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AUG 04 2010



**Chandler Arizona**  
*Where Values Make The Difference*



**MEMORANDUM                      Transportation & Development - PZ Memo No. 10-084**

**DATE:**            JULY 27, 2010

**TO:**                PLANNING AND ZONING COMMISSION

**THRU:**            R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR  
                          JEFF KURTZ, PLANNING ADMINISTRATOR  
                          KEVIN MAYO, PLANNING MANAGER *KM*

**FROM:**            ERIK SWANSON, CITY PLANNER *ES*

**SUBJECT:**        ZUP10-0027 HUDSON BAYLOR CHANDLER

**Request:**        Use Permit extension approval for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district, and the continued use of ingress and egress off of Hamilton Street

**Location:**        1100 N. Hamilton Street,  
                          North and west of the northwest corner of Ray Road and Hamilton Street

**Applicant:**        Will Herzog, Hudson Baylor

**RECOMMENDATION**

The request is for Use Permit extension approval for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district, and the continued use of ingress and egress off of Hamilton Street. Staff, upon finding consistency with the General Plan and the General Industrial (I-2) zoning district, recommends approval with conditions.

**BACKGROUND**

The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. Surrounding the site on all four sides are industrial uses. Directly north of the subject site is a steel welding facility. Directly east is a lot zoned for I-2 uses, and is currently being utilized to store trailers. South of the subject site is another recycling facility. Directly west is the Southern Pacific Railroad.

Recycling activities have taken place on the subject property since 1995, and on the adjacent property to the south since 1989. In 2009, the subject site received Use Permit approval with a one-year timing condition. The current request seeks to extend the Use Permit for an additional three (3) years.

At the time of approval in 2009, the request included an expansion area and drop-off building located north of the existing building. The approved structure consists of pre-fabricated 10' tall by 7'-6" wide concrete walls on an approximate 82' x 68' pad. Extending above the walls an additional 10' will be mesh netting, for an overall structure height of 20'. Access into the structure will be through an opening on the southeast corner of the structure. The opening of the structure will be wide enough to safely allow for the maneuverability of the collection vehicles dropping-off the recyclables. Netting will be extended across the opening when vehicular operations are not occurring. The structure's design is comparable to a racquetball court. The structure has not yet been built due to the lower number of trips generated that was initially anticipated.

There will be no storage of materials or the operation of vehicles overnight, however it has been indicated that a spare trailer will remain on the site overnight to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables will not take place on the subject site. A detailed narrative explaining the operation of the facility is attached.

Additionally, the Use Permit requests the continued use of the access drive off of Hamilton Street for ingress and egress purposes. In 2009, Staff reviewed the request along with our Fire and Traffic Departments; no objections to the use of the access drive were given. There continues to be no objections to the access drive.

### **DISCUSSION**

In 2009 Staff heard from a number of residents concerned with the request citing that the use would increase trash in the neighborhood and traffic issues on Hamilton Street. To date, Staff has heard from one neighbor who had no objections to the use, and Staff is unaware of any trash or traffic related concerns. Staff supports the request citing that the use has operated successfully for the past year, has proven itself compatible with the surrounding users, and has maintained the site in a clean manner as required by the previous conditions of approval.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A description of the Use Permit request was advertised in the newspaper.
- An orange 11" X 17" placard public hearing sign was posted on the property.
- A neighborhood meeting was held on Tuesday, July 6, 2010. The adjacent property owner to the south was the only attendee and had general questions.

At the time of this writing, Staff has received one phone call in support from a nearby resident. Staff has not received any phone calls or letters opposed to the request.

**RECOMMENDED ACTION**

Staff, upon finding consistency with the General Plan and the I-2 zoning district, recommends approval of ZUP10-0027 HUDSON BAYLOR CHANDLER, subject to the following conditions:

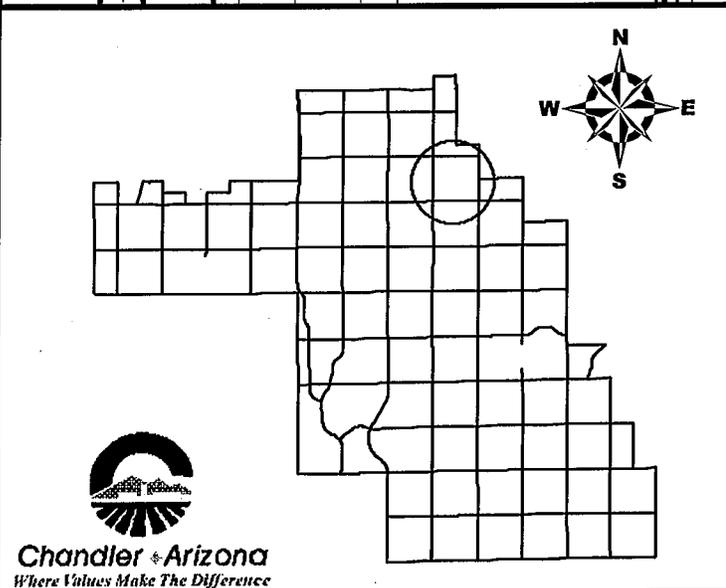
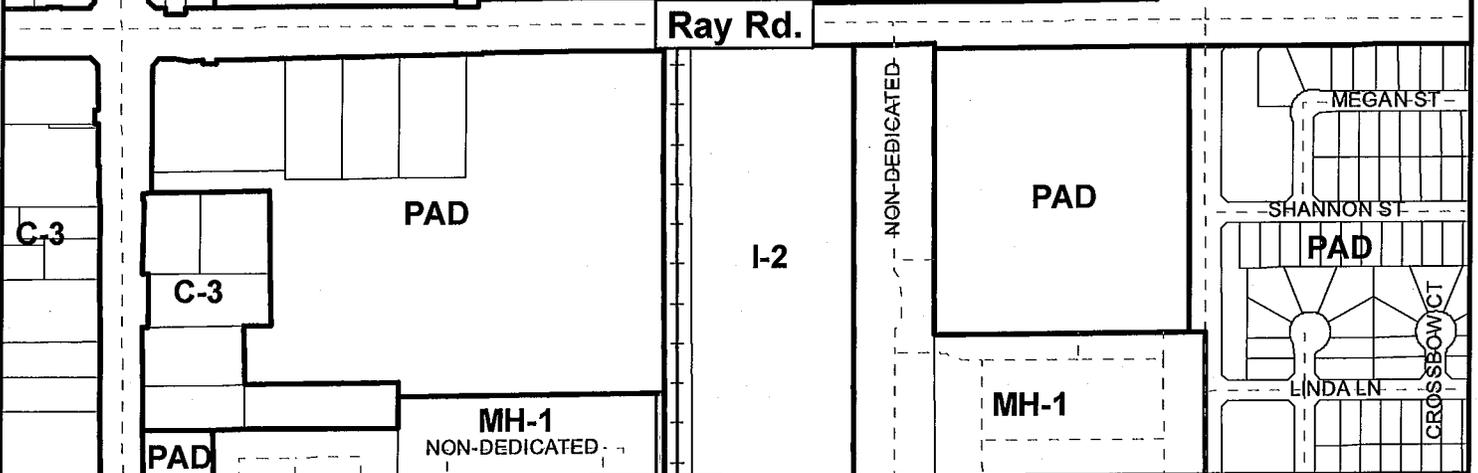
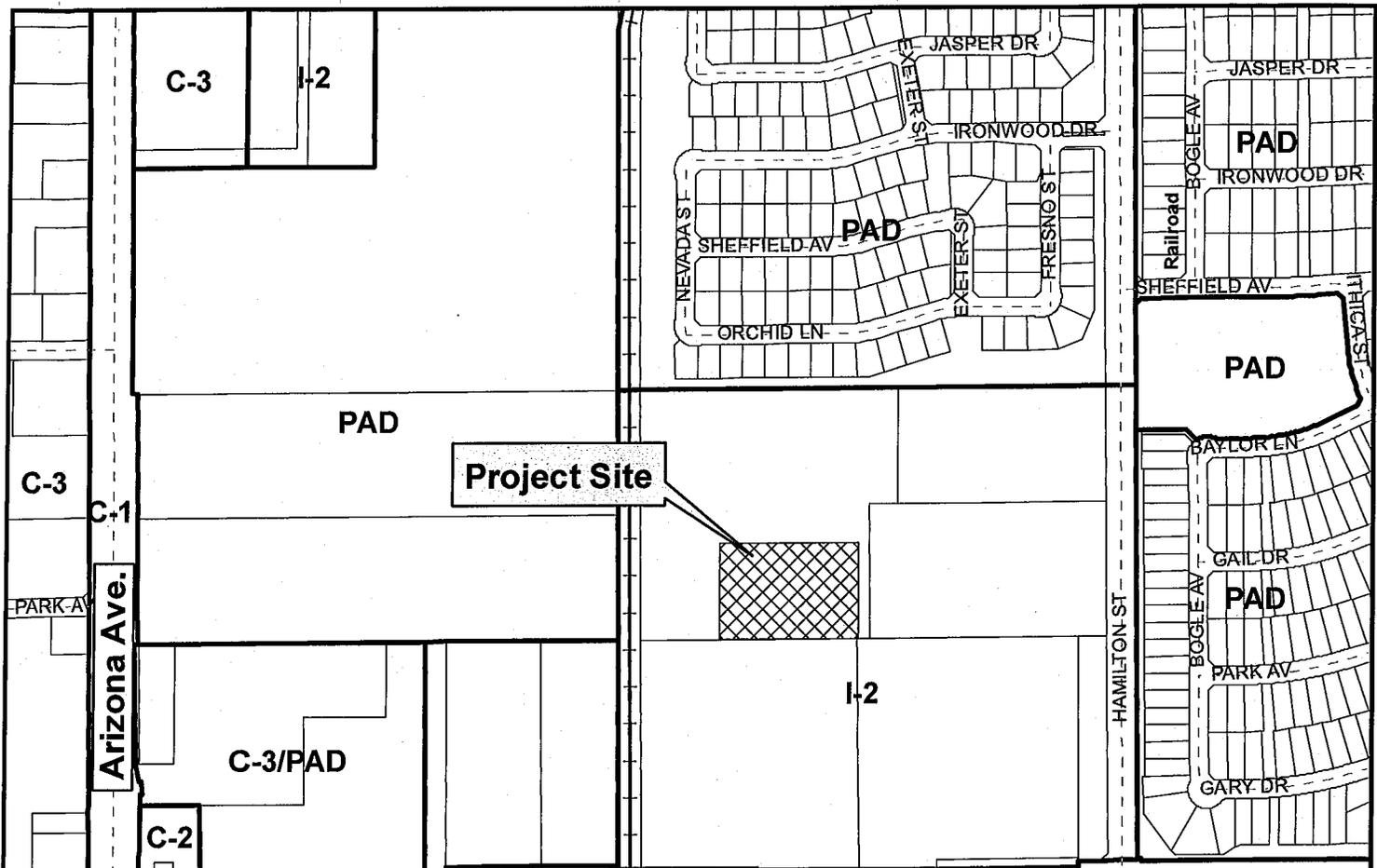
1. The site shall be maintained in a clean and orderly manner.
2. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

**PROPOSED MOTION**

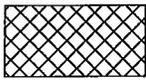
Move to recommend approval of ZUP10-0027 HUDSON BAYLOR CHANDLER, subject to the conditions recommended by Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan/Elevations
3. Applicant Narrative



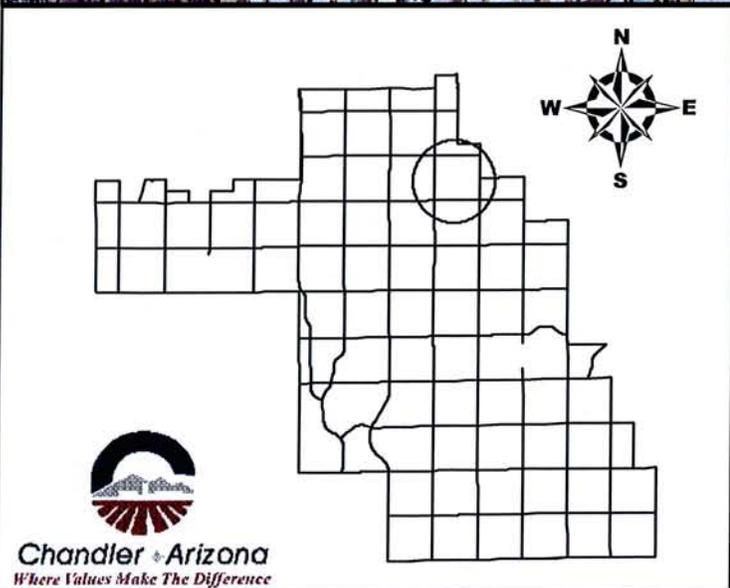
## Vicinity Map



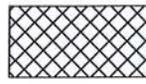
**ZUP10-0027**

**Hudson Baylor Chandler**

CITY OF CHANDLER 6/1/2010



**Vicinity Map**



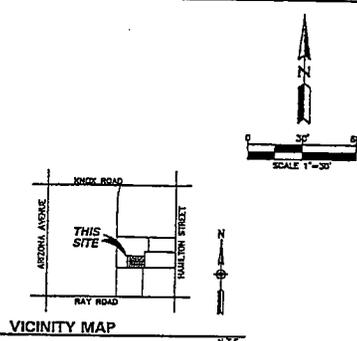
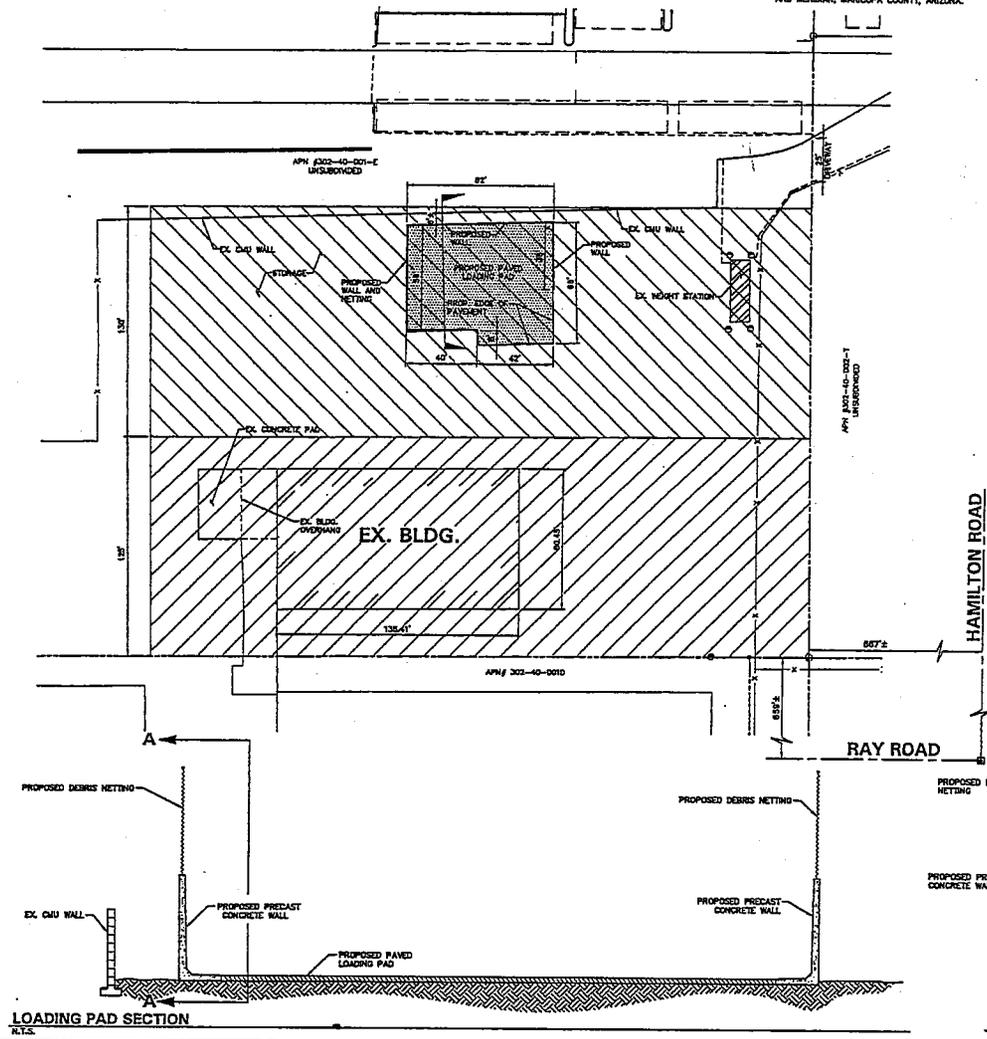
**ZUP10-0027**

**Hudson Baylor Chandler**



# USE PERMIT PLAN FOR CHANDLER RECYCLING CENTER NWC HAMILTON STREET & RAY ROAD CHANDLER, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASIN AND MERRIDIAN, MARICOPA COUNTY, ARIZONA.



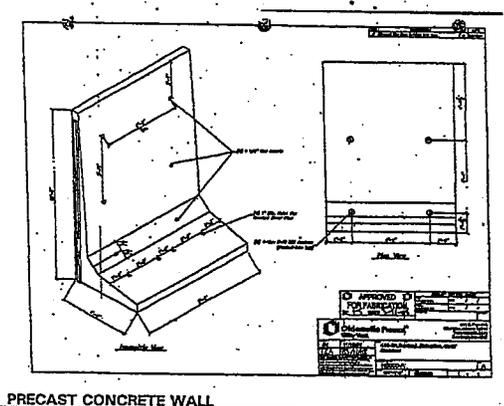
**DEVELOPER**  
HUDSON BAYLOR CORPORATION  
237 DUPONT AVENUE  
NEWBURGH, NY 12550  
PHONE: (845) 561-0860  
FAX: (845) 582-8412  
CONTACT: SCOTT TENNEY

**CIVIL ENGINEER**  
HUNTER ENGINEERING, INC.  
10450 N. 74TH ST. SUITE 2200  
SCOTTSDALE, ARIZONA 85258  
PHONE: (480) 981-3805  
FAX: (480) 981-3885  
CONTACT: LARRY TALBOTT

**LEGEND**

EXISTING USE PERMIT AREA

PROPOSED USE PERMIT AREA



REV.	DATE	REVISION	BY	
DESIGN BY: LMT DRAWN BY: BLM CHECKED BY: LMT				
VICINITY MAP				
<b>DEVELOPER</b> HUDSON BAYLOR CORPORATION 237 DUPONT AVENUE NEWBURGH, NY 12550 PHONE: (845) 561-0860 FAX: (845) 582-8412 CONTACT: SCOTT TENNEY				<b>HUNTER ENGINEERING</b> 10450 NORTH 74TH STREET SCOTTSDALE, AZ 85258 PHONE: (480) 981-3805 FAX: (480) 981-3885 CONTACT: LARRY TALBOTT
<b>CIVIL ENGINEER</b> HUNTER ENGINEERING, INC. 10450 N. 74TH ST. SUITE 2200 SCOTTSDALE, ARIZONA 85258 PHONE: (480) 981-3805 FAX: (480) 981-3885 CONTACT: LARRY TALBOTT				
<b>LEGEND</b> EXISTING USE PERMIT AREA PROPOSED USE PERMIT AREA				
<b>LOADING PAD SECTION</b> N.T.S.				
<b>SECTION A</b> N.T.S.				
<b>PRECAST CONCRETE WALL</b>				
<b>USE PERMIT PLAN FOR CHANDLER RECYCLING CENTER NWC HAMILTON STREET &amp; RAY ROAD CHANDLER, ARIZONA</b>				THESE PLANS ARE NOT APPROVED FOR CONSTRUCTION WITHOUT AN APPROVED SIGNATURE FROM THE GOVERNING MUNICIPALITY.
CASE #UP08-0067 REVISED 5/7/08				
SHEET NO. HUDS001 SCALE 1"=30' <b>C1</b>				1 of 2
APPROVED SITE PLAN & ELEVATION				

# USE PERMIT PLAN FOR CHANDLER RECYCLING CENTER

NWC HAMILTON STREET & RAY ROAD  
CHANDLER, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASIN AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

**LEGEND**

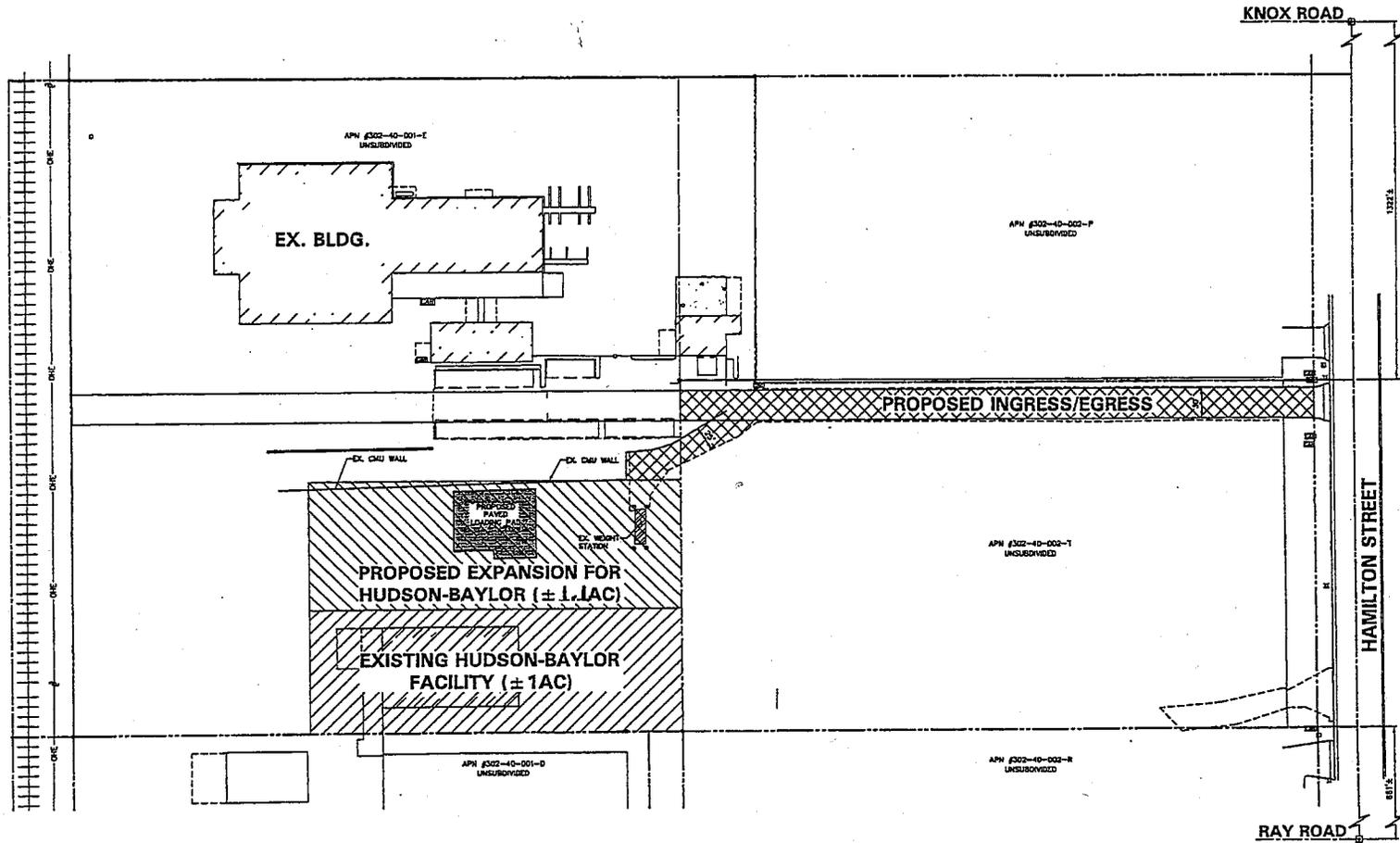
- EXISTING USE PERMIT AREA
- PROPOSED USE PERMIT AREA

VICINITY MAP

SCALE 1"=50'

REV.	DATE	REVISION

PURPOSE:  
USE PERMIT PLAN



**HUNTER**  
ENGINEERING  
1940 NORTH 74TH STREET  
SCOTTSDALE, AZ 85258  
TEL: 480.971.9198

CIVIL AND SURVEY



USE PERMIT PLAN  
FOR  
CHANDLER RECYCLING CENTER  
NWC HAMILTON STREET & RAY ROAD  
CHANDLER, ARIZONA

THESE PLANS ARE NOT APPROVED FOR CONSTRUCTION WITHOUT AN APPROVED SIGNATURE FROM THE GOVERNING MUNICIPALITY.

HE JOB NO: HUDS001

SCALE 1"=50'

SHEET  
**C2**

CASE #UP08-0067 REVISED 5/7/09

APPROVED ACCESS DRIVE

**Hudson Baylor Corporation (HBC)**  
**Chandler Recycling Center**  
**1100 N. Hamilton Street**  
**(Northwest of the NWC of Hamilton Street & Ray Road)**

*May 24, 2010*

**Use Permit Narrative**

**Use Permit Request**

This request seeks to extend the Use Permit (UP) granted in May 2009 for the existing Hudson Baylor Corporation (HBC) recycling facility located at 1100 N. Hamilton St. which includes the existing +/- 1-acre site and a +/- 2.2-acre contiguous site to the north, (approximately 900-feet northwest of the northwest corner of Hamilton St. and Ray Rd.). The expanded area is proposed expansion area for the existing recycling facility. Specifically, this Use Permit application includes the following two (2) requests:

1. Extend the Use Permit (UP) approval to expand the existing HBC recycling facility to include the subject +/- 2.2-acre site contiguous to the north of the existing facility, and
2. Extend Use Permit (UP) approval to allow both ingress and egress (full access) to Hamilton St.; prior to this use permit, ingress only from Hamilton St. was permitted.

HBC operates a recycling facility on existing +/- 1-acre site as a result of previous use permit approvals. In 1995, the initial use permit approval was granted to permit the facility's operation relating to recyclable materials (i.e. fiber, aluminum cans, plastic and glass). A subsequent use permit approval was granted in 2002 to allow vehicular ingress only to the site from Hamilton St. As a result of the existing site layout and access constraints which affect HBC's ability to operate the facility in a more efficient manner, the use permit was expanded in May 2009 to expand the area north (+/- 2.2-acres) and provide full access (ingress/egress) along the existing 30-foot paved driveway, located at the north end of the adjacent parcel to the east, which had previously been utilized by HBC for ingress only from Hamilton St. (See Site Plan-*Exhibit A*). The underlying purpose of this use permit extension request is to extend the current recycling operation to allow the operator to continue to receive recyclables from the municipal residential collection vehicles and other suppliers.

In the past year since we were granted this use permit extension, Hudson Baylor has received no complaints or heard any concerns from neighbors or the surrounding community with regard to our operations.

### Compliance with General Plan, Zoning & Surrounding Uses

The subject +/- 2.2-acre site is zoned I-2 (General Industrial), and is located approximately 900-feet northwest of the northwest corner of Hamilton St. and Ray Rd. The site is currently vacant except for the existing truck weigh station located at the northeast corner of the property as a result of previous entitlement approvals. The site is surrounded by the I-2 Zoning district and by the following uses:

<u>North:</u>	Existing Industrial use
<u>East:</u>	Vacant Land
<u>South:</u>	Existing Superior Products Corp./United Fibers Corp. recycling facilities
<u>West:</u>	Union Pacific railroad

Additionally, the proposed use also conforms to the existing Employment land use designation according to the Land Use Map of the General Plan. The proposal will not adversely affect persons, adjacent properties and/or neighborhoods within the area as the subject request seeks to merely expand the existing HBC facility to allow for more efficient operations and maneuverability to and from the site. As discussed below in the section entitled, "*Access & Circulation*," the incremental increase in the amount of vehicular traffic along Hamilton St. will be minimal. As a result of the facility's expansion, ingress and egress to the site as proposed along Hamilton St. will remain in its current as-built lane configuration and will be able to adequately serve any additional vehicular traffic. Additionally, this request does not seek an additional industrial use that is considered "new" to the area; rather this facility and those facilities surrounding the site have been operating within the I-2 zoning district for many years.

### Facility Operations

Recyclable materials that HBC receives are loaded onto larger vehicles for transport to full-service recycling plants for processing. Without the expanded area, the recycling facility has difficulty in operating efficiently in such a confined area, which is substandard in size when compared to industry standards. The proposed expansion site will alleviate the difficulties currently experienced and provide better maneuverability within the site to efficiently process the recyclable materials. It will also provide opportunities for growth of the business.

The current operation has all recyclables delivered to the facility emptied into the existing building on the 1+/- acre site, which is not the subject of this use permit extension.

The majority of the vehicles containing recyclables that enter the site from Hamilton St. are sent to the weigh station at the northeast corner of the site. Under the expanded facility permit, trucks can empty their load upon a 60'X80'concrete pad near the center of site and exit the site via Hamilton St. This entire process takes less than five minutes per truck. The recyclables will be contained on the asphalt pad confined within 10-foot tall pre-fabricated concrete walls. The pad area will be surrounded by the

10-foot walls and a 10-foot high netting system that extends 10-feet above the walls, which will be installed to retain and prevent any loose recyclables from escaping the pad area in the event of wind or other disturbance. The netting will also be extended around the open end of the structure at times when unloading/loading is not occurring. Prevention of migrating materials is of the utmost importance to keep the site in an orderly fashion and to preserve revenues that these materials generate.

This structure to contain the recyclables on this pad was part of our use permit application last year. Changes in our business over the last year resulted in our not needing to construct this structure, as we were able to continue to use the existing building for receiving and processing the recyclables. However, in this extension application, we seek to maintain the right to construct and use the structure as designed and described in our original permit application, as we anticipate our business will grow and will require the expanded use of the pad and containment structure.

At the appropriate time, these recyclables will be loaded on to a truck via a front-end loader. Once loaded, the materials will be covered by a tarp and delivered to a recycling plant. It is anticipated that there will be up to 5 trailers leaving the site daily. Typically, the materials are received and shipped the same day. HBC does not own or operate the trucks which drop-off the materials, as these vehicles are either municipal collection trucks or contract vehicles. There will be no overnight parking of residential collection vehicles on-site. A spare trailer for transferring materials to processing locations may be stored when not in use at the northwest corner of the site. The spare trailer expedites the process of moving recyclables to the processing locations because it enables the facility to temporarily load the recyclable materials until a delivery truck arrives to the site.

There will be 2 to 5 employees on-site to operate the expanded recycling facility. One of the primary responsibilities of these employees is to maintain the site in an orderly and neat condition. Business operations will be conducted between 4:00 a.m. to 6:00 p.m., Monday through Friday which coincide with the current hours of operation. Typically, collection vehicles begin to deliver materials between 7:00 am and 8:00 a.m. since the vehicles must first collect the recyclable materials from other locations before delivering them to the site. Deliveries run through the late afternoon. Morning activities prior to initial deliveries at the site include preparation of the site, organizing and cleaning the facility and any outstanding tasks/ activities from the previous day. These employees are charged with regularly maintaining the site in a clean and organized fashion.

#### Access & Circulation

Access to the subject site is provided by an existing paved 30-foot wide driveway from Hamilton St. at the northeast corner of the expansion site. Full access via the existing driveway to Hamilton St. for HBC's facility is required. As discussed below, the additional traffic for the HBC operations will be minimal so that full access has not noticeably changed the traffic characteristics of Hamilton St. Additionally, there is an

existing traffic signal at the intersection of Hamilton St. and Ray Rd. which will continue to maintain a regular flow of traffic and provide appropriate access to the site.

As of the date of this application, HBC receives approximately 50 delivery vehicles per week, and ships out approximately 13 trucks. On a daily basis, this works out to an average receipt of ten vehicles per day (resulting in 20 trips), and shipping out between two and three per day (4-6 trips). This level of activity is in line with our expectations related to our permit application from last year.

When this use permit was granted last year, there were an additional 19 inbound trips via Hamilton Street that entered via the Hudson Baylor property in order to access an adjacent recycling facility to the south (formerly operated by Abitibi-Bowater, now operated by United Fibers). Those trucks no longer use the Hamilton Street driveway, and access from the Hudson Baylor site to the United Fibers site is no longer available, as was indicated as a likely occurrence in our original use permit application from last year.

In our permit application last year, we forecast an additional 22-24 trips per day. While we have not secured this incremental business at the time of this application, we do anticipate growing the business and incremental trips will result from this growth.

#### Site Improvements

Improvements to the expansion site include the proposed 60'X80' concrete pad, 10-ft. wall surrounding the pad with a 10-foot netting system that extends above the walls. No buildings are proposed for the expansion area. The building for the existing HBC facility is a metal structure which will remain in the same condition and location. The applicant is committing that the 10-foot wall, 10 feet of netting and the manpower being dedicated to the site is more than sufficient to ensure that materials will not migrate from the site. Although the applicant is fully confident that these measures will ensure that materials will not be able to migrate from the site, the applicant acknowledges that the conditions of the use permit will allow the City to address the these types of potential concerns in the future should the above-referenced measures not be effective.