEETING
Monday, January 25, 2021
6:00 p.m.

I. CALL TO ORDER

Chairman Williams called the meeting to order at 6:00 PM.

A. Roll Call

Commission Members Present

Commissioner Romeo
Commissioner Garrison
Commissioner Disisto
Commissioner Richter
Vice Chairman Masten
Chairman Williams

Commission Members Absent

N/A

Staff Members Present

Ron Corbin, City Manager
Scott Ellis, Community Development Director
Tricia Lewis, Economic Development Director
Jim Padgett, Community Development Planner
James Bramble, Senior Engineer City of Cottonwood
Steve Hensyel, I.T. City of Cottonwood
Megan Russell, Community Development Administrative Assistant, Recorder

Information on the above agenda items may be obtained in person from the Community Development Department, 111 N. Main Street in Cottonwood, or by calling (928) 634-5505.

A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

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II. INFORMATIONAL REPORTS AND UPDATES:

Condolences were given for the sudden and unexpected passing of Commissioner Hart.

The Commission welcomed two new members Randy Garrison and Angela Romeo. Election was held for Chairman and Vice Chairman. The position of Chairman was elected to Chairman Williams, Vice Chairman was elected to Commissioner Masten.

Director Ellis updated the Commission with the approval of the ordinance to annex the Spring Creek Ranch area. This ordinance was approved on January 19, 2021 and will go into effect 30 days from that date. There will also be a second meeting for an ordinance to maintain Yavapai County Zoning, RCU-2A, for 6 months while the City of Cottonwood develops a new zone for that area. This new City of Cottonwood zoning will be brought before the Planning & Zoning Commission before going to City Council for approval, the zoning to keep the current Yavapai County zoning in effect will not come before the Planning and Zoning Commission, this will go straight to City Council.

Director Ellis updated the Commission with the opening of new Circle K, on Friday January 22nd, located off of Main Street and Mingus Avenue. Director Ellis updated the Commission of the approval of the time extension for the Inspiration at Cottonwood by City Council.

A. Approval of Minutes: December 21, 2020 Regular Meeting

Motion: *To approve minutes of the December 21, 2020 Regular Meeting.*

Made by: *Chairman Williams*

Second: *Vice Chairman Masten*

Vote: *Unanimous*

III. DISCUSSION ITEMS:

A slide show presentation regarding email and protocol was demonstrated to the Commission by Steve Hensyel from the I.T. department for the City of Cottonwood.

IV. CALL TO THE PUBLIC: No Comment

V. OLD BUSINESS: None

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VI. NEW BUSINESS:

1. **DR 20-009 LOWNEY APARTMENTS** – A Request for Design Review of a 5-unit apartment building. The subject parcel is zoned R-3 (Multiple Family Residential), located at 1214 E. Mingus Ave. APN 406-37-044A. Owner: Lowney Family Trust & Lowney Kevin P. & Rhonda H. Ttees. Applicant: Kevin Lowney.

Planner Padgett stated the current zoning for this property is R-3 Multiple Family Residential. This will be a two-story apartment building with one-way driveway access, exiting onto the alley. Planner Padgett updated the Commission on the recent text amendment that will allow changes to the current landscaping.

Chairman Williams requested that the curb, gutter and sidewalk to added to the stipulations.

Commissioner Garrison asked for clarification regarding the parking area, and alley being paved.

Kevin Lowney replied he has full intent on paving the parking lot and is willing to pave the alley from the edge of the parking lot up to the alley.

Vice Chairman Masten asked if Kevin Lowney planned on using the landscaping text amendment.

Kevin Lowney's response if he did he would move the parking lot further away from the building to allow a wider parking area.

Director Ellis advised the Public Works Engineering is requiring a drainage study to be submitted.

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Motion was made to approve DR 20-009 for a 5-unit apartment building to be constructed at 1214 E. Mingus Avenue, subject to the following stipulations:

1. That the project is developed in conformance with the site plan submitted with this application as reviewed and stipulated by the Planning and Zoning Commission on January 25, 2021.
2. The project shall comply with Code Review Board requirements dated March 18, 2020.
3. That the project complies with all Building, Engineering and Fire Department requirements.
4. That a site plan be submitted for review and approved by staff that identifies all required off-site improvements and any modifications to the site plan to include landscape, sidewalk, curb, gutter, parking improvements and including paving the adjacent alley off of 12th Street.
5. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued within twenty-four (24) months from the date of this approval.

Made by: Vice Chairman Masten

Second: Commissioner Disisto

Roll Call Vote:

*Commissioner Romeo- Aye
Commissioner Garrison- Aye
Commissioner Masten- Aye
Commissioner Richter- Aye
Vice Chairman Masten- Aye
Chairman Williams- Aye*

Unanimously carried.

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- 2. CUP 20-012 SPA AND STAY**– A request for a Conditional Use Permit to convert a commercial unit into a residential unit to offer “Spa and Stay” opportunities for an existing massage studio/spa. The project is in a C-1 (Light Commercial) zone located at 1765 E. Villa Dr. APN: 406-55-024. Owner: Educational Properties Management Inc & Amber Brandt. Applicant: M. E. Morales

Planner Padgett stated the applicant is requesting to modify an existing commercial unit to a residential unit, to allow for overnight spa packages.

Commissioner Disisto asked if the plan was to have one apartment added and had concerns regarding the Fire Department approving the fire sprinklers.

Planner Jim stated yes, this will be one single apartment.

Amber Brandt stated to Fire Department did an initial walk through, checking at the sprinkler heads and placement. One sprinkler head had paint inside and needed to be replaced, which has been done, all others were approved.

Motion was made to approve CUP 20-012 to allow AB Spa and Stay to convert an existing commercial unit into a residential unit, subject to the following stipulations:

1. That the project is developed in conformance with the Conditional Use Permit submitted for the Planning Commission meeting on January 25, 2021.
2. The project shall comply with Code Review Board requirements dated December 8, 2020.
3. That the project complies with all Building, Engineering and Fire Department requirements.
4. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued within twelve (12) months from the date of this approval.

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5. The City of Cottonwood reserves the right to revoke the Conditional Use Permit (CUP) if the use creates an irremediable public safety problems as determined by the City.

Made by: Vice Chairman Masten

Second: Commissioner Romeo

Roll Call Vote:

*Commissioner Romeo- Aye
Commissioner Garrison- Aye
Commissioner Masten- Aye
Commissioner Richter- Aye
Vice Chairman Masten- Aye
Chairman Williams- Aye*

Unanimously carried.

- 3. CUP 04-033 MODIFICATION - FIRE CREEK RESTAURANT RESIDENTIAL APARTMENTS**– A request for a Conditional Use Permit to modify one existing residential unit into two separate residential units located on the second floor above an existing restaurant business. The project is in a C-1 (Light Commercial) zone located at 677 E. Mingus Ave. APN: 406-42-255A and 406-42-255D. Owner: Michelle Malkin, Our Café and Kitchen LLC Applicant: William B. Bullock.

Planner Padgett stated the current building is a restaurant on the lower level and a residential unit on the top floor. The proposed plan is to divide the existing residential unit into two separate units. The original unit had a CUP approved in 2004. There will need to be 4 marked parking spaces that will separate the parking from restaurant parking. No additional square footage will be needed, since they are splitting one large unit into two smaller units.

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Michelle Malkin said they purchased the building five years ago. They believe splitting the large apartment into two will be great and help with the lack of housing in Cottonwood.

Motion was made to approve CUP 04-033 MOD to allow the Fire Creek Restaurant to divide the one existing unit into two separate residential units, subject to the following stipulations:

1. That the project is developed in conformance with the plans submitted for the Conditional Use Permit Modification application submitted for the Planning Commission meeting on January 25, 2021.
2. The project shall comply with Code Review Board requirements dated January 5, 2021.
3. That the project complies with all Building, Engineering and Fire Department requirements.
4. Identify four required parking spaces for the residential use separately from the common parking provided for the restaurant.
5. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued within twelve (12) months from the date of this approval.
6. The City of Cottonwood reserves the right to revoke the Conditional Use Permit (CUP) if the use creates an irremediable public safety problems as determined by the City.

Made by: Vice Chairman Masten

Second: Commissioner Disisto

Roll Call Vote:

*Commissioner Romeo- Aye
Commissioner Garrison- Aye
Commissioner Masten- Aye
Commissioner Richter- Aye
Vice Chairman Masten- Aye
Chairman Williams- Aye*

Unanimously carried.

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VII. DISCUSSION ITEMS:

Director Ellis addressed the Commission, if they do not have one already, to ask for a Commissioner Handbook. The Commissioner Handbook has many tools, tips and techniques.

Director Ellis encouraged the Commission to review the Zoning Ordinance Article-III Procedures, Conditional Use Permits and Commission Actions and Findings.

February's meeting will be pushed back one week, February 22, 2021, to accommodate the Holiday.

VIII. SUGGESTED TOPICS FOR FUTURE MEETINGS: No Comment

IX. ADJOURNMENT:

7:41 PM

Notice is hereby given that pursuant to A.R.S. subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. have been waived.

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