

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON MONDAY, MARCH 15TH, 2004, IN THE MEN'S LOUNGE, CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, ARIZONA.

A regular meeting of the Planning Commission of the Town of Clarkdale was held on Monday, March 15th, 2004, at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

Planning Commission:

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

Staff:

Planning Director	Steven Brown
Planner II	Beth Escobar
Admin. Assistant	Linda Noland

Others In Attendance: Gerald Lumbas, Victor Sammarco, Harry Crockett, Marcia Crockett, Vonie Gunnison, Bob Gunnison, Larry Martinie, Cheryl Matinie, Jim Wells, Doug Von Gausig, Howard Beck, Elizabeth-Rose Augusto, Georgia Sa and Frank Sa.

1. CALL TO ORDER: The meeting was called to order at 6:03 p.m. A quorum was present.

2. MINUTES: Commissioner Prud'homme-Bauer: made a motion to approve the minutes of February 9 and February 17, 2004. Commissioner Dodendorf: seconded the motion. The motion passed unanimously.

3. REPORTS:

Chairperson's Report: Chairperson Gary Hansen reported he and Commissioner Dodendorf and Planner II, Beth Escobar, went to Phoenix on March 12, 2004 to observe the operation that is relative to the product the applicants are going to try to achieve here. Chairperson Hansen felt the operation was very impressive and had no negative thoughts on the project.

Commissioner Dodendorf stated he felt the facility was well laid out and well planned. The secondary containment was adequate to handle any spills, the safety issues were well addressed, the noise level was minimal, the house keeping was neat, the equipment well maintained and not a lot of dust. Commissioner Dodendorf stated it was a well-run operation.

Chairperson Hansen feels the basic operation will be very beneficial to the town. It will eliminate an eyesore, and give access to river front property, which we presently don't have. There are no toxic by products, and no leaching of toxicity. Another feature is that they can use treated water for the project.

Planning Director's Report: Planning Director Steven Brown reported that at the upcoming meeting he would like to discuss the possibility of starting work sessions to explore the issue of commercial zoning in the Town of Clarkdale from a number of different vantage points. Planning Director Steven Brown stated now that the new residential subdivision is moving forward and about to become a reality, the commercial potential will start to increase. He would like to take a look at the commercial zoning and make sure we have properties that are adequately sized, adequately serviced and ready for any commercial applicant, which may come forward. Whenever commercial developers do come forward they don't have to encounter zoning entitlement issues before they can develop.

4. OLD BUSINESS:

CONTINUATION OF DISCUSSION AND POSSIBLE ACTION ON THE REQUESTED CONDITIONAL USE PERMIT FOR TRANSYLVANIA INTERNATIONAL, INC. TO CONDUCT AN ORE REFINING OPERATION ON THE SITE OF THE HISTORIC SLAG PILE, THE PROPERTY IS OTHERWISE IDENTIFIED AS YAVAPAI COUNTY ASSESSOR'S PARCEL NUMBER 400-02-004G.

Planning Director Steven Brown read the Staff Report, which follows:

Verde River Iron Company, in partnership with Transylvania International, has submitted a Conditional Use Permit request for a project to reclaim materials from the slag pile.

As directed by the Planning Commission at the February 17 meeting, staff met with representatives from Transylvania International and Verde River Iron Company on March 2, 2004. Discussed in this meeting were several of the questions and concerns expressed by Commissioners and the public at the 2/17 meeting regarding this project.

REQUIRED FINDINGS

As indicated in Chapter 6 in the Town Zoning Code, in order to make recommendations on a conditional use permit, the Planning Commission should make findings based on the following elements, as applies to that particular case:

Application Requirements: 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 statutes, and any ordinance or policies that may be applicable.

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 existing land uses in the vicinity.

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, convenience of persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

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.

Landscaping: Landscaping and/or fencing of the proposed development, assures that the site development will be compatible with adjoining areas and with the intents of Town policies.

Nuisance: That the proposed use will not create a hazard to persons and property from possible explosions, continuation, fire or flood. That the use will not create a nuisance arising from but not limited to: Noise, smoke, odors, dust, vibration, signage or illumination.

STAFF RECOMMENDATION:

Staff believes that through the ADEQ permitting process, and the Army Corp of Engineers and Yavapai County Flood delineation and possible permitting process, the applicant will sufficiently address concerns regarding the environmental impact of this project.

If the Commission chooses to recommend approval of this Conditional Use Permit, the Planning Department recommends that the following stipulations be considered to be applied:

1. Site Plan Review:
 - a. Prior to the issuance of any building permits for the construction of any structures, or any site work, applicant shall have obtained Site Plan Approval from the Design Review Board of the Town of Clarkdale.
 - b. Prior to the issuance of a Certificate of Occupancy, applicant must submit a preliminary reclamation plan to include:
 - i. Plans for a possible park site at the reclaimed area.
 - ii. A re-vegetation plan for the area of the current slag pile to indicate the use of plants from the Xeriscape Plant List that is a part of the Town of Clarkdale Zoning Code. The plan should include an irrigation system.
2. Permitting: Prior to the issuance of a Certificate of Occupancy for any structures on the property, applicant shall:
 - a. Apply and receive all necessary permits from Arizona Department of Environmental Quality and any other state federal and county agencies.
 - b. Receive a ruling from the Arizona Corp of Engineers demonstrating this project is exempt from permitting requirements or 404 permit applications have been submitted.
3. Applicant agrees to meet all current standards and restrictions indicated in Section 10-1-11 of the Town Code for noise abatement, and the Section 4-16-I-5 of the Zoning Code if, after the plant becomes operational, it is determined by the Planning Director, as a result of complaints filed by surrounding residents, that these standards are not adequate, applicant agrees to work with the Town to find a reasonable solution to abatement.
4. Applicant agrees to meet all guidelines, standards and requirements indicated in Chapter 6, Section 24, Outdoor Lighting Code, of the Town of Clarkdale's Zoning Code.
5. Because of the phased nature of this project, the Town agrees to waive parking space requirements for employees for the first year. After that grace period applicant shall design and construct the parking area to provide one 4x10 traffic island and one tree for every eight spaces. Trees used shall be from the Xeriscape list provided as part of the Zoning Code.
6. Transylvania International and Verde River Iron Company agree to participate in planning, negotiations and implementation of extending Luke Lane directly to Cement Plant Road.

Commissioner Prud'homme-Bauer: Made a motion to open the meeting to public comment. Vice Chairperson Sammarco: seconded the motion. The motion passed unanimously.

Harry Crockett- President of Verde River Iron Company. Mr. Crockett, commented on recommendations made by Planning Director Steven Brown. Mr. Crockett stated that they agree with all of the recommendations with a few minor changes.

Under section 1-b, they have no problems with I or II but the timing of it is the question. The plans for a possible park site, the park won't come into being for approximately 15 years. Mr. Crockett said they don't mind doing that but they would like to do that sometime in the future when they see what it is going to look like when they get to that point asking to delay plans for a possible park site at the reclaimed area for a later time.

Secondly the re-vegetation plan is the same situation. They ask this not hold the progress of the first building and the C of O as long as they have everything they need from ADEQ to allow them to operate. Mr. Crockett asked to take out 1-b-stipulations for "prior to the issuance of a Certificate of Occupancy".

Mr. Crockett also talked about recommendation #5 and the grace period for parking. Mr. Crockett stated they would like to coincide the parking with the construction of the first exterior building because they won't know what the parking is should be until they have the building designed and have the plans in place.

Commissioner Prud'homme-Bauer asked a question pertaining to recommendation #5, asking what the time frame for building the first building? Mr. Crockett stated they discussed waiving #5 for the first 20 employees, which will occupy the existing building. He expects the designing of the second plant will be in the second year with construction sometime in the second year with occupancy 6-9 months after construction.

Vice Chairperson Sammarco asked about the noise of the project outside of the buildings. Mr. Crockett stated there will be some noise on the slag pile and that they are looking in to using rubber tire vehicles instead of track vehicles. They stated they would meet the town's standards as far as noise levels are concerned.

Mr. Crockett stated they plan to co-operate in any way they can, but don't want to represent that they will be giving a final plan on something when they are not even close to being there.

Doug Von Gausig, 630 E. Cliffside Drive, Clarkdale. Mr. Von Gausig stated he had a few concerns, one being the discarding of the processed water. Mr. Crockett stated they will not be discarding water. It is recycled and used over and over again with the only lose being to evaporation.

Mr. Von Gausig stated the noise level still concerns him and he would like to hear more about the subject.

Mr. Crockett stated the grinders that they will be using will be housed. The rest of the processing is inside of the buildings. Most of the noise will be from the gathering of material and they are looking into using rubber-tired vehicles.

Mr. Von Gausig asked about the ownership of the park after all the slag has been consumed. Mr. Crockett stated this has not been discussed yet.

Frank Sa, 309 Main Street, Clarkdale. Mr. Sa asked about the original breaking of the pile?

Mr. Crockett stated the original breaking will be by rubber tire tractors with rippers.

Commissioner Prud'homme-Bauer: made a motion to close the meeting to public Comment. Commissioner Dodendorf: seconded the motion. The motion passed unanimously.

Commissioner Prud'homme-Bauer: made a motion to recommend approval of the CUP with the following stipulations: on Site Plan Review, as worded. 1-b:(wording as provided by Planning Director Steven Brown) prior to the issuance of occupancy for any but the initial building applicant must submit a preliminary reclamation plan to include:

- i.Plans for a possible park site at the reclaimed area.
- iiA re-vegetation plan for the area of the current slag pile to indicate the use of plants form the Xeriscape Plant List that is a part of the Town of Clarkdale Zoning Code. The plan should include an irrigations system.#2 as written, #3 as written, #4 as written, #5 eliminate the word “year following the word “first” and add “ agrees to waive parking requirements until the construction of the second building. #6 as written. Also include the REQUIRED FINDINGS:

As indicated in Chapter 6 in the Town Zoning Code, in order to make recommendations on a conditional use permit, the Planning Commission should make findings based on the following elements, as applies to that particular case:

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Landscaping: Landscaping and/or fencing of the proposed development, assures that the site development will be compatible with adjoining areas and with the intents of Town policies.

Nuisance: That the proposed use will not create a hazard to persons and property from possible explosions, continuation, fire or flood. That the use will not create a nuisance arising from but not limited to: Noise, smoke, odors, dust, vibration, signage or illumination.

Vice Chairperson Sammarco: seconded the motion. The motion passed unanimously.

ADJOURNMENT: With no further business to discuss the meeting was adjourned at 7:12 p.m.

APPROVED BY:

SUBMITTED BY:

Gary Hansen
Chairperson

Linda Noland
Administrative Assistant