

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, January 11, 2005 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 11, 2005 at 6:00 p.m. in the Men’s Lounge, Clark Memorial Clubhouse, 19 North Ninth St., Clarkdale, Arizona.

**Town Council:**

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
Councilmember	Patricia Williams
	Rex Williams
	Frank Sa

**Staff:**

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Community Dev. Dir	Steven Brown
Fire Chief	Don Eberle
Police Chief	Pat Haynie

**Others in attendance:** Robyn Prud’homme-Bauer, Monty Bondurant, JL Walters, C Gary, Lee and Eunice Gilrenth, Lee and Gail Daniels, Lew Casban, Sue Lane, Curt Bohall, Anke Pitrella, Chris Boothe, Chris Bondurant, Ron and Pat Ross, Mike Bluff, Debbie Hunseder, Ellie Bauer, Larry and Louise Annen, Stan Makeri, Marty Bryant, Jerry Doerksen, Duane Norton, Marsha Foutz, David Mann and others who did not sign in or whose name was illegible.

**CALL TO ORDER** – Mayor Von Gausig called the meeting to order at 6:10 p.m. and noted that all Councilmembers were present.

**PUBLIC COMMENT** -

*Chris Boothe*, 123 Sunset, thanked Town Clerk Driscoll for forwarding his complaint about the level of particulate matter in the air to Phoenix Cement.

*Ellie Bauer*, 1201 Main, requested that staff reports prepared for the Council meetings be posted on the Town’s website.

*Anke Pitrella*, 570 Antelope, stated she has concerns about water and the Ruskin land exchange, Cottonwood Water Works and arsenic water quality problems. She stated that she wants a copy of the

law on how the city cannot make planning decisions based on water.

**INFORMATIONAL REPORTS**

**MAYOR’S REPORT** – A report from the Mayor on current events. Mayor Von Gausig outlined his activities for December.

**TOWN MANAGER’S REPORT** – A report from the Town Manager on current events. Town Manager Mabery introduced Janet Perry, the new Deputy Town Clerk. She noted there would be public meetings concerning water on January 19<sup>th</sup> and 20<sup>th</sup>. She also noted that the recent rains have caused delays with town projects, including the gazebo and the downtown construction.

**NACOG - A report regarding the Northern Arizona Council of Governments.** Vice-Mayor Wiley stated they had an executive board meeting in December to plan for the coming year.

**NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association.** Mayor Von Gausig stated that no meeting was held in December.

**WAC - A report regarding the Yavapai County Water Advisory Committee.** Mayor Von Gausig stated he has been trying to get John Munderloh scheduled for a Council meeting to report on the accomplishments of WAC.

**CATS – A report regarding the Cottonwood Area Transit System.** Councilmember P. Williams stated that their three-year plan report is out. The mission of CATS is to provide transportation those without cars. She stated children going to and from school and disabled persons use it. They added a van this year. The service appears to be needed.

**COCOPAI - A report regarding the Coconino Yavapai Resource Conservation District.** Councilmember P. Williams stated the annual meeting would be on January 14<sup>th</sup>. Clarkdale is hosting the regular meeting on January 24<sup>th</sup>.

**CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting

routine matters that must be acted on by the Council. All items approved with one motion. Any items may be removed for discussion at the request of any Council Member.

A) **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held December 7 and the Special Meeting held December 14, 2004.

B) **Claims** - List of specific expenditures made by the Town during the previous month.

C) **Board and Commission Minutes** - Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.

Library Advisory Board - December 2, 2004

Fireman's Relief and Pension Board -  
December 15, 2004

Parks and Recreation Board -  
December 13, 2004

Heritage Conservancy Board -  
December 15, 2004

Planning Commission - December 13, 2004

D) **Reports** - Approval of written Reports from Town Departments and Other Agencies

Fire Department Report and Mutual Aid  
Responses - December 2004

Police Department Report -  
November and December 2004

Building Permit - December 2004

Magistrate Court - December 2004

Cottonwood Area Transit System (CATS)  
Operations Report - November 2004

Verde Valley Humane Society -  
October and November 2004

E) **Agreement** - Approval of a Reimbursement Agreement for the Use of Town Facilities by the Clarkdale Chamber of Commerce.

F) **Resignation** - Acceptance of a letter of resignation from the Design Review Board submitted by Dave Gatchell.

Councilmember P. Williams pulled Item A.  
Councilmember Sa pulled Item B. Vice-Mayor Wiley pulled Item D.

Vice-Mayor Wiley moved to approve Items C, E and F. Councilmember Sa seconded and the motion passed unanimously.

Item A - Councilmember P. Williams noted that on page two of the December 7<sup>th</sup> minutes it was stated under the Worksession item that the Heritage Conservancy board sponsored four dances in 2004. It should read three dances. She also noted that, in sending notices to candidates regarding political signage on page 4 of the December 14<sup>th</sup> Council minutes, many violations are for national rather than local elections. Councilmember P. Williams moved to approve Item A. Vice-Mayor Wiley seconded and the motion passed unanimously.

Item B - Councilmember Sa stated he has questions about some of the items paid on the Check Summary Report. He would like to go through the items and have the public know what they are. Councilmember Sa moved to table Item B. Vice-Mayor Wiley seconded and the motion passed unanimously.

Item D - Vice-Mayor Wiley stated that in looking at the Police Department monthly report, he came up with substantially different figures than the Police Department. Police Chief Haynie stated that the December report contained year-end figures and that there are areas where figures can be doubled. Vice-Mayor Wiley will discuss this issue with Police Clerk Christiansen. Vice-Mayor Wiley moved to approve Item D. Councilmember P. Williams seconded and the motion passed unanimously.

**REPORT** - A report from Councilmember R. Williams regarding the Northern Regional Focused Future Forum held in December 2004. Councilmember R. Williams moved to table this item to a future meeting. Councilmember Sa seconded and the motion passed unanimously.

**STAFF PRESENTATION**- A presentation on the Planned Area Development and Subdivision Platting processes for the Town of Clarkdale.

Community Development Director Brown presented a summary of the Planned Area Development objectives and process, as follows:

### *Planned Area Development*

#### Objectives

- Provide for various types and combinations of land uses:
  - Commercial centers
  - Single family and single family attached
  - Industrial complexes
  - Public and open spaces
- Establishes planning and development control parameters
- Allows flexibility in site design, building placement, use of open spaces
- Provides more control and flexibility in zoning
- Provides for detailed planning at time of final development
- Encourage unified planning to
  - Achieve a compatible mixture and variety of land uses
  - Harmonize with current and future development
  - Promote economical and efficient land use
  - Improve level of amenities

#### Authority

- The Planning Commission/Town Council shall:
  - Insure public welfare and safety is preserved
  - Provide for harmonious and appropriate development

- The Planning Commission/Town Council may require:
  - Public use space
  - Coordination of street layout
  - Preservation of natural features
  - Architectural plans of building design
  - Adequate fire protection
  - Schedule of plan implementation

#### Process

- A PAD application is submitted in the same way as a zoning change.
- Application must be accompanied by a fee
- Planning Commission holds public hearing
- Makes recommendation to Town Council
- Council holds public hearing
- Council may:
  - Approve PAD
  - Approve with conditions

- Deny application

### *Subdivision Process*

#### Stages

- A. Stage I Pre-Application Conference
- B. Stage II Preliminary Plat
- C. Stage III Technical Review
- D. Stage IV Final Plat
- E. Stage V Recording and Post Approval

#### Stage I-Pre-application

- Investigative period
- Precedes actual preparation of plans by applicant
- Subdivider makes know his intentions
- Town advises of specific public objectives
- Town provides details regarding procedures and requirements

#### Stage II-Preliminary Plat

- Responsibilities of the Commission:
  - Review findings of Community Development Director
  - Review comments from appropriate agencies
  - Hear testimony form applicant and interested individuals in Public Hearing
  - Recommend for approval or
  - Recommend for conditional approval or
  - Deny Preliminary Plat

#### 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.

#### Public Hearing

- The Council shall hold at least one public hearing on each Preliminary Plat

- *Hearing shall commence within 46 days from Commission recommendation.*
- *Public hearing Notice: not less than 15 days nor more than 30 days from date of meeting*
- *Published in local newspaper*
- *Posted on subject property*
- *Mail notification to property owners within 300 feet*

***SIGNIFICANCE OF  
PRELIMINARY PLAT APPROVAL:***

***Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the engineering plans and specifications for public improvements.***

Stage III

- *Technical Review:*
  - *Town Engineer reviews and approves all details*
  - *Engineering Plans*
  - *Specifications for public improvements*

Stage IV

- *Final Plat*
  - *Approval of the final design of the subdivision*
  - *Approval of public improvements*
  - *Submitted to Council for review and action*

Stage V

- *Recording and Post Approval*
  - *Includes assurances that shall be required*
  - *Includes terms for release of assurances*
  - *Plat must have signature line for Town Clerk*
  - *Recorded at Yavapai County*

Mayor Von Gausig stated there is some confusion regarding the roles of the Planning Commission, town staff and the Town Council. The Planning Commission consists of five volunteers who do preliminary research on planning issues and make a recommendation to the Council. The Council agrees, agrees and adds conditions or denies the item after receiving the Planning Commission recommendation. Staff adheres to the Council’s decision and performs the technical aspects of the item. The Council has the ultimate responsibility and authority to make decisions.

He stated the PAD allows the developer to ask for a complete zoning change in exchange for benefits he would provide to the Town. The General Plan lays out the goals to accomplish. Currently there is no design review of single-family construction. A PAD allows the Town to look at the design.

He stated that a Development Agreement is a contract between the developer and the Town. It specifies all of the things each anticipate coming out of the process and how each would perform. Public hearings are held throughout the process, during the approval of the PAD, during preliminary plat and during the final plat.

**WORKSESSION** – A worksession to review and discuss the Planned Area Development application for the proposed Cliffrose Village development.

Town Attorney Pecharich stated that this is the first time this has been on a Council agenda. He stated that he and Councilmember R. Williams had a discussion about whether Councilmember R. Williams had a conflict of interest. Councilmember R. Williams is employed at Cortez Financial. Cortez Financial is not financing the project. However, they are in the financing business and may provide financing in the future. They determined Councilmember R. Williams has a conflict, he has filed that conflict with the Town Clerk and he will not participate with the Council or staff on this matter. Councilmember R. Williams left the council table.

Mayor Von Gausig stated that because Councilmember R. Williams has a conflict, it does not mean he has done anything wrong. By stating it he has done the right thing.

Planning Manager Escobar presented the staff report, as follows:

Background:

***Timeline:***

*Staff of the Community Development Department began discussions with representatives of the Wright Trust regarding a Planned Area Development Application in mid-summer 2004. A pre-application meeting was held with Walter Wright and members of ProCube Consultants*

who are the contracted planning and engineers for this project on August 23, 2004.

The PAD application was received on September 30, 2004.

The applicant sponsored a neighborhood meeting to introduce the Cliffrose Village Planned Area Development on October 14, 2004. Approximately one hundred members of the public attended this meeting.

The Planning Commission held a public hearing on the application on October 18, 2004. Approximately eighty members of the public attended this meeting. After discussion and public comment, the Planning Commission directed the applicant to address specific concerns regarding density, open space, the layout of the commercial area, drainage, and traffic circulation.

The applicant came back before the Planning Commission with an amended concept drawing on December 13, 2004. Approximately twenty-five members of the public attended this meeting. After further discussion and additional public comment, the Planning Commission voted 4-1 to recommend approval of the PAD to the Town Council based on the following findings:

- A. That the proposed Planned Area Development conforms to the adopted goals, objectives and policies of the Town.
- B. That the proposed Planned Area Development, 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 development is sensitive to the physical characteristics of the site.
- E. That the proposed development is consistent with provisions and intents of Zoning Code requirements applicable to the property.
- F. That the proposed development conforms with the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.

The Planning Commission agreed to the following stipulations as part of their recommendation:

1. That Applicant agrees to prepare the following to be submitted along with their application for Preliminary Plat:
  - a. Phase II Drainage report
  - b. Traffic Impact Analysis developed in accordance with the Town of Clarkdale Traffic Impact Analysis Preparation Guidelines
  - c. Details on building elevations and footprints for all phases of the proposed development.
  - d. Specific Landscaping Plan, for the common areas and parks, which includes a listing of specific species to be used, numbers of each species to be included in the various landscaped areas, size and height at planting and size and height at maturity. The Landscaping Plan shall also include a detailed planting plan that shows the locations of the materials listed and includes detailed specifications of the irrigations system to be use to maintain the landscaping. Materials for the landscaping shall be those included in the Town of Clarkdale General Plan 2002, Xeriscape Plant List. A certified landscape architect, licensed to practice in the state of Arizona, shall design the Landscaping Plan.
2. That the Preliminary Plat reflects applicants agreement to improve Scenic Drive to the Commercial Standard for the Town of Clarkdale and the portions of Old Jerome Highway and Mescal Spur included in their development to a Residential Collector Standard. The extension of Mescal Spur from Old Jerome Highway to Hwy 89A, and Scenic Drive from Old Jerome Hwy to Hwy 89A will be designed to a Commercial Collector Standard.
3. That prior to the submittal of the Preliminary Plat the applicant shall have entered into a Development Agreement that stipulates their provision of funding to cover the cost of the

expansion of the Town’s proposed New Sewer Treatment Plant from 400,000 gallons per day to 600,000 gallons per day. The Development Agreement shall stipulate that the applicants will be responsible for the cost of extending an interceptor line (including any force mains and pump stations) from their project to a connection with the existing Town sewer system at a point to be decided by the Town. The Development Agreement shall also stipulate that the applicant will also be responsible for the provision of over-sized lines in their project to provide for future connections to the south, west and north. The size of these connections and their locations will be stipulated as well. The Development Agreement will also provide for an Overlay District to be created that will include all properties that are within the service area identified for the Interceptor line that serves this project. Future development in the Overlay district will be required to make payments to cover the proportional share of the cost borne by the applicants in the furtherance of this agreement.

4. That the applicant will have entered into an agreement with the Cottonwood Oak-Creek School District and Mingus Union High School regarding potential school site, or other appropriate compensation, prior to approval of their Final Plat.
5. The Commercial area, Town Home area, Parks and Recreation facilities shall be subject to Site Plan Review and Design Review.
6. The applicant shall reimburse the Town of Clarkdale for all expenses incurred by the Town in effecting the change in zoning.
7. The Residential lots developed as a part of the Planned Area Development shall be designed in accordance with the lot sizes, setbacks, and Right-of-Way widths indicated on the Final Development Plan.
8. That applicant will make every effort to use non-potable water during construction if available from Clarkdale or Cottonwood.

9. Prior to approval of the Preliminary Plat applicant will have submitted a detailed trail plan, including location of proposed trails and materials to be used in trails, to be approved by staff.
10. That applicant will move the location of the proposed community building to the commercial area and the minimum size of the building will be 3,000 square foot in size.
11. Applicant will meet the current light ordinance standard for the Town of Clarkdale.

Staff Comments:

During the past six months, staff has worked with the applicant to make significant changes to the original application. These changes were suggested by concerns expressed by the community, by the Planning Commissioners, and by concepts outlined in the general plan.

***Conformance with the General Plan:***

Land Use

***Planned Area Developments:***

Listed Under Objective 2-A.b in the Clarkdale General Plan is the following policy:

...encourage the use of Planned Area Developments and Planned Unit Developments for larger master planned developments.

***Zoning:***

This area is indicated as low residential in the land use map of the General Plan.

***Multi-family Housing:***

Section 2-C.b of the Clarkdale General Plan states:

“Policy: Support multi-family housing development in areas with adequate infrastructure and where there is adequate separation from lower density developments.

Circulation

Section 3.A.b. of the General Plan 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 applicant has designed the street pattern to allow for connection to future subdivisions to the west and south.

The Clarkdale General Plan identifies Scenic Drive and Mescal Spur as future collector roads. Old Jerome Highway is identified as an existing collector road. Applicant will be required to improve all of Scenic Drive and the portion of Mescal Spur and Old Jerome Highway that crosses their property to collector road standards.

The PAD indicates creation of a frontage road to provide rear access to the commercial zoned parcel that fronts onto Hwy 89A and entry into their commercial and multi-family area.

Commercial:

Listed under Objective 2-B.a of the Clarkdale General Plan is the following objective:

Encourage clustering of commercial development, as opposed to strip commercial development.

Applicant’s design of the commercial area would support clusters of commercial development.

Open Space

Listed under objective 4-A.a and 4-A.b of the Clarkdale General Plan are the following policies:

Pursue opportunities to identify and protect natural areas in proximity to existing neighborhoods.

Encourage development policies for floodplains and major drainage courses that allow such areas to be preserved in their natural condition to the greatest extent possible while meeting flood control objectives.

Applicant has preserved the portions of Mescal Wash and the North Fork of Mescal Wash that cross the parcels.

Growth Area

Goal 8-A of the Clarkdale General Plan states:

Support mixed-use, planned developments in areas that can be served by an efficient expansion of infrastructure and that otherwise provide desirable community amenities, such as open space networks and pedestrian facilities.

Applicant has included a series of trails and connected open space and parks in their design. The development includes a total of 32.13 acres of open space, which is approximately thirty percent of the planned development.

Discussions and negotiations with the applicant have focused on the following:

Water

Applicant has advised the Planning Department that they are in negotiations with Cottonwood Water Works to drill a new well at another site to serve the Cliffrose Village Development.

Applicant has indicated their willingness to use effluent for dust control during construction if available.

In the Master Development Plan narrative, applicant stresses water conservation and preservation of the natural environment in the open space areas.

Sewer

Staff has prepared a draft development agreement that would stipulate the terms for financing an addition to the Town’s planned 400,000-gallon/day-treatment facility to bring it up to 600,000-gallons/day capacity. The agreement will also call for the applicants to be responsible for the construction of a sewer interceptor line to their project including force main, and pump stations as needed. The agreement will eventually contain provisions for the establishment of an overlay district, within which property owners would be assessed a proportional share of the expense for the construction of the interceptor line and the expansion of the Town’s treatment facility, and the developers of Cliffrose would then be reimbursed for their cost of development of the additional capacity and the interceptor line construction.

The applicants have entered into discussion with the developers of the Mountain Gate subdivision regarding the possible sharing of a temporary wastewater treatment facility

to serve the needs of both projects until the Town's treatment facility can be constructed.

**Density**

The concept drawing reviewed by the Planning Commission on October 18 indicated a total of 323 units. (Forty-three of these units were originally located in Cottonwood. This part of the plan has been removed from the PAD.)

The revised concept drawing proposes a total of 240 units for the Clarkdale project. The breakdown of units is as follows:

Product	Original Number	Revised Number	Lot Size
Custom Homes	63	58	9,000 square feet
Village Homes	95	82	7,000 square feet
Patio Homes	27	73	5,096 square feet
Town Homes	138	27	2,975 square feet

Applicant has converted the row of homes that border along Redcreek Drive from patio home to custom lots that range in size from 11,000 to 16,000 square feet. The R1 zoning that is currently in place for this area requires a minimum lot size of 10,000 square feet.

The Town homes area between Redcreek Drive has been replaced with Patio Homes.

None of the lots that border other subdivisions are smaller than 10,000 square feet.

The proposed density of this project has transitioned as follows:

Total Buildable Acre (total acreage minus 30% for infrastructure)	Number of parcels available at R1 zoning	Cliffrose Village Original Proposal Sept. 2004	Cliffrose Village Revised Proposal: Nov. 2004	Cliffrose Village 2 <sup>nd</sup> Revision: Dec. 2004
73.60	320	352	323	240

The applicants have provided a detail of the single-family attached homes in the northern part of the projects, showing the placement of driveways accessing from the one-way drive, and the orientation of the front porches onto the street frontage, in a style similar to that present in the area of Upper and Lower Old Town Clarkdale.

**Circulation**

Applicant has agreed to prepare a Traffic Impact Analysis (TIA) to be submitted with their Preliminary Plat application, if the PAD is approved. Staff will be providing a detailed Scope of Work for the TIA, but has asked that the applicant focus on the following:

- Trip generation from the proposed residential & commercial development
- Impact of additional traffic on existing intersections
- Traffic calming opportunities on Old Jerome Highway 89A
- An alternative access to Hwy 89A between the two low water areas along Old Jerome Hwy
- Identify any improvements necessitated by the new development

The Town of Clarkdale Public Works Department has provided traffic counts from Old Jerome Highway to the applicant to be used in their analysis.

Traffic using the Mescal Spur extension to access Hwy 89A will only have a right turn available at that location.

Arizona Department of Transportation (ADOT) is designing an improvement to Hwy 89A, that is set to go to construction in 2007. It will be necessary for the applicants to coordinate their road improvements with the ADOT project, as the TIA may point out that it will be necessary to include deceleration lanes at Mescal Spur and Scenic Drive. A copy of the revised PAD concept has been forwarded to the design group working with ADOT on the S.R. 89A project.

Improvements to the intersections of Old Jerome Highway and Scenic and Mescal Spur will likely turn up as recommendations coming out of the TIA. The TIA will also need to project traffic volumes that take into account the potential build-out of other properties that may make use of the Mescal Spur and Scenic Drive Collectors to reach Hwy 89A, and at some point when the commercial property at the intersection of Mescal Spur and Hwy 89A develops it is likely that another roundabout will be warranted at Mescal Spur. This improvement will be the responsibility of the owner of the commercial property at that location.

Staff has begun discussion with the owner of the property north of the PAD regarding the acquisition of dedicated right of way to extend Mescal Spur to Highway 89A, as indicated in the general plan. The applicants have acknowledged the existing Alamos Drive, that serves as a parallel access road west of Hwy 89A. Alamos Drive provides access to commercial properties off of Black Hills Drive, in the City of Cottonwood. By extending Alamos Drive through their project, the applicants have reinforced concept of the access to commercial development along Hwy 89A being controlled at the roundabouts at Scenic Drive and Blackhills Drive. Through the Site Plan Review process, the Town of Clarkdale has the ability to require that this access road be used for all commercial development along that stretch of Hwy 89A.

The applicants have modified the street layout to provide for the eventual connection of Haskell Springs Unit IV (to the south) to the project, which will provide a secondary ingress/egress for emergency response services to access in the event that the crossing of Mescal Wash at Old Jerome Highway is flooded and impassable.

The applicants have agreed to continue Mescal Spur from their project to a connection with Hwy 89A. This will provide a secondary access from the project to Hwy 89A in the event that the North Fork of Mescal Wash is flooded and impassable. The applicants have begun discussions with the owner of the property that fronts on Hwy 89A in that location, regarding the provision of right-of-way for the Mescal Spur extension. The applicants will be responsible for improving Mescal Spur to a Residential Collector Standard, east from Old Jerome Hwy to Hwy 89A and to a Commercial Collector Standard from Old Jerome Hwy to their eastern property boundary.

### **Commercial**

Applicant has realigned the commercial area along Scenic Drive, and eliminated the row of patio homes north of Scenic Drive. Permitted uses for this commercial area would fit the neighborhood commercial zone recently recommended by the Planning Commission. Since the area along Highway 89A is zoned for commercial use, this proposed commercial area would provide a buffer to the residential areas.

The commercial area of this project has been designed to provide a loop road internally to provide access to the shops

and businesses that will be developed in these areas. This loop road allows for the traffic to be directed off the collector road (Scenic Drive) before accessing drives to the individual parking areas.

All commercial development in the Town of Clarkdale must participate in Design Review and Site Plan Review. Members of the public have an opportunity at this time to contribute to the design of the commercial area.

### **Costs**

The applicant will be responsible for all costs related to development of the infrastructure for this project, such as road improvements, drainage improvements, sewer, trails and parks. Staff and applicant are in negotiation regarding long-term maintenance costs of trails and parks.

### **Community Building**

Applicant has agreed to construct a 3,000 square foot community building with a Library Book Drop and meeting/office area for use by the community.

### **Preservation of Natural Area**

The applicants have removed all lots from the flood plain preserving it in its natural state, and utilizing it for its natural function as a drainage feature, and wildlife corridor. They will also be providing a natural trail along the edge of the wash, which because of the intermittent nature of Mescal Wash may require re-establishment of the pathway periodically. There is a total of 26.92 acres of open space in this development.

Staff has had preliminary discussions with the applicant regarding dedication of the 3.11-acre area at the northern tip of this development as a Town of Clarkdale park. Grant funds are available to improve and maintain this park. Improvements being considered are a public restroom, seating area, and a kiosk for display of community and educational information.

### **Impact on Schools**

Applicant has begun discussions with both Mingus Union High School and Cottonwood-Oak Creek school district to negotiate a mutually agreeable solution to the impact of this new development.

After a discussion with District Superintendent Julie Larson, pursuant to the letter from Cottonwood-Oak Creek School District dated November 9, 2004, staff has requested that applicant revisit the possibility of

compensation for the Cottonwood-Oak Creek School District.

**Staff Contact Person:** Steven Brown or Beth Escobar

Planning Manager Escobar noted that if a zoning change did not take place, the existing zoning would accommodate 320 units. The Cliffrose development is proposing 240 under the PAD.

Discussion included the following issues:

1. The applicant is fronting the cost of upgrading the capacity of the new wastewater treatment plant and would recover proportional costs.
2. Seeing the effluent return line going back to the development for parks.
3. The Town is looking at recharging with effluent.
4. Staff will be looking into concerns about the nuisance of construction activities.
5. Cottonwood currently has effluent available for dust control.

**Gary Hansen**, representing the developer stated he has learned a lot from having been on the Planning Commission. He was asked to be a representative by Mr. Wright after he resigned from the Commission.

He stated that the town is not wealthy and needs revenue. Following the General Plan is for the benefit of all the residents. The development plan has addressed all the guidelines in the general Plan. The only problem is water and he realizes that is not something the Town can mandate. He stated former mayor Andy Virscik mentioned that he regretted not having Scenic Drive improved while he was an elected official. This development would improve Old Jerome Highway and Scenic Drive and could relieve the pressure on Black Hills Drive.

The General Plan defines this area as desirable for a PAD. They felt the Town needed commercial development and the proposed PAD includes this. A trail system has been incorporated into this plan.

It is important to have Class A effluent. They have contacted Mountain Gate Development to explore sharing a package plant and produce non-potable water that can be used. Their goals are to preserve the small town character, protect the environment,

improve water resources and they are trying to do these things, rather than detract from the area. They would provide trails, parks and a building to help the inadequate park system in the area.

Mixed housing is another need in the general Plan for those with \$55,000 to \$65,000 incomes. Town homes are also needed for first-time homebuyers to afford. They would improve existing roadways and provide nice housing. The Planning Commission requested buffer between the homes and commercial area and they have done that. This development would in the long run ensure growth in line with the General Plan. It is an opportunity for affordable housing. They have commitments from reputable local builders to purchase lots.

In response to questions from the Council, Mr. Hansen noted the following:

They expect to build some two-story homes, limited to 35 feet by the zoning code. Town homes would sell for under \$100,000. Patio and Village homes would vary according to lot size approximately \$200,00 to \$240,000 for 1500 square feet and lots range from \$35,000 to \$80,000. Lot price is typically 24% of house cost. The town homes, community building and commercial buildings are subject to design review.

**Mr. Wright**, the developer, stated the town would have conditions in the development agreement and would have an architectural control committee. All town homes will be of one style in each section. Single-builder architecture will be compatible. In the custom homes there would not be as much control.

Discussion included the following issues:

1. Architectural design can be required in the PAD process. Mountain Gate chose not to have design review on single-family homes.
2. Home Owners Association (HOA) would main common areas and the trail system unless it was dedicated to the Town.
3. It is possible to negate the HOA in areas other than town homes.

4. The intent is to have a viable HOA for the entire development.
5. The developer has been very cooperative.
6. Needing a level of comfort with what the end product would look like since the town does not review single-family homes.
7. The architectural committee would review the plans of the local builders and would share them with the town.
8. The developer has found that if they select the builders then the homes are attractive.
9. Concern about cookie cutter houses.

Mayor Von Gausig opened public comment.

Chris Bondurant, 460 Antelope, passed out a list of concerns. The main concern is that they want to see larger lot sizes, over 40 feet wide and 7,000 square feet.

**Monty Bondurant**, 460 Antelope, stated he is disappointed that the Planning Department left out items not done. He recognizes the rights of landowners and the need for affordable housing, but this is not necessarily the right place. He appreciates the developer avoiding floodplains and urged all to do a cost-benefit analysis. With smaller lots he is not sure the trade offs of the development are equitable. Why is R1 development not economically feasible now? Smaller lots surround Mountain Gate. Cliffrose would be surrounded by R1 and larger. The density issue is tricky and must compare apples to apples. The General Plan states that affordable housing is important, but he is not sure it is applicable to each development.

**Duane Norton**, 2180 Old Jerome Highway asked where is the application with the environmental impact report.

**Lee Daniels**, 1880 wildflower, presented the following letter, which he wrote to the Verde Independent:

Re: Cliffrose development in Clarkdale.

The new Clarkdale Planning Commission continued the established tradition of giving developers what they want in spite of the expressed desires of the citizens most impacted

by the decision. There appears to be a desire on the part of the Commission to push Clarkdale into a mini-me Phoenix or worse, Los Angeles, by their approval at the 13 December meeting of the zoning change requested by the Cliffrose representatives. I have attended two Commission meetings, a general meeting where Cliffrose representatives opted out of answering questions and a recent citizens meeting. In addition I have read information published by Cliffrose and its opponents and have spoken to various citizens who reside in and around the impacted area. I have heard a couple of citizens speak in favor of Cliffrose but have heard many more speak against it as proposed. At the 13 December all the citizens that spoke expressed concerns about aspects of the PAD as presented. As each speaker finished there was applause indicating general agreement with what was said. Even the Commission seemed to be paying heed to the speakers. However, after the public session was closed and we heard from the Commission members, the Town staff members and the Cliffrose representatives we know that approval was done deal and nothing we had said would make any difference. We were then subjected to all the "reasoning" that required approval of the PAD. The only real voice of reason was Commission member Dewey Reirson whose motion to require Cliffrose to to revisit their plan in light of what had been said that night died for lack of a second. Among the reasons given for approval were increased tax revenue from the commercial zoning set aside; the necessity to designate part of the development as commercial to obtain this revenue; the additions to the waste disposal system the town would negotiate with Cliffrose; the lack of control the town had if the property were to remain R; the undesirability of the strip mall that could be developed on the 89A corridor that is already zoned commercial; the desirability of low cost housing as set forth in our General Plan. Let us take a look at these issues.

*1. The need for additional commercial property:*

In the Town of Clarkdale there seems to be unutilized commercial property in the general area of the town and the railroad station. There is also the area around the ore processing plant not the mention the plant itself. In all ht rhetoric about the need for commercial land these areas were not mentioned. Nor were the areas to be developed in the Mountain Gate project and surround the storage facility and businesses that already exist. They did mention the 89A corridor but only to say how undesirable it is as

commercial development. But there was no mention of how they would stop development of this undesirable area. It is no wonder that the people most affected by the addition of commercial plots to this PAD don't understand why it is necessary, especially in light of the fact that they don't want it and the resulting traffic, etc.

2. The revenue from the commercial area is needed:

The question left unanswered is "what revenue?" The Commission stated that commercial developers were turned off by our lack of infrastructure. Who are these developers? What kinds of businesses are planned? When will this development take place? What is the estimated tax revenue? And why aren't they interested in the existing commercial properties or Mountain Gate? I have attended a number of Town Council meetings and a couple of Planning Commission meetings and spoken to a few town officials and have never heard of nor seen any commercial developers who said they would build in Clarkdale if only the infrastructure existed. So the tax to be realized from adding a commercial zone to Cliffrose PAD appears to be part of a 'wish list'. In addition the proposed property would have to compete with the other commercial properties in Clarkdale as well as those in Cottonwood who has a population edge and centralized commercial areas that businesses find desirable.

3. The additional waste control facilities and lack of town control over R1 property:

The concerns expressed by the commission in these two areas indicate to me that the town building codes and development regulations are sorely inadequate. I raised this question at the citizen meeting recently and was assured by the Mayor and the Planning Department Director that our codes and regulations were adequate. Yet, a Staff member as further justification for approval used this same issue. It appears to me that the codes and regulations need to be reworked immediately to offset the impression that Clarkdale's zoning is meaningless and cannot be relied upon by property buyers. Instead of establishing a precedent of granting zoning changes whenever a developer asks our codes and regulations should be written to let them know up front what is required of them.

4. R1 would allow 80 additional lots and we couldn't protect the washes and wildlife corridor:

To begin with we were not told and could not ask how many of these 80 lots would be on the proposed commercial property. I think this will significantly reduce the impact. In regard to protecting the washes and wildlife corridors I find it difficult to believe that there are not Federal, State, County regulations that would encourage the protection of the washes as flood control and the wildlife corridors. In addition our own codes and regulations should address these matters. If they don't, they need to be revised.

5. The need for low cost housing as called out in the General Plan:

The General Plan is just that – a plan. It is not an absolute. Also, the Plan does not dictate that every development have low cost housing. Low cost housing should be included where appropriate. The built up areas around the proposed development were built to R1 zoning and the result is a very desirable area that is attractive with custom homes and space between neighbors. A continuation of this type of development was what the existing R1 property zoning dictated and current property owners anticipated when they invested their savings in their current homes.

There will be low cost housing in Mountain Gate and it seems to be more appropriate there. There are no surrounding developments in place where low cost housing would not fit. In addition, as was pointed out by a citizen at a community meeting and touched on briefly at the 13 December meeting, there is a significant amount of existing low cost housing in or around Clarkdale.

I apologize for the length of this letter but this is an important and multi-faceted issue. Mr. Brown, Planning Department Director, stated that growth was here to stay and the last population decrease was in Noah's time. That may be true – but without consideration for the desires of the citizens, without concern for the environment, by ignoring the reasons that make an area a desirable place to live and raise families, by not learning from the past actions of others – you end up with Phoenix, Los Angeles, New York, Flagstaff et al, with the resultant traffic, air and ground pollution, changes in temperature and loss of the openness and closeness to wildlife that we in Clarkdale embraced by moving here.

Mr. Hansen stated that, regarding lot size, he understands and would do larger lot sizes if there

were not affordable housing issues in the General Plan. The commercial property is clustered at the intersection rather than being limited to the 300 foot strip along Highway 89A, which does not allow room for shopping centers. They are going to conform to all requirements regarding the environment and the PAD better addresses this. They do not envision walls between commercial and residential areas. The backs of the commercial buildings would be against the residential lots.

**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future Council agenda.

Mayor Von Gausig requested a worksession for a general discussion to identify additional Council priorities at the February special meeting.

Vice-Mayor Wiley requested discussions of a dark sky ordinance and an effluent return line.

**ADJOURNMENT** - With no further business before the Council and without objection, the meeting adjourned at 9:30 p.m.

**APPROVE:**

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Doug Von Gausig, Mayor

**ATTEST:**

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Joyce Driscoll, town Clerk

**SUBMIT:**

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Charlotte Hawken, Admin. Assistant