



**CITY OF COTTONWOOD
PLANNING & ZONING COMMISSION
COTTONWOOD COMMUNITY CLUB HOUSE**

805 N. Main St.
Cottonwood, AZ 86326

REGULAR MEETING
Monday, June 15, 2020
6:00PM

I. CALL TO ORDER

Chairman Williams called the meeting to order at 6:02 P.M.

A. Roll Call

Planning & Zoning Commission Members Present

Commissioner Dowell
Commissioner Masten
Commissioner Sherman
Vice Chairman Dowling
Chairman Williams

Planning & Zoning Commission Members Absent

Commissioner Hart

Staff Members Present

Scott Ellis, Community Development Director
Jim Padgett, Community Development Planner
Gary Davis, Community Development Planner
Ron Corbin, City Manager
Rudy Rodriguez, Deputy City Manager
Cassidy Presmyk, Community Development Recorder

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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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B. Approval of Minutes: May 18, 2020 Regular Meeting

Motion: To approve minutes of the May 18, 2020 Regular Meeting.

Made by: Chairman Williams

Second: Commissioner Dowell

Vote: Unanimous

II. INFORMATIONAL REPORTS AND UPDATES: NONE

III. CALL TO THE PUBLIC

IV. OLD BUSINESS: NONE

V. NEW BUSINESS:

- 1. CUP 18-009 MODIFICATION: BELFRY SIGNAGE– BELFRY BREWING COMPANY** - A request for a Modification to a Conditional Use Permit to allow signage at the subject site to exceed the square footage and quantity of signage permitted by the zoning code as proposed in the applicant's sign plan. CUP 18-009 was approved Dec. 17, 2018 to operate a brew pub with on-site food and beverage and wholesale of product to offsite accounts. The project is in a C-1 (Light Commercial) zone in the Cottonwood Commercial Historic District located at 791 North Main St. APN: 406-38-019C Owner: BOTC Real Estate Holdings, LLC, Applicant: Robert Conlin.

Planner Padgett presented signage and details of locations and size of each sign. Robert Conlin came up to address the Commission. Commissioner Masten asked him if the signs are Dark Sky Compliant, and Mr. Conlin refers to 928Signs Representative for clarification. 928Signs states that they are in Dark Sky Compliance.

Chairman Williams closed the floor to the public.

Motion: To approve CUP 18-009 MOD to allow Robert Conlin as Belfry Brewery to install signage as requested by the proposed sign plan, subject to the following stipulations:

1. That the project conforms to the Code Review Board comments for CUP 18-009 dated August 21, 2018 and any comments from prior, current and future reviews of this project shall be adhered to.

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2. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued prior to issuance of a Certificate of Occupancy.
3. A Right of Way permit shall be obtained from the Public Works Department prior to any work or landscaping in the right of way.
4. The monument sign shall maintain a minimum distance of five (5) feet from the leading edge of the sign to the property boundary.
5. Building Permits shall be applied for within one (1) year from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to revocation procedures.
6. The City of Cottonwood reserves the right to revoke the Conditional Use Permit (CUP) if the use creates an irremediable public safety problem as determined by the City.
7. Any other stipulations the Planning & Zoning Commission deems necessary.

Made by: Vice Chairman Dowling

Second: Commissioner Sherman

Roll Call Vote: Unanimous

- 2. CUP 20-004 GROSETA RANCHES LLC** – A request for a Conditional Use Permit to allow the keeping of livestock and the installation of barbed wire fencing in a C-1 (Light Commercial) zone. The project is located at the southeast corner of East Cottonwood Street and Cove Parkway, APN:406-04-034G Owner: Groseta Ranches, LLC, Applicant: Andy Groseta.

Planner Padgett presented the details for the Conditional Use Permit. Planner Padgett also read out loud three emails he received from residents in the vicinity of the project. Two were opposed and one was in support.

Chairman Williams asked Planner Padgett to address the trash and eyesores mentioned in one of the letters. Planner Padgett stated that trespassing and debris had been a common issue before the fencing was installed. Once the fencing went in, the issues stopped.

Mr. Andy Groseta stepped up to the podium to address the Commission. He stated that they went in and assisted cleaning up the property before even closing on the land. There had been drug paraphernalia, homeless people, trash, and debris before they fenced in the property.

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Chairman Williams asks how many cattle on one parcel at a time. Mr. Groseta responds by saying cattle come and go and there is never a set amount on one parcel at any given time.

Chairman Williams opened the floor to the public.

Mr. Andy Herschkautz addressed the Commission by asking why the hearing is taking place a year after this has already happened. He also asked if there will be a feed trough.

Mr. Randy Osborne addressed the Commission by stating he is strongly in support of this being approved.

Mrs. Electra Jung addressed the Commission by stating she is in strong support of this being approved and goes into detail how much safer and cleaner everything is now.

Mr. Alberto Salas addressed the Commission with his support for motion being approved.

Chairman Williams closed the floor to the public

Commissioners discussed and talked about how they have seen improvement to the property and don't see any issues with how the land is currently being handled.

Motion: To approve CUP 20-004 to allow Groseta Ranches to keep livestock and for the placement of barb-wire fencing, subject to the following stipulations

1. That the project is developed in conformance with the development plans submitted for the June 15, 2020 Planning and Zoning Commission meeting, and as may be further modified by the Planning and Zoning Commission.
2. That the project conforms to the Code Review Board comments dated May 12, 2020 and any comments from prior, current and future reviews of this project shall be adhered to.
3. The applicant shall be required to have a boundary survey conducted and shall submit those results to the City to confirm that the proposed fence is not placed within the City's right of way.
4. The sewer line is inside the fenced area. Utilities will need to work with the applicant for access. Allow City of Cottonwood Utilities to place a lock on the gate to prevent having to contact the applicant at different hours if there is a problem with the line.
5. Applicant must abide by Sections 404.O.2 and 418.C.5 of the City of Cottonwood Zoning Ordinance, regarding the keeping of livestock.

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6. The City of Cottonwood reserves the right to revoke the Conditional Use Permit (CUP) if the use creates an irremediable public safety problem as determined by the City.
7. Any other stipulations the Planning & Zoning Commission deems necessary.

Made by: Vice Chairman Dowling

Second: Commissioner Dowell

Roll Call Vote: Unanimous

- 3. CUP 20-005 AND DR 20-003 - SPRINGHILL SUITES** - A request for a Conditional Use Permit and Design Review to increase the allowed building height from 2½ (two and one half) to 3 (three) stories for a hotel on property located at 535 South 6th Street. The project is located in an I-2 (Heavy Industrial) zone located on the east side of 6th Street just north of State Route 89A. APN:406-06-009 Owner: City of Cottonwood, Applicant: San Tan Partners, LLC; Richardson Design Partnership; and Sunridge Properties.

Planner Padgett presented the project. Chairman Williams asked what the max height is, and Planner Padgett answered by stating 35 feet. This building would be within the height requirements.

Ryan Welker addressed the Commission by stating that he feels three stories are needed to accomplish their project.

Chairman Williams opened the floor to the public.

Rose Ortiz-Unruh addressed the Commission by stating she is an owner of property near this project. Her concern is that this is I2 Zoning and she doesn't want any noise complaints from the hotel to affect their property and Zoning in the future.

Jerry Lovett addressed the Commission with his concerns over this being I-2 Zoning, and with Industrial Zoning comes noise, tractors, and loud activities. Chairman Williams reminds Mr. Lovett that we are here to discuss Design Review over the 2.5 stories to 3 stories. Mr. Lovett asked how is a hotel even allowed in I-2 Zoning? Chairman Williams told him a hotel is commercial, not residential. Mr. Lovett brought up that there are continuous flooding/water issues in this area. He is not opposed to a 3rd floor. Director Ellis says the property will be split and the City of Cottonwood will maintain the 2 acres and the hotel will be on the 2.24 acres purchased.

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Scott Stokes addressed the Commission by stating he runs a cabinet business in the vicinity of the project and is very concerned that with his business comes noise, and smells even though they do the proper filters, and doesn't want to be nervous for a future rezoning. He stated he is nervous about the water retention issues, and how is the parking lot going to affect the running water during flooding. His business has been flooded multiple times within the last few years which causes damage and loss of product.

Fred Hagman addressed the Commission by stating his concerns with flooding and loss of materials for his own business. Planner Padgett replied to Mr. Hagman by informing him that the engineering requirement for the project requires a drainage test to be conducted.

Vice Chairman Dowelling addressed the public by saying he went over the plans and Springhill is addressing and managing their flow with proper drainage that should assist with the flooding issues.

Chairman Williams closed the floor to the public

Chairman Williams addressed the Public in saying that the City cannot just come in and rezone, it is against state law.

The Commissioners express their concern over the water and flooding issues, but agree three stories is fine since it's under the height requirement.

Motion: To approve CUP 20-005 and DR 20-003 to allow San Tan Hotel Partners to exceed the allowable height requirements, subject to the following stipulations:

1. That the project is developed in conformance with the development plans submitted for the June 15, 2020 Planning and Zoning Commission meeting, and as may be further modified by the Planning and Zoning Commission.
2. That the project conforms to the Code Review Board comments dated May 15, 2020 and any comments from prior, current and future reviews of this project shall be adhered to.
3. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued prior to issuance of a Certificate of Occupancy.
4. A Right of Way permit be obtained from the Public Works Department prior to any work or landscaping in the right of way.
5. Identify a minimum of nine (9) bicycle parking spaces to be located on the parcel.
6. Building Permits shall be applied for within one (1) year from the date of approval by the Planning & Zoning Commission or the Conditional Use Permit shall be subject to

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revocation procedures.

7. A Minor Land Division shall be completed prior to the issuance of Building Permits.
8. Comply with all ADOT requirements as noted in the email received May 26, 2020 to obtain a Right of Way permit. In addition, the ADOT District Development Engineer and Northern Regional Traffic will request that the City's review requirements include a Traffic Impact Statement following ADOT Traffic Engineering Guidelines and Procedures TGP 240 Exhibit A. At a minimum the SA089-6th Street intersection be evaluated for Level of Service and delays and also include turning lanes analysis.
9. The City of Cottonwood reserves the right to revoke the Conditional Use Permit (CUP) if the use creates an irremediable public safety problem as determined by the City.
10. All exterior lighting is required to meet Section 408 of the City of Cottonwood Zoning Ordinance Lighting Code
11. A Traffic Impact Statement shall be developed and submitted to the City for review and approval identifying any roadway mitigation requirements.
10. Any other stipulations the Planning & Zoning Commission deems necessary.

Made by: Vice Chairman Dowling

Second: Commissioner Sherman

Roll Call Vote: Unanimous

4. **ZO 20-002 AMENDMENT TO SECTIONS 201 DEFINITIONS, GENERAL; 404 GENERAL PROVISIONS; 410 GA ZONE (GENERAL AGRICULTURE), 411 AR-43 ZONE (AGRICULTURAL RESIDENTIAL), 412 AR-20 ZONE (AGRICULTURAL RESIDENTIAL), 413 R-1 ZONE (SINGLE FAMILY RESIDENTIAL), 416 R-4 ZONE (SINGLE FAMILY/MULTIPLE FAMILY/MANUFACTURED HOME), 417 MH ZONE (MANUFACTURED HOME), 420 CR ZONE (COMMERCIAL RESIDENTIAL), AND 425 AR-70 ZONE (AGRICULTURAL RESIDENTIAL) - TINY HOUSES** - Consideration of a Zoning Ordinance text amendment to Section 404 General Provisions, creating Section CC Tiny Houses, with related text amendments to Sections 201, 410, 411, 412, 413, 416, 417, 420, and 425 regarding standards for Tiny Houses.

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Planner Gary presented project. Commissioner was happy with the presentation and the clear directive.

Motion: To recommend approval to the City Council amendments to Section 404 General Provisions, creating Section CC Tiny Houses, with related text amendments to Sections 201, 410, 411, 412, 413, 416, 417, 420, and 425 regarding the requirements for placement of Tiny Houses within the City of Cottonwood.

Made by: Vice Chairman Dowling

Second: Commissioner Dowell

Roll Call Vote: Unanimous

- 5. ZO 20-005 AMENDMENT TO SECTION 408 OUTDOOR LIGHTING -**
Consideration of a Zoning Ordinance text amendment to Section 408.G Lighting Requirements, regarding the standards for lighting on lots smaller than one half acre.

Planner Davis presented project.

Chairman Williams opened the floor to the public.

Bob Backus addressed the Commissioner asking what the human count was. Commissioner Masten answered by saying 4500.

Chairman Williams closed the floor to the public.

Motion: To recommend approval to the City Council amendments to Section 408 Outdoor Lighting regarding the requirements for lighting on lots smaller than one half acre.

Made by: Vice Chairman Dowling

Second: Commissioner Masten

Roll Call Vote: Unanimous

VI. DISCUSSION ITEMS: NONE

VII. SUGGESTED TOPICS FOR FUTURE MEETINGS: NONE

VIII. ADJOURNMENT: 7:41 P.M.

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