



**OFFICIAL MINUTES OF THE PLANNING AND ZONING COMMISSION  
REGULAR MEETING HELD**

Monday, July 15, 2019 at 6:00 p.m. in the City Council Chambers at  
826 N. Main St.  
Cottonwood, AZ 86326

**I. CALL TO ORDER**

**A. Roll Call**

Chairman Robert Williams called the meeting to order at 6:00 p.m. Roll call was taken as follows:

**Planning & Zoning Commission Members Present**

Robert Hart  
Christopher Dowell  
Jesse Dowling  
Thomas Narwid  
Terryl Sherman  
Vice Chairman Judd Wasden  
Chairman Robert Williams

**Staff Members Present**

Ron Corbin, City Manager  
Rudy Rodriguez, Deputy City Manager  
Berrin Nejad, Community Development Director  
Richard Faust, Economic Development Director  
Robert Winiecke, Public Works Director / City Engineer  
Scott Ellis, Planner  
Jim Padgett, Planner  
Amber Richards, Planning Technician, Recorder

**B. Approval of Minutes June 17, 2019 Regular Meeting**

***Motion: To approve the minutes of 6/17/2019***

***Made by: Commissioner Dowling***

***Second: Commissioner Dowell***

Roll Call Vote:

Robert Hart - Aye

Christopher Dowell - Aye

Jesse Dowling - Aye

Thomas Narwid - Aye  
Terryl Sherman - Aye  
Vice Chairman Wasden - Aye  
Chairman Williams - Aye

## II. CALL TO THE PUBLIC

1. No comments.

## III. OLD BUSINESS:

1. **CUP 16-004-MOD TERRA BENE** - A request to extend the approval date for the project. The project is located at 901 S. Willard Street on S. Willard Street north of E. Tierra Verde Drive. APN: 406-08-009D, 406-08-009C, 406-08-010A. Owner: Beaver Creek Development Company Inc, and Selna and Mongini Investments. Applicant: Bernadette Selna.

There was a brief presentation by Jim Padgett, Planner. Originally, the Conditional Use Permit was granted in 2016 and there have been a few time extension requests for various reasons. The conceptual site sketch was shown along with photos from both the last extension request in June 2018 and current photos of the site. The applicant, Bernadette Selna, was present to answer questions. Ms. Selna gave a brief overview of the project status and discussed the overall plan for the site. She stated that they have seeded area number six (6) on the conceptual site plan, which has the best soil. Rocks are actively being removed, top soil is being brought in to replace the rocks, and water has been connected. In the fall, the applicant plans to plant cold/winter crops for soil reclamation. Chairman Williams asked how much longer the project would take. The applicant anticipates that once the rocks are gone, the project will move much more quickly, and estimated it to be approximately one (1) year to completion. The Commission discussed at length the concern that there has been very little visible work being done, but agreed that it's a great project. There were members of the public who spoke on the project. Emery Seeley, neighbor, is not opposed to the project and would like to see the extension granted, however, he has concerns about brush and construction materials being dumped on the site. The brush poses a fire threat and he would like to see it removed. Wayne Ott, neighbor, also spoke about the project and is also not opposed to it, but is discouraged with the lack of progress and lack of activity. There is a trash pile visible from his home that he would like to see cleaned up. There is also a large accumulation of tumbleweeds, which pose a fire threat. He would like to see that removed as well. Bernadette Selna addressed the concerns, stating that the trash was removed to her knowledge, however, she will have to go look at the site again. She mentioned that there were people living on the site that they were unaware of and significant amounts of trash had already been removed. She agreed to remove the tumbleweeds. The floor was closed to the public. The Commission reiterated that

they would like to see the project move forward, and it was suggested that the applicant provide more frequent status updates. The Commission agreed that the fire hazards need to be resolved in a timely manner, and would add that as a stipulation for the extension approval.

***Motion: To approve PCU-16-004-MOD Time Extension TERRA BENE with the following stipulations:***

- 1. That the project is developed in conformance with the development plans as approved at the Planning and Zoning Commission at the January 25, 2016 meeting.***
- 2. That the project conforms to Code Review Board comments dated 12/24/15.***
- 3. Parking will need to be reviewed and approved by staff.***
- 4. Dust control will be required over the life of the project. Applicant will submit dust control plan to staff for approval.***
- 5. A lighting plan will need to be submitted and approved by staff prior to installation of any lighting structures. All lighting must meet Dark Sky requirements and ordinance requirements.***
- 6. All Structures will need building permits and approval.***
- 7. A Certificate of Zoning Compliance documenting the completion of conditions shall be issued by the timeframe specified. One (1) year from today's approval.***
- 8. 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.***
- 9. Any fire hazard or trash be removed within a 60 day time frame.***

***Made by: Vice Chairman Wasden  
Second: Commissioner Sherman***

Roll Call Vote: Robert Hart - Aye  
Christopher Dowell - Aye  
Jesse Dowling - Aye  
Thomas Narwid - No  
Terryl Sherman - Aye  
Vice Chairman Wasden - Aye  
Chairman Williams - Aye

#### **IV. NEW BUSINESS:**

- 1. Z 19-001 718 N. MAIN STREET REZONE** – Public Hearing to consider the rezoning of a single parcel of land from R-1 (Single Family Residential), R-2 (Single Family/Multiple Family Residential), R-3 (Multiple Family Residential), and CR (Commercial Residential) to CR. This is a City initiated rezone request due to the multiple zoning districts covering one parcel. The project is located at 718 N. Main Street. APN: 406-42-014. Owner: Lnn Enterprises Inc. Applicant: City of Cottonwood

There was a brief presentation by Scott Ellis. He explained that the parcel is a little over ten (10) acres with four (4) zoning districts and realistically should only have one

(1) zoning district. There are no proposed projects or submittals at this time for this parcel and the City has initiated the rezoning request. The floor was opened and closed to the public. There was an inquiry from Commissioner Dowling about how the zoning districts will be applied and what factors would be considered. Scott Ellis stated that the City looks at what the intended zone was for the parcel by utilizing the land use map and general plan and that each property would be looked at on a case by case basis.

***Motion: Recommend approval to City Council Z 19-001 718 N. Main Street Rezone:***

***Made by: Commissioner Wasden***

***Second: Commissioner Hart***

Roll Call Vote: Robert Hart - Aye

Christopher Dowell - Aye

Jesse Dowling - Aye

Thomas Narwid - Aye

Terryl Sherman - Aye

Vice Chairman Wasden - Aye

Chairman Williams - Aye

- 2. Z 17-003 MERKIN VINEYARDS @ OLD TOWN (FORMERLY GALILEO 33) –**  
A request for an extension of conditions of zoning approval to maintain PAD (Planned Area Development) on 1 parcel from R-1 (Single Family Residential) and C-1 (Light Commercial) and one parcel from C-1 (Light Commercial) to PAD (Planned Area Development) to construct a winery, restaurant, and tasting room. APN: 406-32-023C & 406-32-054. Address: 770 N. Verde Heights Dr. & 75 W. Pima Street. Owner: Carl Stubner. Agent: Reynold Radoccia

There was a brief presentation by Scott Ellis. This is a time extension request to maintain PAD zoning, which was originally approved in June 2017, rezoning the parcel from R-1 and C-1 to PAD. The project is for a restaurant, vineyard, tasting room and winery. There was a two (2) year time limit from the time it went to council to complete the project. There were some issues the applicant encountered with acquiring the property, which held up the project. The applicant is very close to submitting for Design Review and has proposed a timeline over the next three (3) years for the project, which will be phased. The property use will remain the same. Commissioner Hart asked how hard of a timeline is being given to submit for Design Review. Scott Ellis stated that the project will need to go to Code Review and he believes the applicant intends on submitting for that in the next few weeks. Matt Lavoire, Project Manager for Caduceus and Merkin Vineyards introduced himself. He is working with a local architect now on the design and is hoping the project will go to Design Review in August or September. It was asked whether the funding for the entire project is in place and he confirmed that yes, it is. Marianne Brennan, neighbor, spoke on the project. She stated that her home is constantly being jeopardized by the increase of traffic over the past two (2) years with Old Town flourishing. Her property has been damaged by numerous vehicles. She gave several examples of incidents of damage to her property during that period. Commissioner Williams mentioned that the City Engineer was present and that Marianne

may want to speak with him. She suggested a guardrail be tagged on to this project because the traffic will increase again as a result of the project. She also asked if the City could place residential area signs. There are ongoing traffic issues that need to be addressed. She did not object to the project but would like to know what can be done to make it viable to the surrounding properties. She requested there be no parking designated on Pima Street on the short strip between Main Street and Cactus, explaining that it is a hazard. Chairman Williams mentioned that City staff is present to discuss these issues. The floor was closed to the public. The Commission agreed that it is a great project and look forward to it moving forward.

***Motion: Recommend Z 17-003 Merkin Vineyards Pizzeria for approval to City Council the time extension same stipulations as listed in ordinance number 627; modified stipulation number seven (7) timeline is going to be three (3) years, June 21<sup>st</sup>, 2022 as indicated in the applicants phasing plan dated May 6<sup>th</sup>, 2019.***

***Made by: Vice Chairman Wasden  
Second: Commissioner Dowling***

Roll Call Vote: Robert Hart - Aye  
Christopher Dowell - Aye  
Jesse Dowling - Aye  
Thomas Narwid - Aye  
Terryl Sherman - Aye  
Vice Chairman Wasden - Aye  
Chairman Williams - Aye

**V. PUBLIC COMMENT: None**

**VI. DISCUSSION ITEMS:**

1. Yavapai Street at Main Street - Robert Winiecke, City Engineer

Robert Winiecke, City Engineer gave an update on the status of Yavapai Street and Main Street. The City is looking at making it a one way street which will go from Main Street to 1st with a twelve (12) foot lane and a rolled curb. The City will work with the adjacent property owners on the design. Chairman Williams mentioned there will be a meeting this Friday, July 19, 2019 at 9:00 a.m. at the Rec Center discussing potential solutions to the 260 issue along with other issues. He encouraged the public to attend the meeting. Commissioner Narwid asked what percentage of input the town has on an intersection that is controlled by the state. Robert Winiecke stated that the City has an advisory type role and has dialogue with ADOT regarding issues. Robert Winiecke mentioned the Road Diet, which will address many of the street issues.

**VII. INFORMATIONAL REPORTS AND UPDATES:**

Vice Chairman Wasden mentioned the trash enclosure issue and asked whether there is something in the works. Ron Corbin, City Manager stated the City is working with the owners

on the issue. The City is working on a contract for the use of the Right of Way, but was waiting for the outcome of the Galileo project before entering into a contract. The owners are on notice that something will need to be done. Commissioner Dowell asked for an update on the Circle K relocation project. There were concerns with the renovation being done at the current site, that the relocation was no longer happening. Berrin Nejad confirmed that the current location is not owned by Circle K and the work was initiated by the property owners. Circle K is still moving forward with the new location at this time.

**VIII. ADJOURNMENT: 7:15 p.m.**

APPROVED