MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, MARCH 16, 2010, 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, March 16, 2010 at 6:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chairperson	Jorge Olguin	Present
Vice Chairperson	Bill Regner	Present
Commissioners	Amy Bayless	Present
	Dave Puzas	Present

Staff:

Community Development Director	Sherry Bailey
Administrative Assistant	Vicki McReynolds

Others In Attendence: Mr. Don Stillwell, (Freeport-McMoRan Corporation), Mr. Westcott, (Verde Exploration. Public: Christine Schwab, Lisa Petty, Penny Gift and Robyn Prud'homme-Bauer.

AGENDA ITEM: CALL TO ORDER: The Chairperson called the meeting to order at 6:00 p.m.

AGENDA ITEM: ROLL CALL: The Administrative Assistant called roll.

AGENDA ITEM: MINUTES: Consideration of the **Regular Meeting Minutes of February 16, 2010. Commissioner Puzas motioned to approve the Regular Meeting Minutes of February 16, 2010. Vice Chairperson Regner seconded the motion. The motion passed unanimously.**

AGENDA ITEM: REPORTS:

Chairperson's Report: The Chairperson moved the report and the Staff report to the end of this meeting.

Staff Report:

AGENDA ITEM: PUBLIC COMMENT: There was no public comment.

NEW BUSINESS

AGENDA ITEM: PUBLIC HEARING: ZONE CHANGE-Application on five acres from "PAD" – Planned Area Development to "C" – Commercial by: Freeport McMoRan Corporation for the Clark House, involving portions of parcel numbers 400-06-001 and 400-07-001B.

- **Open Public Hearing: The Chairperson opened the Public Hearing.**
- **Commissioner Bayless declared a conflict and left the meeting room.**
- **Staff Report:**

Background:

The Clark House is part of the existing Planned Area Development on the former Phelps Dodge property at Pecks Lake. This land is covered by an existing development agreement and conceptual design for the Verde Valley Ranch. In the conceptual plan the Clark House was intended to remain residential when the Verde Valley Ranch develops.

Over the past two years Freeport McMoRan has been conducting a remediation project at the Jerome mine site. Part of that work required acquisition of an adjoin piece of property owned by Verde Exploration. In negotiating with Verde Exploration, it was suggested an exchange of land could occur that would benefit Freeport and allow Verde Exploration to acquire the Clark House and preserve it from additional deterioration. At this time, there are no particular plans for developing the Clark House although there have been numerous suggestions for the use of that property. Most of the suggested uses would require commercial zoning. In order to complete the exchange transaction Freeport McMoRan is requesting rezoning the House and the five acres to commercial and they will be requesting the Town Council to remove the Clark House and the five acres now platted with the house from the development agreement. The rezoning will replace the Planned Area Development zoning.

General Plan Interpretation:

Rezoning of this parcel would not require a Minor Amendment to the general plan. As the plan reads: '*A minor amendment is any proposal that affects an area twenty (20) acres in size or greater.*" In this case there are only five acres associated with the Clark House in the request for rezoning.

Planning Commission Action

The staff recommendation for approval of the request is based on the following findings:

A. That the proposed Zoning Change conforms to the adopted goals, objectives and policies of the Town.

B. That the proposed Zoning Change, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.

Impact of Zoning Change:

Changing the zoning on this parcel to Commercial would allow for development of any of the permitted uses in Clarkdale's Commercial Zone. These uses include:

(1) Multiple family dwelling structures.

(2) Professional and business offices, including clinics.
(3) Financial institution.
(4) Automobile parking lot.
(5) Restaurants, taverns or bars.
(6) Retail sales, including florist shops and greenhouses in connection with such shops.
(7) Self-service laundry and cleaning establishments.
(8) Dressmaking, tailoring, shoe repairing, repair of household appliances and bicycles, home repair and upholstery shops.
(9) Personal service uses, including barbershops and beauty parlors, artists studios, funeral parlors and other personal service uses of a similar nature.
(10) Amusement place in a completely enclosed building.
(11) Automobile, trailer, boat, or farm implement display, sales or rentals.
(12) Hotels and motels.
(13) Commercial, trade or vocational schools.
(14) Public garage, including storage and repair in accordance with Section 14 K. 3 of the Zoning Code.
(15) Publicly owned or operated park, playground, or building including public garages and storage yards in conformance with Section 14 K. 3 of the Zoning Code and excepting treatment plants, garbage incinerators, warehouses and penal or correctional institutions.
(16) Bed and Breakfast Country Inn.
(17) Wholesale establishments, warehouses and self-storage units.
(18) Convalescent homes and retirement centers.

B. Accessory Uses Permitted: (Not requiring a use permit).
(1) Caretaker's facilities clearly incidental to and secondary to the use of the premises for business purposes.

All commercial development is subject to design review. The historic nature of the Clark House will require sensitivity in how any purposed use and site plan is developed. The Design Review board has the following conditions to weigh at the time of any site plan or design review request:

1. **ARCHITECTURAL MERIT:** The architecture and design shall be visually compatible with the buildings, structures and places to which it is related.
2. **PROPORTION:** The relationship of the width of the building or structure to it's height shall be visually compatible with the buildings, structures and places to which it is related or shall be maintained as original whenever feasible.
3. **OPENINGS:** The relationship of the width of the windows and doors, to the height of windows and doors in the building shall be visually compatible with buildings, structures and places to which it is related.
4. **PATTERN:** The relationships of solids to voids in a facade of a building or structure shall be visually compatible with buildings, structures and places to which they are related.
5. **SPACING:** The relationship of the building to the open space between it and the adjoining buildings shall be visually compatible to the buildings, structures and places to which it is related.

6. **ENTRANCES, PORCHES AND PROJECTIONS:** The height, projection, supports and relationship to streets and sidewalks, of entrances, porches, awnings, canopies and balconies of a building shall be visually compatible to the buildings, structures and places to which it is related.

7. **MATERIAL, TEXTURE AND COLOR:** The materials, textures and colors of the facade of a building shall be visually compatible with the predominant materials, textures and colors used in the buildings and structures to which they are related.
8. **ROOFS:** The roof shape and materials of a building shall be visually compatible with the buildings to which it is related.
9. **ARCHITECTURAL DETAILS:** Doors, windows, eaves, cornices and other architectural details of a building or structure shall be visually compatible with buildings and structures to which they are related.
10. **ACCESSORY FEATURES:** Garages, carports, sheds, enclosures, walkways, stairways, and landings shall be visually compatible with buildings and structures to which they are related.
11. **LANDSCAPING:** Landscaping shall be visually compatible with the landscaping around the buildings, structures and places to which it is related.
12. **LIGHTING:** Any on-site illumination shall be architecturally compatible to the overall project and not create a negative or visually detrimental effect on the building or neighboring properties.

Zoning Code Site Plan Review Section 11-13 Approval Standards and Criteria for Site Plan Review pages 11-24 also will apply whenever this property is developed. (This was included in the Commissioner's packets).

Staff Recommendation:
Staff recommends that the Commission recommend approval of the zone change application subject to the following conditions:

1. That the Historic Nature of the Clark House figure prominently in any future use of the property and the site plan design take that place history into consideration.
2. That the town Building Inspector and the Fire District chief review the security and structure stabilization measures that the new owner puts in place to secure the safety of this historic building.
3. That a future fifty foot right of way be granted on either the northern or southern edge of the property connecting from Sycamore Canyon Road to an internal road system constructed when the rest of the Freeport McMoRan property develops.

- **Applicant Presentation:** Mr. Don Stillwell of Freeport-McMoRan Corporation indicated the Staff Report fully covered their zone change request. He made reference to their remediation project at the Jerome mine site over the past two years. He feels that "stabilization" of the Clark House will be a positive thing. Mr. Westcott of Verde Exploration stated they have no definite use for the property at this time. He stated the present condition of the Clark House is poor and their initial intentions are to get it water tight and secure. He also stated the Staff Report coverd this evening's request.

- **Invite Public to Speak – (Public is asked to state their name). There is a time limit for comments.**
  -Christine Schwab: She is a Clarkdale resident and recommends the Verde Exploration hire an architect with historical restoration background. The applicant, Mr. Westcott, agreed this would be a good idea and they would be taking bids to get the house in a more stable situation.

-Lisa Petty: Does it need to be commercially zoned for the public to view it? Also, she is concerned if it is commercially zoned, what if it goes to a restaurant or amusement park use for an example? She did not hear there is any specific "use" for the property this evening and in a small community you do hear "other plans".

-Penny Gift: Do we need to have it zoned commercial? What is the plan?

- **Close Public Hearing: The Chairperson closed the Public Hearing.**

AGENDA ITEM: CONSIDERATION AND POSSIBLE ACTION FOR ZONE CHANGE: Application on five acres from PAD – Planned Area Development to C – Commercial by: Freeport McMoRan Corporation for the Clark House, involving portions of parcel numbers 400-06-001 and 400-07-001B.

-Questions may be directed to Staff / Applicant: ***Following are responses to questions asked by the Commissioners.***

Q: To Mr. Westcott: What is Verde Exploration's time frame for stabilizing and securing the building?
A: The biggest concern is to secure and stabilize the building. With the current economic situation, we can't give an exact time frame. We want to make the property water tight and secure. At this point, six months would be the approximate time frame.

Q: To the Applicants: Do you have any comments regarding the public who spoke this evening and their concerns?
A: The list of uses for the property as stated in the Staff Report is a long one and truthfully we have no definite use for the building at this time. If Verde Exploration "itself" does something with the property, that would be one thing, but if Verde Exploration leases it out for a business of some kind, this would probably be a faster turn around for a "use" for the property.

Note: Staff stated any use other than a single family use; must go through the Site Plan Review process and Design Review and would have to be zoned commercial. The original Development Agreement has mixed use surrounding this property.

Q: To Staff: What is the process if it goes to commercial and can the owners put anything on it that falls in the allowed uses? What is the process through the Town of Clarkdale?
A. The Community Development Director explained, as an example, if a "restaurant" were to apply, it would need to go through the Community Development Department's Site Plan and Design Review process. There are 12 areas that are looked at during the site plan or design review request. The surrounding property owners are notified prior to a meeting and have the opportunity to attend. The Site Plan Review process is very extensive i.e., access, parking, lands that may be impacted, etc. Public hearings are involved in the process.

- **The Chairperson re-opened the Public Hearing.**

-Lisa Petty: Stated she understands everything that has been said and if it is deemed Commercial zoning and it goes to an amusement park, as long as it looks good, it would still be OK? Her property location wise could be impacted with future decisions.

- **The Chairperson re-closed the Public Hearing.**

Q. The Vice Chairperson asked the applicants if they were in agreement with the Staff Stipulations that were outlined in the Staff Report.
A. Yes, they stated they were.

Q. To Applicant: You are looking at a third modification to the plan and is there a point where we need to start over and possibly take a fresh look at the plans?
A. Since the early 1990's the plans have evolved over the years and it is a very valuable property. There has been "chipping" away at the original plans. We don't exactly know what the future plans will be.

-**Discussion**: **None.**

AGENDA ITEM: ACTION: Vice Chairperson Regner motioned to approve the rezone application on five acres from PAD – Planned Area Development to C – Commercial by: Freeport McMoRan Corporation for the Clark House, involving portions of parcel numbers 400-06-001 and 400-07-001B, with the following Staff recommended conditions:

1. **That the Historic Nature of the Clark House figure prominently in any future use of the property and the site plan design take that place history into consideration.**
2. **That the town Building Inspector and the Fire District Chief review the security and structure stabilization measures that the new owner puts in place to secure the safety of this historic building.**
3. **That a future fifty foot right of way be granted on either the northern or southern edge of the property connecting from Sycamore Canyon Road to an internal road system constructed when the rest of the Freeport McMoRan property develops.**

Commissioner Puzas seconded the motion. The motion passed unanimously.

AGENDA ITEM: DISCUSSION: FOCUS GROUP DISCUSSION:

Commissioner Bayless returned to the room for this portion of the meeting.

- **Community Design – Where do we start?** ***(Following are the areas covered).***

Community Sub-Group Areas
-What are the defining design characteristics of each sub-group area?

-**Historic Industrial Area**: Mining, industry, existing historic structures, potential mixed use area.
-**Verde River Corridor/Pecks Lake**: Recreational area, open space, events.
-**Historic Residential Neighborhoods**: Family oriented, high density buildings, affordability, meet building codes.
-**Downtown Central Business District**: Historic buildings / functionality, meet building codes.

-**Central Residential/Open Space**: Trails, connectivity, not filling the washes, not building on hills.
-**Highway 89A Corridor**: *Don't Want*: Billboards, excessive clustering, lot restrictions, limited connectivity. *Want*: color control.
-**Foothills Residential/Open Space**: Residential area, lot sizes, height restrictions-2 story structures, variation.
-Prescott National Forest Annex Area: To be discussed at another meeting due to the amount of information that will be discussed.

-What about Clarkdale do we want to preserve?
-Old Mining Town Look / avoid "square" looking buildings
-Historic Look / Feel – yet keep functionality
-Industrial Areas – maintain some historic lines

-Is it different for each sub-group area?
-Yes, but all share a common theme.

- **Housing – Workforce, diversity.**

This was not covered in the meeting and will be brought back at the next regular scheduled meeting in April.

AGENDA ITEM: REPORTS:

Chairperson's Report: The Chairperson and the Vice Chairperson attended the Town Council Meeting on February 23, 2010. The Council Members felt the Planning Commission's work plan was very ambitious and wished them good luck. The Mayor recommended the Commission go back and look at history and don't make the same mistakes and be "prepared".

Staff Report: The Community Development Director stated the Town has eliminated two positions, one being in our department. The department is now down to 3 ½ people. The General Plan "draft form" process may have to speed up to meet completion date. It ws also reported: Commissioner Vinson has submitted her resignation and Vice Chairperson Regner will be serving on the Council and will need to submit his resignation by end of April. The Chairperson mentioned it may be wise to start seeking a replacement for Commissioner Vinson's position first so they can transition in.

AGENDA ITEM: FUTURE AGENDA ITEMS:
-April 20, 2010 – 6:00 p.m. - Next regular meeting.
- Focus Group: Housing – Workforce, diversity.

AGENDA ITEM: ADJOURNMENT: Commissioner Bayless motioned to adjourn the meeting. Commissioner Puzas seconded the motion. The motion passed unanimously. The meeting adjourned at 8:10 p.m.

APPROVED BY:

Jorge Olguin
Chairperson

SUBMITTED BY:

Vicki McReynolds
Administrative Assistant II