TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
January 9, 2012

Vice-Chairman Mona called the duly posted meeting of the Planning and Zoning Commission to order at 3:00 p.m. in the Town Council Chambers.

PLEDGE OF ALLEGIANCE

ROLL CALL
PRESENT: John Swenson, James Scheidt, Joel Mona, Clark Jones, Lori Meyers, and Mark Waldrop.
ABSENT: Jeff Loyd
STAFF PRESENT: Sheila DeSchaaf, Zoning Administrator, Doni Wilbanks, Planning Technician, Tim Wright, Town Attorney, Kyle Mann, Town Prosecutor, and Chris Floyd, Executive Assistant.

A. APPROVAL OF MINUTES
1. Public Meeting 11-14-11 Pages 1-2

The minutes were approved as submitted.

B. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.

There were no public comments.

Item C was taken out of order.

D. SCHEDULED HEARING(S)

1. CUP11-006 Conditional Use Permit Request
Filed by: Zygmunt Oparowski, property owner; Argo Pottorff, applicant
Location: 1500 West Bravo Taxiway
Purpose: To allow a recycling center in a M-1 zoning district.

Argo Pottorff, applicant, gave a brief overview of the proposed recycling express center. He said the intent was to purchase scrap metal and electronics to be packaged and shipped out.

The Commission asked questions, which were answered by the applicant and staff.

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Sheila DeSchaaf, Zoning Administrator, summarized the staff report. Staff recommends approval of the request with the following conditions:

1. Exterior land uses shall substantially conform to the site plan submitted and attached to the zoning application stamped December 12, 2011.

2. The project shall meet all development standards, including but not limited to: building, signage and fire safety.

3. Any area that is not fenced off from general public traffic shall be paved.

4. An eight foot (8') opaque solid masonry screen wall shall be installed as shown on the site plan submitted with this application.

5. Outside storage of recycled material in any area outside of the proposed masonry wall enclosure shall be restricted to containers.

6. The canopy shall be removed or have an approved building permit prior to recordation of this use permit.

7. A plan for landscaping that complies with Town of Payson Landscaping, Screening and Buffering minimum requirements shall be submitted and approved prior to recordation of this use permit. Improvements shall be installed no later than May 1, 2012.

8. Enforcement personnel from the State of Arizona, Gila County, Town of Payson or other affected entity, including but not limited to Town of Payson Zoning Enforcement Officer, Payson Fire Marshal, Payson Water Department, Gila County Health Inspector or Arizona Department of Environmental Quality Inspector, and the Northern Gila County Sanitary District, shall be permitted to inspect the business premises at any reasonable hour to inspect the same in connection with any application made under the terms of the Unified Development Code, or for any investigation or inspection as to whether or not any portion of such premises, building, structure or land is in violation of, or being used in violation of, the UDC. Such inspection shall not be subject to a 24-hour prior written notice.

9. The length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for recycling use with exterior recycling uses then the use permit is applicable. Change in uses or additional uses may require separate approvals or a modification to this Conditional Use Permit.

10. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department. A request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission asked further questions regarding noise, hours of operation, containment area for hazardous materials, and checking periodically for compliance.

Vice-Chairman Mona opened the public hearing.

Several members of the audience voiced their concerns regarding noise, removing fluids from vehicles, use of cutting torches, traffic on Bravo Taxiway, and the block wall requirements.

Vice-Chairman Mona closed the public hearing.

There was further discussion regarding the possible noise, the vehicle issue, and the possibility of additional conditions.

Motion: Approve CUP11-006, a request to allow recycling use within the existing enclosed building and outdoor recycling activities and storage screened with minimum of 8' high solid masonry wall in a M-1 zoning district at 1500 West Bravo Taxiway subject to the conditions recommended by staff with the following amendment to 5 and the additional five (5) conditions;

5. Outside storage of recycled material in any area outside of the proposed masonry wall shall be prohibited.

(Additional conditions added and renumbering of original conditions)

8. An automobile shredder or crusher shall not be allowed at this location.

9. Town staff shall review the CUP for compliance at least every 24 months and report back to the commission on such review.

10. A containment area shall be constructed in the area where vehicles will be dismantled.

11. Hours of operation shall be restricted to 7:00 a.m. to 7:00 p.m. for all indoor business activities, exterior uses to include heavy equipment operation, cutting of metal or dismantling of vehicles, and other similar noise generating activities shall not be permitted earlier than 8:00 a.m. or later than 5:00 p.m. daily.

12. Equipment and vehicles shall be equipped with backup alarms that have the lowest decibel level that complies with OSHA requirements.
Moved by Lori Meyers, seconded by James Scheidt.

Vote: Motion carried 5 - 1
Yes: John Swenson, James Scheidt, Joel Mona, Clark Jones, and Lori Meyers.
No: Mark Waldrop.

Absent: Jeff Loyd.

C. ELECTION OF OFFICERS

Sheila DeSchaaf, Zoning Administrator, gave the Commission some guidelines that were excerpted

from "Roberts Rule of Order" which were adopted in the Commissioners handbook. It talks about the considerations for electing a Chairman.

Chairman Mona welcomed Mr. Swenson as the new Commissioner. Mr. Swenson then gave his background.

Commissioner Waldrop nominated Commissioner Scheidt for Chairman.

Commissioner Meyers nominated Commissioner Loyd for Chairman.

Motion failed 3-3.

Tim Wright, Town Attorney, had to do research on how to handle a tie in the nominating process for Chairman. While Mr. Wright researched protocol for ties during the nomination process the Commission proceeded with nominations for Vice-Chairman.

Commissioner Meyers nominated Commissioner Mona for Vice-Chairman. That was approved by affirmation.

It was suggested that the election of a Chairman be deferred until the next meeting.

E. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Meeting schedule for 2012 and January 2013

   Vice-Chairman Mona moved, seconded by Commissioner Meyers, to adopt the meeting schedule for 2012 and January 2013.

   Motion carried 6-0.

   At this time Commissioner Scheidt withdrew his name for consideration of Chairman. Commissioner Loyd was elected Chairman.

F. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

Commissioner Scheidt requested an update from staff regarding 1400 North Beeline Highway.

G. INFORMATION TO COMMISSION (Not for Discussion)

1. Open Meeting Law training reminder

   Sheila DeSchaaf, Zoning Administrator, reminded the Commission that there was Open Meeting Law training starting in a few minutes and also it would be held again on Wednesday, January 11 at 11 a.m. for anyone that couldn't attend tonight.

ADJOURNMENT - 4:50 p.m.

Joel Mona, Vice-Chairman

2/13/2012
Approved

Chris Floyd

Chris Floyd, Executive Assistant