

Planning Commission Minutes  
01-13-03

**MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON MONDAY, JANUARY 13, 2003 IN THE PLANNING DEPARTMENT CONFERENCE ROOM, 890 NINTH STREET, CLARKDALE, ARIZONA.**

The regular meeting of the Planning Commission of the Town of Clarkdale was held on Monday, January 13, 2003 at 6:00 p.m. in the conference room of the Planning and Zoning Department.

**Planning Commission:**

Chairperson	Robyn Prud'homme-Bauer	Present
Vice Chairperson	Lew Dodendorf	Absent
Commissioners	Terri Brunsman	Present
	Susan Sammarco	Absent
	Gary Hansen	Present

**Staff:**

Planning Director	Lyle Richardson
Town Clerk	Joyce Driscoll

**OTHERS IN ATTENDANCE:** Bob Conlin, Kurt Snyder, Ray Selna, Jane Winiecki, Dean Strickland, Bill Snyder, Luke Cannon, Jerry Lembas.

**CALL TO ORDER:** Chairperson Prud'homme-Bauer called the meeting to order at 6:02 p.m.

**ROLL CALL:** Roll was called. It was noted that Vice Chairperson Dodendorf and Commissioner Sammarco were absent.

**PUBLIC COMMENT:** None

**NEW BUSINESS**

**WORKSESSION ON PROPOSED SITE PLAN REVIEW PROCESS**

Chairperson Prud'homme-Bauer opened the agenda item by asking those in the audience to share the concerns they have about the proposed Site Plan Review process. She also reviewed the purpose of the proposed process.

Mr. Bob Conlin, representing himself and others, read from a prepared statement. He stated that it was apparent that the staff and commission had traveled a long way on the document before the public was asked to comment. He stated that he and others met as a group and went over the document at great length. He stated that they feel that to take part in this meeting would be

condoning the plan. He stated that one objection they have is that the plan gives far too much power to the Planning Director and his staff.

Chairperson Prud'homme-Bauer stated that the previous worksessions were open to the public. She stated that she felt that if problems can be identified the project can move forward. She asked for specific objections. She stated that one objection she heard was the feeling that the Planning Director had too much power.

Mr. Conlin noted that the document is a "heavy handed". He stated that he is in favor of a step by step description of what is needed, however he feels that this document has open ended and vague statements.

Chairperson Prud'homme-Bauer stated that the Commission felt that they were allowing for flexibility, not a 'cookie cutter' approach.

Mr. Conlin stated that the document treats the developer of a duplex or triplex the same as the developer of a large commercial development and this is not good.

Planning Director Richardson stated that if a developer were to bring a project to the Planning Department now, the items in the proposed Site Plan Review Process document already exist in other Town codes and ordinances. What the document does is put all the current requirements in one place. He added that if one creates a document that has no flexibility, then the Planning Director must enforce it as written. Planning Staff has suggested that not every project fits every part of the Zoning Code. Planning Director Richardson stated that the idea is to set minimum standards, then be able to allow flexibility. He continued by saying that currently he can tell a developer that everything they need to know is in the zoning code, but it is all over. As a developer he stated that he would like to have everything that he is required to do in one place. This gives a level of comfort, before a developer goes into a purchase of a property. With the Site Plan Review document they will know up front what is going to be expected of them. This is the idea behind the document.

Mr. Ray Selna, asked if only the current requirements set by the Town were in the document, how would the document be different. Chairperson Prud'homme-Bauer replied that the information would not be different. Mr. Selna disagreed. Mr. Selna stated that he feels that many of the requirements in the plan would not be required today to get a building permit. Planning Director Richardson disagreed. Mr. Selna stated that the same requirements are required for small and large developments and that this is not acceptable.

Mr. Conlin stated that when he sells land to a developer, the developer wants to see what the requirements are for that piece of land. This is good because it gives them an idea of what is expected prior to their purchase. He stated that the proposed document leaves an 'awful lot' up to the Planning Director and Planning and Zoning. Taking so many months to get through the proposed process to get a building permit for a triplex is ridiculous.

Mr. Conlin was asked by the Planning Commission to mark areas of the document he is not in favor of and return it to the commission.

Mr. Conlin stated that he would make notes on the document and return it. He stated that the point of the letter he read is that the property owners do not see the need for the document, and what he thinks is needed is a philosophical discussion between all parties to see if they all are on the same page.

Chairperson Prud'homme-Bauer gave an example of a project that has gone through the current process, been built, did go through the codes, went to boards and commissions, and then when they were half way through construction some major item came up, taking months to resolve. It was something that could have been resolved up front had a process such as the one proposed been in place. Because of the problem that arose, it cost the applicant additional money, and required more engineering, more staff time, etc. It also delayed project 3 to 4 months. Situations such as this are part of what drove the need for the document being proposed.

Discussion continued about the possibility of having a checklist. Mr. Selna stated that he felt he should hire professionals to review the document. He stated that he and others do not have the real technical knowledge to completely understand the implications of the document. He added that they do not understand the document, which makes it frightening.

Everyone present agreed that it would be a wonderful idea to have these professionals to review the document.

Mr. Selna stated that the perception is that Clarkdale doesn't want growth.

Mr. Conlin stated that their objections to the document have nothing whatever to do with what they think it will do to the value of their property. He stated from the bottom of his heart, he feels that the document is a deterrent to Clarkdale.

Commissioner Brunzman said that the Commission spent a lot of time making the document flexible, however the public comments are that the document is seen as the Planning Director being controlling. This is not what was intended.

Mr. Conlin stated that if he had it his way, if a person wanted to build a triplex, there would be a list that showed all that needed to be done to do that. This document makes a 'federal case' of it.

Discussion followed regarding having a check off list. It was noted that it was intended to have a check-off list included with the Site Plan Review document.

Mr. Colin stated that the developer doesn't have the flexibility, the Planning Commission and Town staff have flexibility. The developer needs to know exactly what he needs to do.

Planning Director Richardson stated that he felt the document outlines the issues a potential developer will face at the 'front end' of a project. Mr. Conlin stated that he has the feeling that they would like a thorough open discussion about it. He added that he will mark up the document and return it.

Chairperson Prud'homme-Bauer, stated the need to come up with a process that everyone can live with. She explained that the Town Council directed the Planning Commission to work on

this, to get as much input as possible and bring it to the council. She explained that the Planning Commission does want the document checked out by professionals. Planning Director Richardson stated that he would do whatever he could to facilitate the document being reviewed by the professionals that Mr. Selna would like to have review it. It was noted that this review may take two to three weeks. It was also noted that the time constraints on the project are primarily ones set by the Commission itself, in wanting to be productive.

Planning Director Richardson stated that the goal is to have a consensus by all the stakeholders.

Bill Snyder stated that his initial reaction was that it seemed very overbearing. He commented that he and others aren't sure if they even want to buy into the document at all. He sees the document as very open, it may be helpful to state that certain projects may require more review. He suggested a definitive list of requirements.

Planning Director Richardson suggested that a matrix be added to the document listing the 'hard' requirements for each type of development. Mr. Conlin agreed that this, and anything more specific, would help.

Planning Director Richardson stated that if the document is not very open or flexible and a developer is not in agreement with something, the only option the developer has is to go through a Variance process. Variances are very hard to get, and can only be granted under very specific circumstances.

Mr. Conlin stated that he wants specific information on how to do each specific type of development, verses having one document that tries to encompass all types of development.

Planning Director Richardson commented that what would be ideal is if every project was submitted as a PUD. The goal is to try to get the issues of a project addressed at the front end of a project. Finding problems in the middle of a project causes great time delays and increased costs. Planning Director Richardson gave an example of a project where the Town could have saved the developer money up front had staff known what the complete plan was.

Mr. Selna stated that in Cottonwood they have a checklist that they go through. How does Cottonwood's ordinance compare to this? Planning Director Richardson replied that Cottonwood does not have a comprehensive Site Plan Review ordinance.

Mr. Conlin, referring to the example given above, commented that 'you' can not give someone a document that supercedes a person's own stupidity. Planning Director Richardson stated that he is trying to get to a standard that the 'pro's' can say 'ok we understand', and the 'mom and pop' developers can also read and understand it.

It was discussed that a checklist was to be included with the document.

Planning Director Richardson discussed the Verde Valley Mini-Storage project as an example. The developer believed that Staff did not give the owner a complete package of what he needed to do. Although he had done development in the past, he did not know that certifications of the

final pad elevations was needed. Because of this the project sat for months, and over time standards changed. This document would have prevented the problem, there wouldn't have been a question about what he needed to do.

Mr. Conlin stated that we live in a community that is next door to another community. Developers do not see the difference between Clarkdale and Cottonwood. If this instrument makes it much more difficult to get a building permit in Clarkdale, then the community is in trouble. Commercial development is needed in Clarkdale.

Jane Winiecki discussed the document from the Yavapai-Apache Nation's perspective. They are in the process of trying to get something developed off of Cement Plant Road. Their biggest concern was that the document was so large it was scary. She stated that they are not against it, she can see the wisdom of having the document, and they probably can also. The Nation plans on doing some commercial projects, so obviously they have a concern that the document is not something that comes out of Scottsdale.

It was suggested by Chairperson Prud'homme-Bauer that maybe the document should reference the areas of the Town and Zoning Codes.

Dean Strickland, discussed a problem he had because no one told him that he needed backflow device. He stated that no one wants to read 30 pages to find out if you can build a gas station on the corner. The items needed should be on a checklist only.

Discussion followed regarding the development of a checklist. Planning Director Richardson clarified that on one hand he is hearing 'make a checklist', and on the other hand, he is also hearing that the document needs to be as comprehensive as possible.

Ms. Winiecki said, 'yes', we want a comprehensive document, but we want a checklist that refers everyone to the comprehensive document.

Jerry Lembas gave his impression of the document. He stated that when he first got the letter stating that a Site Plan Review process was being developed he was 'happy'. He went on to say that the reason he was happy was because the first time he ever got involved in a site review, the thought was to get an idea from the city about what they thought about your project. It was a one or two page document. If they said that your project would 'fly' they gave him more paper. He stated that when he got Clarkdale's proposed document he looked at it and couldn't believe it. There is so much he doesn't like about it. Mr. Lembas stated that it is overkill for what the site plan review should be, just a preliminary review. To comply with this document, the applicant will have to spend \$20,000 to \$30,000.

Dean Strickland relayed a time when he went to the City of Cottonwood and met with two or three of people. They stated that they wanted low income housing on property he owned, so he agreed and spent \$3,000. When they went back to the City they were told 'absolutely no' to the project.

Planning Director Richardson stated that it was not the intention to have people spend a lot of

money to get to the Pre Application stage. At that stage it is a schematic drawing. The next stage is beginning to take steps to get a project implemented, which requires money to be spent. The third step is final approval.

Ms. Winiecki stated that the information required for the pre application starts on page 3. Page 4 it requires a preliminary site layout (16 bound copies) including a development plan. A development plan is a big deal plan that costs money. If there is no point, the project is not going to fly, why would someone want to spend \$15,000 to \$20,000 on a development plan? Ms. Winiecki stated that if you say come in and sit down and see if it is a viable project as the site plan review, that is easy, then require a development plan. This is not what the proposed Site Plan Review process is saying.

It was discussed that everyone is in agreement that this type of document is needed to avoid problems, however a development plan should be in 'step 2', not part of the site plan review to find out if a project is viable.

Chairperson Prud'homme-Bauer stated that it seems a step is missing up front. It appears that what is needed is the checklist given out up front that lists what has to be done before the Town can give an opinion as to whether or not the project is viable.

Discussion continued. It was noted that there should be a "Site Plan Review" where people can go in and have a Plot Plan reviewed and to see if they have a viable project. Then if that is okay, have a 'development plan review'.

Mr. Strickland stated that he doesn't feel the current document is a Site Plan Review, it is a total review. A person shouldn't have to furnish everything in the document in order to get a site plan review. This document is too comprehensive for the first step.

Mr. Limbas stated that he has no doubt that if he was given the document today, he would not develop in Clarkdale. He stated that the site plan process that he is used to is a very simple process. Planning Director Richardson noted that the more information the Planning Department is given up front, the better the review will be. He stated that it is only fair to give the best review as possible and route to the other departments (the reason for the 16 copies) instead of just Planning look at it and then find out after money is spent that other departments have problems with it.

Mr. Limbas asked if anyone looked at the plan and figured out how much it would cost a developer. Chairperson Prud'homme-Bauer, replied that they did and that what she hears is that the document needs to be 'stepped' differently.

Ms. Winiecki observed that money is the bottom line. Developers don't want to put up money up front for a project that will not work.

Mr. Limbas stated that a property owner who is heading up a project should not have to hire someone to fill out their paperwork. He added that he feels that the document should be step two, not step one. Mr. Limbas stated that the document says to him that if he does anything it

will cost money. Planning Director Richardson stated that maybe the document should be broken down into two separate ordinances.

Chairperson Prud'homme-Bauer stated that Clarkdale is a small town and big developers need to know that they are not going to roll over it, at the same time Clarkdale needs to help the 'mom and pop' developers and keep them from having hidden costs.

Ms. Winiecki state that she doesn't think that it is a problem to have the document, but have the two step process.

Chairperson Prud'homme-Bauer summarized the need to come up with a Pre-Application process and a checklist. She added that some process is going to go into place, we are not going to stay the way we are. It is just a matter of what that process will be.

Discussion continued about a statement in the document that if a project has been rejected it cannot be resubmitted for one year. It was clarified that this is an ARS requirement per entitlement action, and how it is usually handled.

Ms. Winiecki stated that the answer to this problem is communication. The more we communicate with the developers, the more they will buy in.

With no further business to discuss the meeting was adjourned at 8:02 p.m.

**Reviewed By:**

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Lyle Richardson  
Planning Director

**APPROVED BY:**

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Robyn Prud'homme-Bauer  
Chairperson

**ATTEST:**

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Joyce Driscoll  
Town Clerk