

**PLANNING
COMMISSION
MAY 20, 2014**

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, MAY 20, 2014, 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 May 20, 2014, 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	Ida-Meri deBlanc	Present
Commissioners	Jorge Olguin	Present
	John Erickson	Present
	Vic Viarengo	Present

Staff:

Community Development Director Jodie Filardo

Others in Attendance: Frank & Tammy Brookbank, Clarkdale; Robyn Prud'homme-Bauer, Clarkdale; Barbara Van Wye, Clarkdale; Karen Daniels, Clarkdale; Lucy Estrada; Antonio Estrada; Jim and Arlene Cranford; Philip Terbell; Cade Densmore; John & Colleen Tobias; Steve and Nancy Biasini; Steve and Marcia Moffitt, Clarkdale; and Carl Lodeco (spelling?).

1. **AGENDA ITEM: CALL TO ORDER:** Chair Van Wye called the meeting to order at 4:00 p.m.
2. **AGENDA ITEM: ROLL CALL:** Director Filardo called the 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 April 15, 2014**. Chair Van Wye entertained a motion to accept the minutes. Commissioner deBlanc motioned to approve the Regular Meeting Minutes of April 15, 2014. Commissioner Olguin seconded the motion. The motion passed unanimously.

Consideration of the **Special Meeting Minutes of April 23, 2014**. Chair Van Wye entertained a motion to accept the minutes. Commissioner Erickson motioned to approve the Special Meeting Minutes of April 23, 2014. Commissioner Viarengo seconded the motion. The motion passed unanimously.

5. AGENDA ITEM: REPORTS:

a. Chairperson & Members Report: None

b. Director's Report: Director Filardo provided the following updates in the Planning Commission packet:

1. **Mountain Gate.** BC Land Group received design review approval for a sign package for their offices in the bottom floor of the Bluff building on Main Street, along with approval of on-site sales temporary signs. In addition, they were granted approval of a temporary sales office to be placed on an empty lot on Alphonse within the Mountain Gate Subdivision.

2. **Verde River @ Clarkdale.**

Approximately 70 people attended the Float ideas on the Verde River event on May 9th. The day included a bus trip to the two river access points (RAP). So far feedback on the event has been very positive. Attendees worked on maps for both the Lower TAPCO River Access Point (RAP) and the Tuzi RAP and identified possible amenities for each site. The information will be synthesized and presented at an open house on June 12, 2014 in order to generate more public comment.



3. **Economic Development.** Director Filardo and Senior Planner Escobar attended the Verde Valley Regional Economic Organization Education Forum on April 22. This successful event brought together educators and employers to talk about preparing young people to enter the workforce.



Verde Canyon Railroad, the Copper Art Museum and Verde River Yacht Club are participating in a visitor survey being conducted throughout the Verde Valley. This survey will run for a year, and the results will be calibrated into a report presented to all participants, including the Town.

Staff, along with Meg Williams of Local

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First Arizona, attended the National Train Day event on May 10, 2014. The event was sponsored by the Verde Canyon Railroad. There were approximately 14 attendees representing local businesses and tourist attractions. The event was very well attended and we had the opportunity to promote Clarkdale businesses.

4. **Design Review Board updates.** In addition to the applications for Mountain Gate, DRB approved a wall sign for Nate’s Cowboy Café, new signage for Olsen’s Grain, a sidewalk café permit for the Verde River Yacht Club and a new fence for the Copper Art Museum.
5. **Broadband.** A broadband vendor meeting on behalf of the Verde Valley Regional Economic Organization and hosted by Camp Verde, Clarkdale, and Cottonwood economic development directors was held on May 15th in Clarkdale.
6. **Permits Issued:** There were (12) building permits in April:

A new single-family residence at 1480 Abbey Road	Two remodels
Four electrical upgrades	Two new photovoltaic solar
Two fences	One re-roof

6. AGENDA ITEM: NEW BUSINESS:

- a. **PUBLIC HEARING:** Regarding a Major Amendment to the Planned Area Development for the Crossroads at Mingus Subdivision, as approved by Clarkdale Town Ordinance #333 on April 12, 2011, to allow for the addition of eight multi-family dwelling units on Assessor’s Parcel Number 406-26-862. This approximately 1.66 acre parcel is designated on the plat as ‘Multi-Family PAD’ and is located southwest of the intersection of Old Jerome Highway and Mescal Spur Road. The addition of the eight multi-family dwelling units would increase the total number of dwelling units for the project to 249.

- **Staff Report:**

- **Background:**

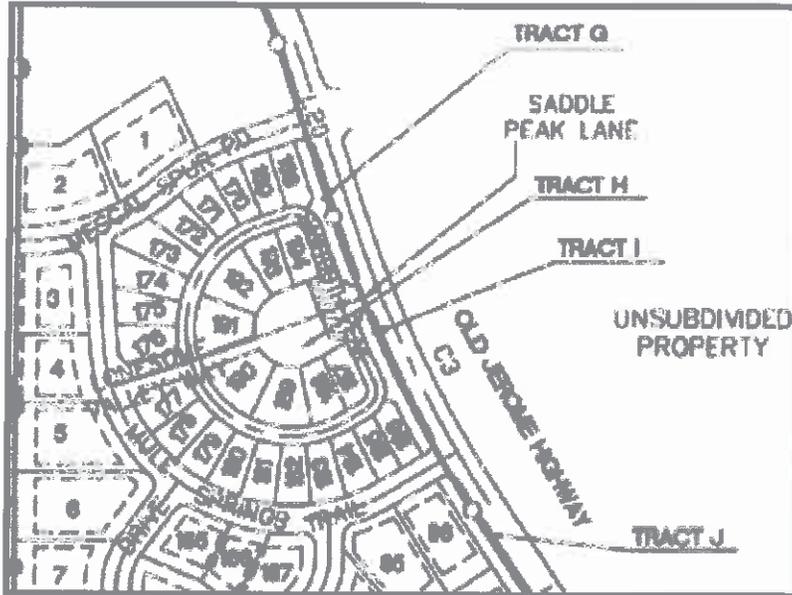
Crossroads at Mingus, formerly The Highlands, is a mixed-use Planned Area Development (PAD) located on the west side of State Route 89A. The project is owned by PTM Enterprises, LLC.

This development received approval of a rezone in 2011 making changes to the original approved plat for The Highlands, recorded in 2006.

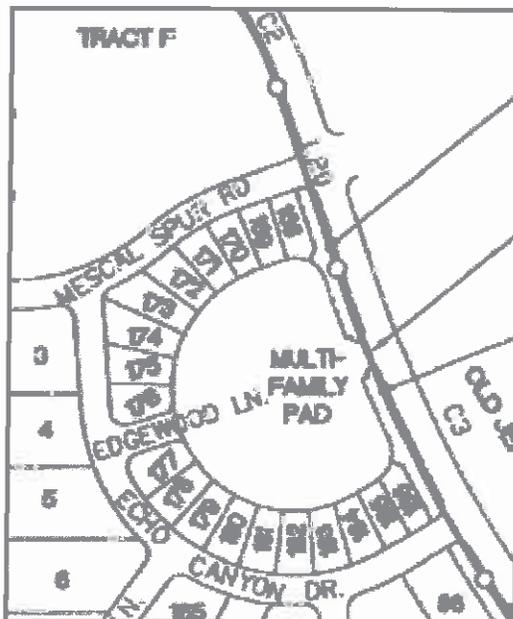
One of the changes discussed was the inclusion of eight apartment units in the project. These units are proposed to be located an approximately 1.66 acre portion of the project located southwest of the intersection of Old Jerome Highway and Mescal Spur Road.

The concept of these apartments was discussed at both the Planning Commission public hearing on February 15, 2011 where the 2011 rezoning request was reviewed and the Town Council meeting on April 12, 2011 where the rezoning was approved.

The original PAD approval was for 240 residential units. The Highlands Plat had eight town home units in the area southwest of Old Jerome Highway and Mescal Spur Road and these were included in the 240 total.



During the rezoning for the Crossroads at Mingus Plat, the eight townhome units were removed and nine custom lots were added along the south side of Scenic Drive. This plat was recorded on June 20, 2011 and includes a 1.66 acre parcel designated as multi-family PAD.



The Issue

Land use entitlement is engendered through recorded documents. Specific zoning for a planned area development is created through a plat, development plan and ordinance.

Although the plat recorded for Crossroads at Mingus includes the notation of the multi-family area, it does not include specifics regarding the eight apartment units. In fact, the tract table included on the plat does not assign any residential units to this area.

TRACT TABLE			
TRACT	USE	AREA (AC)	MAINTAINED BY
F	PARK	3.80	CLARKDALE
G	OPEN SPACE	0.10	HOA
H	INTENTIONALLY OMITTED		
I	OPEN SPACE	0.10	HOA
J	OPEN SPACE	0.12	HOA
K	PARK	2.83	CLARKDALE
L	OPEN SPACE	13.14	CLARKDALE
M	OPEN SPACE	0.02	CLARKDALE
	MULTI-FAMILY PAD	1.66	DEVELOPER

The cover of The Crossroads at Mingus Plat contains the following table:

SITE DATA TABLE	
TOTAL SITE ACRES =	102 ACRES
TOTAL UNITS =	241
3-58, 241-249 CUSTOM HOMES =	65
59-140, 250-251 VILLAGE HOMES =	84
141-167 & 195-240, PATIO HOMES =	73
168-186, TOWNHOMES =	19
TOTAL COMMERCIAL ACRES =	11.89
TOTAL MULTI-FAMILY PAD ACRES =	1.66
TOTAL PARKS AND OPEN SPACE ACRES =	23.20
TOTAL DENSITY =	2.36 UNITS/ACRE

The total units noted are 241. This represents the total number of residential lots included in the subdivision and does not include the eight apartments.

Ordinance #333, which approved the rezone for Crossroads at Mingus, included the language 'no more than 241 residential units'. This is the same language included in the public notice sent out to surrounding property owners. This 241 number did not include the eight apartment units so it is possible recipients of the public notice were not aware apartments were being proposed for the multi-family PAD.

Although the apartments were discussed in public hearings and included in the approval of Town Council, they were not reflected in the documents creating the zoning for the project. Therefore, per the Town attorney, no entitlement exists for these eight multi-family units.

The Town attorney has advised staff in order to allow the eight multi-family apartment units Ordinance #333 needs to be amended to reflect their inclusion in the PAD and to

bring the total permitted residential units in The Crossroads at Mingus to 249. The attorney for the developer has concurred with this assessment.

In order to amend the ordinance, a major amendment to the approved PAD must be processed, per Section 6-2.6.a.2.I of the Town Zoning Code. A major amendment is required because of the increase in the total number of dwelling units.

Conformance to the Town of Clarkdale 2012 General Plan

Per Arizona Revised Statute 9-462.01.12.F any rezoning must conform to the land use element of the general plan.

The Land Use Map in the 2012 General Plan designates this parcel as part of the PAD but does not specifically assign any zoning density to the area. The additions of eight multi-family residential apartments would therefore not be contrary to the PAD designation.

The General Plan does include an endorsement of a multitude of housing choices:

Goal 2.3 of the Land Use Element:

Support housing programs to meet the needs of all residents.

Policy: Support policies and programs to improve affordable housing opportunities in existing neighborhoods.

Density Analysis

The residential areas to the north, south and west of the Crossroads at Mingus PAD are designated in the Clarkdale General Plan as Low Residential with a maximum of five dwelling units per acre. The Crossroads at Mingus Subdivision is 102 acres in size. Approximately twelve acres are zoned for commercial use. This leaves 91 acres to be used for residential use. The density for the residential portion of the project calculates to 2.6 dwelling units per acre for the approved residential units of 241. Adding the eight apartment units changes this number to 2.7 dwelling units per acre, well below the surrounding density recommended by the General Plan.

Zoning Analysis

The Zoning Code includes minimum lot sizes for multi-family structures in Section 3-5: Multiple Family Residential (R3). The minimum lot size for apartments is 3,000 square feet per apartment structure. In the R3 Zoning District, the eight apartment units proposed would require a 24,000 square-foot lot. The area proposed for the location of the eight apartment units is a total of 72,309 square feet. This seems enough to accommodate the proposed units and required parking. Per Section 4-12 of the Zoning Code, two parking spaces are required for each 2-bedroom apartment unit.

For comparison, there is a 40-unit apartment complex, the Copper Mountain Apartments, located approximately one-half mile northwest of the subject property. The Copper Mountain complex is located on approximately 3.3 acres.

Application Requirements:

Chapter Six of the Zoning Code contains the regulations for Planned Area Development. Section 6.7 lists the requirements for an application. Included in this list is a requirement for the proposed site development standards for each area of use. Staff has requested this information from the developer, but it was not available at the time of this report.

Section 5 of this Chapter provides the Commission the ability to request additional information, including architectural plans of building design, if deemed required to determine if the development is harmonious with the surrounding neighborhood.

Impact of the Modification

Although the original ordinance did not recognize the eight apartment units in the residential total, it did include specific conditions related to the multi-family area:

2. The commercial area, town home area, multifamily area, parks and recreation facilities shall be subject to site plan review and design review. (Both the eight apartments and 19 townhomes will be required to receive Design Review Board approval prior to commencing construction per Section 11-1 of the Zoning Code.)
3. The multi-family area structures will be limited to two stories in height. *(Staff note: Townhomes are considered to be a multi-family structure since they share common walls. This condition would therefore also apply to the Townhomes to be constructed on lots 168 – 186.)*
4. An alley separation will be required between the multi-family area and the townhomes adjacent to the area. This will also provide emergency access to the multifamily area and a separation buffer to the adjacent townhome area.

Staff would recommend these conditions be included in the revised ordinance.

Staff would also note the Traffic Impact Analysis (TIA) completed for the original project, The Highlands, did not include multi-family units. This TIA was based on 240 residential units. According to International Traffic Engineer standards, multifamily apartments generate an average of seven auto round-trips per unit, per day. This is less than the ten daily round trips estimated for a single-family home.

In general, rezoning applications are reviewed based on their impact to public health, safety and welfare. In staff's opinion, Crossroads at Mingus is a well planned community. Staff is not aware of any negative impact from the approval of these apartment units.

Although the minutes from the February 15, 2011 Planning Commission public hearing reflect approximately 30 people were present, no specific comments are noted. There is no public comment noted in the minutes for the April 11, 2011 Council meeting.

All of the infrastructure is already in place and has been dedicated to the Town. When the Crossroads at Mingus rezoning application was reviewed by the Planning Commission

and Town Council in 2011, both parties approved the project with the inclusion of the eight multi-family units.

Recommendation:

Staff is requesting the Commission provide feedback regarding the major amendment and after receiving public comment, direct staff to make specific changes or move the item forward to Town Council for further review and action.

Attachments:

1. **Zone change application**
2. **Minutes from the February 15, 2011 Planning Commission Public Hearing**
3. **Staff report from April 12, 2011 Council**
4. **Ordinance #333**

END OF STAFF REPORT

- **Applicant Presentation:** Mr. Steve Biasini representing the Applicant, PTM Enterprises Inc. outlined a brief history of the project to date. He also indicated the existence of an approximately 20' drop from the southwestern-most end of the subdivision to the opposite end of the subdivision. The Applicant seeks to maintain reasonable view sheds throughout the project. In addition, the Applicant is not likely to build on this tract of land, although he expects the units built will be "higher end" than most apartments.
- **Questions to Staff/Applicant:** The following is a summary of comments or questions presented to or asked of the Staff/Applicant by the Commissioners.
 - Vice Chair deBlanc indicated she is satisfied the project is being conducted appropriately.
 - Commissioner Erickson asked whether or not there could be more than one builder on this 1.66 acre lot and was told no. Per the Applicant, all 8 requested dwelling units could be installed in one building.
 - Chair Van Wye asked the Applicant to clarify what was meant by an engineered ditch. The Applicant responded that the builder on this lot will need to assure the flow of water from the lot is equal to the flow of water to the lot. In order to do that, calculations will need to be made based on the hard surfaces built on site and retention may be necessary on the lot to accomplish the control of the water flows.
- **Open Public Hearing:** The Chairperson opened the Public Hearing.

The following are summaries of concerns raised or questions asked by the public. Eight attendees spoke: 6 against and 2 in favor of the item.

 - **Marcia Moffitt**, Clarkdale expressed concerns about: possible decreases in property values for the surrounding homes should an apartment be built on this lot; property maintenance possible problems; the safety of neighborhood children with increased density; and whether or not any Commissioners live within the area. **Against**

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- **Barbara Van Wye**, Clarkdale expressed concerns about the following issues: whether or not the building on this lot was moving from its current phase to phase 1; density of this lot not matching density of the surrounding neighborhood and negatively impacting property values; whether or not the units could be prohibited from being rented or could be redone as condominiums; the potential for increased congestion from more car traffic and more pets; the increase in traffic and a decrease in safety. **Against**
 - **Robyn Prud'homme-Bauer**, Clarkdale expressed the following: her home is the closest to this lot of any in the surrounding neighborhood; if this density at 8 dwelling units doesn't pass, the Applicant or another developer could come back and request up to 20 units on this much acreage; she expressed compassion for folks who want or need to rent a home given our recent economic downturn. **In favor**
 - **Frank Brookbank**, Clarkdale expressed the following: home ownership engenders more pride in a home than renting the same; and people renting apartments may not take care of them. **Against**
 - **Steve Moffitt**, Clarkdale expressed the following: agrees with Frank Brookbank above; expressed concerns about density of this use being higher than the surrounding neighborhood, safety being jeopardized by this use, and the needs for continued well-being of the neighborhood and for privacy; and renters don't take care of properties as well as home owners. **Against**
 - **Karen Daniels**, Clarkdale expressed the following: interest in combining this lot with the townhomes already platted and turning this use into townhomes; interest in traffic patterns to and from this lot; and preferences for home owners over renters. **Against**
 - **Code Densmore**, Clarkdale expressed the following: not supportive of structures with shared walls; and worries about the safety of children waiting for the bus due to increased traffic and the speed of travel on Old Jerome Highway given the dip in the road. **Against**
 - **Phil Terbell**, Cottonwood expressed the following: he is an apartment developer/owner with trouble keeping up with the maintenance required for his apartments. He believes the units will also be more high-end as the density of this project is low compared with a more standard number of 19-20 units on this size of lot; the 8 dwelling units represent a great compromise when another developer might request higher density. **In favor**
- **Close Public Hearing:** The Chairperson closed the Public Hearing.
- b. **CONSIDERATION AND POSSIBLE ACTION:** Regarding A Major Amendment to the Planned Area Development for the Crossroads at Mingus Subdivision, as approved by Clarkdale Town Ordinance #333 on April 12, 2011, to allow for the addition of eight multi-family dwelling units on Assessor's Parcel Number 406-26-862. This approximately 1.66 acre parcel is designated on the plat as 'Multi-Family PAD' and is located southwest of the intersection of Old Jerome Highway and

Mescal Spur Road. The addition of the eight multi-family dwelling units would increase the total number of dwelling units for the project to 249.

- **Discussion:**

Vice Chair deBlanc requested information on the densities of other built projects within Clarkdale such as Mountain Gate for comparative purposes.

Commissioner Erickson indicated his experience in living in higher density locations throughout his career differed from the concerns of those in the audience. He also wondered what the differences would be if these units would be turned into townhomes.

Commissioner Olguin expressed concerns about another developer proposing additional units on this site if the Commission failed to act. He also mentioned the safety of the children as a concern, and noted the care of any home depends upon the person living in it. He also wants more time to be sure the Commission considers all the input before acting.

Steve Biasini, the Applicant indicated there were many others in the surrounding neighborhoods who did not come out for this meeting.

Commissioner Viarengo pointed to Clarkdale's General Plan as supporting multi-family housing as one in array of housing options.

Vice Chair deBlanc expressed the need to provide housing options for young people, police officers, fire fighters and teachers so they can live in the community in which they work. She prefers inclusive community options.

Chair Van Wye reminded the commissioners to consider the obligations to both the Town, the developer, and the neighbors.

Vice Chair deBlanc requested the following definition of terms: apartment, townhome, and density. She also requested some type of visuals of density examples already built in Clarkdale.

- **Action/Motion:** Commissioner Olguin motioned to direct staff to bring back this topic with the following items included in the packet aimed at finding common ground between all parties to resolve concerns of the citizens while acknowledging all constituents including the developer:
 - a. Glossary of terms, and
 - b. Clarification of options including the option of doing nothing.
- Commissioner deBlanc seconded the motion. The motion passed with a four to one vote: Four Ayes - Chair Van Wye, Vice Chair deBlanc, Commissioner Olguin, and Commissioner Viarengo and one Nay, Commissioner Erickson.

7. **AGENDA ITEM: OLD BUSINESS: WORKSESSION:** Continuing discussion regarding a parking policy for the Central Business District including a follow-up report from the Commissions' tour of the area.

This worksession item was tabled until the next meeting.

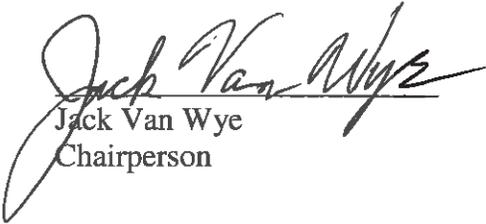
8. **FUTURE AGENDA ITEMS:**

RECONSIDERATION AND POSSIBLE ACTION: Regarding A Major Amendment to the Planned Area Development for the Crossroads at Mingus Subdivision, as approved by Clarkdale Town Ordinance #333 on April 12, 2011, to allow for the addition of eight multi-family dwelling units on Assessor's Parcel Number 406-26-862. This approximately 1.66 acre parcel is designated on the plat as 'Multi-Family PAD' and is located southwest of the intersection of Old Jerome Highway and Mescal Spur Road. The addition of the eight multi-family dwelling units would increase the total number of dwelling units for the project to 249.

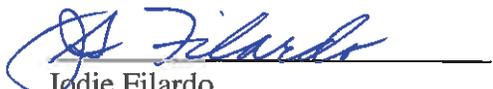
WORKSESSION: Continuing discussion regarding a parking policy for the Central Business District including a follow-up report from the Commissions' tour of the area.

9. **AGENDA ITEM: ADJOURNMENT:** Chair Van Wye entertained a motion for adjournment. Commissioner Olguin motioned to adjourn the meeting. Commissioner deBlanc seconded the motion. The motion passed unanimously. The meeting adjourned at 5:55 p.m.

APPROVED BY:


Jack Van Wye
Chairperson

SUBMITTED BY:


Jodie Filardo
Community Development Director