MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, DECEMBER 15, 2015, IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.

A Regular Meeting of the Planning Commission of the Town of Clarkdale was held on Tuesday, December 15, 2015, at 4:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Vice Chair	Ida-Meri deBlanc	Present
Commissioners	Jorge Olguin	Present
	John Erickson	Present
	Craig Backus	Present
	Deborah Hunseder	Present

Staff:

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar

Others in Attendance: Greg Jiede, Phil Terbell.

1. **AGENDA ITEM: CALL TO ORDER**: Vice Chair de Blanc called the meeting to order at 4:00 p.m.

2. **AGENDA ITEM: ROLL CALL**: Director Filardo called the roll.

3. **WELCOME NEW COMMISSION MEMBER:** Commissioners and staff welcomed Deborah Hunseder.

4. **AGENDA ITEM: PUBLIC COMMENT**: The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit his or her comments to FIVE MINUTES.

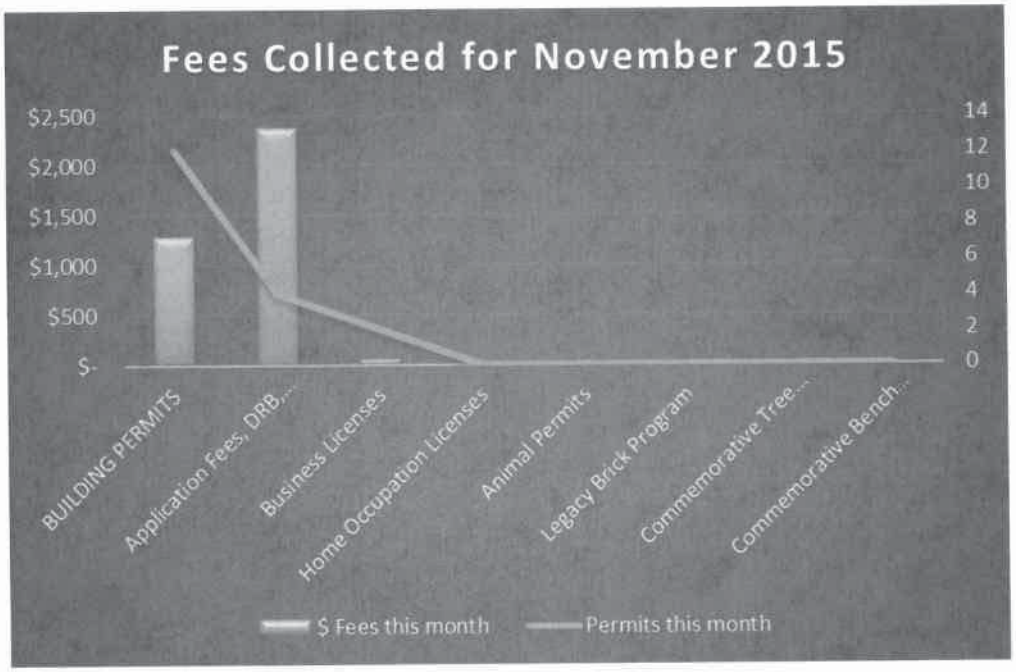
   There was no public comment.

5. **AGENDA ITEM: MINUTES**: Consideration of the **Regular Meeting Minutes of September 15, 2015 and Special Meeting Minutes from December 1, 2015.** The Vice Chair entertained a motion to accept the minutes. Commissioner Erickson motioned to approve the Regular Meeting Minutes of September 15, 2015 and the Special Meeting Minutes from December 1, 2015. Commissioner Backus seconded the motion. The motion passed unanimously.

6. **AGENDA ITEM: REPORTS:**

   a. **Chair and Members Report:** Vice-Chair stated she thought the site visit to the proposed wireless facility site was very helpful.

   b. **Director's Report:**
      1. **November 2015 Statistics.**



2. Recent Permits Issued - 17 total

Fence permits at four locations as follows:

1371 Tavasci Road
2210 Caleb Court
1900 Minerich Road
115 Verde Street

Re-roof at 1409 Second South Street
New single family home at 2001 Crossroads Blvd.
Gas line at 500 Fiesta Street
Fence at 1307 Main Street
7.6 KW Photovoltaic solar electric at 541 Sky Drive
Electrical service upgrade at 541 Sky Drive
In-ground pool at 500 Todd Circle
Wood stove at 1570 Cholla Lane
Deck remodel / replacement at 145 Zuni Drive
Re-roof at 1120 Sunrise Drive
Demolition at 570 Fiesta Street
Accessory structure at 1770 Rhinos Place
New single family residence at 120 Skyhawk Lane (Crossroads at Mingus)
Patio enclosure at 390 River Drive
Re-roof at 530 Everett Lane

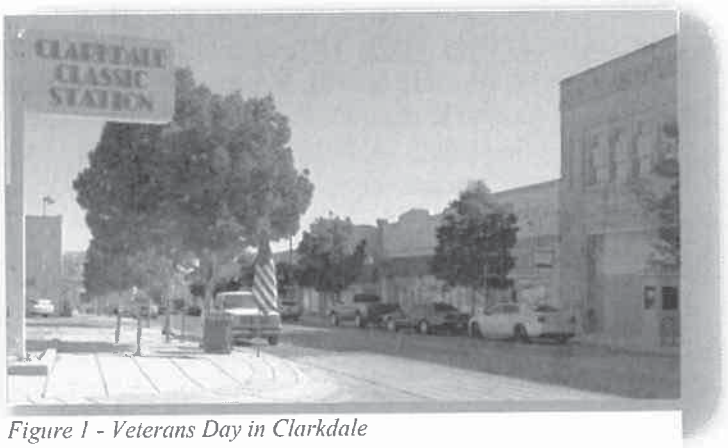


Figure 1 - Veterans Day in Clarkdale

3. Lot line adjustment. Staff worked with two property owners, John Stevenson and Bob Shultz on their lot line adjustment for

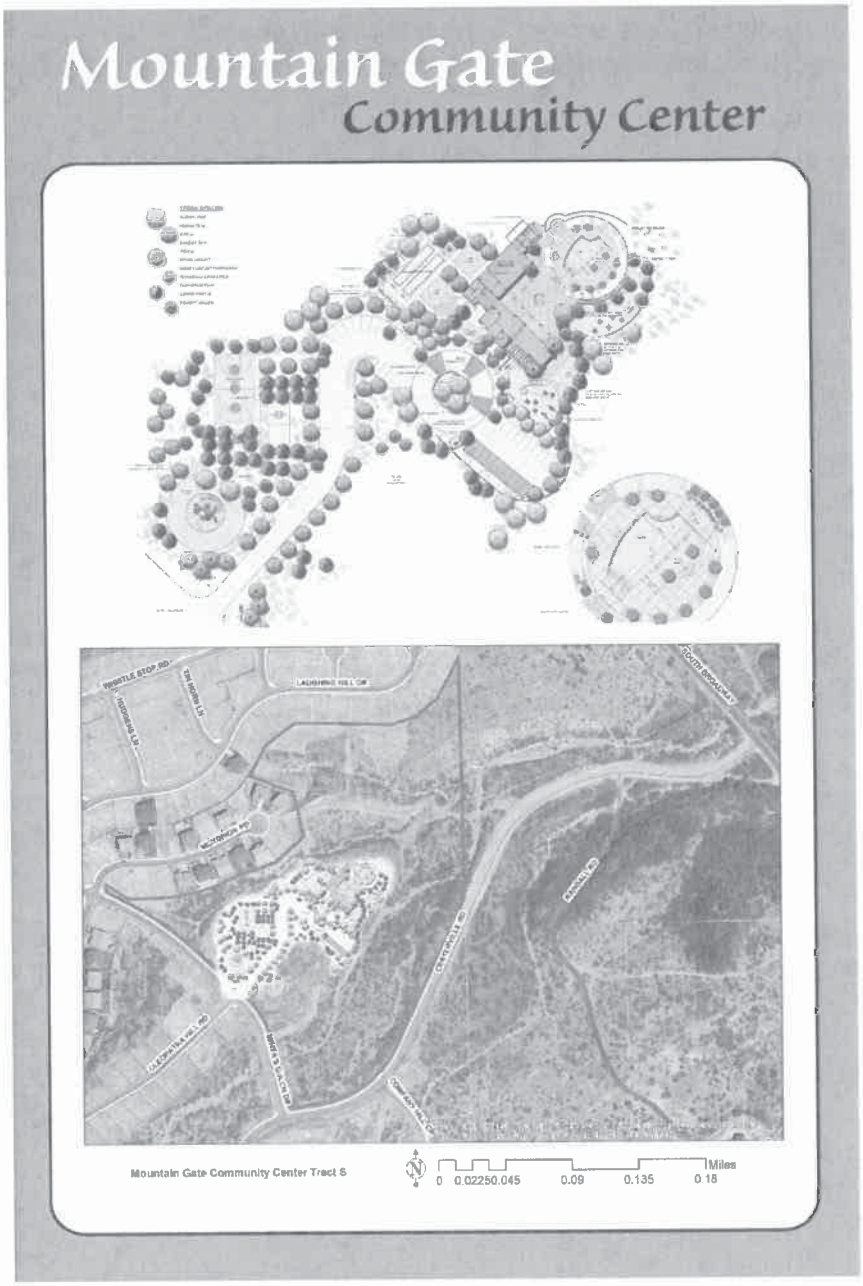
properties along Old Jerome Highway. The legal descriptions presented didn't match the surveys. After about an hour of checking each of their papers, staff contacted the surveyor directly who came in for clarification on what exactly was needed. Following a second review, more corrections were needed. The updated legal descriptions and surveys were delivered by the end of this week - they were required to accompany the lot line adjustment application. Once received, the application was processed.

4. Sedona Verde Valley and National Geographic Geotourism Project. The Verde Valley was selected by National Geographic to become the 23rd region in the world featured by the organization which specializes in authentic and treasured experiences. As a result, a group of businesses and local leaders have created entries on this new site to highlight great experiences in Clarkdale. All the Clarkdale entries were reviewed and edited, so we had solid representation on the site at the launch on November 12th at Blazin' M Ranch. Thanks to the efforts of staff and the businesses, the key experiences in Clarkdale are well represented. On November 12th, the launch party for the new National Geographic geotourism site featuring the Sedona Verde Valley region occurred at the Blazin' M Ranch with a 'Toast to Tourism'. With over 175 folks from throughout the Verde Valley, the event celebrated the creation of the new site with presentations, music, food, and of course, the toast. Enthusiasm ran high as everyone believes this raises the tourism marketing for the entire region to a new high. Check out the site at sedonaverdevalley.natgeotourism.com to learn about authentic experiences throughout the Verde Valley.

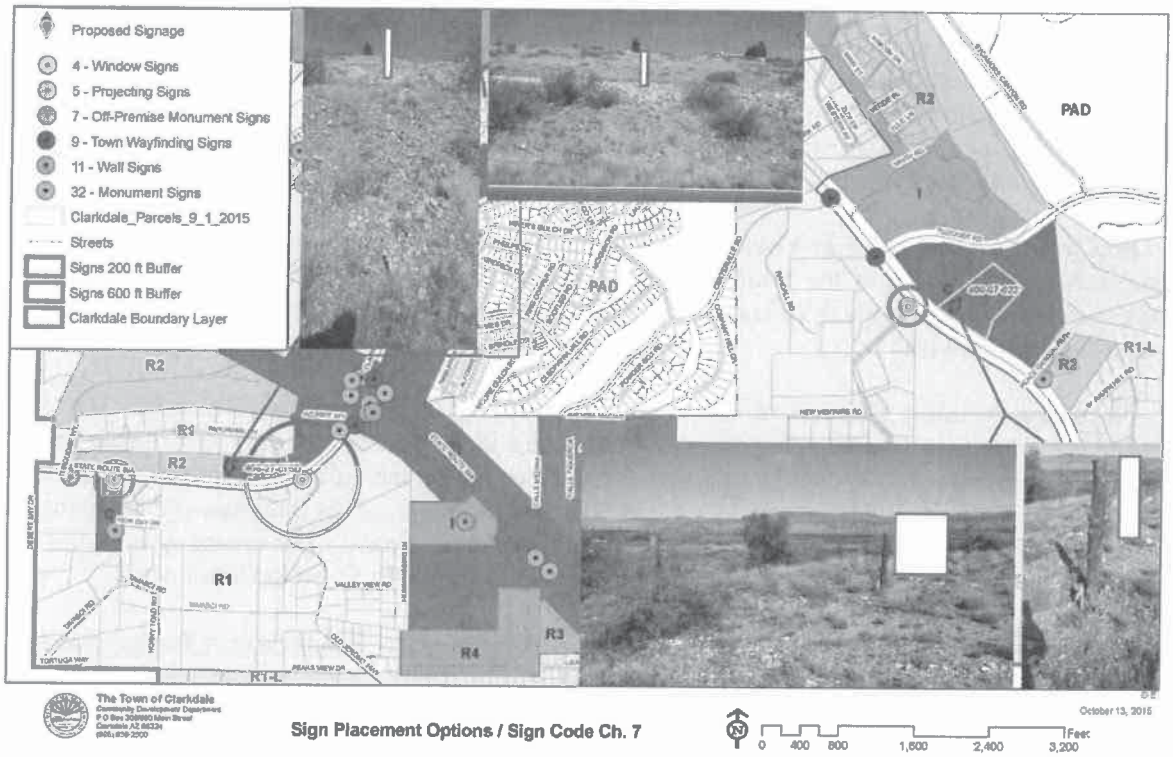
5. Ongoing complaint about Patio Park. A meeting with staff was held to discuss property maintenance code issues in Patio Park following receipt of a couple complaints regarding weeds and trash in the area. To address the global complaints received and in preparation for the United Verde Soil Program, staff is investigating the possibility of locating one dumpster on each of Fiesta and Siesta Streets and leaving them in place over two weekends. As this moves forward, flyers will be distributed within the neighborhood only to let people know about the community clean-up program. Director Debrosky is working on whether or not the dumpsters are affordable and is checking with Patriot Disposal to investigate the possibility of undertaking this clean-up.

6. Another Locally Clarkdale YouTube completed. As a benefit of the $30 annual business registration fee paid by businesses operating in Clarkdale, GIS/Planner II, Guss Espolt creates videos about two minutes in length complete with original sound production and posts them on the site. He recently finished the Verde Canyon Railroad YouTube. Please enjoy it via the link: https://youtu.be/aFIyf7QwERA.

7. Design, site plan, and sign review for Mountain Gate Community Center. The Clarkdale Design Review Board held their monthly meeting in the Men's Lounge, Clark Memorial Clubhouse in the Town Hall Complex, on Wednesday, December 2, 2015 at 6:30 p.m. for the review of a proposed 8,515 square-foot, 26 ft.-high Spanish mission style Mountain Gate Community Center and associated site improvements, a 5.1 acre development on Tract S of the Mountain Gate final plat. The property is zoned (PAD) Planned Area Development and is further identified as Assessor's Parcel Number 400-06-678. Applicant was BC Land Group. Included in the site are a pool, spa, basketball court, bocce court, sand volleyball court, tot lot, and parking. The application was approved unanimously.



8. Design Review Board approved new Oovah Smoke Shop signs. For the sign to be located on SR 89A, the applicant must receive an ADOT permit prior to installation. There will be one sign on Broadway in addition to the sign on SR 89A.



9. **107th Arizona Town Hall – Keeping Arizona's Water Glass Half Full.** In November, Mayor Von Gausig and Jodie Filardo joined 150 folks from around the state to represent Clarkdale at the state-wide, four-day Arizona Town Hall held in Mesa this week. Topics considered included exploration of the current state of water in Arizona; augmentation, innovation, technology, land use and the economy; conservation and financing; and setting priorities and taking action. As is typical of town halls, a resulting report on the topic is in editing now for release in the near future.

10. **Focus Area Plan Open House.** An open house was held on Friday, November 13 regarding the Clarkdale Parkway to Centerville Roundabout Draft Focus Area Plan. Eighteen people attended this meeting. Great input was provided:

Preferred businesses:
Less of a focus on alcohol
Entertainment, like a movie theater.
Small, 'boutique' stores, like a Bookmans, small grocery, bakery
Art galleries
Day care centers (adult, child, and pets)
A recreational center with a pool
Pharmacy
Medical services

Concepts discussed:
Keep things small, try to mimic the feel of 'Main Street' where commercial development provides services for residents.
Have some reason for visitors to come to Clarkdale, such as the movie theater and rec center, so while they are here they can patronize local businesses.

This meeting was an excellent opportunity to share the complexities of land entitlement with the public. Staff presented an overview of property rights in Arizona and the role of the Town Council, Planning Commission and Design Review Board in approving and guiding development. Attendees engaged in a discussion with staff about how existing zoning defines the type of uses but does not allow the Town to favor one business over another.

11. **Southwest Wine Center at Yavapai College opens tasting room.** On Friday, November 20th at noon, the Tasting Room at the Southwest Wine Center opens for sampling of wine produced in Clarkdale. This becomes the third tasting room in our town and the first run entirely by students. Be sure to stop in for a visit.

12. **Northern Arizona Council of Governments meeting**. On Thursday, December 3rd, Jodie chaired the Economic Development Committee meeting in Flagstaff. Not only were some funding ideas presented by the USDA which may prove useful for use on the industrial parcel at Bitter Creek, but also Gary Rideout, Vetraplex presented an update on the status of his four-year-old company and gave kudos to the Town for their support in his initial startup period. His company now has four franchises across Arizona and just moved into a new facility on Sixth Street in Cottonwood.

7. **AGENDA ITEM: ELECTIONS - CHAIR AND VICE CHAIR:** Commissioner Backus made a motion to nominate Commissioner de Blanc as Chair. Commissioner Olguin seconded the motion. Commissioner de Blanc accepted the nomination and was elected unanimously. Commissioner Erickson volunteered to act as Vice Chair. Commissioner Hunseder motioned to nominate Commissioner Erickson. Commissioner Backus seconded the motion. Commissioner Erickson was elected unanimously.

8. **NEW BUSINESS:**

   a. **PUBLIC HEARING**: A Conditional Use Permit Application for a storage facility inside a portion of the existing Highlander Laundromat at 10 N. Ninth Street, Clarkdale, AZ. Assessor's Parcel Number: 400-03-165. This approximately 0.09-acre parcel is located in the Central Business Zoning District. The applicant is Group 2.

Staff Report:
Background:
Group 2 is the owner of the Highlander Laundromat located at 10 N. Ninth Street. This approximately 2,900 square-foot building was constructed in 1918. The building shares a common wall with a line of storage units to the south and an office building to the west. The laundromat has been in operation since the 1970's. The middle section of this building is approximately 1,000 square feet and separated by a wall from the laundromat. This section was previously rented as an apartment. In 1985 this section was incorporated into the laundromat.

According to the property owner, business at the laundromat has decreased steadily since 2008.

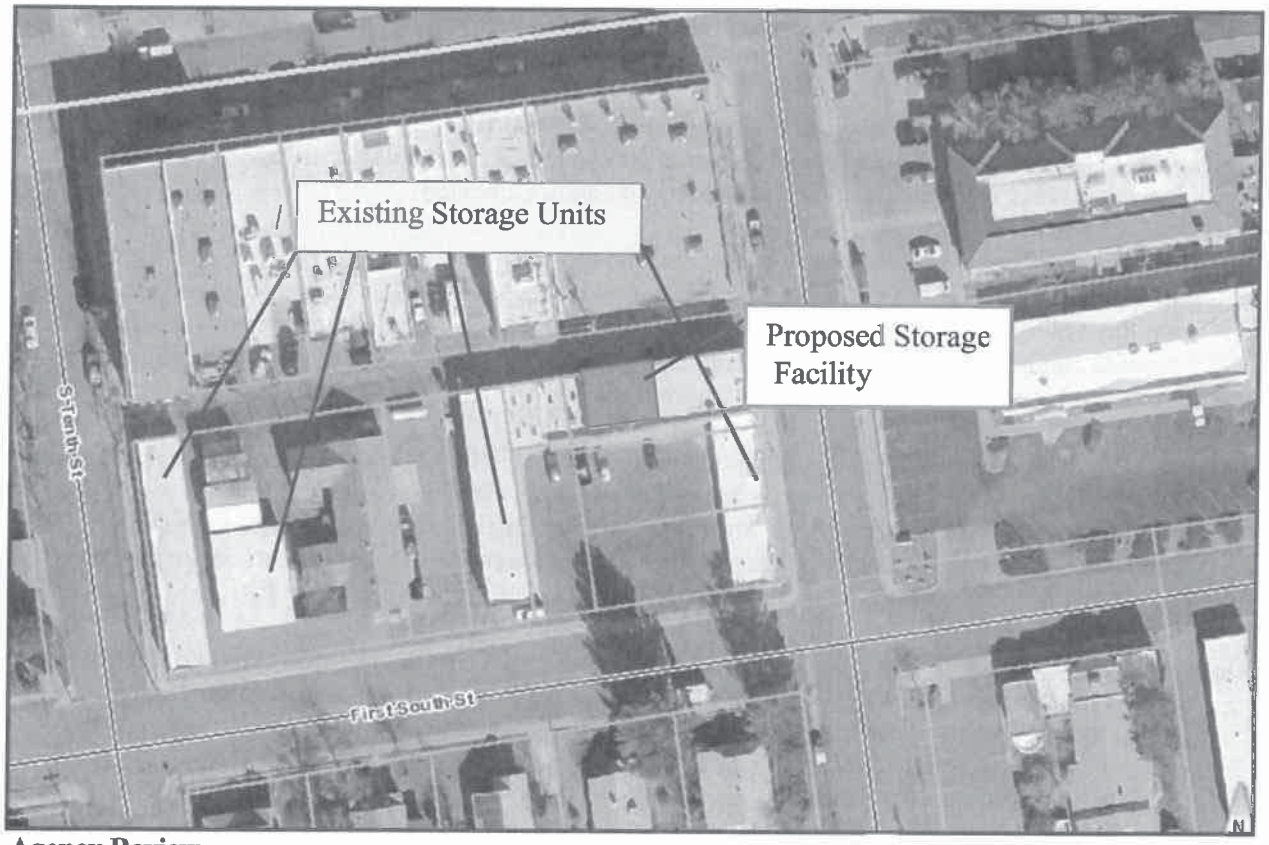
The applicant is requesting a conditional use permit to allow this section of the building to be used as a storage rental facility. All storage will be fully enclosed within the existing building.

Zoning and Vicinity

The subject property is zoned CB – Central Business District. Per Section 3-9.C5 of the Zoning Code, storage facilities are a conditional use. Properties to the north of the subject property are also zoned Central Business. Properties to the south across First South Street are zoned R1-A – Single Family Residential.

The entrance to the section of the building proposed to be rented as storage is from the parking lot accessed off of First South Street. There are existing storage facilities along Tenth and Ninth Street. The applicant owns these existing storage units. These units were in existence prior to adoption of Section 3-9-B of the Town Zoning Code requiring a conditional use permit for self-storage units.

In 2012, the Clarkdale Town Council, upon a recommendation from the Planning Commission, approved a conditional use permit for the property at 910 First South Street to be uses as a rental storage facility. This property is also owned by the applicant. This use has not caused any issues or generated complaints. The front part of this building is currently being used as the office for SpinWidgets, a graphic design company.



Agency Review

The application was sent to the Public Works/Utilities Department, Police Department, the Building Official and Clarkdale Fire District for review.

No objections were filed regarding this application.

Public participation

Public Notices were sent to 34 property owners and the property was posted on November 30, 2015. A public notice was published in the Verde Independent on November 29, 2015.

As of the date of this report, no public comment has been submitted regarding this application.

Conditional Use Permit
Per Section 2, Definitions, in the Town of Clarkdale Zoning Code, a Conditional Use is a use permitted in a particular zoning district, after a public hearing and upon showing that such use, in a specified location, will be compatible with surrounding uses provided all required conditions of approval are met.

Analysis

Town Regulations
Per Section 5-5 of the Town Zoning Code, the Planning Commission shall make findings on a conditional use permit application based on the following six elements:

1. **Applicable Regulations:** Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statute, and any ordinance or policies that may be applicable.

   Staff Analysis – The proposed use is allowed in the Central Business District with a conditional use permit. There are several locations in the same central area where this specific use has been in place for several years without any concerns or issues being documented.

2. **Bulk Regulations:** The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.

   Staff Analysis – The existing development on this parcel conforms to the regulations of the Central Business District. No exterior changes are proposed. Staff would note that the entrance to the proposed storage unit is a glass door. Staff is recommending the applicant be required to screen this door with a curtain or blind to block visibility into the proposed storage unit to maintain the neat appearance of the complex.

3. **Performance:** That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience of persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general in that the facility, once completed should not interfere with the day-to-day operations of the existing businesses.

   Staff Analysis – The proposed use should have minimal impact on the surrounding neighbors. Adequate parking is available in the existing parking lot.

4. **Traffic Impacts:** The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.

Staff Analysis – A nominal increase in traffic to the site is anticipated. Staff is recommending a condition requiring all loading/unloading into the storage unit be conducted in the existing parking lot and not along First South Street.

5. **Landscaping:** Landscaping, and/or fencing of the proposed development, assures that the site development will be compatible with adjoining area and with the intent of Town policies.

   Staff Analysis – The site is already in existence.

6. **Nuisance:** That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibrations, signage or illumination.

   Staff Analysis – Staff is recommending a condition of approval prohibiting storage of hazardous materials in this unit. A similar condition was applied to the property at 910 First Street. The applicant enforces this restriction through the rental contract.

Summary: In staff's opinion, and with the recommended conditions, the application is in compliance with the required findings for a Conditional Use Permit.

Recommendation:
Staff has determined the Conditional Use Permit application to be complete and in compliance with the requirements of Section 5-6 of the Town of Clarkdale Zoning Code.

If the Planning Commission chooses to recommend approval of the Conditional Use Permit application, staff offers the following conditions:

1. Applicant shall screen the glass entrance door with a blind or curtain.
2. Vehicles loading or unloading storage items must be parked in the parking lot and not on the public street.
3. Applicant shall prohibit storage of hazardous materials in the building.

Mr. Kurt Snyder gave presentation as the applicant. He provided a little history for the building. IN 1985 this section of the building was converted into additional laundry area from a residential apartment. Since 2008 the have seen a steady decline in the laundromat business.

Commissioner Erickson asked if they are looking for one storage customer or multiple.

Mr. Snyder said they would prefer one customer, however, they would consider dividing the space to accommodate multiple customers.

Mr. Snyder stated they accept the three conditions recommended by staff. They will probably replace the existing glass door with a solid door.

Questions to Staff:

- **Open Public Hearing:** Chair de Blanc opened the Public Hearing.

There was no public comment.

- **Close Public Hearing:** Chair de Blanc closed the Public Hearing.

b. CONSIDERATION AND POSSIBLE ACTION: A Conditional Use Permit Application for a storage facility inside a portion of the existing Highlander Laundromat at 10 N. Ninth Street, Clarkdale, AZ. Assessor's Parcel Number: 400-03-165. This approximately 0.09-acre parcel is located in the Central Business Zoning District. The applicant is Group 2.

Commission Discussion:
Commissioner Backus asked the applicant whether they would consider a retail tenant in this space. Mr. Snyder stated they would like a retail tenant, and understand the benefit to the Town of having retail businesses in this area. No retail tenants have approached them about this space. Their storage lease is month to month which would allow them to respond to a retail tenant in a timely manner if approached.

Chair de Blanc expressed concern about losing retail space. Staff pointed out the front of the building at 910 First South Street which has an existing Conditional Use Permit to allow for indoor storage was recently leased to a small business, showing the applicant's ability to make that transition.

ACTION: Commissioner Olguin motioned to approve a Conditional Use Permit Application for a storage facility inside a portion of the existing Highlander Laundromat at 10 N. Ninth Street, Clarkdale, AZ. Assessor's Parcel Number: 400-03-165 as presented with the following staff conditions:

1. Applicant shall screen the glass entrance door with a blind or curtain.
2. Vehicles loading or unloading storage items must be parked in the parking lot and not on the public street.
3. Applicant shall prohibit storage of hazardous materials in the building.

Commissioner Backus seconded the motion. The motion pass unanimously.

c. PUBLIC HEARING: A Conditional Use Permit Application for a 199-foot monopole wireless communications tower and supporting equipment proposed to be located on a 50-foot by 50-foot area of an approximately 13.18-acre parcel at 555 Miller Road in Clarkdale, Assessor's Parcel Number 400-06-003A. The subject property is zoned I (Industrial). The applicant is SBA Towers VI, LLC.

Staff Report:
Background:
SBA Towers VI, LLC, a communication site development services company, has submitted a conditional use permit for a wireless facility, including a 195-foot monopole with a 4-foot lightning pole on top, proposed to be located on Town-owned property at 555 Miller Road. SBA Towers is acting on behalf of Verizon Wireless.

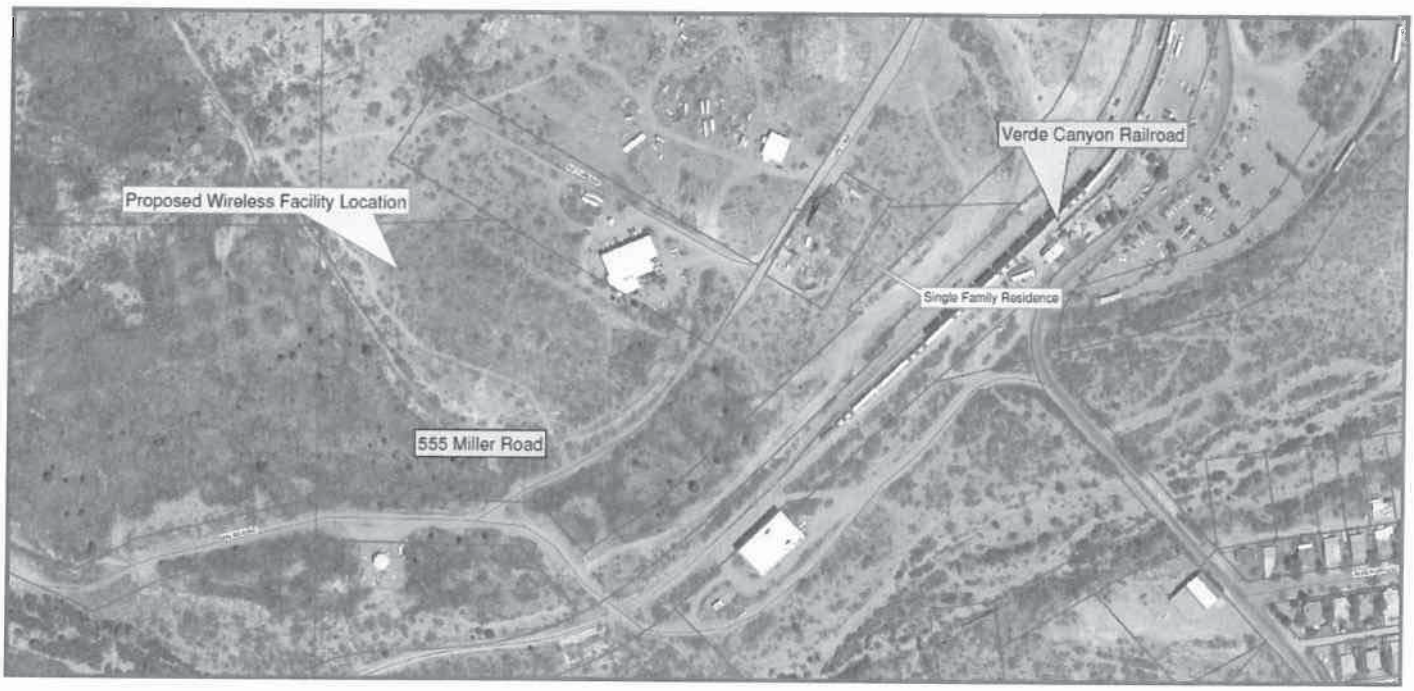
The subject property is approximately 13.18 acres and is part of the property the Town purchased from Clarkdale Minerals, LLC in January 2015.

The applicant is proposing to lease the property from the Town. This lease will be negotiated only following approval of the conditional use permit.

There is an existing access/utility easement from Miller Road running south to north across the subject property.

Access to the property is from Miller Road (a private road) to Rio Torcido (a private road) then to an existing service road spur to the east. An improved access into the subject property will be required if the application is approved. This will be negotiated through the required lease.

During the public hearing for the previously approved wireless facility at 1450 SR 89A, the applicant had stated a second higher tower would be needed in the industrial area to provide coverage to areas of town not serviced by the 65-foot tower along the highway.



Conditional Use Permit Request

The applicant is proposing a 195-foot high monopole with a four-foot lightning pole attached to the top for a total height of 199 feet. The pole will be approximately 6 feet in diameter at the base and taper slightly to the top. A microwave dish with a diameter of eight feet is proposed to be placed near the top of the tower (at the 190 foot mark) and a 12-foot triangular antenna array is proposed to be placed at the 150 feet height of the tower. The tower will be placed on a 50-foot by 50-foot portion of the subject property. This will be enclosed with a chain link fence varying in height from seven to eight feet and topped with 12 inches of barbed wire.

The wireless facility compound is being designed for use by Verizon Wireless and possible future co-locators. The compound will include a concrete pad, a diesel generator, equipment cabinets, and a possible future propane tank.

Electrical power will be provided from an existing power pole. A new meter will be placed on the compound.

As a result of the Planning Commission's site visit, the applicant is proposing to encase the cell tower in a type of metal that will rust naturally.

Zoning and Vicinity
The subject property is zoned I (Industrial). Per Town Ordinance #352, effective August 2013, Wireless Communication Facilities are a conditional use in the Industrial District. The maximum allowable height for a cell tower in this district is 200 feet.

Surrounding land uses include Bent River Machine (951 Rio Torcido) and a new powder coating business at 450 Luke Lane on the Cannon Salvage property.

Acreage to the west of the subject property has been used by the Town for effluent dispersal for the past several years.

The subject property is in close proximity to the Clarkdale Historic District which was added to the National Register of Historic Places in 1998. The District includes the original smelter location.

There is a single-family residential home located approximately 1000 feet to the east of the subject property. This was formerly the residence for the smelter superintendent. It is located on property zoned Industrial.

Future Development
The subject property is part of acreage in the Industrial District owned by the Town. It is also in the Bitter Creek Industrial Area. Master planning for this focus area is scheduled to begin in fall of 2016.

NEPA Review
The National Environmental Protection Act requires an environmental assessment of wireless communication facilities. An agent for the applicant, Trileaf Environmental & Property Consultants, conducted a Phase I Environmental Site Assessment Report. This report is intended to identify potential environmental concerns on the property. Per the conclusion of this assessment, no evidence of recognized environmental conditions in connection with the subject property was revealed.

This Phase I report did recognize the voluntary soil remediation program being undertaken in the area by Freeport-McMoRan, Inc. The subject property is not within the initial testing area. The Phase I report recommends subsurface soil testing be completed prior to removal of any soil on the subject property.

Impact on Historic Properties
Section 106 of the National Historic Preservation Act (1966) requires review of all projects seeking federal approval to analyze the potential for impact to historic properties. Trileaf also is conducting this segment of the National Environmental Protection Act assessment required by the FCC.

The Clarkdale Historical Society and Museum submitted a letter to Trileaf as did the Town in relation to potential impact to historical artifacts on or in proximity to the subject property. These comments are forwarded to the State Historic Preservation Office for review and direction.

Internal Agency Review
The application was sent to the Public Works/Utilities Department, Police Department, the Building Official and Clarkdale Fire District for review.

No objections were filed regarding this application.

External Agency Review
The applicant submitted a form to the Federal Aviation Authority (FAA) regarding the proposal. Per the FAA, the cell tower will need to be registered through their Antenna Structure Registration (ASR) system when completed. No lighting of the tower will be required.
The Cottonwood Airport Authority was also asked to review this application and submitted comments in agreement with the FAA determination.

Visual Impact
The applicant has provided a visual simulation of the cell tower. For reference, the elevation of the subject property is 3,520. The elevation at the top of C-Mountain which is in the background of the proposed location is 4,080 feet.

Site Visit
A drone was deployed for the site visit showing the height and width of the proposed cell tower. The Planning Commission was able to observe this visual representation from the lookout area next to the Museum.

Public participation
Public Notices were sent to 31 property owners and the property was posted on November 30, 2015. A public notice was published in the Verde Independent on November 29, 2015.

Included with the public hearing notice was information regarding the neighborhood meeting hosted by the applicant on Tuesday, December 1, 2015.

The neighborhood meeting was also posted on the Town's Facebook page on November 25th.

Two members of the public attended the neighborhood meeting and reviewed the displayed material. The drone was flown again at this time and was visible to the attendees from the parking lot.

The applicant published a legal notice in the Verde Independent regarding the proposed facility on November 15, 2015. One member of the public responded in writing to this notice. These comments are included at the end of this report. (Staff note: The email address included in the legal notice is correct and staff has been successful sending emails to this address.)

At the time of this report, no other public comments have been submitted to the Community Development Department.

Analysis

Town Regulations
Per Section 5-5 of the Town Zoning Code, the Planning Commission shall make findings on a conditional use permit application based on the following six elements:

7. **Applicable Regulations:** Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statute, and any ordinance or policies that may be applicable.

Staff Analysis – The proposed use is allowed in the Industrial District with a conditional use permit. During the process to adopt a Wireless Ordinance the industrial area of Town was identified as an appropriate location for wireless facilities since it would have minimal impact on residences.

8. **Bulk Regulations:** The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.

   Staff Analysis – The site is adequate to accommodate the proposed use. The proposed 199-foot height is within the maximum allowed of 200-feet for a cell tower in the Industrial District.

9. **Performance:** That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience of persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general in that the facility, once completed should not interfere with the day-to-day operations of the existing businesses.

   Staff Analysis – The proposed use should have minimal impact on the surrounding neighbors.

   Section 332(c) (7) of the Communications Act preempts local zoning decisions based directly or indirectly on the environmental effects of radio frequency (RF) emissions from a cell tower. Staff will therefore not address this issue in this report.

10. **Traffic Impacts:** The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.

    Staff Analysis – A nominal increase in traffic to the site is anticipated. During agency review of the application it was noted the access needs to be designed to fire safety standards. In addition, the access should be shifted to the east so as not to impede any future development on the property. Details regarding the final access design will be addressed through the Town lease if this application is approved.

11. **Landscaping:** Landscaping, and/or fencing of the proposed development, assures that the site development will be compatible with adjoining area and with the intent of Town policies.

    Staff Analysis – The subject property is vegetated with typical desert scrub plants. Some existing vegetation will be removed for placement of the concrete pad.

    The applicant is proposing to install a chain-link fence with barbed wire for security around the leased area. Installation of the compound associated with the facility will not have a large visual impact on adjacent properties. Since no water service is planned to be installed as part of this proposal, staff is suggesting the landscaping requirements of Section 9-9 of the Town Zoning Code be waived for this facility at this time. However, since the Town's long term plan is for development of this area into an economically vital region, staff is suggesting the applicant provide funds to purchase any future landscaping determined to be necessary for screening of the compound from future development.

12. **Nuisance:** That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibrations, signage or illumination.

    Staff Analysis – No hazardous materials will be unsafely stored on site creating a hazard from explosion, contamination or fire. If the conditional use permit receives approval, a building permit for the facility will be required. The cell tower must meet Electronic Industries Alliance/ Telecommunication Industries Association standards. The building permit will be forward to the appropriate review agencies for approval.

Summary: In staff's opinion, and with the recommended conditions, the application is in compliance with the required findings for a Conditional Use Permit.

Recommendation:
Staff has determined the Conditional Use Permit application to be complete and in compliance with the requirements of Section 5-6 of the Town of Clarkdale Zoning Code.

If the Planning Commission chooses to recommend approval of the Conditional Use Permit application, staff offers the following conditions:

1. The applicant shall secure a lease with the Town of Clarkdale within 90 days of final approval of the conditional use permit.

2. Applicant shall provide an improved access into the property that meets the requirements of Article 7-7 of the Clarkdale Town Code.

3. Applicant shall assist the Town in acquiring a legal, recorded access along Miller Road into the property.

4. A building permit shall be issued prior to construction of the facility.

5. The site shall meet all of the requirements of the Arizona State Fire Marshal for storage of flammable materials.

6. Applicant shall submit a traffic control plan as part of the building permit submittal to address control of traffic during construction of the site. The plan shall specifically address closing of the one-lane Bitter Creek Bridge during delivery of the cell tower. All construction traffic shall be coordinated to not interfere with the peak traffic times of the Verde Canyon Railroad.

7. All site traffic, including all construction traffic, shall comply with the weight and load limits of Bitter Creek Bridge.

8. Prior to the issuance of a certificate of occupancy for the wireless facility, applicant shall submit funds for future landscaping to screen the facility. Fund amount shall be based on an estimate of landscaping providing adequate screening of the facility from future development.

9. All electric lines shall be installed underground, per Article 7-15 of the Clarkdale Town Code.

10. No lighting, other than the motion sensor emergency lighting, shall be installed.

11. All components of the facility shall be removed at the expense of the applicant/property owner if the facility is decommissioned and not used for 180 consecutive days.

12. Any substantial change to the project dimensions by more than 10 percent of the design of the facility as approved will require an additional Conditional Use Permit application.

13. Any equipment approved to be collocated on the site shall match the material and look of the approved facility.

14. Any installation of additional co-locations on this tower shall be approved via a conditional use permit prior to installation.

Questions to Staff:
Commissioner Backus asked staff what they had in mind for the landscaping. Senior Planner Escobar stated the Zoning Code requires fifteen percent of the area in use to be screened by landscaping. This property has the potential to develop as an industrial complex and staff wants to ensure the wireless facility property would be properly screened to avoid any adverse impact to future development.

Commissioner Erickson asked if all traffic will go over Bitter Creek Bridge. Senior Planner Escobar responded yes, which is why staff is recommending conditions of approval #6 & 7.

Presentation by the Applicant

Mr. Reg Destree, representative for SBA Towers, VI, gave a presentation. He stated the lease is usually negotiated as the same time as the conditional use permit, however, as staff had explained, because of the Town owns the subject property he understands the lease negotiation will have to wait until a conditional use permit approval is granted.

12/16/2015

SBA

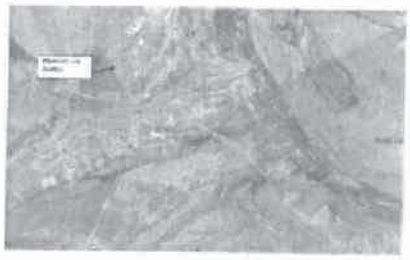
SBA Communications
AZ17727-B Clarkdale

195' Multi-Carrier Monopole

Site Information

- Industrial Park Northwest of Historic District
- 555 Miller Road
- APN: 400-08-003A
- Zoning: Industrial (Wireless Zone A)
- Town Property
- 195' Monopole—Weathered Steel
- Multi-Carrier pole

Site Location View



Overall Sites in Area

General Development Process

- Receive location from Engineer
- Review area for candidates
  - Preference to existing towers, commercial lands and industrial areas
- Provide candidates to Engineer
- Engineer selects primary
- Prepare drawings
- Zoning
- Phase I/EA/FONSI
- Leasing
- Building Permit
- Site Construction

Site History

- Initially Proposed by Verizon near Historic District
- Location deemed unacceptable due to location and non-compliance with new Wireless Ordinance
- Verizon Splits Right into two sites
- Capital Telecom Site Developed – Verizon collocates
- Verizon pursues additional site in Industrial Park
- Verizon requests that SBA develop this site

1

12/16/2015

Site Description

- 195' Monopole Tower - 4" Lightning Rod
- 50' x 50' compound
- Access from Broadway over Miller Rd
- Multi-Carrier Structure
- Weathered Steel
- Not Lighted - per FCC 17/74

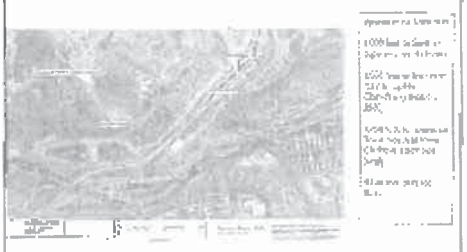
Site Layout

Site Layout-2

- North Portion of Large Town Property
- One of Several Parcels Town Recently Acquired

- 600' to Nearest Building—Bent River Machine
- 1,000' to Nearest House—Smelter Sup't.
- 1,500' to homes—Upper Clarkdale
- 1,750' to homes—Lower Clarkdale
- 1,750' to Town Hall Complex

Site Layout-3



Conclusion

- Location is in line with goal of Ordinance
- Request for a Use Permit for a Multi Carrier 195' Monopole and compound.

SBA

SBA Communications
AZ17727-B Clarkdale

Questions???

2

Questions from the Commission
Commissioner Erickson asked about the arrays and microwave dish. Mr. Destree stated the microwave dish is critical to being able to communicate with the facilities on Mingus Mountain and would be located at approximately 170 feet on the tower. Co-locators need to be ten feet apart on the tower, but there is room for two additional carriers.

Commissioner Backus questioned the orientation of the facility in relation to the rest of the property. Director Filardo explained staff had received Council direction to preserve the development potential of the remainder of the Town property.

Senior Planner Escobar stated the proposed location is the highest portion of the subject property and is already fairly clear of vegetation.

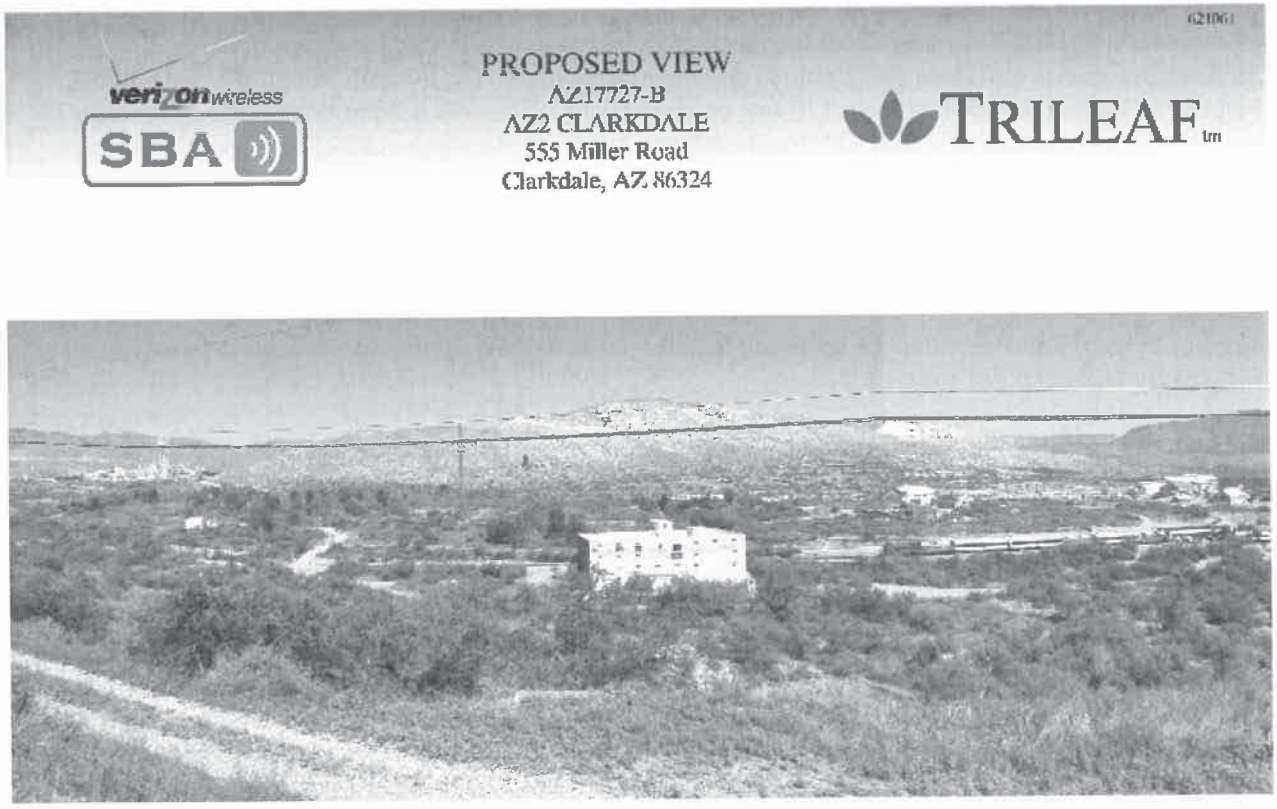
Mr. Destree pointed out he had met with Utilities and Public Works Director Debrosky on the site and it was agreed this was the best location for the facility.

Open Public Hearing: Chair de Blanc opened the Public Hearing.

Greg Jiede, 1108 Main: Mr. Jiede stated he did not receive a notice for this meeting. Senior Planner Escobar explained his property was outside the 1,000 foot notification area the department uses for public notifications. She pointed out the meeting was posted on the Town website and Facebook page.

Mr. Jiede stated he has no problem in general with cell towers, but he was very concerned about the impact of the proposed cell tower to his views out his backyard. He asked the tower be painted to blend into the environment.

The photo simulation produced by the applicant was demonstrated for Mr. Jiede. The microwave dish and array were pointed out, as well as the rusted metal appearance of the tower.



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

Staff assured Mr. Jiede he would be notified of the Council hearing on this item.

- **Close Public Hearing:** Having no additional public comment, Chair de Blanc closed the Public Hearing.

d. CONSIDERATION AND POSSIBLE ACTION: A Conditional Use Permit Application for a 199-foot monopole wireless communications tower and supporting equipment proposed to be located on a 50-foot by 50-foot area of an approximately 13.18-acre parcel at 555 Miller Road in Clarkdale, Assessor's Parcel Number 400-06-003A. The subject property is zoned I (Industrial). The applicant is SBA Towers VI, LLC.

Commission Discussion:
Commissioner Backus asked Commissioner Erickson if he had been contacted by any of his neighbors along First North regarding this application. Commissioner Erickson stated no, and that he was not concerned about the view impact from his backyard. He can see the existing rusty water tower in the area, he feels the proposed cell tower will fit in with the existing ambience of the industrial area. He feels it is important to have good cell coverage, both for individuals and economic development.

Commissioner Hunseder stated she agreed the rusted metal tower fits in with the area, especially with the old water tank in the background.

Commissioner Olguin asked Senior Planner Escobar to provide a summary of the email submitted by Elain Brown. A hard copy of this email was provided to the Commissioners at the start of tonight's meeting. :

Mayor, Council, Commissioners and Concerned Citizens:

Please forward to Clarkdale planning commissioners.

I am opposed to placement of cell towers close to residents and residential areas.
Please place this document in your public record for this proposal.

I am opposed to this proposal at 555 Miller Road due to the following concerns. I also have other concerns.
The citizen engagement was a failure. 2 out of 31 is inadequate and should not be viewed any differently than an unsuccessful attempt to engage. Can you hear me now?

Every carrier must prove these towers are needed. How the new, pulsed microwave radiation will mix and measure with the existing radiation coming off of Mingus Mountain and other already existing towers in the vicinity. What the combined total will be. Have they? Have you asked for this information? How far will this radiation travel? Will it blanket more than your little city? Do you have a right to blanket other areas?

They must prove that a "no" would prohibit "adequate" service. Have they?

They must prove that they do not have "adequate" service, which is ALL they are entitled to, especially in hilly areas. It is expected that there will be gaps.
Are they 'spec" building? I do not believe this is allowed.

Is it for collecting 'smart meter' data off of your residents? Pinnacle West, which owns APS, told me that wireless carriers are collecting the data. The carriers are not liable for data breaches to your residents. OUR govt has made them exempt. Did you know that? Will that fall to you when it happens? It will have to fall somewhere.
Are you aware that you have the right to decide where these proposed tower structures will be placed?
I hear a lot of local government chanting the mantra of, "We can not base decisions on health or environment, it is a Congressional Act", over and over, as if to convince people you are helpless and your hands are tied. This is a pitiful, irresponsible excuse.

Why don't I hear local governments saying, "We will decide the height, we will decide the location? It is our right according to the Congressional Act." In my opinion, it is because

communities' act totally based in fear because they do not know the rules of the game. Many times they think they can be sued if they say no. That is only under certain circumstances.

In my opinion, you are not well informed about your responsibilities concerning wireless communications or placement. In my opinion, that makes you unqualified to make a decision at this time.

The Telecommunications Act of 96, sec 704 is not a shield for you to hide behind while third party vendors ride into your city and make wish lists. They are here to propose. It is your responsibility to try to accommodate them after public health and safety needs are met. AFTER.

It is the responsibility of the city to get and know this information according to the FCC. There is a handbook for cities and towns outlining your rights and responsibilities. If you do not follow these guidelines, you are liable to lawsuits from your residents when the truth about radiation is exposed publicly.

Many future lawsuits will be left to planning and zoning commissions and local governments across the country. As you may already know, many carriers and informed landowners operate under LLC's. Ask yourself why?
Did you know that a very large percentage of these tower structures go unchecked and untested to ensure continued compliance. Have you addressed this for your city and your residents? I would guess no, you have not.

Even your favorite newspaper didn't want no tower hanging over their heads.

http://dcourier.com/main.asp?Search=1&ArticleID=145205&SectionID=1&SubSectionID=1086&S=1

Are you aware that once a carrier is given permission for a tower, you must allow all the other carriers the same? They are entitled. That would make another three towers right there from three more carriers. In addition, the FCC is now proposing to allow small cells to go up anywhere without the permission of local government. Has anyone shared that information with you? They would not because you have not required them to.
Why so many towers now? Clarkdale is not Phoenix. Will you be collecting the rent money?

Google is presently installing fiber optic in cities across the country that use clean safe glass fibers and a hundred times faster communication.
Face Book is developing planes that will provide wireless from the sky.
There is spray on nanotechnology.
There are so many new, safe communications here and just around the corner.
Tower structures almost never come down once they are go up. Twenty four seven, pulsed

microwave radiation, year after year. Something to leave the kids. You are no longer environmentally responsible. You lost that 60-65 feet ago.

Do we need a tower structure every two miles here in Verde Valley? This is what a third party vendor told me back in 2012. Every two miles as opposed to Phoenix which was every one and a half miles. This is from just one carrier. Have you been to Phoenix lately? There are tower structures all over the place. It is disgusting.

Our business in Verde Valley is the environment and you are branding yourself as such. Do you think people will not notice the contrast of nature vs. machinery? Will they be able to see this tower from the Historic Verde Railway. You have eagles out there too.These people come from all over the world not to look at machinery but rather your rivers and endangered species. How will the radiation bouncing inside and around the metal Verde Railway train cars affect the passengers? Has anyone asked that question? Will it create hot spots?

Let's talk about the Verde River Greenway.
Life along the river changes with each season, giving visitors a glimpse of great blue heron, black hawks, ducks, coyotes, raccoons, mule deer, beavers, frogs, turtles, snakes and toads. The Verde River and surrounding riparian corridor support nearly twenty threatened or endangered species including river otter, southwestern bald eagles, southwestern willow flycatchers, and lowland leopard frogs. How far will the microwave radiation reach? Do you have any idea?

I do believe The Migratory Bird Treaty supersedes this Congressional Act.
The most significant natural resource in the Greenway, besides the year-round flowing river, is the dense forest of riparian trees and shrubs along its riverbank. This Fremont Cottonwood & Gooding Willow Riparian Gallery Forest is one of five remaining stands in Arizona and one of 20 such stands in the world.
http://verderivergreenway.org/who-we-are.php
http://azstateparks.com/parks/DEHO/map.html#Park_Map
http://azstateparks.com/parks/DEHO/downloads/DEHO_Trails_Color_2009_c.pdf
http://azstateparks.com/parks/VERI/downloads/VERI_Paddle_Map.pdf
National Environmental Policy Act
The FCC requires all license applicants for antenna facilities and structures, including towers, to review their proposed actions for environmental consequences.
Has the carrier addressed each one of these? Has the City asked for the reports?
Endangered Species Act of 1973
Migratory Bird Treaty Act of 1918
Bald and Golden Eagle Protection Act of 1940
National Environmental Policy Act of 1969
https://www.abcbirds.org/newsandreports/releases/080219.html
Please request this information before you allow any structures to be place next to your residents or endangered wildlife. Place them properly with knowledge and integrity.

http://stopsmartmeters.org.uk/major-phone-firm-patent-admits-non-thermal-exposures-to-wireless-radiation-is-genotoxic-causes-clear-damage-to-hereditary-material/

Sincerely.
Your neighbor.

Elaine Brown

ACTION: Commissioner Backus motioned to recommend approval of the Conditional Use Permit Application for a 199-foot monopole wireless communications tower and supporting equipment proposed to be located on a 50-foot by 50-foot area of an approximately 13.18-acre parcel at 555 Miller Road in Clarkdale, Assessor's Parcel Number 400-06-003A as presented with the following staff conditions:

1. The applicant shall secure a lease with the Town of Clarkdale within 90 days of final approval of the conditional use permit.

2. Applicant shall provide an improved access into the property that meets the requirements of Article 7-7 of the Clarkdale Town Code.

3. Applicant shall assist the Town in acquiring a legal, recorded access along Miller Road into the property.

4. A building permit shall be issued prior to construction of the facility.

5. The site shall meet all of the requirements of the Arizona State Fire Marshal for storage of flammable materials.

6. Applicant shall submit a traffic control plan as part of the building permit submittal to address control of traffic during construction of the site. The plan shall specifically address closing of the one-lane Bitter Creek Bridge during delivery of the cell tower. All construction traffic shall be coordinated to not interfere with the peak traffic times of the Verde Canyon Railroad.

7. All site traffic, including all construction traffic, shall comply with the weight and load limits of Bitter Creek Bridge.

8. Prior to the issuance of a certificate of occupancy for the wireless facility, applicant shall submit funds for future landscaping to screen the facility. Fund amount shall be based on an estimate of landscaping providing adequate screening of the facility from future development.

9. All electric lines shall be installed underground, per Article 7-15 of the Clarkdale Town Code.

10. No lighting, other than the motion sensor emergency lighting, shall be installed.

11. All components of the facility shall be removed at the expense of the applicant/property owner if the facility is decommissioned and not used for 180 consecutive days.

12. Any substantial change to the project dimensions by more than 10 percent of the design of the facility as approved will require an additional Conditional Use Permit application.

13. Any equipment approved to be collocated on the site shall match the material and look of the approved facility.

14. Any installation of additional co-locations on this tower shall be approved via a conditional use permit prior to installation.

Commissioner Erickson seconded the motion. The motion passed unanimously.

9. FUTURE AGENDA ITEMS:

Senior Planner Escobar provided an update on the Council's endorsement of the Focus Area planning process and stated staff would like to begin planning for the next segment of SR 89A between the Centerville and Lisa/Lincoln roundabout. Commissioner Erickson asked for an ownership map to be provide of this area at the January meeting.

Staff stated they are not aware of any upcoming applications.

10. ADJOURNMENT: Chair de Blanc entertained a motion for adjournment. Commissioner Olguin motioned to adjourn the meeting. Commissioner Erickson seconded the motion. The motion passed unanimously. The meeting adjourned at 5:25 p.m.

APPROVED BY:

Ida de Blanc
Chairperson

SUBMITTED BY:

Beth Escobar
Senior Planner