

**NOTICE OF A REGULAR MEETING
OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE**

In accordance with Resolution #215 of the Town of Clarkdale, and Section 38-431.02, Arizona Revised Statutes,

NOTICE IS HEREBY GIVEN that the Planning Commission of the Town of Clarkdale will hold a REGULAR Meeting Tuesday, September 17, 2013 at 4:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

All members of the public are invited to attend.

The undersigned hereby certifies that a copy of this notice was duly posted on the Town Hall bulletin board, located at 890 Main Street, Clarkdale, Arizona on the 9th day of September 2013 at 9:00 a.m.

Dated this 9th day of September 2013 by:

Vicki McReynolds

Vicki McReynolds
Administrative Assistant II

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER:

2. ROLL CALL:

3. PUBLIC COMMENT: The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit comments to **FIVE MINUTES**.

4. MINUTES: Consideration of the **Regular Meeting Minutes of August 20, 2013.**

5. REPORTS:

- a. Chairperson and Members Report
- b. Director's Report

6. OLD BUSINESS:

- a. **CONSIDERATION AND POSSIBLE ACTION:** An Ordinance adding Section 3-17: Arts & Entertainment District to Article 3 of the Town of Clarkdale Zoning Code to adopt an overlay district with specific zoning requirements in the Central

Clarkdale area – Ratification of Planning Commission vote made August 20, 2013.

- b. **WORKSESSION:** Discussion regarding the Arizona Smart Growth Scorecard and its application to the Town, specifically in relationship to the 2006 Verde Valley Regional Land Use Plan.

7. NEW BUSINESS:

- a. **WORKSESSION:** Discussion regarding adding manufacturing, production, assembly and distillation of consumable products to Section 3-9 Central Business District (CB) and Section 3-11 Commercial (C) of the Zoning Code.

8. FUTURE AGENDA ITEMS:

9. ADJOURNMENT:

Reasonable accommodations may be requested by contacting Town Hall at (928)-634-9591, (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, JUNE 18, 2013, 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 August 20, 2013, at 4:00 p.m., in the Men’s Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chairperson	Jack Van Wye	Present
Vice Chairperson	Vic Viarengo	Present
Commissioners	Jorge Olguin	Present
	Ida-Meri deBlanc	Present
	John Erickson	Present

Staff:

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar
Town Manager	Gayle Mabery
Randy Taylor	Police Chief
Janet Perry	Community Services Director
Wayne Debrosky	Utilities/Public Works Director

Others in Attendance: Drake Meinke, Donna Whitmore, Pauline Dana, Naomi Bechtel, Chuck Richardson, Mark Hugenschmidt, Linda Beckley, Dave Shedd, Ray & Pat Selna, Carolina Renni Radoccia, Anthony Lozano, Fr. Jose Salgado, Celia Escarcega, Alfonso & Diana Trujillo, Amy Joe, Maureen Fleming and other unidentified citizens.

- 1. AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 4:00 p.m.
- 2. AGENDA ITEM: ROLL CALL:** The Director called roll.
- 3. AGENDA ITEM: PUBLIC COMMENT:** The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit his or her comments to FIVE MINUTES.

There was no public comment.

- 4. AGENDA ITEM: MINUTES:** Consideration of the Regular Meeting Minutes of June 18, 2013. The Chair noted one correction to page 10 of the draft minutes and entertained a motion to accept the minutes. Commissioner Olguin motioned to approve the Regular Meeting Minutes of June 18, 2013 as corrected. Vice Chair Viarengo seconded the motion. The motion passed unanimously.

5. AGENDA ITEM: REPORTS:

Chairperson & Members Report: None

Director's Report: Director Filardo provided the following updates:

- **Mountain Gate Subdivision:** Work began on August 5 on the required improvements to Tract T of this subdivision. This is the 0.07-acre tract of land located at the boundary of Mountain Gate and Centerville subdivisions. Tract T will be improved with an asphalt surface and concrete curbing and be incorporated into the existing road surface of Centerville Road. This will widen the turn where Centerville Road meets Avenida Macias to improve the access for both subdivisions, but specifically, to provide a second ingress/egress for the Centerville subdivision. Eventually this connection will be further improved as Centerville Road is connected to the round-about at SR 89A. BC Land Group, the new owner of Mountain Gate, is responsible for completing this work. The entire road system will eventually be dedicated to the Town.
- **Crossroads at Mingus:** As-builts for the four infrastructure components; drainage system, water & wastewater, trails and street systems, have been submitted to the Town per Section 14.2 of the original development agreement. Town staff has 30 business days to review these plans and respond to the developer. If the plans are determined to be correct, the infrastructure components will be scheduled for acceptance by Town Council. If there are deficiencies needing to be corrected, notice will be sent to the developer. Yavapai County is also reviewing the as-builts for the water and wastewater system in preparation of issuing an approval to operate. Once this is issued by the County, and the water & wastewater components have been dedicated to the Town, operation of the systems may begin.
- **Agricultural Uses:** After two worksessions with Town Council regarding the proposed Agricultural Uses Ordinance, staff withdrew this draft from consideration at the July 9th Council meeting. There was no consensus among the Council regarding the requirements for this proposed regulation. In addition, the Council expressed concerns about the impact of agricultural uses on the available water resource. Staff will reexamine this proposed ordinance after the findings of the Water Resource Management Program are completed, and perhaps bring a modified ordinance back through the process.
- **Economic Development:** Several staff members will be attending the Arizona League of Cities and Towns annual conference from August 27-30. Guss Espolt, Planner II, has prepared stand-up banners for this event. The banners will also be used for the AAA Travel Show in November, our first ever foray into tourism outreach. The forum will be held at the Phoenix Convention Center.
- **Sustainable Clarkdale:** The Altria Group of volunteers came to Clarkdale in July and completed work at both our Tuzigoot and TAPCO River Access Points. With sixteen volunteers, and an accompanying security team, hospitality crew, film crew plus a generous helping of Town of Clarkdale staff and the mayor, two upgraded boat launch facilities were created with new seating areas along the river's edge. In addition, the ADA

pathway, previously only an aggregate path built by the Vetraplex team and our crew as part of the Heritage Grant previously received was completed with a Portland cement topping to stabilize the path. With trail grooming at both locations, it was amazing to see the progress made by this dedicated band of volunteers and by the Public Works Team led by Director Wayne Debrosky. With support from the CDD team in building all the plans, ordering materials, creating and fabricating the signs, and the tracking of the expenses, this portion of the project has been successfully completed.

- **Freeport McMoran Zone Change Request:** Town Council conducted a worksession on July 9th to review this zone change application. Some members of the Council had concerns about the variety of permitted uses in the Commercial Zoning District, specifically the allowance for auto sales. Council directed staff to contact the applicant regarding zoning the property to Neighborhood Commercial as an option. Staff has begun those discussions with Freeport.

6. OLD BUSINESS

- a. **AGENDA ITEM: PUBLIC HEARING:** An Ordinance adding Section 3-17: Entertainment District to Article 3 of the Town of Clarkdale Zoning Code to adopt an overlay district with specific zoning requirements in the Central Clarkdale area.

Staff Report: Senior Planner Escobar gave a PowerPoint Presentation:

8/21/2013

**Town of Charlotte
Arts & Entertainment
Overlay District**

Planning Commission
August 20, 2013

Proposal

- **Creates an overlay district to identify and preserve the arts, entertainment and historic neighborhoods of Charlotte.**
- **Proposed boundary includes the Central Business District along Main Street, as well as 100 single-family homes along 39th, 37th and West Streets.**
- **also includes the North Campus Building, Wilson School House and a portion of the Industrial Area.**

State Regulations

- **Article 40B Section 4-313 provides the ability for the Town to create a neighborhood district.**
 - **Boundary must be navigable.**
 - **Area can not exceed one square mile.**
 - **Boundary map is required.**

Restrictions

- **Does not allow the public to engage in the preparation of the boundaries.**
- **Does not permit Small Residential Structures (sublot or lot) located within the proposed district.**
 - **Minimally attached structures are only permitted on industrial lots. For Chapter 330B the minimum lot size is 1/2 acre and there are no minimum front setbacks, no side and no rear setbacks, no property line setbacks, no front or rear yard setbacks and no other setbacks or restrictions.**
 - **Minimally attached structures located on residential lots are subject to Chapter 330B setbacks and other applicable restrictions.**



Purpose of District

• **to preserve the historic and cultural resources of the district**

• **to provide a framework for the development of the district**

• **to provide a framework for the development of the district**

• **to provide a framework for the development of the district**

Three options

- **include industrial area**
- **include single-family homes**
- **Only include multi-family and commercial/retail properties**



Public Outreach

- **Public hearing process began in February of 2013**
- **Met with business owners in March 2013**
- **Public meeting with Planning Commission on April 24, 2013**
- **Work session with Town Council on May 14, 2013**
- **Public hearing with Planning Commission on June 10, 2013**
- **Final Public Hearing**
 - **1:00 pm on August 20, 2013**
 - **Posted at: www.charlottetown.org**
 - **Available in paper**

8/21/2013

Specific Outreach

- Conducted individual Outreach in and St. Thomas Episcopal Church.
- A meeting of the board for St. Thomas spoke of the June Planning Commission meeting and requested recognition to the project.
- Father Walsh with Episcopal Commission provided a letter in support.

Immediate Response Panel

St. Thomas Episcopal Church - Church of the Holy Spirit
www.stthomas.org

www.episcopalchurch.org

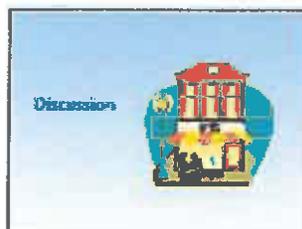
www.stthomas.org

www.stthomas.org

www.stthomas.org

Public Input

- Cover of Charlotte-Mecklenburg and United Way's will be not be included in the District.
- Cover of 1100 First Street SE has specifically requested to have this property included in the district.
- Cover of 2501 Sherman is in areas of being included in the District.
- Cover of 22 N Tenth is opposed to the single-family residences being included in the District.



Background:

The Planning Commission held a public hearing on June 18, 2013 to review the proposed ordinance creating an Arts and Entertainment District.

The Commission received written comments from a property owner on Tenth Street expressing concerns about the potential impact of the proposed District. The Commission directed staff to address these comments at the next meeting.

General points to review:

- The proposal is for an overlay district. This does not change the existing zoning for any of the properties within the District.
- There are nineteen private residences within the proposed district boundaries.
- These properties were first identified in the Tejido Study completed in the 1990's as possible candidates for conversion because of their proximity to the Central Business District.
- Home occupations and Bed & Breakfast establishments are already permitted uses in residential zones.
- Any property currently zoned residential would need to receive zone change approval prior to converting to a commercial use. During the application period, issues such as available parking, health and safety concerns, noise and impact to the neighbors would be reviewed. Zone change approval would be based on the applicant's ability to mitigate negative impacts to the neighbors.

Specific responses Ms. Whitmore's comments:

- Health & Safety
 - 'the Town may choose to relax or waive important safety or health standards'
 - Although the Town is always committed to working with property owners to find solutions, we never waive or relax building code requirements. In addition, the Clarkdale Fire District, an entity separate from the Town, has autonomous authority regarding fire safety in a building.
- Hours of Operation
 - For businesses serving alcohol, the hours are determined by the AZ Department of Liquor. The Town does not restrict hours of operation in the Central Business District. Hours of operation for homes converting to commercial zoning would be reviewed at the time of the application and could be restricted through stipulations of approval.
- Parking
 - 'Parking is a big issue'
 - Staff has analyzed the existing parking, public and private, available in the Central Business District and feels there is adequate existing parking, and available future parking, to accommodate current and future uses in the Central Business District.
 - The design guidelines being recommended for the District, Section 3-17-2, refer to parking being placed in the back. This is directed at new development. Parking for any single-family residential conversion to

commercial zoning would be reviewed on a case-by-case basis during the re-zone application.

- Environment
 - ‘Noise, dust and litter will increase and degrade property values’
 - The Town has a property maintenance code to prevent and abate these issues.
 - Noise in the Central Business district is controlled by Performance Standards #5 included in Section 3-9 of the Zoning Code. General noise issues are regulated by Article 10-1.
 - It is believed the Arts and Entertainment District will serve as a catalyst for revitalization of this area.
- Peace and Quiet
 - The nineteen homes proposed to be included in the district are already in close proximity to the downtown commercial area and a heavily used Town park. This situation has existed since construction of the Town was completed in 1919.
- Utilities
 - The impact of any new commercial business on existing utilities is assessed during the permitting process.
- Infrastructure
 - ‘The pavement on Tenth Street north of Main is crumbling, and can’t handle increased use.’
 - Staff is aware of the existing condition of Town streets. Due to cuts in state funding and drops in revenue funding is not available to make repairs. The Arts and Entertainment District is a mechanism to help increase sale tax revenue for the Town, generating more funding to address repairs.
- Business Traffic
 - Main Street and the alleys behind the commercial area are designed to carry commercial traffic.
- Lighting and Signage
 - All commercial businesses must comply with the lighting and sign ordinance.
- Neighborhood Character
 - The area being proposed for the entertainment district consists of the original commercial core of Clarkdale, plus it includes some of the adjacent homes. This portion of Clarkdale has always been the Town center, with a mix of residential and commercial uses in a small area.
- Music
 - Outdoor music is regulated by Section 10-1-11 of the Town Code and #5 of the Performance Standards.
- Enforcement
 - Additional revenue provided by increased sales tax could support more staffing to address code enforcement issues.
- Historic Homes
 - It is staff’s opinion that the Arts & Entertainment District would help preserve the historic district by increasing recognition of this area.
- Exclusion from Planning

- Staff first met with Ms. Whitmore in February this year because she had seen the notice in the paper regarding the February 19, 2013 meeting. She expressed her concerns to staff at this time. Staff encouraged Ms. Whitmore to attend the February worksession and to check the website for future meetings on this subject. Staff also advised Ms. Whitmore that comments could be submitted in writing to staff, who would present the comments to the Planning Commission.

Summary:

The Arts & Entertainment District does not change the zoning of any properties within the boundaries of the proposed district. The majority of the properties within the proposed district are already zoned Central Business (which is a commercial zoning) or Commercial.

Any of the 19 single-family residences within the proposed district boundaries requesting to change the zoning for their property would need to receive zone change approval through a public process with hearings before the Planning Commission and Town Council. The public process would identify any issues regarding the proposed zone change. Neighbors would be provided notice of the proposal and have the opportunity to provide input at the public meetings. Any issues would need to be mitigated and addressed prior to the Planning Commission's recommendation and Town Council action on a re-zone request.

Two emails submitted to staff were distributed to the Commission.

Beth Escobar

From: Phil Pecharich phil.pecharich@clarkdale.com
Sent: Tuesday, August 20, 2013 11:07 AM
To: Beth Escobar
Subject: Entertainment District

8/20/13

I will not be able to attend the Public Hearing on the Entertainment district today.

I would like to share my thoughts about it.

I see that the three homes directly west and across the street from the Park are not currently inside the boarders of the Entertainment District. I live in the 1st house directly across the street from the park at 1100 1st South Street. This is the 1st home that you see entering Clarkdale along Clarkdale Park Way. Visitors park in front of my house and across the street next to the gully for every event in the Park including Halloween. I strongly feel that all 3 homes should be part of the District.

Those homes are at 1100 1st South Street and the house across the alley and 1100 Main Street. All the homes surrounding the Park would then be included in the District. I feel this is important to include all the homes along the Parks boarder. This would be in keeping with many other town/city squares. the County Court House in Prescott is an example.

We have an under utilized jewel of a Park that would benefit from including all the homes boarding the Park. Even if the rest of the block is not included.

Thank you,
Phil Pecharich



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All messages created in this system belong to the Town of Clarkdale and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. 39-121). Town employees, town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology.

In addition to ensure compliance with the Open Meeting Law, Council or Board/Commissioner members who are recipients of this message should not forward it to other members of the Council or Board/Commissioner of the Town of Clarkdale. Council Members or Board/Commissioner Members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board Members.

Beth Escobar

From: A.B. Berman <aberman@clarkdale.com>
Sent: Wednesday, August 14, 2013 7:45 AM
To: Beth Escobar
Subject: Entertainment District - 26 Ninth St.

Dear Planning Commission Members,

Thank you for your call for input regarding the proposed Entertainment District. I am one of the 19 property owners in the proposed Entertainment District as originally mapped. Our property is located east-corner from the Historical Society Museum, across from the police station. I am in favor of having my property included within this overlay district.

Given the proximity of our 19 properties to the commercial block, excluding our property would result in our having to deal with the additional traffic, noise, parking, etc. problems without being able to potentially benefit from the additional allowances. My understanding is that our homes are not in a commercial zone, which would ostensibly prevent us from being able to realize these benefits, but I would like to suggest that a potential rezoning to allow these uniquely located residential properties to maximize their potential should be a future consideration that would benefit the homeowners as well as the community.

With such limited commercial space, downtown Clarkdale's economic potential is severely restricted. With careful rezoning considerations, we have a wonderful opportunity to create a unique, viable, desirable, economically sustainable destination. The 19 properties could have uses such as cafes, bistros, B&Bs, galleries, offices, and any number of other uses that could enhance the downtown Clarkdale experience. The overlay is perhaps one of the first steps in that direction.

I applaud your efforts and hope the other 19 property owners will be open-minded to the possibilities.

I will be unable to attend the Public Hearing so please pass these comments along. In the meantime, please feel free to contact me if you have any questions or comments.

Kind Regards,

A.B. Berman
26 Ninth St.
Clarkdale, GA

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Recommendation:

Staff is requesting the Commission move the draft ordinance forward to Town Council for further review and action.

Open Public Hearing: The Chairperson opened the Public Hearing.

Gayle Mabery, Town Manager. Wanted to provide additional background regarding the mis-information relating to what types of businesses can be located in the proposed Arts & Entertainment District and wants to make crystal clear, before we move on to public comment, about what can be in the District. Under federal law, the Town is required to allow a district for sexually oriented business. In the year 2000, this was reviewed very seriously by Town Council, and on November 28, 2000 they adopted a 25- page ordinance that has very specific outlines for any types of sexually oriented businesses and narrowed the area where this use would be permitted, out in the industrial area on the side of 'C' Mountain. There is nothing there now, and if a sexually oriented business wanted to locate there they would have to follow all of the requirements and guidelines of the 25-page ordinance. That was 13 years ago, and has nothing to do with the agenda item tonight. The Arts & Entertainment District is a separate discussion.

Donna Whitmore, North Tenth St. presented some rebuttals to the staff report:

Good afternoon. I am Donna Whitmore. I live on North Tenth Street. I have a few rebuttal statements to the Staff responses to my comments made at the June 18 meeting.

Hours of operation:

My main concern with regard to hours of operation has to do with businesses serving wine or alcohol which, by law, can be open from 6:00 a.m. until 2:00 a.m. I believe those businesses should be restricted to Main Street locations.

Parking:

Staff includes in its tally of adequate parking all public and private spaces, which I maintain is an encroachment on an owner/occupant's right to park in front of his own residence. The statement that parking would be reviewed on a case-by-case basis gives no assurance to a resident of parking anywhere near his own home.

Environment:

The Town property maintenance code is not enforced and without enforcement does nothing to prevent and abate these issues.

Utilities:

There is a cumulative impact on utilities, not just a case-by-case impact.

Infrastructure:

Repairs or improvements to the infrastructure using revenues from the Entertainment District will be a long way off. A more realistic hope of that volume of revenue would come from soliciting and encouraging businesses along Highway 89A, an area large enough to make an impact.

Peace and quiet, Business traffic and Neighborhood character:

The statements in answer to my concerns are unresponsive. In the 22 years I have been here, there has been a continual decline in all of these areas.

-over-

Enforcement:

Code enforcement is an expectation and right of every homeowner and citizen of Clarkdale. If there's not enough staff for this, perhaps a group of volunteers should be recruited to assist in identifying and addressing problems.

Historic Homes:

I agree the historic district might get increased recognition, but I don't believe that will do anything to preserve it. Preservation is done by people who live in, care for and work to maintain the character and content of an historic district, not by recognition that it exists.

Exclusion from planning:

I don't know what point is being made by this paragraph, perhaps that I did not exercise my right to attend the February meeting? Suffice it to say I had planned but was unable to attend that meeting. Had the homeowners been included in the discussions and planning from the start, the whole idea of an entertainment district may have been more palatable; instead I, for one, feel the homeowners were intentionally and wrongly excluded from the process.

I appreciate that there would be public hearings and processes to navigate prior to a zoning change for a residential home, but all of these processes are geared to helping the business owner and do little to safeguard any homeowner wishing to live in the area. I maintain that the homes will lose value, that any incentive to preserve them and their history will disappear and that they should be excluded from the proposed Entertainment District.

Thank you once again for your consideration.

Father Jose Salgado – St Cecilia’s Parish, stated he now understands he had been misinformed regarding the promotion of Sexually Oriented Businesses. He stated, however, that the existence of Chapter 18 in the Town Code made him nervous and the Town should consider stricter regulations against these types of businesses to protect our children and the health, safety and welfare of the community. Any of these types of businesses should be brought forward for a vote by the people before being allowed into the Town.

Amy Lower of Lower Clarkdale asked why the Yellow Schoolhouse was being considered for inclusion into the district.

Drake Meinke, Clarkdale, read the following comments into the record:

Good Afternoon

I would like to let the commission know of the following.

Recently a concern of an orchestrated nature was submitted to your commission for review, and I would like you to hear my concerns about these same issues. These are real examples and not speculation.

- **Parking:** there are about 280 public and private parking spaces in the central business district of Clarkdale, - much more than in Jerome, which has numerous bed and breakfast businesses.
- **Utilities:** Water and sewer lines may be old but they are being replaced. Also currently, Clarkdale per capita, uses 50% less water than in 2006, placing much less stress on these infrastructures. Per capita electricity use, is more than likely, down - due to efficient lighting and solar panels thus abating these concerns.
- **Infrastructure:** When concerts perform in the park, an increase of traffic is probably 500 fold and, it seems, all is fine then. This includes events, such as, 4th of July, Halloween, Weddings and fiestas. In 2006, the central business district, to include most of 9th, 10th, and 11th streets were upgraded with replaced sidewalks or widened sidewalks, street lighting, benches and shade trees, all consistent with future business attraction and codes.
- **Business Traffic:** for delivery of goods such as food and beverages, it is conducted in the alleyways behind the central business district and this observed by me, as I see these vehicles using the alleyways. I've never seen these vehicles after 5P.M. and I know that instead of more trucks driving around and churning up dust, they will simply carry a greater volume per truckload instead.
- **Lighting of signage on Main street** does go out at night.
- **Music** is played at every concert in the park already and businesses with interior music, keep their doors closed.
- **Enforcement of safety ordinances** by Clarkdale is proactive, by the town conducting inspections and listening to complaints which are addressed. Look at the house that had a front yard swimming pool, the perpetual garage sale. Safety is not just blown -off here.
- **Historic homes** will not devalue if they become businesses; many home-based businesses are currently in place with no detriment to the surrounding area. Such as realty offices.
- **Old Town Cottonwood** is not a place where people "don't" want to live; recently people want to move to Old Town Cottonwood where the atmosphere serves the residents, locals and tourist all alike. So an area with a well thought out quality-of-life for its residents, is a great idea

Entertainment district defined: Area of artistic, cultural and entertainment venues, such as; studios, galleries, music and concert areas, restaurants and bars, museums and recreational facilities.

As we look at the term "Entertainment District," we might get a first impression of an "entertainment type" of venue, with thoughts of bars and bands. But as I look at what the Town of Clarkdale proposes and the employees of the town that live and work amongst us, along with our own residents, I do not see poor community thinking, or any future detriments. I believe with public input, coupled with direction, we can reinvigorate our downtown that has stood largely vacant, for decades. Also, our bar, lounge, restaurants and public departments are well versed, with trained employees, to handle any situations that may arise.

Many travelers are looking for small towns to visit, they want to stay at local bed and breakfasts, buy local art at family owned stores, eat at mom and pop type restaurants, and they also want to get that feeling that they remembered as children. You will have a hard time getting that "old time" feeling, walking by vacant and poorly maintained buildings. This "arts district" is a branding for an area in which a collective group of businesses and possible future venues can collaborate with the town, on a focus of increasing patronage - like tourists. These travelers are not of a demographic, which, want to disrupt or negatively impact anything.

Think of yourself, did you cause problems at the last hotel you stayed in? Did you shout and yell at the last bar?; or anywhere in town? Did you impact upon the safety or the peace of town residents? Were you out late at night, in the residential district throwing litter about? I don't think so.

What I look for, from Clarkdale's "district." To change the feeling of the central business district from vacancy to vibrancy, with an awareness of art, culture, recreation and history through the involvement of artist galleries, vendors, cafes, museums, town officials and maybe even a craft brewery.

About Changes: Change is good as long as it is in the correct direction with advisement from forward thinking citizens and in conjunction with town codes. Change is needed here- to go from vacancy to revitalization. If change doesn't happen, businesses collapse or move away, thus exacerbating what remains here in a negative way. This is exactly what has happened in Clarkdale.

Most people don't like "change", why rock the boat, they are completely comfortable with the way it is. Retirement check comes in, everything is fine. But what happens when you have this kind of thinking, you end up with a bedroom community, because no one wants to invest or start a new business.

Businesses are flooding to Old Town Cottonwood - because of change. And the patronage from Clarkdale residents, is being noticed, with increased revenues, sales tax generation and vibrant quality-of-life facilities and programs, such as Recreation Center, Garden Markets, Exercise programs and many more, all for the town of Cottonwood! They changed, and we have to, we need to remove the obstacles that are currently in place, that prohibit business from locating here. We need this district.

See Newspaper clipping for a perfect example.

Community Support: The Copper Art Museum will not be a typical museum with a sales shop, artist gallery, restaurant, or wine bar. We want to support local businesses of this kind, right here in the central business district, by sending people to these locations. The Copper Art Museum will be a "Community supporter" wanting to bring in, a great quality-of-life addition to Clarkdale. We are not an individual -just doing are own thing, but instead, team player.

If we can't get an "Art's District" in Clarkdale – potential businesses looking for a town to locate to, won't choose Clarkdale!

Drake Meirke
Clarkdale Resident

in the next year. Rodriguez noted that the economic downturn has slowed the city to "an very heavily into water for recreation and the capital improvement budget." He said at some point the city will have to make up those funds and the FRM's budget.

Old city parks building eyed as microbrewery

By Ben Hutchinson
Staff Reporter

Coltonwood has been approached to sell the old city parks and Recreation building at the 700 block of North Main Street.

The building, located next to the Cottonwood Civic Center, was originally built as a church and was used for the Parks department and would remain in use as a recreation of the new Recreation Center.

Cottonwood's Development Services Manager Dan Lauder says two parties have approached the city with an interest in the old building, one party would be interested in establishing a microbrewery there.

City officials noted that the building is not in the best of shape, but the parties want the building for its location in the Old Town/Manzanita Street area.

note:

Lauder says the building recently was appraised at a value of \$225,000. That value is below the half-million dollar value threshold that would require that the property face a public vote for its sale.

Cottonwood's Randy Garrison was quoted as saying the city was "giving away" the building at the rear of the building. Lauder says he will look at the property soon.

The city is eager to move to a new city hall facility and return the Old Town municipal buildings to commercial use. Sale of the old building might be the first step. The only occupant of the building is the Turin Store for the Adops for Kids shelter, which knows its lease is contingent upon future sale of the building.



Identified next to the Cottonwood Civic Center, the former Cottonwood Park and Recreation building was originally built as a church. Willard Hutchings

<p>Verde Independent</p> <p>River Watch Thursday's view of the Verde line "inspiring by US Geological Survey"</p> <p>CLARKDALE</p> <p>66 Summitflow.com</p> <p>Weather</p> 	<p>Sports</p> <p>Mingus Union football team grinding it out as Miners under prepares for new season under Coach Bob Young</p> <p>Aug. 19-20</p>	<p>On The Web</p> <p>Online Photo Gallery: Verde Valley Park Headquarters</p> 	<p>Upcoming</p> <p>Aug. 22 - Cottonwood Farmers Market</p> <p>Aug. 23 - Sedona Farmer's Market, Thursday</p> <p>Aug. 24-Sept. 8 - Red Rocks Music Festival, Sedona</p> <p>Aug. 24 - Clarkdale Concert in the Park, Belton Billie</p>
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Ray Selna, Clarkdale. Mr. Selna stated he is a former Commission and Council member. With the clarification regarding Adult Businesses, he can fully support the proposed Arts & Entertainment District. He does agree with Father Salgado that the Town should review the existing regulations regarding Sexually Oriented Businesses.

Irene Freeman, 917 First South – She agrees with Donna Whitmore that ordinances are not currently enforced. She tolerates the Concerts in the Park, but believes they are a safety hazard with too much traffic and pedestrians not looking where they are going. She is opposed to her home being included in the proposed District.

Bernadette Selna – Clarkdale, stated she is opposed to the waiver of the 300-foot distance requirement for businesses selling alcohol.

Close Public Hearing: With no additional members of the audience wanting to speak, the Chairperson closed the Public Hearing.

Commission Discussion:

All members of the Commission stressed their appreciation for the participation of the residents of the area.

Open Public Hearing – Seeing a member of the public who wanted to speak, Chair Van Wye re-opened the public hearing.

Anthony Lozano, Clarkdale stated the Planning Commission should base their decision on what is best for the community.

Close Public Hearing: With no additional members of the audience wanting to speak, the Chairperson closed the Public Hearing.

Senior Planner Escobar provided a follow-up to some of the public comments:

- The Yellow School House is currently zoned for multi-family use; it can be used as an apartment building, or a Bed & Breakfast. The property owner has expressed an interest in being part of the district; however, any commercial use would require zone change approval. The rezone process involves public input, public notice of properties within 300 feet and posting of the property and hearings before the Planning Commission and Town Council.
- Property across from Irene Freeman's house is already zoned Commercial, so a bar is an existing permitted use for this property and adoption of the Arts & Entertainment District would not impact the use of this property.

Director Filardo reminded the Commission Sexually Oriented Businesses are not on the agenda for discussion this evening.

Commissioner Olguin stated he would like to know what caused the confusion regarding Sexually Oriented Businesses and the proposed Arts & Entertainment District. The Commission discussed this issue, but agreed that without knowing the specifics, it was difficult

to determine what went wrong. The Commission agreed that we should do all we can to encourage public participation.

Commissioner Erickson stated the he wants the proposed ordinance to move forward so we can start improving the economy. He is looking forward to the opening of the Copper Art Museum and believes this will be a wonderful asset to the Town.

Commissioner Erickson asked whether the two property owners who have submitted emails requesting to be in the District could be easily included?

Senior Planner Escobar explained the Berman property at 26 Ninth Street was already included in Option 2. The Pecharich property at 1100 1st South Street was not included in the proposed boundary. Although adjacent to the Town Park, this property fronts South Street, not Clarkdale Parkway. Staff contacted the property owner directly behind this property, to inquire if they are interested in being included in the District, but no response was received.

Vice Chair Viarengo stated he wanted the public to know the Commission and staff has the best interest of Clarkdale in mind. The Town needs to do something to revitalize the business area so it doesn't turn into a 'Potterville' from It's a Wonderful Life.

Director Filardo reminded the Commission the opportunity is available to change the boundary of the District at the discretion of the Town. As long as the boundary remains contiguous, it meets the requirements of the State Statute. The adoption of the district boundary can be modified in the future and is not cast in stone.

Staff would not recommend a situation where one house on a block is in the District, and the next one isn't, but the next two are, etc. This degrades the definition of the District.

Commissioner de Blanc asked how many houses were being considered for inclusion? Senior Planner Escobar explained there were 19. Commissioner de Blanc asked if we could reach out to these home owners directly? Senior Planner Escobar explained the most recent public notice specifically asked for feedback from these owners.

Commissioner Olguin stated the Commission should consider eliminating Option 1 on the map since we have heard from the property owners in the Industrial Area they are not interested in being part of the District. The rest of the Commissioners agreed.

Commissioner Olguin asked what are the advantages/disadvantages of Options 2 & 3?

Senior Planner stated we have no clear direction from the owners of the single-family homes being proposed to be included in the district. We have heard from two residents who are opposed to being included, and two residents who want to be included and seeing inclusion as adding value to their property. Any of the single family homes that wanted to convert to a commercial use would need to complete a zone change. During this process the impact to the surrounding neighbors would be scrutinized. Re-zoning is not a given.

Commissioner de Blanc asked for a discussion regarding the difference between a home-based business and a commercial business.

Senior Planner Escobar explained a home-based business cannot look like a commercial business, for instance, it cannot generate more traffic than the normal 10-round trips generated by a home, per traffic-engineering standards. Commercial uses include restaurants and retail shops, which generated more traffic.

Vice Chair Viarengo stated he supports Option 2 of the boundary map as being the most flexible.

Commissioner de Blanc stated she supports Option 2 of the boundary map, including the single-family homes, since it provides them an option for their property.

ACTION: Commissioner Olguin motioned to recommend approval of the proposed Arts & Entertainment District Overlay District with the suggested changes to Section 3-17 of the Zoning Code and Option 2 of the proposed boundary map. Commissioner de Blanc seconded the motion. The motion passed unanimously.

- b. **WORKSESSION:** Discussion regarding the Arizona Smart Growth Scorecard and its application to the Town, specifically in relationship to the 2006 Verde Valley Regional Land Use Plan.

Due to the length of time used by the previous item, the Chair tabled this worksession to the next Planning Commission meeting.

7. AGENDA ITEM: FUTURE AGENDA ITEMS:

Commissioner Olguin notified staff that he will be out of town for the October meeting. Chair Van Wye said he may also be out of town for that meeting

The continuing review of the Verde Valley Regional Land Use Plan will be scheduled for September.

- 8. **AGENDA ITEM: ADJOURNMENT:** The Chair entertained a motion for adjournment. Commissioner Olguin motioned to adjourn the meeting. Vice Chair Viarengo seconded the motion. The motion passed unanimously. The meeting adjourned at 5:30 p.m.

APPROVED BY:

SUBMITTED BY:

Jack Van Wye
Chairperson

Beth Escobar
Senior Planner



Director's Report

Agenda Item: Department Update
Community Development Department

Staff Contact: Jodie Filardo

Meeting Date: September 17, 2013

- 1. Mountain Gate Subdivision:** The road work on Tract T is now substantially complete and is open to through traffic. The final step in the completion will be the application of a sealing layer of slurry known as a fog coat. This application will be applied as determined by the weather and crew availability. This surface will prolong the life of the road improvement.
- 2. Crossroads at Mingus:** Good progress has been made with this subdivision. Not only are negotiations just about wrapped up on the infrastructure improvements required in order to take forward the Internal Streets, the Wastewater and Water Systems, and the Grading and Drainage infrastructure, but also an initial compromise on the Mescal Spur Street Extension and SR 89A Intersection is underway. The a draft of the document outlining this compromise plus additional topics such as the management of wastewater and water infrastructure fee credits, the resolution of capacity fee obligations for the owners of the previously-sold 49 lots, the approach to the retrofitting of water meter connections and the delineation of park phasing obligations is now with the developer for review. A work session on this topic is scheduled with Town Council for September 24th.
- 3. Wireless Facilities:** Drawings for a proposed cell tower to be located on the storage unit property at the end of Ninth Street were received for initial feedback on September 6th. Staff departments and the Clarkdale Fire District have been asked to review and comment on the proposal.
- 4. Economic Development:** The Arts & Entertainment District is scheduled to go to Council in a Public Hearing on September 24th due to the receipt of public comments received against the District.
- 5. Sustainable Clarkdale:** The approach underway relating to planning of each of the river access points was modified slightly this week based on feedback received from Arizona State Parks about the process they would prefer to follow, input from the Walton Family Foundation and the funding they provide for this project and on staff input. Rather than treating TuziRAP and TAPCO RAP in the same manner, we will undertake a broader stakeholder approach to TuziRAP targeting three specific groups:



Director's Report

recreational users and the general public; education-based users; and agencies. We are in the process of updating our request for proposal approach accordingly.

- 6. Freeport McMoRan Zone Change Request:** The continuation of the discussion regarding the zone change request is going to Council on September 24th. There will be a presentation of possible zone district limitations to restrict the use on the proposed property. The staff has notice from each of the parties involved agreeing to the elimination of permitted use #11: Automobile, trailer, boat, or farm implement display, sales or rentals.



Staff Report

Agenda Item: **CONSIDERATION AND POSSIBLE ACTION:** An Ordinance adding Section 3-17: Arts & Entertainment District to Article 3 of the Town of Clarkdale Zoning Code to adopt an overlay district with specific zoning requirements in the Central Clarkdale area – Ratification of Planning Commission vote made August 20, 2013.

Staff Contact: Beth Escobar

Meeting Date: September 17, 2013

Presented to: Planning Commission

Background:

At the August 20, 2013 Planning Commission meeting, the Commission recommended the proposed Arts & Entertainment District Ordinance, Boundary Option #2, be moved forward to Town Council for review and approval by taking the following action:

ACTION: Commissioner Olguin motioned to recommend approval of the proposed Arts & Entertainment District Overlay District with the suggested changes to Section 3-17 of the Zoning Code and Option 2 of the proposed boundary map. Commissioner de Blanc seconded the motion. The motion passed unanimously.

It has been brought to staff's attention this item was not correctly agendaized. Per the Town Clerk, all Commission action items should be listed as a separate item on the agenda so the public has a clear understanding of what is to take place at the meeting.

Recommendation:

As a point of clarification, staff is requesting the Commission ratify their vote on the proposed Arts & Entertainment by repeating the action taken on August 20, 2013.



Staff Report

Agenda Item: **WORKSESSION:** Discussion regarding adding manufacturing, production, assembly and distillation of consumable products to Section 3-9 Central Business District (CB) and Section 3-11 Commercial (C) of the Zoning Code.

Staff Contact: Beth Escobar

Meeting Date: September 17, 2013

Presented to: Planning Commission

Background:

Staff has received some inquiries regarding possible uses of empty buildings along Main Street related to the production of consumable products, such as beer, wine and coffee.

Currently, the permitted uses in the Central Business District and Commercial Districts do not include the manufacture or production of any perishable products for consumption.

Manufacturing first appears as a permitted use in the Industrial District, although there is no specific reference to consumable products other than food.

In staff's opinion, these uses are appropriate for the Central Business District and Commercial District, within certain parameters. In addition to the production of wine, beer and coffee, production of other items, such as honey, compound pharmaceuticals, soaps, lotions and essential oils, and pet food products such as dog biscuits, would also seem appropriate in these two zoning districts.

Regulations in other communities:

Yavapai County:

Wineries are allowed within the RCU-2 District (Rural, single-family, 2-acre minimum) with a Conditional Use Permit. Similar uses would be considered through a CUP application.

City of Cottonwood:

Light manufacturing is allowed in their Light Commercial Zoning District. Manufactured products must be incidental to permitted use, must be conducted within an enclosed building, and shall not use more than 50 percent of the ground floor area of the building.



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City of Sedona:

Allows light manufacturing in the C-3 (Heavy Commercial/Light Manufacturing) zone.

Town of Camp Verde:

Microbreweries and wineries are permitted in commercial zones. All activity must be within an enclosed building. Production quantities are restricted based on the commercial zone.

Staff note:

For wineries and micro-breweries, production quantities are also restricted by the State Liquor License. For a Series 13 liquor license, for a Domestic Farm Winery, a minimum of 200 gallons must be produced, and the business may produce up to a maximum of 40,000 gallons. A microbrewery, Series 3 Liquor License, requires a 5,000 gallon minimum production and a 1,240,000 gallon maximum production.

Staff could find no reference to the production of other consumable products, such as coffee or honey, in the zoning ordinances of other communities.

In general, products for human consumption are subject to regulations from the state or county addressing health and safety issues.

Points to consider:

1. Do we want to add production and manufacturing of consumable products to the list of permitted uses for the Central Business and Commercial Districts?

With the explosion of wine related commercial activities in the Verde Valley, a zone change adding this permitted use might allow Clarkdale to attract this type of business to the downtown area. There have been two specific incidents where potential businesses, one a micro-brewery and one a coffee producer, investigated moving into a building in the area. Since these uses are not permitted, the businesses went to a different location.

So called 'cottage industries' like the production of soaps and lotions, honey, and cheese, would also seem to be appropriate uses for the downtown and commercial areas of town.

Increasing the variety of uses permitted in these two zoning districts could promote more commercial activity within the Town.

2. Do we want to limit floor area of production use?

In staff's opinion, these parameters would be limited by the square footage of the building. Typically, this restriction is designed to reduce impacts of a manufacturing



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facility, specifically traffic and noise generated by pick-up and delivery of product. With the existing building in the Central Business district, pick-up and delivery could be limited to alley access. With new development, these issues could be addressed during the site plan review process.

3. Do we want to restrict amount of production?

Staff is comfortable with these restrictions being covered by liquor license requirements.

4. Do we want to restrict all storage to inside the building?

Currently, the Performance Standards for the Central Business District and Commercial District allow for outdoor storage in rear or side yards. All storage areas must be fully enclosed by a masonry wall or solid fence. Staff sees no issues with this being allowed for the manufacturing uses being addressed.

Recommendation:

Staff is requesting feedback from the Planning Commission regarding the proposed code changes.

Attachments:

1. Zoning codes from other communities