

**Minutes of a Regular Meeting of The Common Council of The Town of Clarkdale
Held on Tuesday, January 13, 2004, in the
Men's Lounge, Clark Memorial Clubhouse, Clarkdale, Arizona.**

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, January 13, 2004 at 6:00 p.m. in the Men's Lounge, Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor	Michael Bluff
Vice Mayor	Ellie Bauer
Councilmember	David Leibforth
	Rex Williams
	Tom Groom

Town Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Police Chief	Pat Haynie
Planning Director	Steven Brown
Finance Director	Coleen Gilboy
Interim Fire Chief	Don Eberle
Interim Public Works Director	Alison Pujari

Others in Attendance: Rebecca Baker, Robyn Prud'homme Bauer, Nancy Bonfield, Robin Bonfield, Bob Brunnenmeyer, Jim Elmer, Pat Williams, Bill Weeks, Shelby Maynard, Tom Tein, Jerry Wiley, George Anne Ford, Peggy Chaikin, Hank Chaikin, Mr. & Mrs. Randall, Sandy Martin, Michael Turner, J. Abbott, S. Murphy, F. Hiagan, B. Escobar, C. Mugasis, Peg Sarkisian, Phil Sarkisian, Monty Bonduraut, Marsha Foutz, Hugh Taylor, Marcia Elmer, Kim Secakuku, Dallas Sanger, Kathleen Fleenor, and others who did not sign in.

CALL TO ORDER: The meeting was called to order at 6:05p.m. by Mayor Bluff. All councilmembers were present.

PUBLIC COMMENT: Vice Mayor Bauer stated that February 19th would be the gala opening of Greater Tuna a play performed by the Old Town Players, which will be held in the Clark Memorial Clubhouse. She encouraged everyone to get tickets.

RECOGNITION OF TOWN EMPLOYEE FOR FIVE YEARS OF SERVICE: Town Manager Mabery complemented *Finance Director Gilboy* for her service to the town. The Mayor presented her with a plaque recognizing her for 5 years of employment with the Town of Clarkdale.

INFORMATIONAL REPORTS:

Mayor's Report: None

Town Managers Report: Town Manager Mabery gave information about the Old Town Players gala. She also reported on Relay for Life. The kick-off will be February 7th in the Clarkdale Town Park. She stated that Clarkdale has four teams participating in the event. She also reported that she received a phone call from a couple who are enthusiastic about the gazebo refurbishment and will donate \$1 for each \$2 raised up

to \$4,000.

NACOG: None

NAMWUA: None

WAC: Mayor Bluff reported that he attended a meeting with Yavapai County Board of Supervisors regarding water and the Water Advisory Committee.

COCOPAI: Councilmember Leibforth stated that he opted to attend the Natural Resources Committee instead of COCOPAI since the meetings were scheduled at the same time. He further noted that the COCOPAI agenda consisted of only housecleaning items.

VVTPO: None.

CONSENT AGENDA:

Vice Mayor Bauer requested that item G be pulled.

Councilmember Leibforth requested that items A and K be pulled. Without objection items B, C, D, E, F, H, I, J were approved.

Vice Mayor Bauer noted that item G was a resignation from the Design Review Board and encouraged interested persons to apply.

Councilmember Leibforth noted an error to the council minutes dated December 9, 2003, he did not make the motion regarding the liquor license for the Verde Canyon Railroad. Regarding consent agenda item K, the Public Service Handbook, he stated that the document references attendance requirements and this should be enforced, as he has noticed some attendance gaps in board and commission minutes recently.

Mayor Bluff, without objection, re-opened item C. Councilmember Leibforth stated that this will be coming out during item 5 and he will address it then.

Without objection the remaining consent agenda items were approved.

Consent Agenda:

- 1) **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held December 9, 1003 and the Special Meetings held November 20, December 2, 19 and 23, 2003.
- 2) **Claims** - List of specific expenditures made by the Town during the previous month.
- C) **Board and Commission Minutes**
 - Planning Commission Minutes of the meetings scheduled Nov. 25, Dec. 1, 15, 29, 2003.
 - Heritage Conservancy Board Minutes of the meetings scheduled Nov. 19 and Dec. 2, 2003.
 - Library Advisory Board Minutes of the meetings scheduled December 4, 2003.
 - Board of Adjustment Minutes of the meeting scheduled November 26, and December 24, 2003.
 - Design Review Board Minutes of the meeting schedule December 10, 2003.
- 4) **Reports** - Approval of written Reports from Town Departments and Other Agencies
 - Building Permit Reports - December, 2003
 - Fire Department Report and Mutual Aid Responses Report - December, 2003
 - Police Department Report - December, 2003
 - Magistrate Court Report - November, 2003
 - Clark Memorial Library Report - September, October, November, 2003
 - Verde Valley Humane Society - November, 2003

Cottonwood Area Transportation System - October and November, 2003

- 5) **Intergovernmental Agreement** - Approval of an Intergovernmental Agreement with the Verde Valley Fire District for the joint use of a water tender.
- 6) **Fee Waiver Request** - Approval of a request by Buena Vista Children's Services for the waiver of rental fees for the use of a town facility.
- 7) **Resignation** - Approval of a resignation submitted by Clara Addis from membership on the Design Review Board of the Town of Clarkdale.
- 8) **Resolution** - Approval of a resolution approving an agreement with the Arizona Department of Transportation for Transportation Enhancement funds for the Downtown Revitalization Project.
- 9) **Contract Amendment** - Approval of a contract amendment with Stantec Consulting, Inc. to prepare revisions to the Aquifer Protection Permit for the existing wastewater treatment plant.
- 10) **Contract Amendment** - Approval of a contract amendment with Stantec Consulting, Inc. to prepare existing wastewater treatment plant modifications construction documents.
- 11) **Public Service Handbook** - Approval of the updated document entitled "Public Service Handbook" which is distributed to new Town of Clarkdale public officials.

Without objection the meeting was reordered to take number 8 first.

RESOLUTION - Consideration of a Resolution Supporting the Initiation of the Process to Pursue the Formation of a Clarkdale Fire District.

Fire District Formation Coordinator Beth Escobar stated that the organizing board has just met and has approved the impact statement. She noted items that need to be addressed in the interim between when the fire district is formed and when the fire department has revenue. She stated that preliminary budgeting has been done and the organizing board feels comfortable that the interim period will only be 2 or 3 months when the town will need to continue providing the service before the district can take over and reimburse the town for the costs of the interim period.

Fire District Formation Coordinator Escobar referenced the table provided in the council packet, which shows what the increase in overall taxes will be to property owners based on their valuation. It was noted that it is difficult to state one overall percentage of increase that property owners will see if the district is put in place. She discussed that the district boundaries of the proposed district include areas outside the town limits.

Mayor Bluff stated that the creation of the fire district will add a 1.63 rate per \$100 of assessed valuation to the tax bill and that this is a brand new tax. He continued that currently the town pays for the fire department out of the town's property tax revenue. There will be discussion later as to how much the town may reduce its property tax to offset the new district taxes. Fire District Formation Coordinator Escobar explained the process for the forming of the Clarkdale Fire District, which will include another public hearing and a petition process. Once the petition process starts the Town will be holding further informational meetings.

Mayor Bluff thanked the members of the organizing board for all the work they have done.

Vice Mayor Bauer made a motion to approve Resolution #1084, supporting the initiation of the process required to pursue the formation of a fire district to provide fire and emergency medical services within and adjacent to the incorporated limits of the Town of Clarkdale. Councilmember Williams seconded the motion. The motion was approved unanimously.

NOTICE OF INTENT - Consideration of the Adoption of a Notice of Intent to Increase the Town's Wastewater Connection Fee.

Interim Public Works Director Pujari stated that the present sewer connection fee was raised to \$1000 in 1988 and costs have increased quite a bit since then. Staff has calculated new costs and a new connection fee of \$3,240 per residence. Town Manager Mabery noted that the Notice of Intent is the first step in the process required to adopt this fee. A public hearing will also be part of the process.

Councilmember Williams stated that he just read a study regarding the gallons per day (gpd) used by other communities. He stated that he recalls 190 gpd being standard. Interim Public Works Director Pujari stated that the recommended gpd is 100 per person with 2.5 persons per home, and that this was used in the staff calculation.

Councilmember Williams made a motion to approve the notice of intent. Councilmember Groom seconded. The motion passed unanimously.

CONTRACT AMENDMENT - Consideration of a Contract with Stantec Consulting, Inc. to Prepare New Wastewater Treatment Facility Construction Document. Interim Public Works Director reported that Stantec has prepared a contract for three different sizes of wastewater treatment plants, 400,000 gpd, 600,000 gpd, and 800,000 gpd capacities. She stated that the town will outgrow the 400,000 gpd plant in a short amount of time and the 800,000 is too large at this time. She reported that staff's recommendation is to build a 600,000 gpd plant. It was noted that the design would be done so that additional modules increasing capacity could be added in the future.

Councilmember Williams made a motion to approve the contract with Stantec for the 600,000 gpd plant. Vice Mayor Bauer seconded. The motion passed unanimously.

PUBLIC HEARING - a Hearing to Obtain Public Input on a Request for a Proposed Planned Area Development for Mountain Gate, a 606 Lot Subdivision on Approximately 187 Acres, Proposed to Be Developed on Property at the Intersection of State Route 89a and 11th Street, Yavapai County Assessor's Parcel Number 400-06-053c.

Staff Presentation: Planning Director Brown presented the following staff report:

Background:

Empire Companies, originally filed this application on October 24, 2003. The Planning Commission, on November 17, 2003, held a public hearing on this proposed Planned Area Development (PAD), and on December 15, 2003 they voted unanimously to approve it with conditions (see attached minutes)

Location and Zoning:

The applicants are seeking approval for a Planned Area Development (PAD) in the R1 for property, which contains approximately 187 acres of land, zoned R1 and approximately 20 acres on land zoned C. The property is fronted on the West by 11th Street, and on the South by State Route 89A.

Currently Permitted Density:

Currently the R1 zoning District with an allowable lot size of 10,000 sq. ft., would allow for the subdivision of this property into approximately 804 lots (at an overall density of 4.3 units per acre, if there are no site constraints that might impact their ability to maximize the use of the site. This number of lots would only be possible absent the need to develop a road system and other infrastructure, which is typically calculated at 25% of the gross property area. The property is bisected

by Deception Wash, a tributary of the Verde River, for which a flood plain has been surveyed by FEMA. An approximate area of 17 acres of the flood plain of Deception Wash is located on the Mountain Gate property. The applicants have sought and received a jurisdictional delineation of the property, including Deception Wash, and we have obtained a copy from the applicants. The removal of the area for infrastructure and the approximately 17 acres of flood plain and its designation as open space would bring the possible units to approximately 526 and result in an overall developed density of approximately 2.81 units per acre under current zoning.

Proposed Density:

The applicants proposal calls for the development of approximately 606 lots, for an overall density of 3.24 lots per acre, which is lower than the overall allowable density, however, portions of the site would be developed using four (4) different housing types and lot sizes:

12. 118 Town Homes on lots ranging from 2,550 sq. ft. to 3,400 sq. ft.
13. 212 Cottages on lots averaging 5,000 square feet.
14. 166 Home Sites on lots averaging 7,000 square feet.
15. 101 Custom Home Sites on lots averaging 9,000 square feet.

The density proposed on actual developed land is 606 units on 97.25 acres, or approximately averaging 6.23 units per acre.

The applicants have on various occasions indicated that in the absence of the approval of this PAD, they would be willing to proceed with a conventional subdivision, with the intention of filing the necessary applications to allow them to fill in Deception Wash and to channel it through their property, to permit platting the maximum number of units permitted by the R1 zoning district. It is questionable whether the Army Corps of Engineers, who must approve a Section 404 permit for any impact to jurisdictional waters on this property, would permit this alternative.

Conformance with General Plan:

Circulation:

Section 3.g Regional Transportation, lists Short-term and Long-term Recommendations that were identified in the Cottonwood Area Transportation Study. One of the Short Term recommendations was stated as:

“Obtain right-of-way and upgrade Centerville Road from 89A to Broadway as paved road with bike lanes and pedestrian paths.”

Section 3.A.b. states the following as one of the Objectives”

Ensure the circulation system is coordinated with existing and proposed uses.

Policy: Require development projects, including new subdivisions, commercial developments, and planned area developments to address the adequacy of access and circulation according to the functional classification and overall interconnection with the town circulation system.

The Circulation Plan, as a part of the General Plan, indicates that a Proposed Collector Street and Bike Path should be developed linking Hwy 89A with Broadway across the property that is the site of this PAD.

The PAD as proposed currently, includes a street that terminates at the southern boundary of the property, which if extended across adjacent property could make a connection with Highway 89A, and another street that terminates at the eastern boundary of the property that if extended could make a connection with

Broadway. Staff has had several discussions with the applicants about this possibility, and have met with the property owners, who control the land over which the connections would be developed. This was also a central theme in the Planning Commission's discussions with the applicants. All parties agree in principle to the concept, and all that is left is to work out the agreements between the property owners, and the Town on the implementation strategy.

Staff and the Commission have had discussions with the applicants regarding the possible inclusion of emergency access from Mountain Gate to Centerville. Currently there is only one road leading into Centerville (Avenida Centerville), and if this road is blocked by an accident, there is no other way for emergency vehicles to enter Centerville. The property to the East of Centerville, which is zoned R1 (10,000 sq. ft. lots), could be developed with approximately 75 homes based on current zoning. These homes will likely be depending on access through Centerville. This will make a link between Centerville and this new project that much more necessary. In time, it is likely that the residents of both Mountain Gate and Centerville will come to recognize the convenience value of a through connection between their neighborhoods and will be before the Council requesting they approve the construction of a full access. For that reason, the Planning Commission has recommended a condition of approval that would call for the emergency access points being provided with a minimum 40 foot right-of-way, that would allow the future expansion.

The Fire Chief and the Police Chief have both indicated that the provision of a secondary access to Centerville is of paramount interest from an emergency response perspective.

Land Use:

Objective 2-D.a states:

- Policy: Provide density increase options in exchange for open space through various development standards.
- Policy: Through land use standards develop techniques which separate and buffer less compatible land uses from each other.

The project proposes approximately 54 acres of open space, ostensibly as a quid pro quo for the density allowances requested. A portion of that open space is slated to be developed as a community center and recreational facilities. Staff has had numerous discussions with the applicants regarding the possibility of shared access to the recreation areas by all Town residents. The applicants have indicated a willingness to enter into an agreement for the shared use and maintenance of the outdoor recreation facilities, and to a shared use agreement for the community center, with the Home Owner's Association maintaining that facility.

The Town Homes and home sites slated to be developed in the southwest corner of the project, and home sites along the west and north sides of the development abut commercial zoned property, and perhaps some sort of buffer could be provided to soften the impact of the commercial development on the residences. As the residences are not yet in place, it would, perhaps, not be fair to forego the buffers now, and place the entire burden of mitigating the impacts of the commercial development on the commercial properties.

The Clarkdale schools have developed a nature trail from the school to the edge of their property along 11th Street. A connection of this trail into and through the project could be an attractive extension of the Town's trail system, that would be available to all residents. Additionally, the development of a path to allow students to move from the development to the trail that currently provides access to the school, and to provide a safe crossing design for students would be attractive.

The applicants make the following statement in their "Narrative" relative to "Land Use Buffers".

The property is buffered from adjacent properties and land uses as follows:

South Boundary - Commercial tract of land lying between the south property line and State route 89A. Some areas of the project are contiguous to the existing Centerville Plat. These areas are designated for the larger custom home sites.

East Boundary - Large ephemeral wash and topographic elevation changes at the east boundary.

North Boundary - Larger ephemeral wash and topographic elevation change at the boundary with metes and bounds parcels.

West Boundary - 11th Street/Old Highway 89A and vacant land tracts on the west side of the road.

It is not clear what these statements intend. The existence of commercial land on the South Boundary does not provide a buffer for the residences to be developed adjacent to that commercial area. Is the intent of the applicant that the large lots adjacent to Centerville provide a buffer for those residents from Centerville, or does Centerville provide a buffer for the residences in this project. The buffer mentioned on the west side, as being represented by 11th Street and the vacant land on the west side of the street. It would be difficult to consider 11th Street as a buffer for residences, and the vacant land on the west side of the street is zoned commercial, and residential. The Commission should seek clarification of these statements.

Staff and the Commission have had extended discussions with the applicants regarding the provision of buffers between the residences and adjacent commercial lands, along the frontage of 11th Street, along the interface with adjacent residential properties, and along the frontage of Avenida Macias in Centerville. The Commission and staff felt that each of these areas deserved individual treatment and solutions to softening the effect of this development on its surroundings, and to provide a softening of the impact of adjacent commercial properties on residences. The applicants have agreed to provide a 20 foot landscaped buffer between the Town Homes and the Commercial property on the corner of 11th Street and Hwy 89A. The exact nature of this buffer could be agreed to through the approval of the Site Plan for the Town Homes, but perhaps support for that, through the approval of the PAD, could be provided.

The frontage of Avenida Macias in Centerville, and along 11th Street could be provided with a landscape buffer between the street and the site wall as well.

Cost of Development:

Section 7.c identifies Financing Alternatives, and among those is:

"Improvement District Bonds. Typically used to finance local sewer or street improvements, or to acquire an existing water operation. An assessment is determined for each parcel in the district based on the share of benefit to be derived. The assessment district may be defined as the entire town or as a specific area to be determined. Assessments may be paid by property owners up front in cash or financed through issuance of bonds. This allows the contractor to be paid in full for work completed while a schedule of payments is assessed to properties to be paid over a number of years.

The Town is planning an expansion of the sewer treatment plant, sewer interceptor lines, and effluent delivery lines that will serve this project. Service areas have been established wherein improvement districts will be developed and property owners assessed their share of the cost of these improvements on a pro-rata basis. The applicant should be required to participate in the financing of these improvements as a condition of approval of the PAD.

Growth Area:

Section 8.c Growth Area Plan identifies the project area as part of a "Growth Area", and says the following:

"The area on both sides of Eleventh Street from Highway 89A to Upper Clarkdale and between Broadway and Centerville is identified as the Eleventh Street Gateway District. The Land Use Plan identifies this area as Mixed Use; the Circulation Plan identifies a major collector through a portion of the area to provide access through the area when it is developed. Development of this area would serve as a 'gateway' from Highway 89A which is the main arterial access route serving Clarkdale to the historic townsite area. This area is highly visible from throughout the town and development here will have a profound and lasting impact on the character of Clarkdale. This area is surrounded by major roads, is close to the wastewater treatment plant and is bisected by a couple of major washes, which help define natural boundaries to the area. Because of the high visibility of this area, it should be identified as a major planning priority to ensure that any future development is done in a manner that is sensitive to the historic context.

A Planned Area Development designation would allow a mix of uses, including residential, commercial, recreational and open space.

Impact on Public Facilities:

Arizona Revised Statutes (ARS), Section 9-463.01. D stipulates:

The legislative body of any municipality may require by ordinance that land areas within a subdivision be reserved for parks, recreational facilities, school sites and fire stations subject to the following conditions:

1. The requirement may only be made upon preliminary plats filed at least thirty days after the adoption of a general or specific plan affecting the land area to be reserved.
2. The required reservations are in accordance with definite principles and standards adopted by the legislative body.
3. The land area reserved shall be of such a size and shape as to permit the remainder of the land area of the subdivision within which the reservation is located to develop in an orderly and efficient manner.
4. The land area reserved shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period.
5. The public agency for whose benefit an area has been reserved shall have a period of one year after recording the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value of the reserved land area at the time of the filing of the preliminary subdivision plat plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area, including the interest cost incurred on any loan covering such reserved area.
6. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in subsection E of this section within such one year period or such extended period as may be mutually agreed upon by such public agency and the subdivider, the reservation of such area

shall terminate.

Schools:

In researching this issue, staff has examined the impact on schools in Clarkdale. The Clarkdale-Jerome School Facilities Board, for its planning purposes, has adopted an estimate of .5 K-8 students would be generated per new household in the district. With the proposed addition of 606 new households to be added by this project, we could expect to see an additional 303, K-8 students added to the enrollment of the Clarkdale-Jerome District. Current enrollment in the District for K-8 is approximately 380 students. This would mean that the District would have the need to double the current K-8 school space to accommodate this development. The developer should be required to open a dialogue with the Clarkdale-Jerome School Board aimed at identifying either a site to be set aside for a new school within the project, or to negotiate an agreement to provide assistance in accommodating expansion plans either adjacent to the existing school, or at another site.

Staff has had discussions with the School Board on this issue, and they have indicated that their expansion plans would be better accommodated on the existing school site. The applicants have met with the School Board and have made a commitment to provide an in lieu donation to the school to cover the impact of this project on the schools system.

Roads:

This project, with its main access points located on 11th Street, will have a significant impact on the level of service of that street. The applicants have indicated to staff that their marketing is focused on the existence of these entrances. The applicants have completed a Traffic Impact Analysis (TIA), which is being reviewed by Town Engineers and ADOT. The results of this study will likely be the identification of improvements necessary along Eleventh Street from the townsite to its intersection with Highway 89A and Cement Plant Road. ADOT has agreed to review this study and provide comments to the Town. The applicants could be required to make improvements that are directly attributable to their project, prior to the issuance of any building permits for the project, or according to another time schedule agreed to by the Commission in advance.

General Comments on Proposal:

Roadway system:

The Subdivision Regulations of the Town of Clarkdale restrict cul-de-sacs to no more than 600 feet in length unless the Director and the Commission recommend a longer cul-de-sac based on topography, adjacent platting or other unusual conditions, which justify the exception. The applicants have been responsive to this stipulation, and have redesigned several of their roads to eliminate conflicts.

The staff and Commission have worked with the applicants in reaching an agreement on a plan for the extension of their street network to Highway 89A on the west and to Broadway on the east. The applicants have been requested to revise their plans to indicate this connection, but their latest revision still does not.

Utilities:

The applicants have presented letters of commitment for all utilities which they believe satisfy the requirement to demonstrate a willingness and ability by all utilities to serve the project. The letters submitted from Cottonwood Water Works, may not represent an unequivocal commitment, and this point requires clarification. Staff is contacting Arizona Department of Water Resources for further information on the process of demonstrating "Adequate Water Supply", and will report those findings to the Council at your

meeting.

Drainage:

The Phase II drainage report that is currently being reviewed by Town Engineers, and will either support or refute the applicant's claim that no detention facilities will be required. As to whether the tributaries will be adequate to handle drainage without detention, Yavapai county Flood control, who will be reviewing those plans will likely have comment on that issue. Even if the tributaries are capable of handling the flows, we will need to have the drainage study examine the capacity of the culverts under Broadway, which drain Deception Wash.

Planning Commission Recommendation:

Before presenting Commission and Staff Recommendations, it is important to remind the Council that the PAD section of the Zoning Code states:

“The Commission and/or Town Council shall insure that the public welfare and safety is preserved, and that provision is made for harmonious and appropriate development of the land by requiring as needed:

1. Declaration of public use space for parks, schools, recreation areas, etc.
2. Coordination of street layout with existing or planned streets;
3. Preservation of natural features, such as trees, hilltops, water courses, and archaeological sites;
4. Architectural plans for buildings in addition to a final development plan for the PAD;
5. Proof of adequate sanitary sewage and water system;
6. Adequate fire protection;
7. Schedule of plan implementation;
8. Additional issues of public interest.

The Planning Commission, on December 15, 2003, voted unanimously to recommend approval of the PAD with the following conditions applied:

16. Prior to the Council Public Hearing on this proposal, the applicants shall be required to submit a Final Development Plan, which shall show:
 - a. The internal circulation plan, including Collector Street connecting Highway 89A with Broadway and the emergency access points into Centerville, which shall be provided with a minimum 40 foot Right-of-Way. The internal circulation plan shall not include any cul-de-sacs in excess of 600 feet unless previously approved by the Planning Commission.
 - b. The areas to be developed using the various lot sizes, including a typical lot for each, and the number of lots of each size, including the proposed setbacks to be utilized.
 - c. The areas to be devoted to open space, including landscaped buffers which will be provided between the Town Home site and the Commercial site.
 - d. Trails to be developed within the project area and to provide linkage outside the project area, and specifically to the nature trail maintained by the Clarkdale/Jerome School District. The trails plan shall include details of construction for each section of trail within the development. Where trails

cross streets, cross-walks shall be provided, and either striped or in some other manner delineated on the surface of the roadway, and signed appropriately to provide warning to the motoring public.

- e. A Final Phasing Plan which indicates which areas will be constructed in what order, and indicating that the roadways and utilities to serve all of the properties through Phase II are constructed in advance of any applications for building permits are submitted.

(The applicants have provided a revised Final Development Plan that:

10. Includes neither the Collector Street nor the 40 foot right-of way for the emergency access roads. They have indicated that they will be prepared to argue against the 40-foot right-of-ways for the emergency access in favor of a smaller easement maintained by the Homeowners Association. Staff feels that agreeing to this will preclude our ability to integrate the road system later and to link access between these two neighborhoods.
11. Does not include any indication of the landscaped buffers recommended by the Commission.
12. On numerous occasions, the applicants have stated their intention to develop a trail system to the Staff, Commission and the public. Each time, the issue is raised, staff, Commission and the public have repeated that the trail system needs to include segments through the open space. Thus far the trails are indicated to be almost entirely on the sidewalks. The northern terminus of the trail indicated on the plans needs to be shifted to terminate at the boundary of Mountain Gate and the Town Yard.)
2. All roads within the PAD shall be designed in accordance with Article 12-5 of the Town of Clarkdale Subdivisions Regulations, unless otherwise approved by the Planning Commission as a part of the Preliminary Plat approval.
3. All utilities within the PAD shall be designed in accordance with Article 12-6 of the Town of Clarkdale Subdivisions Regulations, unless otherwise approved by the Planning Commission as a part of the Preliminary Plat approval.
4. The Town Home units will be subject to Site Plan Review in accordance with Section 17.W of the Town of Clarkdale zoning Code, and shall receive approval prior to any building permits being issued for units.
5. The area between the Town Home units and the Commercial property shall be provided with a 20-foot landscaped buffer and a 6-foot site wall of split face block, with the split face toward the Town Home units.
6. The lots that face on 11th Street and those that abut Avenida Macias shall be provided with a 6-foot split block fence with the split face toward 11th Street and Avenida Macias.
7. All Town Home units shall be protected with an approved automatic sprinkler system.
8. Applicants shall have provided a letter of serviceability from the Cottonwood Water Works, which demonstrates the utility's willingness and ability to serve the project.
9. Prior to the approval of a Final Plat for the Mountain Gate Subdivision, the applicants shall enter into a Development Agreement that will among other provisions include an agreement to make the trail

system, recreational facilities and community building available to the residents of Clarkdale. The agreement shall include a mutual maintenance agreement, and provisions for non-members of the Homeowner's Association to reserve the facilities in advance for private and public organized events.

10. Design of all recreational facilities and community building shall be subject to Section 17.W of the Town of Clarkdale Zoning code (Site Plan Review Process).
11. The applicants shall abide by the setbacks indicated on the typical lot layouts included on the Final Development Plan, unless a modification is approved by the Subdivision Committee in advance.
12. For all but the Town Home lots, lot coverage shall be limited to 50 percent of the area of each lot unless otherwise approved to exceed that limitation by the Subdivision Committee.
13. For the Town Home lots, lot coverage shall be limited to 67 percent unless otherwise approved to exceed that limitation by the Design Review Board through the Site Plan Review Process.

Staff Recommendation:

Staff concurs with the recommendation of the Planning Commission, and would add that a Development Agreement should be required as a part of the approval of the PAD to solidify agreements reached and commitments made between Empire Companies and the Town.

Planning Director Brown stated that the Staff agrees with the Planning Commission's recommendation. He noted that currently the plans they have provided do not show trails in the natural areas, though they state that they intend to do this.

Planning Director Brown stated that Empire intends to develop their own well, delivery system and storage system. Mayor Bluff asked if they could provide their own water if they still need the serviceability area letter. Planning Director Brown replied that the letter is still required since it is in Cottonwood Water Works serviceable area. It was noted that these water related improvements would be turned over to Cottonwood Water Works. Councilmember Bluff stated his concern of having condition #8 required at this level of the process, since this is only a zoning change and not plat approval.

Councilmember Williams stated that if someone drills a well and provides water then Cottonwood Water Works should have to pay for it. Town Attorney Pecharich stated that this is between Cottonwood Water Works and the developer and that water companies often require developers to do this.

Discussion followed regarding the Planning Commission's suggested requirement #9. Mayor Bluff inquired as to why the town would force them to have a development agreement. Planning Director Brown stated that the issue came out of the neighborhood meetings. The commission felt that the amenities should be open to the public. The development agreement would outline what would be public use and specify that the community building would not be open to the public outside the development, however persons could pay a rental fee to the homeowners association to use it. He stated that the public currently pays to take care of existing parks, and in order for the citizens outside the development to use the amenities inside the development there should be a shared maintenance agreement. Vice Mayor Leibforth stated that his concern would be that the town participates in this to allow access to facilities to persons outside the development and then the homeowner's association charge a fee in addition. It was noted that the specific details of this agreement have not yet been worked out.

Councilmember Williams stated that if the people who live in the development pay for the use of the facilities then the town's people should also participate in the cost to use the facilities. Planning Director Steven stated

that he has a list of 19 items that he feels should be included in the development agreement, including but not limited to, emergency access, infrastructure development, etc.

Town Attorney Pecharich stated that a PAD is a zoning change, which requires an ordinance to be adopted, which is not on this agenda. Due to this, he stated that the council couldn't take action tonight. He stated that the development agreement should be a condition of the final plat approval. He noted that the zoning change is the first step in the process of subdivision approval.

This agenda item was recessed in order to take the following agenda item.

PRESENTATION - Presentation of a Donation Check to the Town of Clarkdale by the Yavapai-apache Nation:

Jamie Fullmer, Chairman of the Yavapai Apache Nation thanked the town for allowing him to attend. He stated that the Nation recently signed a compact with the State of Arizona which will allow the Nation's gaming to be alive for 20 more years or more. He stated that gaming has been a big piece to the puzzle to remain a sovereign nation. Chairman Fullmer continued that one of the things the Nation fought for was to be able to localize the money they are to donate. The rural tribes recognize that if the funds were put in the state's pot the benefit would likely not be seen in this area. Chairman Fullmer stated that the Yavapai-Apache Nation was a leader in making this happen. With that in mind, the Yavapai-Apache Nation is very happy and honored to support and promote the Verde Valley, and feels that the citizens of Clarkdale are their neighbors. He stated that he and Mayor Bluff and Vice Mayor Bauer met recently. He noted that 33 % of the reservation residents live in the Clarkdale reservation. He stated that the Nation has a deep-seated history in Clarkdale and the Verde Valley. He stated that he believes that it is important for the Nation and Town to continue to strengthen their friendship, one way to do that is to share ideals. Some of these ideals are protecting our families, providing a clean safe place for our children to grow up in. Mr. Fullmer stated that on behalf of the Yavapai-Apache Nation, he is happy to present a check in the amount of \$18,909.95 to the Town of Clarkdale. He asked that the Town consider using the funding towards things that the Nation and Town have in common. He suggested that some of the funding could be used for economic development. He stated that he is glad that he has met with the Mayor and that he has made a commitment to meet with other leaders of the Verde Valley and work together on the future.

In closing, Mr. Fullmer thanked the people of the Town of Clarkdale and stated that by continuing to work together profit will result, educating of children, creating safe places for recreation, etc. He stated that the Nation wants to protect the pace of growth, keep it rural as much as possible. He thanked the people of Clarkdale for supporting the Nation.

Mayor Bluff stated that on behalf of the Town he appreciated the donation, and noted the importance of the town and the Nation maintaining a firm relationship. He stated that the town and Nation share the exact same goals, water, sensible growth, etc. and that it is a breath of fresh air to have open lines of communication.

A five-minute recess was taken at 7:45 p.m.

PUBLIC HEARING - a Hearing to Obtain Public Input on a Request for a Proposed Planned Area Development for Mountain Gate, a 606 Lot Subdivision on Approximately 187 Acres, Proposed to Be Developed on Property at the Intersection of State Route 89a and 11th Street, Yavapai County Assessor's Parcel Number 400-06-053c (Continued)

The public hearing continued with a presentation by representatives of the development. *Brian Rhotan*, of Empire Companies, stated Empire is a privately held company with one owner who has been in the building

industry for some time. He stated that they convey lots and lands and convey homes.

Jim Abbott, the owner, has been active in Northern Arizona since the 1990's, beginning in Flagstaff, where the company developed Woodlands Village. He then bought a subdivision they are just completing with 1100 homes, which is similar to the proposed development. Jim Abbott and the company pride themselves in building quality developments. Jim Abbott is dedicated to what he does and if he says he will do it he will. He stated that they are a company that completes what it says it will complete and has the financial ability to do so. He stated that they like to build the best possible subdivision and make it a win-win situation with the cities they work with. He stated with the Mountain Gate development they want to sell 100 lots to local builders. Mr. Rhotan stated that they like to keep the work in the area to help the economy.

He stated that he felt Planning Director Brown addressed almost everything, however he noted that they do have an objection to one of the stipulations. This objection is regarding them providing the emergency access road that they agreed to make 20 feet wide, which would be in the control of the homeowners association, being changed to a 40 foot dedicated right of way so in the future there can be regular secondary access through Centerville. He stated that they want the emergency access to be controlled by the housing authority. In this way the homeowner's association has control if the road is opened to general access and then the connection does not affect assessed value of the properties as much as if the town had control of the decision. They also objected to the large amount of traffic that would be generated by this connection. He added that he feels that this is a decision the homeowners should make themselves.

He also stated that typically when they do their phasing they are able to pull building permits for the homes as soon as there is substantial approval of the subdivision and the roads are done. Mr. Rhotan stated that instead of condition E proposed by the Planning Commission they would like to start building houses before that with the Certificate of Occupancy being held until all necessary subdivision construction is in place. He stated that he feels that they are building a quality subdivision, that the PAD would allow them to make a better subdivision, bundle densities and be able to provide open space, park areas, etc.

He stated that they have been looking at the older homes in upper Clarkdale, and that is the look they are going for in the bungalow homes. Mr. Rhotan stated that they do not want to create upper town exactly because there are better ways to accomplish this the look today, i.e. rebar at one time was not put in concrete. He stated that they want to take the elements really important in Clarkdale and put them into the plan.

Mayor Bluff verified that their objections were the timing for permits to be pulled for houses being constructed in the development and the Centerville access issue.

Mr. Rhotan stated that they would propose a 40 ft. right-of-way which is restricted for two uses, emergency access and a future connector road if approved by (and controlled by) the homeowners association.

Vice Mayor Bauer asked if there were homeowners association documents prepared at this time.

Mr. Rhotan replied that draft documents have been submitted to staff and that once some items have been ironed out with staff the documents will be updated.

Town Attorney Pecharich asked the developer if they have checked with Arizona Department of Water Resources. He noted that the Town does not have any control on approving or not approving this or any subdivision based on water. Water issues cannot be grounds for denial of a plat because water is the jurisdiction of the state.

Town Attorney Pecharich asked what the developer would receive for letting others in town use the

development facilities. Planning Director Brown replied there would be mutual, shared maintenance responsibilities of the facilities. He added that the applicants have remained adamant that the homeowners should retain control of the building and staff agrees.

Discussion followed regarding the ability of residents outside the development to rent the facility.

Vice Mayor Bauer noted that there is not a completed trails map yet and that this will be discussed in the future meetings. The applicants have been agreeable to provide trails, including some ADA access and wash area trails.

Discussion followed regarding the development's impact on the school. Mr. Rhotan stated that their stance on the school issue is that it is between them and the school. State law states that there needs to be a set aside for one year that can be purchased by the school. The school has stated that they do not want that, they want a donation instead.. The stipulation referencing this should be that an agreement would be made with the school.

The public was invited to speak.

Doug Von Gausig, 630 E. Cliffside Drive, stated that he has been privileged over the last few weeks be involved with this. He stated that Planning Director Brown has done a lot of work and commended him and his staff. He stated that in the last three days members of community have approached him as to what can be done about this development. He said that his reply was that "we could embrace it and make staff aware of what we want to see".

He read the following letter:

January 11, 2004

Steven Brown,, Planning Director, Town of Clarkdale

Clarkdale Planning Commission

Clarkdale Town Council

Re: Mountain Gate Planned Area Development

Dear Members of the Planning and Zoning Commission and Town Council:

The town is currently considering the application for a PAD by Empire Homes of the 187 acres presently owned by the Conlin family located at the intersection of 11th Street and Highway 89A. This development will have unprecedented impacts on our community's resources and will affect every aspect of our small town environment from our schools to our parks, our roads, sewer, water supply, traffic, fire safety, lighting and noise. The Planning Commission and the Town Council should carefully consider these impacts on our resources and upon our way of life at every step of the process.

There are many in our community who would gladly put up barricades to any future growth or development. It is easy to understand why. It is their perception that the very fabric of our small town life is under siege. It is our view that while growth should not be stopped it should at least be modified and molded to better integrate into the existing community's infrastructure and aesthetic.

This letter is to coalesce a wide range of opinion and thought about this project, and to present a more unified voice to our town's leaders from the citizens whom they serve. We have a truly unique opportunity and challenge before us. Decisions made now will affect the quality of life in our community for decades to come. We write to you to offer a constructive voice from the community members most affected by this development.

First and foremost we want to say that Bob and Dave Conlin have a vision for this land that was inspired by the historic qualities of the town they live in and love. This vision strives to take the best of small town life and incorporate these qualities into any new developments adjoining the historic township. The fact that the historic township has remained relatively intact for the last 90 years says something about the historic values our citizens desire and cherish. We applaud Bob and Dave Conlin for their sensitivity to these qualities and for their inspired vision for our town.

We are also fortunate to have a developer like Empire Homes. Their communities in Flagstaff seem well-planned and desirable places to live. They seem willing to work with the Town in integrating their development into the existing community. They seem to want to please the citizens of Clarkdale. They certainly have spent numerous hours meeting with citizens in neighborhood meetings to discuss their project, and have always seemed willing to listen to our concerns and viewpoints.

It is in this spirit that we offer the following suggestions, derived from numerous community meetings, discussions, and analyses of the issues as to how to best fulfill the vision of the Conlin family of Clarkdale.

The development as proposed at this point leaves numerous issues unresolved. We urge the Planning Commission and Town Council to postpone final approvals of the PAD and Preliminary Plat, until these issues are completely resolved.

Street Grid And Alleyways:

The historic township is based on a pedestrian scaled grid structure. The blocks are approximately 350 feet long. Most of all the streets intersect each other at right angles in a grid pattern. All of the homes front on the street, and the garage units are in the rear of the lots. Access is provided to these garage units through the alleyways. This keeps all of the utility access and functions such as garbage collection in the back and off the street. But the most important aspect of the back alley is to create the "streetscape" that is so central to the appeal of our town: front and side yards unencumbered by driveways and garbage cans.

Since it is still early in the planning process we urge you to require the developer to redesign the development to include more interconnecting streets and back alley access, and greater side yard setbacks, to more closely approximate the old township feel. This must be done before the PAD is approved, whereupon the densities and street patterns are set.

Building Elevations:

Empire Homes has offered a composite of what the homes may look like, but many of the renderings portray homes with attached garages in the front. Since the look and feel of this development is critical to maintaining the "historic district" appeal, please require the developer to present a more fully developed architectural presentation as to the elevation view of the cottages, homes, and town-homes to be constructed, as part of this re-zoning request and approval. The Heritage Conservancy has identified five types of architectural styles in the historic district. They should be consulted as part of the process.

Hillside Improvements:

Please require Empire Homes to provide a building and street "cross section" through sloped areas that are to be developed, for staff review.

11th Street, Centerville, & Hollow Reed Interfaces:

All of the homes fronting on 11th Street should be accessed by a secondary frontage road, and should front on the road so as to face 11th Street. This frontage road should have a 20-foot landscape buffer between

it and 11th Street, replacing the block wall now being planned. Homes and cottages should also face the front of streets "001" and "002" as identified on the Preliminary Plat.

The street interface with Centerville should be connecting and permanent, and not "breakaway" for emergency vehicles, and a 20 foot landscape buffer erected between these two neighborhoods.

The interface with Hollow Reed should be protected by a 6-foot high split faced block wall as proposed, and should also include an 8-foot landscape buffer.

Drainage & Retention:

The alleyways should be used as catchments for runoff from roofs and yards by surfacing the alleys with ABC or gravel instead of pavement, and green belt "swales" could be utilized and dispersed throughout the development to retain more runoff on site. Hollow Reed contains the spring fed historic Clarkdale pool used by residents in the early 1900's. These springs should be protected from any runoff from roofs and paved surfaces within the development.

Historic Trails, Walking Trails, Bike Paths, and Open Space:

The historic trails should be preserved and additional user-friendly walking trails and bike paths incorporated throughout the development to insure pedestrian access to other residences within the development, to the Community Center facilities, and to the adjoining commercial district. Access for school children across 11th Street is especially important. A pedestrian bridge should be constructed to accommodate passage over 11th Street and connect to the trail that leads to the elementary school. This is critical to the small town neighborhood feel we want to preserve.

Additional pocket parks and areas of open space should be integrated throughout the development. This would greatly add to the "livability" of this development and go far in creating a pedestrian instead of a driver oriented community, much like the other Clarkdale neighborhoods.

Lighting:

Street lighting should strictly adhere to the Town Code and in additional horizontal shading should be installed to protect adjoining neighborhoods, especially those at lower elevations.

In closing, we offer our assistance to the council and commission in any and all aspects of this process. We encourage any of the town staff and council/commission members to contact any of us for further clarification and expansion of these points.

Respectfully Submitted by:

See Attached Signature Sheets

Mr. Von Gausig handed the Mayor the signature sheets containing approximately 125 signatures of townspeople, primarily in lower and upper Clarkdale, who were in agreement with the foregoing letter. Mr. Von Gausig stated that no one associated with the letter wants to kill the subdivision, they just want their points of view recognized.

Mr. Bonfield, 1512 Third South Street stated that he was very impressed with Planning Director Brown's presentation, however he did not hear a single condition about retaining the other historical aspects of Clarkdale homes. He stated that there have only been verbal assurances from the developer regarding these. He stated that the homes on 11th Street should face 11th Street, it is the gateway to Clarkdale, and as proposed that gateway is a block wall. He stated that he doesn't understand this. Another issue he stated was cost. He stated that developers told him that property taxes would not be adequate to provide all the

services required for the homes. The money has to come from somewhere, and he assumes this will be from higher property taxes on the existing residents of Clarkdale. He asked if it was possible for the council to do an analysis as to how much this is going to cost.

Shelby Maynard, 800 Calle Rosas, stated that she supports Mr. Von Gausig's remarks regarding the road connections with Centerville. She stated that she strongly opposes the changing of the zoning, thus making the population of Clarkdale double. She stated that citizens have been told to conserve water, and yet the same town is on the verge of doubling the size of the town. She said that she guesses the rest of Clarkdale no longer needs to conserve water and the town was only kidding. She stated that allowing the zoning to be changed is a disservice to the people. She stated that instead of inviting residential development, the town needs commercial development and noted the empty storefronts. In closing she asked why doesn't the town and chamber actively pursue new businesses.

Mayor Bluff inserted into the record a letter dated January 7, 2004 written by Ms. Maynard:

Dear Commissioners:

I would like to give my input on the Mountain Gate subdivision proposal. As a former Planning and Zoning Commissioner, I am appalled that this present commission approved the PAD for Mountain Gate subdivision, without any kind of confirmation of a water source. You are now being advised to approve the preliminary plat for this subdivision. I was one of the many residents that attended the December 29, 2003 P&Z Commission meeting, and it is apparent that the majority of Clarkdale residents are upset about the proposed subdivision. If you are indeed representing the residents of Clarkdale by volunteering your time to serve on the P&Z Commission, then you need to hear what the public is saying:

There should be a guaranteed water source before any more approvals are made.

The density of the proposed subdivision is not in sync with the town of Clarkdale's General Plan, therefore violating what the public approved by vote.

A "wall" around the proposed subdivision is not aesthetically needed, and further isolates the subdivision against the rest of the community.

A swimming pool and "lush green park" is not needed in this subdivision. Since we, the residents of Clarkdale, have been warned to conserve water, this is a slap in the face of those of us that took that warning seriously. Also, the community of Centerville, which I am a resident of, have been advised by the Town of Clarkdale that the new Centerville Park will not be allowed the (previously approved) grass in the playing field, due to the "water situation" the Town is experiencing. Therefore, the new Centerville Park is brown and sparse, as the Town of Clarkdale will not allow planting of grass. If the new subdivision is allowed to have a pool and park with green grass, we, the residents of Centerville will be making sure the Centerville Park has plenty of trees and grass also.

The Centerville community is being "boxed" in by this new Mountain Gate subdivision, with no access in the event of an emergency. The developers/Town of Clarkdale staff have offered for us to have an "emergency access"—a locked gate—that can be used. Residents now use the Old Centerville Road as an emergency access, and I have asked the engineer for the development to continue to allow Centerville residents the right to use Old Centerville Road. This engineer has continued to state that the Centerville residents will not have access to Old Centerville Road, but the new Mountain Gate subdivision residents will have complete access using the road. Is this really trying to be a "part of the community" and "blend in" with the existing residents, as stated by the developers?

In conclusion, I would hope the P&Z Commissioners represent the public—and not the developers—in any decisions being made by this large of a subdivision that will impact the residents in Clarkdale forever.

Peggy Chaikin, 215 Hollow Reed Lane, thanked council and staff for all the time they have put into this project and thanked the developers coming and participating. She stated that she supports the letter presented by Mr. Von Gausig. She stated that it is important that the town council consider the letter. She stated the vision of the Conlins' (owners of the property) is to have it an extension of the historic area of Clarkdale. She stated that this is not the case with only the cottages reflecting historic Clarkdale and not the other structures. She stated that she would like to see elevations that also integrate the track homes with the Town of Clarkdale. She stated that she hopes there are more details before the PAD is approved. She stated that she wants to have the wall in place adjacent to Hollow Reed Road, which has been promised verbally, but has not been included in the planning commission conditions. She stated that the plan should reinforce the whole other quality of life issue, which is the interconnectedness. She stated that she wants to see roadways open, trails, children safety getting to the school and park. Ms. Chaikin continued that she does not want to feel like it is a whole other community not related to Clarkdale. She said that we want to welcome them, part of that has to do with the way it is designed, we want to keep it as pedestrian friendly as possible, not very long roads with no breaks. She also discussed the proposed wall on 11th Street, and stated that she really wants to see the feeling of home-to-home interface, not home to wall interface. In closing she stated that she appreciated the neighborhood meetings, which were held.

Nancy Bonfield, 1512 Third South, emphasized the safety of school children, which she stated was paramount to her. She stated that she does not think that crosswalks are safe enough. She also discussed the erosion problems for existing homes, especially on Hollow Reed Road. She mentioned the importance to maintain architectural integrity, and that there should not be strict rules in place like Sante Fe, but this is something that should be thought about.

Mark Randall, 102 S. 15th Street, stated that he has been participating in a number of the public meetings, and one of the things, which has come about regularly, is questions about the proposed densities. He stated that side yard setbacks in new types of subdivisions are such that houses can be as close as 10 ft apart, with roof overhangs, closer. He stated that this gives a crowded look. He noted that in Upper Clarkdale and Lower Clarkdale the original homes are 11 to 13 feet from lot lines, making the space between houses approximately 22 feet apart. He stated that the proposed lot sizes in the proposed development are smaller than those in Upper Clarkdale and that is contributing to the houses being closer together. These issues and issues of wanting trails and alleys, are all density issues. He stated that he found it to be an interesting statistic that without the PAD only 500 something homes would be allowed, but with the PAD there are 606 homes proposed. He requested that a compromise be made to give up a few home sites in an attempt to accommodate a few of the items requested by the public, i.e. homes on 11th street, creative shifting and moving can accomplish a great deal. He repeated the request that a significant amount of effort be used to iron out the architecture of the homes, including the town homes, etc. Regarding the lots for sale, he felt that some of the historic values could be reflected in the covenants, codes and restrictions of the subdivision disallowing a-frame or log homes, etc. He commented that he feels a homeowners association is an additional authority in place of the town council in that area. He felt the maintenance of buildings, grounds that serve a community function is the responsibility of the homeowners association, which is appropriate.

He continued there should be a cost analysis of the maintenance of general landscaping and quasi community uses within subdivision and the cost paid by the subdivision through property taxes sufficient to pay the maintenance requirements. If in fact the homeowners association is the proxy for the tax, then

something could be worked out between the town and subdivision in an effort to develop this relationship so that we are all sharing from one part of the town to the next. He stated that regarding road access the homeowners association will be in a position to negotiate with the town regarding having a public roadway, public roadways should be in control of the town. Centerville does not have a homeowners association to negotiate for the use of the road. He stated he understands that, in this subdivision, on street parking is allowed except for the town homes. Where do visitors to the town homes park? He stated that he does not see an accommodation for this.

George Anne Ford, 880 Calle Carrillo, stated that she heard earlier in the meeting the mention that the sewer connection fee was going up and asked if the homes in the development would be paying the new sewer connection fee. She also asked if the new sewer system was going to accommodate these new homes. Planning Director Brown stated that the current plant will not support full build-out of this subdivision, however the developer is planning on building an on-site sewage package plant.

Marsha Foutz, 313 Main Street, stated that as she walks and wants to see the development be pedestrian friendly, have many choices for walking in the neighborhood. She noted that the wall on 11th Street blocks walkers. She also noted one long street which was very steep, wherein a walker cannot get off the road, 35 houses long. She stated that she would really like to see more interconnection and that it feels like a narrow canyon with houses close together. Also, she was disturbed by the 32-townhouse units crowded together and was concerned about parking for visitors. Overall she felt the plan was not pedestrian friendly and that the word "trail" to the developer seems to mean sidewalk. She stated she has trouble with that. She stated that she could appreciate that the road is long due to the slope and intense topography. She stated that she has been in modern subdivisions and they make her feel like she wants some elbowroom. She commented that it is really packed and referenced the Del Web subdivision in Cottonwood where 2 to 3 houses are for sale at all times, and commented that, that does not sound like community. Ms. Foutz stated that she would like to see the development integrated with the rest of the town, it feels like mountain gated - doesn't sound like Clarkdale. In closing she thanked everyone for all the work they have done.

Sandy Martin, 771 Calle Medina, stated that she had two concerns. First that in Centerville, where there are 7000 square foot lots, when the neighbor's house burned down the fire department rallied to surround her house and protect it. The fireman told her "that on lots this small it is rare that you only lose one home when there is a fire". She stated that more than one fireman said this to her. She stated that if 7000 square feet is a problem, then how could they protect these houses so close together. Secondly, Centerville has always had an "us and them" attitude, and yet the residents were still able to see the land on the edge of the subdivision. She stated that she has difficulty being walled in on a side where before there was nature. She stated that little Centerville has been psychologically isolated, now it will also be physically isolated. She stated that she would rather see the emergency access roads to Centerville opened for general use. She said that the developers have said that it would create traffic in Centerville, so she thinks that the thing to do is to cut right through her house and connect to 89A there, bypass Centerville -walling off the animals so they do not contaminate the pricey subdivision.

Phil Sarkisian, 1408 3rd South Street, distributed an aerial photograph (**attached to these minutes**) to the council. He noted the importance of homes facing 11th Street. He referenced the photo, pointing out property zoned commercial on the other side of 11th Street and some residentially zoned property and the school property, and suggested an alternative entrance into the development. He stated that this would avoid traffic congestion being at the most likely point where children will be crossing to get to school. He noted that the commercial development is where people will be going to, so move the entrance near the

commercial area, farther south. He stated that facing homes on 11th Street would help maintain the historical character.

Hank Chaikin, 215 Hollow Reed Lane, thanked the council and Empire representatives for listening to the concerns expressed. He stated that Empire has done good positive things, but they just want to make it a little better, and integrate it with the rest of town. He discussed the wall adjacent to the Hollow Reed Lane neighborhood, noting that the area is very steep, and asked Mr. Rhotan to confirm prior verbal assurances that the wall would go in.

Hugh Taylor stated that he was an architect and has met informally with some citizens. He distributed an illustrated cross section through the area adjacent to Hollow Reed Road (attached to these minutes). He stated that some slopes can approach 50% or more, and that he had an issue with cut and fill increasing on the backside where Hollow Reed Road is. He stated that as proposed by the development, the road becomes a 36% grade and access off road becomes a 60% grade. The upper side has as much as a 60% grade to get on the property. He stated that he is not sure how this is being solved. There will be problems of erosion, the material will be hard to repair and it will be an eyesore.

Pat Williams, 1130 Sunrise Drive, thanked everyone for their efforts. She requested that an independent hydrologist be involved.

Mr. Bonfield, 1512 Third South, read excerpts from an article by John Tolton, a correspondent, in the Arizona Republic regarding water deficits lurking like a pack of wolves, wolves have bite as well as bark, and debating if Arizona has water for growth ambitions. It continued to reference being in a historic drought, and water supplies being uncertain. He stated that it is unclear that we have adequate water supply and that there are very serious and unanswered questions regarding water supply.

The public comment portion of the hearing was closed.

Jerry Abbott representing the developer stated that this is the most meetings they have ever done for any project. He stated that he knows that there is a need for compromises made and that he does like some of the comments that were made, it lets him know that people are looking deeply into the proposal. He noted that they want to support the community. He stated that a market study shows an unlimited demand for vacant 10,000 square foot lots, they could develop the property into 500 lots and sell them to individuals to build any type of house they want. However, the Conlins' do not want to take that approach, and so we are taking a risk, because it is unknown what the demand for cottages is. Referencing the comments made regarding the town homes and visitor parking, he said they should go visit their friends on their 10,000 square foot lots. He noted that they are building town homes so people have an opportunity to own something, allow people to get ownership at an affordable rate and have a design that compliments Clarkdale.

He continued to say that alleyways are not very efficient. He commented every time a stop sign is added, car crashes increase. Meandering streets allow for flow, and change the view so as to not see row housing. He stated that he would entertain ideas of foot trails interconnecting some streets. Mr. Abbott noted that he wrote everyone's name and comment down, and many made comments about the school crossing. He stated that in Flagstaff all kids are picked up by a school bus. He stated that a bridge would be so high kids will not use it and cars would not be as wary of kids crossing. In addition, the town cannot insure bridges. He stated that tunneling under the road was high in cost, and then there is a dark place where bad things can happen. He stated that if the development brings in 300 kids it would be totally justifiable to for them to pick them up and take them to school.

He commented that he would never develop a property without water, it would render the land useless. He stated that he has talked to the water company and the problem is that they have a small water line feeding Clarkdale and these need to be upgraded along with tanks added. The problem is not lack of water, it is the water system not being adequate. He stated that the real big issue is sewage treatment, which now produces a class C effluent and there is a question whether this quality will be allowed. He stated that they are trying to not just get adequate service for the development, but to work with staff to try to get class A quality effluent and use it in parks, etc. saving potable water. He stated that they would never agree to face the houses to 11th street. Eleventh Street has high traffic and the lots will be unsaleable. Regarding animals, he noted that they are required to do environmental studies. He stated that this was a constructive meeting with real ideas, something they could move forward with. He stated that they have a great relationship with Flagstaff. Regarding foot trails he commented that they want a hard surface that is non-slip which wheelchairs can function on. He continued saying that they are trying to get a PAD approval that will allow them to move forward with what they want to do and the final plat will show results. In closing he commented that they are very happy with the results they have had, and that they do understand the concerns and wish they could meet all of them, however they promise to meet as many things as they can and improve the infrastructure.

Councilmember Leibforth stated that this is going to require a great deal of thought and time to consider and suggested a workshop on this topic to hash it out. Mayor Bluff suggested they go through the items and direct staff to meet with the developer to see if some of the items where there is not agreement can be worked out.

Town Manager Mabery made a suggestion to get consensus on the two issues the town and developer are not in agreement with.

Councilmember Williams expressed a desire to see wording changed on Planning Commission recommended condition Item 9. Discussion followed. Mayor Bluff suggested staff draft new language. Councilmember Leibforth stated that he did not see any problem with the wording, stating that it was a general item saying it will be worked out.

The consensus was that there would be some sort of development agreement with the school. Councilmember Leibforth stated that he could not approve the zoning change until that is done.

Mayor Bluff stated that the agreement with the school does not have to be done at this time, and can be done later. Planning Director Brown stated that he had no problem making that a recommendation later for the final plat.

Discussion followed regarding the building permit issuance timing. Planning Director Brown stated that his concern was destroying the road as construction took place, dust.

Planning Director Brown stated that it is staffs' intent that the emergency access road not be constructed to full 40 feet up front, but that the area be allowed for so if in the future it is used for general access, condemnation of properties is not required. Jerry Abbott stated that they did not have the connections at all in the beginning, then they compromised with the town to have the connections for safety reasons, now the town wants public use of the roads and have them be dedicated 40 foot right of ways. He stated that he is willing to compromise again, go to 40 feet wide as long as it is still under the control of those who live there, if not property values will go down.

Mayor Bluff suggested that this be discussed further at a worksession. The consensus of the council was to meet with the developer in a worksession on January 27th and hold the meeting to adopt the ordinance on

February 3rd.

ADJOURNMENT. With no further business before the council, the meeting was adjourned at 10:15 p.m.

APPROVED:

Michael Bluff, Mayor

SUBMITTED:

Joyce Driscoll, Town Clerk