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Chandler

All-America City

2010

Chandler • Arizona

Where Values Make The Difference

MEMORANDUM **Planning Division - PZ Memo No. 14-064**

DATE: AUGUST 6, 2014

TO: PLANNING AND ZONING COMMISSION

THRU: JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER

FROM: ERIK SWANSON, SENIOR CITY PLANNER

SUBJECT: ZUP13-0025 HUDSON BAYLOR dba RECOMMUNITY

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

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

Applicant: Will Herzog; Hudson Baylor dba ReCommunity

RECOMMENDATION

Planning 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 relatively vacant. 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. Recycling activities for both sites are deemed vested. Up until 2009, the subject site had been part of the recycling operations to the south. In 1999, and in 2001, Use Permits were granted to allow ingress to the recycling facilities off of Hamilton Street. With the sell-off the subject site, the facility to the south modified their access points utilizing Ray

Road for ingress and egress, eliminating the need for access off of Hamilton Street. With the sell-off, the subject site was prohibited from using any means of access on Ray Road which led to the Use Permit request in 2009 for both ingress and egress access off of Hamilton Street. The Use Permit was granted with a one-year timing condition, and subsequently approved in 2010 for an additional three-years. The Use Permits were required due to the point of ingress/egress crossing a separate parcel that does not include the subject site. The current request seeks to extend the Use Permit for an additional three (3) years allowing for ingress and egress to Hamilton Street.

DISCUSSION

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 consisted 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'. The structure has yet to be built due to the lower number of trips generated than was initially anticipated.

There is no storage of materials or the operation of vehicles overnight; however a spare trailer is kept onsite to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables does not take place on the subject site. A detailed narrative explaining the operation of the facility is attached.

Based on concerns received from the surrounding neighborhood about trash, Planning Staff has visited the site on a number of occasions unannounced and has found that the site has been maintained and kept in clean order; no violations have been issued for the site. While visiting the site Planning Staff noticed recyclables in the area and that there were two facilities within close proximity of the subject site (one directly south of the subject site, and the other at the immediate northwest corner of Ray Road and Hamilton Street) with exposed recyclables. Planning Staff is working with our inspection team to remedy the issue.

Additionally, concerns have been expressed regarding the amount of truck traffic generated. Based on the concerns that Planning Staff heard regarding traffic movements, Planning Staff worked with our Traffic Division to have an in-house traffic study conducted over a two-day time period. The results were then compared with a study that was conducted in 2010. Results of the study concluded that truck traffic on Hamilton Street heading south of Knox Road constitutes four percent of overall traffic on Hamilton Street, and truck traffic heading north on Hamilton Street north of Ray Road provides nine percent of the traffic. In short, the results show that truck traffic largely heads north on Hamilton Street to the facility and then heads south on Hamilton Street from the facility, which is consistent with the stipulation for right-turn movements onto Hamilton Street. In addition to the traffic study, the Traffic Division also placed a camera at the site to verify movements and found that 91% of trucks headed south on Hamilton Street to Ray Road.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday, March 10, 2014. Nine neighbors attended and strongly expressed their concerns with the increase in trash, traffic, and pests. Two letters expressing opposition to the request are attached.

Planning Staff has heard from a number of residents concerned with the request citing that because of the recycling facility, trash in the surrounding neighborhoods has increased and traffic issues on Hamilton Street have become more difficult to deal with. Concerns have primarily been conveyed via petition with a neighborhood representative being in routine contact with Planning Staff.

RECOMMENDED ACTION

Planning Staff, upon finding consistency with the General Plan and the I-2 zoning district, recommends approval of ZUP13-0025 HUDSON BAYLOR dba RECOMMUNITY, Use Permit extension approval for the continued allowance of ingress and egress off of Hamilton Street for a recycling facility, 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.

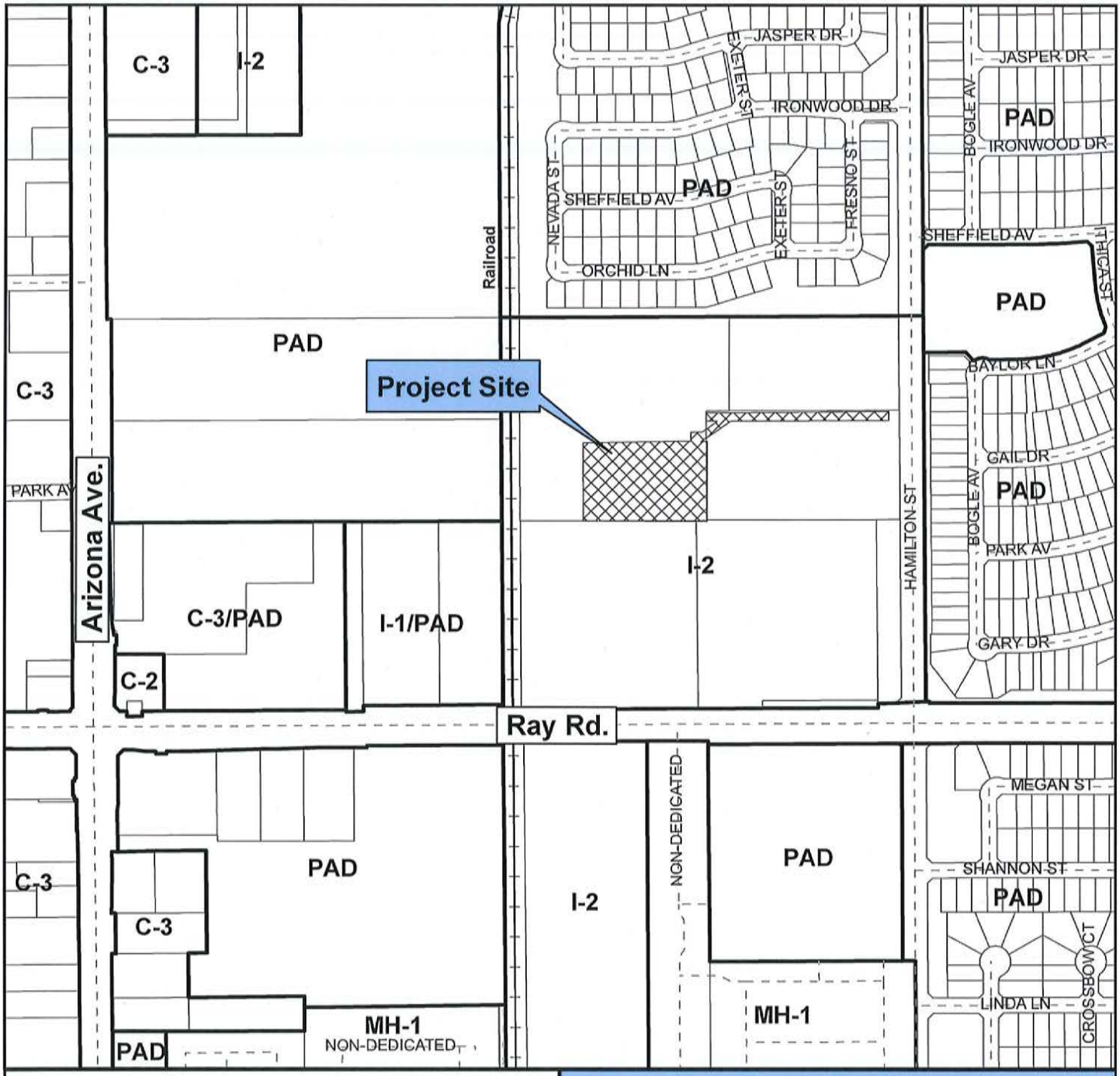
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

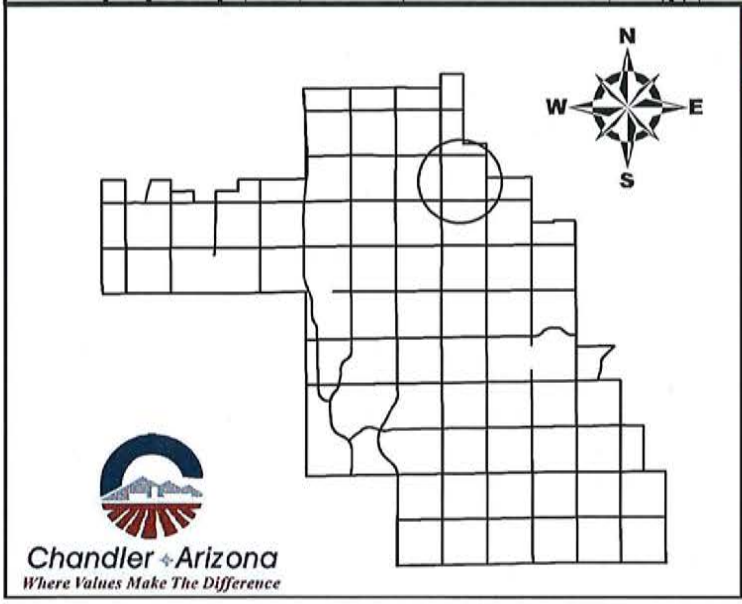
PROPOSED MOTION

Motion to recommend approval of ZUP13-0025 HUDSON BAYLOR dba RECOMMUNITY subject to the conditions recommended by Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Applicant Narrative
4. Letters of Opposition (2)



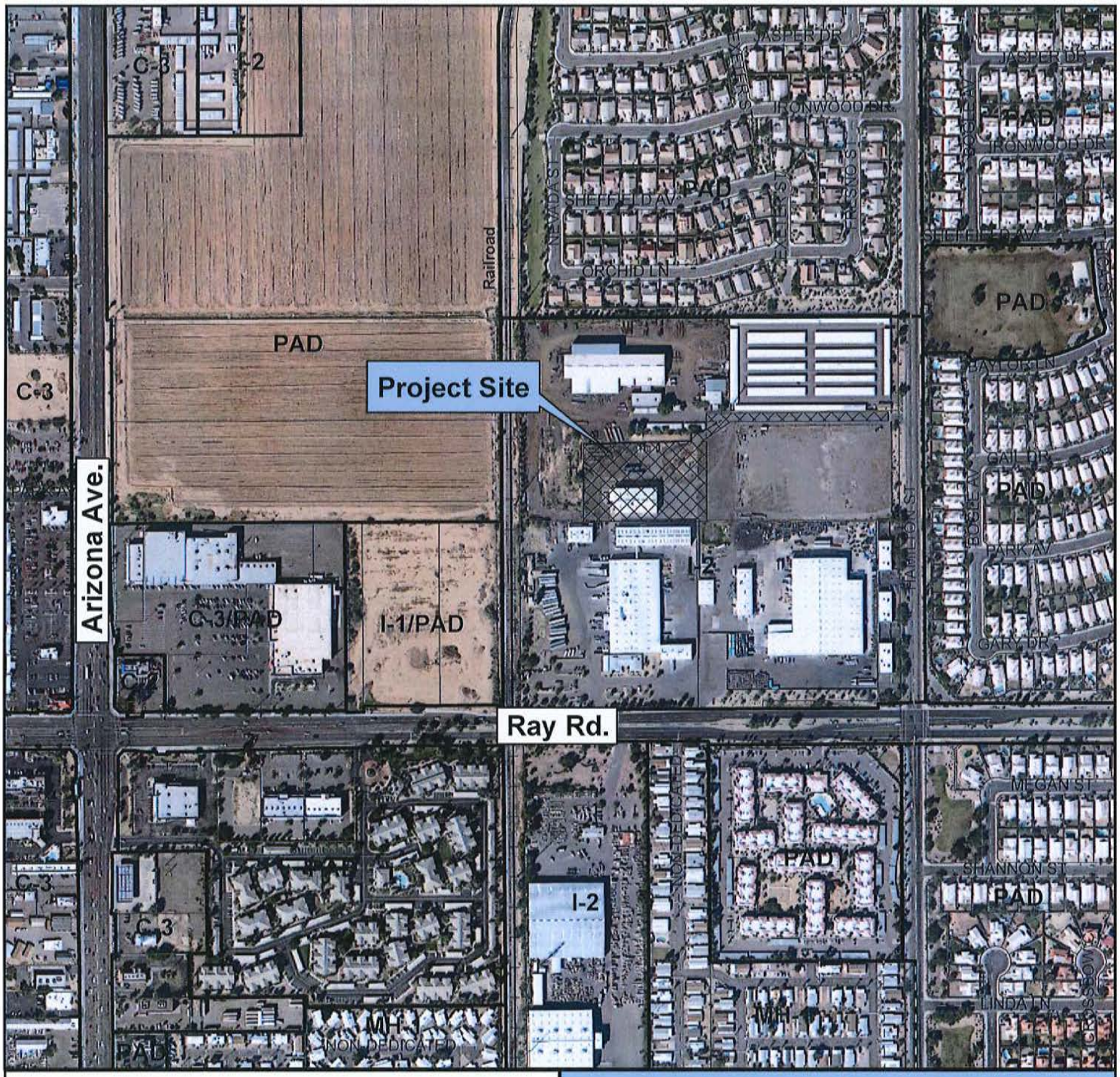


Vicinity Map

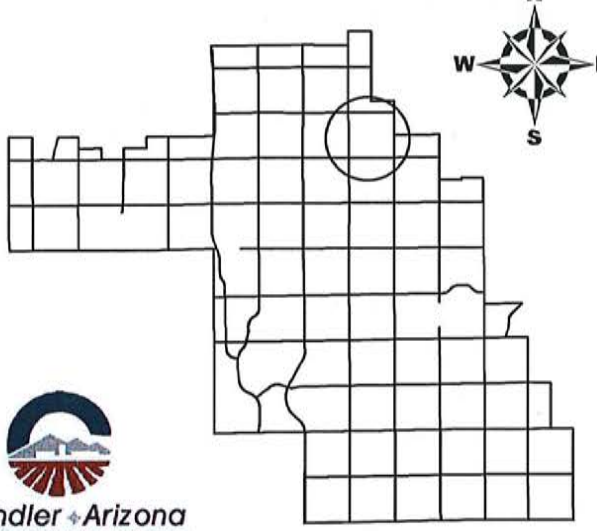
ZUP13-0025

Hudson Baylor
d.b.a Recommunity Chandler

CITY OF CHANDLER 10/22/2013



Vicinity Map



Chandler Arizona
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ZUP13-0025

Hudson Baylor
d.b.a Recommunity Chandler

CITY OF CHANDLER 10/22/2013

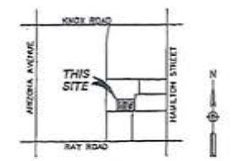
USE PERMIT PLAN
FOR
CHANDLER RECYCLING CENTER
NWC HAMILTON STREET & RAY ROAD
CHANDLER, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGEND

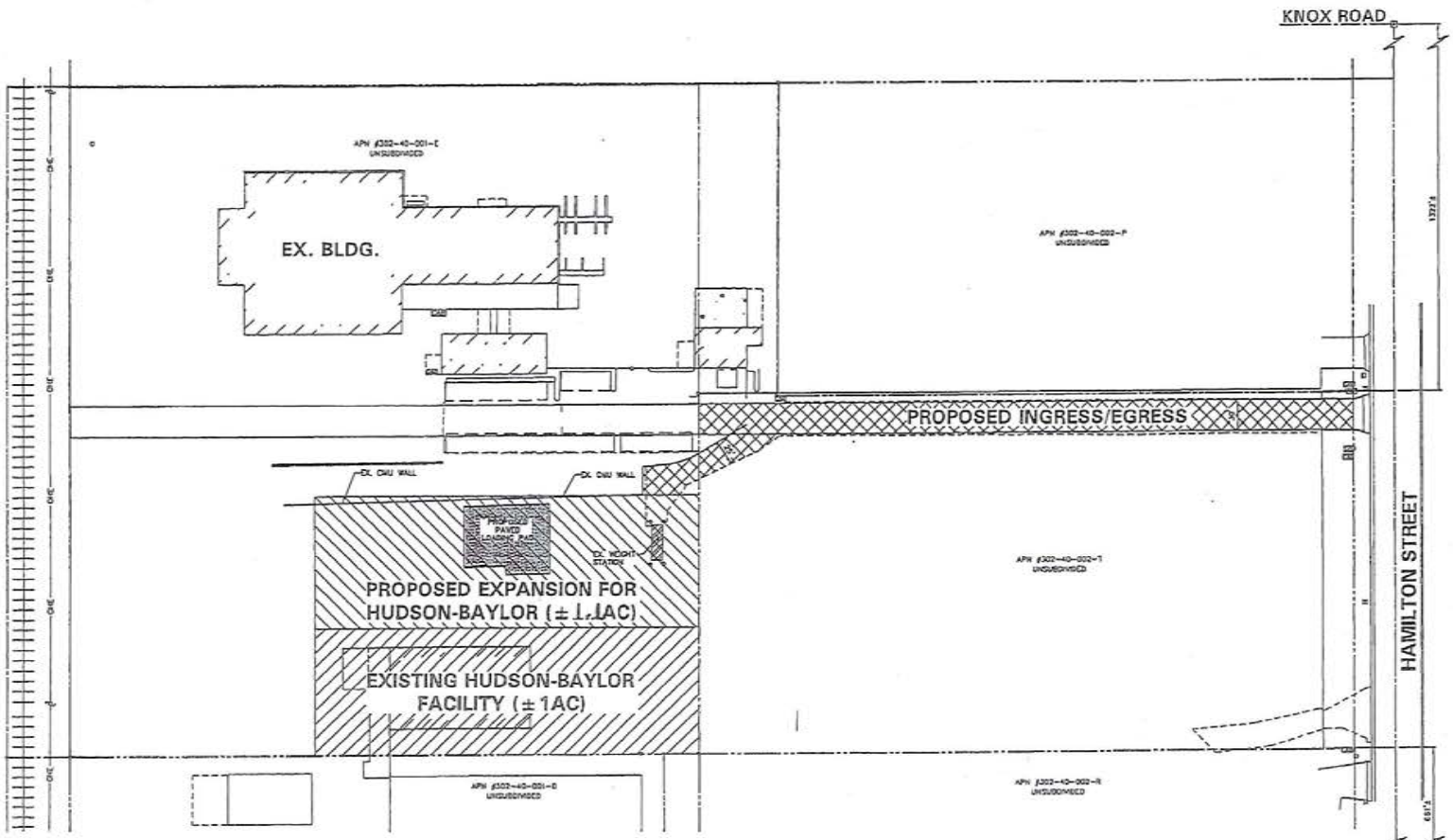
EXISTING USE PERMIT AREA

PROPOSED USE PERMIT AREA



VICINITY MAP

N.T.S.



SCALE 1"=50'

NO.	DATE	REVISION	BY

PURPOSE: USE PERMIT PLAN

DESIGN BY: LMT
DRAWN BY: RJM
CHECKED BY: LMT

HUNTER ENGINEERING
CIVIL AND SURVEY
10150 NORTH 74TH STREET, SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

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

2 OF 2

ReCommunity

Hudson Baylor Corporation (HBC) ReCommunity Chandler

Chandler Recycling Center
1100 N. Hamilton Street
(Northwest of the NWC of Hamilton Street & Ray Road)

October 1, 2013

Use Permit Narrative

#UP08-0067
#ZUP10-0027

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-feet 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 four years 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:

North:	Existing Industrial use
East:	Vacant Land
South:	Existing Superior Products Corp./United Fibers Corp. recycling facilities
West:	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 prior use permit applications. Changes in our business over the last four years resulted in our not needing to construct this structure, as we are 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, to accommodate future growth opportunities which may require the 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. 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 after 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 mid-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. The traffic for the HBC operations 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 100 delivery vehicles per week, and ships out approximately 26 trucks. On a daily basis, this works out to an average receipt of twenty vehicles per day (resulting in 40 trips), and shipping out approximately 7 per day (14 trips). This level of activity is in line with our growth expectations related outlined in our prior permit application.

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.

COPY

March 12, 2014

Mr. Eric Swanson
City Planner
City of Chandler Planning Department
Mail Stop 105
P.O. Box 4008
Chandler, AZ 85244-4008

Dear Mr. Swanson:

As you know, the undersigned attended the Neighborhood Meeting that was co-sponsored by RECommunity and your office regarding the Applicant's request for a Use Permit extension on the property located at 1100 N. Hamilton Street. As a part of my comments, I suggested three items for the City to consider regarding this Use Permit application:

(1) That the Applicant post a sign on the property indicating the name of the company operating on the site. This sign should provide a phone number and office address whereby neighbors and concerned citizens can readily contact the management of the company.

(2) In the event that the use permit is granted approval for a designated period of time, there should be a restriction on the length of the trailers that are presently using the facility. As you are aware, RECommunity is currently utilizing 53 ft. tandem axel tractors for this phase of their process. It is quite obvious to any observer that this configuration of rolling stock is not safe or lawful for ingress or egress off Hamilton Street. It may be possible that a standard 40 ft. trailer would be an acceptable replacement.

(3) The City's Transportation Department should conduct an independent, third party traffic study that would provide data on all vehicles that are involved with the transfer station. This needs to be done for an appropriate period of time so that "peaks and valleys" of truck movements are taken into full consideration (perhaps for a two-week period of time). I would think that recording cameras could be used for this task so as to keep the City's cost to a minimum.

The City's consideration of these suggestions would be appreciated.

Thank you for forwarding the meeting notice to me as an adjacent property owner.

Sincerely Yours,

James H. Kean
390 East Ray Road
(480) 812-9114

Cc: City Manager's Office
City of Chandler Transportation Department

March 10, 2014

To: The City of Chandler, AZ

RE: March 10 2014 meeting - 6:00PM – Room 101 at 125 E Commonwealth Ave, Chandler, AZ

This meeting is regarding the extension of a Use Permit for ReCommunity Recycling located at 1100 N Hamilton Street, Chandler, AZ

I AM TOTALLY OPPOSED TO THIS EXTENSION! Reasons stated below:

1. The traffic truck noise is horrendous–right across Hamilton from my backyard. These are not trucks for T.W Steel company, they are garbage trucks from all the neighboring communities and large semi trucks which I understand again are used to reload this garbage and take it away. **Note**: I had to yield to one of these semis last week because he used up all 3 lanes of Hamilton leaving this Recycling place. As I followed him out to Ray Road, every time he hit a bump there was a flurry of trash released from the back of his truck.

2. All of this traffic generates tons of dust. I can't even open my patio door without every thing getting covered with dust in my house.

3. For the past 2 years now, every time there is a wind I get various kinds of trash deposited in my backyard making it look like a dump.

4. Also there is beginning to be a rat infestation in the Provinces neighborhood. Residents who are out later see rats running in the streets.

5. I don't believe Hamilton Street was designed to accept all these heavy trucks. What happens when it goes to hell? Will this be a responsibility of ReCommunity Recycling to redo the street? Or will the city suck up the repairs without raising my taxes?

6. Residents whose yards back up to Hamilton are sick and tired of this situation. Some residents work nights and can't even sleep during the day because of the noise and they don't appreciate the trash that gets deposited in their backyards either.

7 There is also a metal recycling business that has been started right on the corner of Ray and Hamilton. There is not enough room to turn vehicles around so they can see traffic when they leave. Vehicles are required to **Back out** of the driveway into traffic. There are trailers, cars, trucks, sometimes parked on the street right before Ray and Hamilton all the way up to the turn lane. I feel that this is also **Very dangerous**.

AGAIN I AM TOTALLY OPPOSED TO THE EXTENSION.OF THIS USE PERMIT. This type of business does not belong in a residential neighborhood. or next to downtown Chandler, AZ.

Thank you for your consideration in this matter.

Regards,
Elaine Morris

Elaine Morris
1182 N Bogle Ave, Chandler, AZ 85225