

Minutes of a Special Meeting of The Common Council of The Town of Clarkdale  
Held on Tuesday, March 23, 2004, in the  
Men's Lounge of the Clarkdale Memorial Clubhouse, Clarkdale, Arizona.

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 23, 2004 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

Town Council:

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

Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Planning Director	Steven Brown
Police Chief	Pat Haynie
Finance Director	Coleen Gilboy
Grants Administrator	Lisa Christensen

**Others in attendance:** Robyn Prud'homme-Bauer, Pat Williams, Doug Von Gausig, Elizabeth Rose Augusto, Henri Prud'homme, Jay Kinsella, Frank and Bette Lytle, Mark and Misha Randall, Gary Hansen, Jerry Wiley, Darrel Elliott, Nancy and Robin Bonfield, Marsha Foutz, Shelby Maynard, George Anne Ford, Hank and Peggy Chaikin and others who did not sign in.

**CALL TO ORDER** - Mayor Bluff called the meeting to order at 6:02 p.m. and noted that all Council members were present.

**PUBLIC COMMENT** - *Henri Prud'homme*, President of the Clarkdale Foundation, gave a gazebo fundraising update. He stated the Foundation, the Heritage Conservancy Board and the Parks and Recreation Commission started meeting a month ago and sent out letters recently. They have collected about \$7100 this far in this part of the fundraising and there has been an anonymous donor pledging up to \$4000 to match \$1.00 for every \$2.00 raised. That puts it to about \$10,500. With the \$10,000 the Foundation had previously raised, they have about \$9500 to go to reach the \$30,000 mark.

*Jerry Wiley*, 520 Todd Circle, stated that Relay for Life would have a yard sale at the Civic Center in Cottonwood on Saturday.

Mayor Bluff closed public comment.

**CONSENT AGENDA** - Without objection the Council approved the Consent Agenda.

1. Resolution #1094 - Approval of a resolution extending the effective date for the wastewater connection fee; changing the name of the fee to capacity fee and offering financing.
2. Resolution #1095 - Approval of a resolution canvassing the votes from the March 9, 2004 Primary Election.

The Council agreed to take the Jerome Fee Waiver Request next.

**FEE WAIVER REQUEST** - **Consideration of a request from the Town of Jerome for the waiver of fees for a proposed subdivision application.** Planning Director Brown stated the request is to waive fees for a

preliminary plat for a subdivision Jerome is hoping to create at the Jerome Cemetery. It will be roughly eighteen lots. The Town of Jerome intends to pursue the subdivision through the preliminary plat and will then auction the property with the entitlement in place. All responsibility for design, technical review and final plat would be with the purchaser of the property. The preliminary plat-filing fee for an eighteen-lot subdivision would include a \$500 base fee plus \$15 per lot plus a \$15 issuance fee for a total of \$785. Staff believes there is some merit to being good neighbors with the Town of Jerome. However, care should be taken with regard to the precedent that is being established.

Town Manager Mabery clarified that if they take this through receiving approval of the preliminary plat, then there is a potential that professional fees will be incurred for technical reviews by the engineers and by the town attorney. The ordinance requires that the applicant reimburse the Town for any professional services.

Planning Director Brown stated those fees would likely be between \$2000 and \$5000.

*Jay Kinsella*, Mayor of Jerome, stated they want to follow all of the rules and would like the Town of Clarkdale to waive the fees.

Councilmember Groom moved to waive the \$785 filing fee at this time. Councilmember Bauer seconded.

There was a suggestion to put all of the fees on hold until the property is sold and collect the fees at that time. This removes the burden form both Jerome and Clarkdale.

The motion was amended to include collecting any out of pocket costs at the time of sale of the property. The motion passed unanimously.

Council directed staff to draft a formal agreement to be signed by both parties that clearly specifies the terms.

The Council agreed to take the Mountain Gate worksession next.

**WORKSESSION - A worksession on the Preliminary Plat for the Mountain Gate Planned Area Development.** The staff report, including the Planning Commission recommendations, follows:

Report By: Planning Department

Agenda Item: Work session on the Mountain Gate Subdivision Preliminary Plat

Background:

The citizen's group that has been organized to give input on the Mountain Gate development requested that the Planning Commission hold a work session to discuss issues regarding the Mountain Gate subdivision. The Planning Commission held this work session on March 1, 2004. Both the Planning Commission and the citizens group felt this work session was a productive dialog. Mayor Bluff has requested the council schedule a work session on Mountain Gate to continue this dialog.

On Monday, March 8, 2004, the Planning Commission voted 4-1 to recommend that Council approve with stipulations, the Preliminary Plat for the Mountain Gate. In making that recommendation the Commission made the following findings:

- A. That the proposed subdivision conforms to the adopted goals, objectives and policies of the Town.
- B. That the proposed subdivision, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.
- C. That environmental concerns conform with adopted standards.
- D. That the design of the proposed subdivision is sensitive to the physical characteristics of the site.

- E. That the proposed subdivision is consistent with provisions and intents of Zoning Code requirements applicable to the property.
- F. That the proposed subdivision conforms with the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.

Prior to the submittal of a Final Plat Empire Companies shall have entered into an agreement between the owner of Yavapai County Assessor's parcel number 400-06-016M to permit the construction of the Collector road over that property and to develop an intersection with Broadway.

1. Prior to the submittal of a Final Plat Empire Companies shall have entered into a Development Agreement with the Town to include provisions that are designed to solidify stipulations covering various elements of the conditions for the approval of this Plat, as well as the PAD approval, and other issues identified through the review process. **Such elements may include, but will not necessarily be limited to the following:** the method by which wastewater treatment shall be provided to this project; any required participation on the part of Empire Companies in Improvement/Community Facilities Districts for the purpose of development of infrastructure components to serve this project; provisions for the joint maintenance of the park area and play/ball fields, as well as trails, and to share access to those facilities by all Town residents; provisions for the availability of the community building for use by all Town residents on a reasonable basis dependent on time availability.
2. During the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the Town of Clarkdale) which include the following off-site improvements:
  - a. The Major Collector Standard roadway connections to Hwy 89A and Broadway, including the off-site improvements necessary to construct the Collector road through parcel 400-06-016m to include a right turn deceleration lane for traffic exiting at the intersection of the Collector road and Broadway.
  - b. The improvements necessary to construct the Collector road on the perimeter of the Centerville neighborhood to include any necessary improvements to connect the Collector Road with Avenida Centerville and/or 89A. The design shall be coordinated with the Town Engineer and ADOT engineers. Empire Companies shall also design the collector street as it passes by the Centerville neighborhood to mitigate the noise impact on the adjacent neighborhood.
  - c. The off-site improvement of 11<sup>th</sup> Street along the project's frontage, to the intersection of 11<sup>th</sup> Street and Cement Plant Road to include a roadway section that includes a dedicated left turn lane, roundabout, or other adequate alternative to be reviewed and approved by the Town's Engineers, for vehicles entering the Mountain Gate subdivision, dedicated right turn deceleration lanes of adequate length providing access into the project, and curb and gutter and meandering sidewalk throughout the project's frontage and including the Commercial property.
3. Also, during the Technical Review, Empire Companies shall provide construction drawings (in a recordable format to be specified by the Town of Clarkdale) which include the following off-site improvements:
  - d. The improvements to the 11<sup>th</sup> Street frontage including a minimum 8 foot landscaped area the entire length of the project's frontage. A landscape plan shall be developed as a part of the Technical Review, and approved by the Planning Director. The landscape plan will include an indication of the plant materials to be used, size at planting and mature size, and shall also include a maintenance plan including irrigation system. The improvements to 11<sup>th</sup> Street shall be coordinated with ADOT as they approach the intersection with Hwy 89A, and include the recommended improvements provided by ADOT through their review of the Traffic Impact Analysis.
  - e. The improvements to the frontage with Avenida Macias including a minimum 8 foot landscaped area the entire length of the project's frontage on Avenida Macias. A landscape plan shall be developed as a

part of the Technical Review, and approved by the Planning Director. The landscape plan will include an indication of the plant materials to be used, size at planting and mature size, and shall also include a maintenance plan including irrigation system.

- f. The wall section as it abuts Tax Assessor's Parcels 400-06-030B and 400-06-030L, and including a six foot site wall, or view fence atop any retaining wall to be constructed along that property frontage, at the option of the owners of those parcels.
  - g. Include the management of drainage, which is being directed to 11<sup>th</sup> Street and thence to the intermittent wash to the north east of the project, which enters the project from under 11<sup>th</sup> street. Improvements shall include any necessary catch basins, drop structures, outfall structures, bank stabilization measures and culverts.
  - h. Include the management of drainage, which is being directed to the wash that runs along the northern boundary of the property. Improvements shall include any necessary catch basins, drop structures, outfall structures, bank stabilization measures and culverts.
  - i. Include the hydrants and corresponding flow rates, and to respond to comments received from the Fire Marshall.
  - j. Identify on the plans an area, which could be set aside for the purposes of the development of a school site to serve the projected 305 additional K-12 school students to be generated from this project. **As required by Arizona State Statutes**, the land set aside will be reserved for purchase by the Clarkdale/Jerome School Board, and said option shall be exercised by the Board within one year of the date of the approval of the Final Plat. Empire Companies may, alternatively, enter into an agreement with the Clarkdale/Jerome School Board to provide an in-lieu-of donation to cover the financial burden of the added enrollment.
  - k. Include the design of the natural trails, and the walkways that are to make up their trail system through the project, including typical sections. The design of these elements must meet the approval of the Planning Director, and the Town Engineer.
  - l. Include revisions that respond to the comments on the Preliminary Improvement Plans as detailed in attached Exhibits >A= and >B=.
4. Landscaping for the Mountain Gate Subdivision shall utilize Xeriscape and drought tolerant plant species, to the maximum extent practical
  5. Road numbers 26 and 27 shall be completed with sidewalks on both sides.
  6. Streets should be constructed with the following pavement widths:
    - d. Collectors: 28 feet
    - e. Public: 24 feet
    - f. Private: 20 feet
  7. A copy of the Citizen's Stipulations submitted to the Planning Commission at their March 8, 2004 meeting (along with staff comments) is forwarded to the Town Council for their review and consideration:

A citizen group submitted a list of proposed Mountain Gate Preliminary Plat Stipulations, as follows, with town staff comments in italics:

April 22, 2004

Clarkdale Planning Commission, Gary Hansen, Chairman

Steven Brown, Clarkdale Planning Director

Gayle Mabery, Clarkdale Town Manager

Dear members of the Planning Commission, Mr. Brown and Ms. Mabery,

The following pages contain 14 stipulations drawn up by the group of citizens who met with the planning commission on Monday, March 1st, 2004. We recommend that the Planning Commission and Town Council adopt these stipulations as part of the preliminary plat for the Mountain Gate development.

The stipulations were discussed at length and in detail with the Planning Commission during that March 1st work session, and were then discussed with Steven Brown and put in practicable language. They are now worded so that they can be adopted without changes.

Our group sincerely appreciates the opportunity to meet with the Planning Commission and we feel that we all made great strides in reaching consensus on the issues that affect our town.

Please do not hesitate to contact me or any other member of the citizens group if you would like further clarification on any of these points.

Sincerely,

Doug Von Gausig

Mountain Gate Preliminary Plat Stipulations

March 5, 2004

1. All local streets will be 26' minimum pavement width, with gutters outside that width on both sides. Main collectors will be at least 36' wide with no on street parking allowed.

*The Subdivision Regulations for the Town of Clarkdale stipulate the following standards for both Residential Collector Street and Residential Local Street:*

*24' pavement width, and 2' curb and gutter on each side.*

*Mountain Gate is proposing the following standards for streets in Mountain Gate:*

*Collector Street – 28' pavement width, and 2' curb and gutter on each side.*

*Residential Local Street – 20' and 24' pavement width, and 2' curb and gutter on each side.*

*The Commission could require the wider street widths for the residential streets, but it needs to be recognized that Empire companies has designed the collector in excess of what our Regulations currently stipulate.*

2. All local residential streets will have concrete sidewalks on both sides of the street. If there is housing on only one side of a street only the side with houses needs to have a sidewalk.

*The Subdivision Regulations stipulate sidewalks on both sides for Residential Collectors and Residential Local Streets, so it may be that the Commission wants to stipulate that here. It represents additional impermeable surface, and less recharge opportunity, but could be accommodated within the required 40' right-of-way.*

3. "Cottages" will have a cumulative total of 20' of open space at their sides. This space can be allotted unequally, but in no case can any side setback be less than 7'. In the remainder of the housing areas there will be a cumulative total of at least 24' in side yard setbacks, and no side setback will be less than 10'.

*The issue of density and lot coverage was set in the approval of the PAD, and the Preliminary Plat must conform to those.*

4. The builders will provide an additional collector connection at Highway 89A and Broadway. No more than two ninety-degree turns will be necessary to get from Hwy 89A to Broadway along that collector. Acquisition of property rights and easements that are necessary to make these connections will be at the cost of the developer.

*The circulation system was set in the PAD approval, and the Preliminary Plat must conform that system.*

5. There will be a traffic signal and permanent striped crosswalks at the intersection of 11th street and the entrance to Mountain Gate. This signal will be controlled by an "on demand" button on both sides of 11th and will remain green at all times unless a pedestrian has requested to cross. These will be provided by and at the expense of the developer. Warning strips, such as "rumble strips" will be placed at appropriate distances in both directions from this crosswalk to alert traffic.

*The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however, it is likely that public safety will have some issues with this, and it will represent the only signal light in Clarkdale.*

6. All homes along 11th street will face 11th street. There will be a frontage street between those units and a landscaped buffer, which will be at least 15 feet wide. The buffer will separate 11th street from the frontage street and homes. Alternatively the homes along 11th street may be eliminated.

*The Applicant is limited by the 610 units that were approved through the PAD approval process.*

7. No walls higher than 36 inches will be permitted on the outer perimeter of the development except in cases where public safety is an issue. The Clarkdale Police and Fire Departments will determine where public safety is an issue that must be addressed with walls.

*The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however, it must be noted that a 36" wall provides neither the privacy nor security for which they are intended.*

8. Roads connecting to or terminating at streets in Centerville will be permanent open connectors. No "crash gates" or emergency entrances will be used.

*The Commission could recommend this to the Council for their consideration in the formulation of the Development Agreement, however it is likely that the Centerville residents would have some objection to this proposal.*

9. No residential street block will be longer than 660 feet without a cross street or terminus.

*This limitation exists in the Subdivision Regulations for the Town of Clarkdale, only in regards to cul-de-sacs, and all such instances have been addressed by Empire Companies.*

10. In the town home area of the development there will be in-unit parking sufficient to accommodate 2 cars for each unit, plus auxiliary paved parking lots to hold at least 60 vehicles. This will accommodate guest parking, etc. No town home unit will be farther than 200 feet from an auxiliary parking lot.

*The Commission could recommend this to the Council, however, this was discussed during the approval of the PAD, however, and no such stipulation was attached to that approval.*

11. Landscaped "pocket parks" of at least 1000 square feet will be placed throughout the development such that no pocket park is farther than 1200 feet from any other park, including the large public park areas. These pocket parks will be connected by all-weather walking trails such that all can be accessed by pedestrians without leaving the trail system.

*This is an issue that could have been stipulated during the PAD process, however, no such stipulation was included. Empire Companies have provided over 57 acres of open space and parks as a part of the project.*

12. All streets, including those serving the town home area, will be dedicated to the town of Clarkdale.

*It is not clear what this stipulation is intended to accomplish. The Town could be better off if all streets were private, from a maintenance standpoint.*

13. During the technical review phase and in time for public viewing and comment before final plat approval, the developer will provide complete sets of elevations for all cottages, houses, and town homes. These elevations will

be reviewed by the public and the planning commission to ensure they meet the expectations of all concerned as to the overall quality and appearance of the development and to see that they match representations made by the developer in various public meetings.

*The applicants have agreed to and the Council stipulated in their PAD approval, that they would share the elevations with the public when they are available. The Town currently does not require Design Review for Single Family homes, and staff feels that if we are to require this in this instance, perhaps we should consider amended the Design Review Ordinance to require it of all single family residences throughout the Town.*

14. All drainage from streets and gutters that would otherwise flow into the washes that end up at the Hollow Reed historic pool and spring sites shall be retained on the development site to prevent contamination of the springs from oil, chemical, and household pollutants. Alternatively such drainage may be discharged downstream from the springs.

*Drainage is an issue that will receive intense review by the Yavapai County Flood Control as well as the Town's Engineers during Technical Review Phase.*

**Mark Randall**, representing the citizen group, displayed a Power Point presentation on the stipulation issues. During the presentation, the Council, **Brian Rhoton**, the Empire Companies representative, **Jim Binick**, the Empire Companies engineer and residents discussed each of the proposed stipulations and related issues. The residents included the following: **Doug Von Gausig, Elizabeth Rose Augusto, George Ann Ford, Shelby Maynard, Marsha Foutz, Hank Chaikin, Jerry Wiley and Peggy Chaikin**. The council then determined their position on each of the proposed stipulations.

Town Manager Mabery summarized the Council's consensus regarding the fourteen stipulations to the Mountain Gate Preliminary Plat proposed by the citizen group, as follows:

**Stipulation #1** – Citizen group recommendation was not accepted. Publicly dedicated local streets in subdivision will have 24' pavement width with 2' curb and gutter on both sides. Publicly dedicated collector streets will have 28' pavement width with 2' curb and gutter on both sides.

**Stipulation #2** – Citizen group recommendation was not accepted. Sidewalks will be required only on one side of streets, except for roads 26 and 27, which will have sidewalks on both sides.

**Stipulation #3** – Citizen group recommendation was not accepted.

**Stipulation #4** – Citizen group recommendation to require a second collector connection between 89A and Broadway was not accepted. However, Council requested that staff draft the Development Agreement language, which deals with the acquisition of property rights, easements and the cost breakdown for the construction of the Broadway to 89A collector road to show to Council at the Preliminary Plat meeting on April 13<sup>th</sup>.

**Stipulation #5** – Council agreed with Citizen Group and Planning Commission that the 11<sup>th</sup> Street intersection with the Mountain Gate entrance needed further refinement. Council asked Empire to include a roundabout option for this intersection in their April 13<sup>th</sup> Preliminary Plat proposal.

**Stipulation #6** – Developer agreed to draft an alternative proposal for the 12 homes, which currently are designed to have their back yards face 11<sup>th</sup> Street. The alternative proposal would perhaps include a frontage road, but at a minimum would negate the need for a privacy wall on 11<sup>th</sup> Street. Mayor Bluff requested this alternative.

Additionally, Empire offered to bring a rendering of their 11<sup>th</sup> Street entrance features and the proposed privacy wall/landscaping to the April 13<sup>th</sup> meeting.

Council will consider both those proposals at the April 13<sup>th</sup> meeting.

**Stipulation #7** - Citizen group recommendation was not accepted.

**Stipulation #8** - Citizen group recommendation to design any Centerville connections as through-traffic connections was not accepted. However, Council expressed a desire for the emergency access from the cul-de-sac at the end of road 9 at the southeast corner of Mountain Gate to be rerouted from Calle Carrillo to Avenida Macias. This connection would remain for emergency purposes only and would not provide a through-traffic connection. The through traffic connection between Centerville and Mountain Gate would be achieved by the Broadway to 89A connector.

**Stipulation #9** - Citizen group recommendation was not accepted.

**Stipulation #10** – Citizen group stipulation was modified to require twenty (20) auxiliary parking spaces in the Town Home area. The final stipulation will require that the 20 spaces be accommodated, but that the final design for those spaces will be determined through the Site Plan Review of the Town Home area. Additionally, the 20 spaces could be reduced by one or two spaces if the developer desires to place a “tot lot” play area in the Town Home area.

**Stipulation #11** – Council modified the citizen group stipulation and asked the Town staff to work with Empire representatives to include the specific identification of pocket park or trail head sites along the trail system and come back with specific designs of that trail system for Council consideration during the April 13<sup>th</sup> preliminary plat consideration.

**Stipulation #12** – Council agreed that the streets in the Town Home area should be designed as 24’ paved streets and dedicated to the public, if possible. Empire is going to look at this possibility and come back with a proposal on April 13<sup>th</sup>.

**Stipulation #13** – Empire has offered to go beyond the PAD requirement and bring the elevations on the homes to the preliminary plat meeting (instead of the final plat meeting) so that Council and the public have the opportunity to see the elevations prior to Preliminary Plat approval.

**Stipulation #14** – Citizen group recommendation was not accepted.

The Council agreed to take the Chamber request next.

**CHAMBER REQUEST - Consideration of a fee waiver request from the Chamber.**

Mayor Bluff moved to waive the sewer development fee only. Councilmember Leibforth seconded. After discussion, Councilmember Leibforth removed his second and Mayor Bluff his motion. The council agreed to table this item to get legal advice at an executive session.

The Council agreed to table the remaining three agenda items to the next meeting.

**WORKSESSION - A worksession regarding the Facilities Master Plan for the Town of Clarkdale.**

**WORKSESSION - A worksession to discuss possible projects and programs to submit for grant funding**

**REDISTRICTING - Consideration of a proposed Arizona legislative redistricting map.**

**ADJOURNMENT** – With no further business before the Council and without objection, the meeting adjourned at 11:10 p.m.

**APPROVED:**

---

Michael Bluff, Mayor

**SUBMITTED:**

---

Charlotte Hawken, Administrative Assistant

**ATTESTED:**

---

Joyce Driscoll, Town Clerk