

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, January 25, 2005 in the Men’s Lounge, Clark Memorial Clubhouse, Clarkdale, Arizona

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, January 25, 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, Jessie Walters, Carolyn Gary, Lee and Eunice Gilreath, Lee and Gail Daniels, Curt Bohall, Anke Pitrella, Chris Boothe, Chris Bondurant, Ron and Pat Ross, Mike Bluff, Ellie Bauer, Larry and Louise Annen, David Mann, Walter Wright, B. Jorgensen, Max and Susan Brown, Becky O’Bamir, Randy Walters, Joe and Tami Gramont, LeAnne Gregory, Joan and Charles Schagene, Mark Rice, Eva Sosnowski, Rosemary Coleman, Philip Terbell and others who did not sign in or whose names were illegible.

CALL TO ORDER – Mayor Von Gausig called the meeting to order at 6:05 p.m. and noted that all Councilmembers were present.

PUBLIC COMMENT –

Robyn Prud’homme-Bauer, 1750 Cholla, thanked the Town for clean-up days in her neighborhood. She requested that the Town go back to town-wide clean-ups, rather than one neighborhood at a time.

Chris Boothe, 123 Sunset, wondered whether the current boom would bust Clarkdale, in particular bulldozing a building on Main Street, illegal road grading and mining of water in the Mountain Gate

and Cliffrose developments. He complimented Mayor Von Gausig on his speech during the Mingus Avenue bridge opening, where he emphasized the importance of environmental concerns.

Mayor Von Gausig suggested that Mr. Boothe contact staff on the first two items.

Ellie Bauer, 1201 Main, gave an update on the Yavapai Economic Region grant application.

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) **Proclamation** – Approval of a resolution declaring February 14-18, 2005 as Homes for Arizonans Week.
- B) **Federal Support** – Approval of a list, requested by Rick Renzi’s office, of items the Town of Clarkdale feels are priorities for Federal Legislative Action and Federal Financial Support.

Vice-Mayor Wiley moved to pass Items A and B. Councilmember Sa pulled Item A. Councilmember R. Williams pulled Item B.

Item A – Councilmember Sa stated this proclamation has to do with affordable housing. He stated he is in favor of it, but it seems housing is not affordable so far. He stated the council needs some discussion of what affordable housing is. Councilmember Sa moved to approve Item A. Councilmember R. Williams seconded and it passed unanimously.

Item B – Councilmember R. Williams stated that he pulled this item because he did not know how this final list was arrived at. He feels some items are not appropriate and has a concern that Chamber items were not included on the staff report.

Mayor Von Gausig opened this item to public comment.

Robyn Prud'homme-Bauer, as a member of the Chamber, stated the Chamber suggests the following items because they are important to economic development in Clarkdale:

1. Expansion and upgrading of Clarkdale's wastewater treatment facilities.
2. Construction of an alternative road from the industrial area to Cement Plant Road.
3. Expansion of broadband infrastructure to Clarkdale.

She stated the Chamber is willing to help with any of these issues. She noted the Chamber list was received after the staff report was completed.

Town Manager Mabery stated that she had solicited input, listed all responses and made a staff recommendation from that list.

Councilmember R. Williams stated he does not agree with the staff report.

Town Manager Mabery stated that the wastewater treatment plant is underway, but they are still looking for a way to help offset the costs. Dispatch has been discussed for sometime to enable police to talk to each other. Staff has the ability to watch level information from USGS gauges for emergency purposes. However another gauge is needed. She wants to see if the federal mandate comes with funding. Highway 260 is a regional project discussed at the last mayors/managers meeting. Water rights are a high priority for Clarkdale and the region. A bill has been proposed to cut CDBG by 50%, which would have a direct affect on Clarkdale. TEA-21 is also threatened, with cuts taking place every year. The Fire Act would create a funding source for the Fire Department, which has the possibility of being cut.

Councilmember R. Williams moved to approve the staff recommendation, as follows:

Federal Funding Priorities:

Wastewater Treatment Plant Construction

Arsenic Removal

Regional Law Enforcement

Dispatching/Communications

Installation of an additional USGS Stream Gauge on the Upper Verde at Tuzigoot or the Tenth Street Bridge

Secure funding to implement Title II of Yavapai Ranch Land Exchange bill

Highway 260 Project Funding

Federal Legislative Action

Securing water rights for Northern Arizona communities.

Maintaining full funding for the CDBG program.

Maintaining full funding for the TEA-21 program.

Maintaining the Fire Act Grant Program for FEMA. And forward the Chamber. Vice-Mayor Wiley seconded and the motion passed unanimously.

Vice-Mayor Wiley seconded and the motion passed unanimously.

REPORT – A report by Superintendent Sharyl Allen regarding the upcoming Mingus Union High School Bond Override Election.

Sharyl Allen stated that Clarkdale consistently supports education on ballot measures. On March 8th, the school is requesting voters to consider continuing the override that has been in place for twenty years. In the State of Arizona, this is the only way school districts can increase their budgets. They need to address class sizes, extra curricular activities, busing and classroom supplies, the basics to allow the school to operate. Arizona is now 50th in the nation in per-student funding. The continuation of the override would cost \$1 per \$100,000 property value per year.

Discussion included the following issues:

1. 78% of graduates go on to college.
2. Parking lot fee and theft issues.
3. A question regarding funding received for specific classes being used for something else.
4. School credits.

- 5. A question regarding money for technical courses used for something else.
- 6. A question about someone trying to donate a car but being rejected.

Andy Groseta, as a Mingus School Board member, stated that if there are any issues he wants to know about them. He asked that everyone please show up at the polls.

Councilmember R. Williams left the meeting.

PUBLIC HEARING - A hearing to receive public input on a zoning change from R1 to PAD for the area know as Cliffrose Village, tax parcel numbers 406-29-195A, 406-26-012G and 406-29-070B.

Town Manager Mabery stated the procedure for the public hearing.

Kyle Spencer, representing the developer, showed the project location on the town map. He stated they are proposing to improve Scenic Drive to the Commercial Collector status. There are four housing types: custom homes, village homes with 70-foot lot fronts, patio homes and town homes. All but the town homes are detached single-family residences. He showed the pedestrian routes and a three-acre park. He noted the number of units has dropped from 320 to 240. He stated that they have addressed several comments from the public. There will be an impact study on the traffic flow with the preliminary plat. They are proposing to put a wastewater lift station and force main and participate in the new wastewater treatment plant, as well as an interim package plant with Mountain Gate development. Patio and town homes with smaller lots are more affordable housing and preserve the natural habitat adjacent to the wash. They have excluded the building envelopes from the 100-year flood plain. The Cliffrose well will be integrated into the Cottonwood Water Works system.

Gary Hansen, consultant for the Wright Trust, the owner of the property, stated it is hard to predict the target market prices for the town and patio homes. They appear to be about \$120 per square foot, but construction costs are going up.

Community Development Director Brown

presented the staff report, as follows:

Background:

Staff submitted a detailed report to Council for the worksession on January 11, 2005. A copy of this report is included in this packet.

Staff would like to offer the following information in response to some of the issues discussed during the worksession:

Commercial:

The inclusion of Commercial within this project proposal, was encouraged by staff in an effort to achieve some of the objectives identified in the Town’s General Plan, and in recognition of the improved access that will be provided by the widening of Highway 89A, by the Arizona Department of Transportation (ADOT), and the inclusion of a major intersection at Scenic and Highway 89A.

“Objective 2-A..b Encourage orderly patterns of growth and development.

Policy-Encourage development located near existing utility and transportation infrastructure.

Policy- Support well designed, mixed use, master-planned community developments and planned subdivision.

Policy- Develop new zoning standards to encourage the use of Planned Area Developments and Planned Unit Developments for larger master planned developments.”

As Council is aware, the Planning Commission has been working for several months to craft suggested changes to the current Commercial Zoning Code. This work was identified as necessary in the 2002 General Plan.

“2.j LAND USE IMPLEMENTATION STRATEGIES

Amend the Zoning Code to include two or more classifications for both the

Commercial and Industrial districts to address levels of intensity.”

This strategy was reinforced by the Town Council at their 2003 Strategic Planning Retreat, and made a priority for the Community Development Department to create two new zoning districts (Neighborhood Commercial and Highway Commercial). The Department started work with the Planning Commission last year, on a review of the uses permitted in the Commercial Zoning district, and has prepared recommendations for the uses that would be appropriate in the Neighborhood and Highway Commercial districts. The next task will be to examine the locations of Commercial Zoning districts currently, and to consider the locations proposed in the General Plan for the Neighborhood and Highway Zoning Districts. In keeping with the Goals and Objectives of the General Plan, a portion of the Cliff Rose project was recommended by staff to be Neighborhood Commercial. This staff recommendation was supported by the Planning Commission in their recommendation for approval of the PAD for this project. Permitted uses for a Neighborhood Commercial Zone would include professional and business offices, restaurants, small businesses and banks. This is the type of commercial development we would anticipate for the commercial area of the Cliffrose PAD. Any commercial development in this area would be subject to site-plan review and design review. This is the Town’s mechanism for ensuring that the commercial development would fit in well with the surrounding residential areas. Landscape design, buffer zones, parking lot design, building design and drainage are all elements addressed during this review period. All of these elements would need to be included on the 10+ acres designated as commercial for this application.

Although Clarkdale has many parcels zoned Commercial, the Town has seen little commercial development outside of the historic part of Clarkdale. This is due in large part to the lack of wastewater infrastructure. Staff anticipates that once this infrastructure is in place, along with additional residences in this area, that commercial development will become a more viable option.

Affordable Housing:

According to the Arizona Affordable Housing Profile presented by the Arizona Housing Commission in April 2002, thirty percent of the population in rural Arizona cannot afford decent housing. Because of the lack of affordable housing in our community, staff believes every effort should be made to include affordable housing in every new development. One method used in moderating housing costs is through building on smaller lots.

The Applicant has submitted a six-page packet of drawings that are included in your packet. Page 1-A represents the overall zoning proposed for this application. Page 1-B presents details of the proposed trail system. Page 4 includes a representation of the location of the community building.

Staff Recommendation:

Staff recommends that if the Council chooses to approve this PAD application that it do so based on the following findings:

- A. That the proposed Planned Area Development, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.
- B. That environmental concerns conform with adopted standards.
- C. That the design of the proposed development is sensitive to the physical characteristics of the site.
- D. That the proposed development is consistent with provisions and intents of Zoning Code requirements applicable to the property.
- E. 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.

Staff further recommends that Council incorporate the following stipulations as recommended by the Planning Commission.

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 also recommends that if the Council chooses to approve the PAD application, that it expand on the Planning Commission's stipulation number 3 to provide for the financial assurance for the expansion of the town's wastewater treatment plant to be provided by the applicants prior to the approval of a Preliminary Plat, and to include in the other elements in the current draft of the Development Agreement (Parks, Trails, Community Building, Circulation, etc.).

The Council discussed the commercial area.

Chris Bondurant, 460 Antelope, asked if this is the type of development needed in this area and what research has been done? He is relying on the Council to make wise decisions. He is concerned about the following issues:

- Property values
- Could the town can wait 1-2 years to see what happens with water
- The quality of construction of the affordable housing
- Two story homes – there are hardly any other two story houses in the area and older people do not want them
- Only room for a one-way street

- Only parking for residents in the rear
- The park is only 290 feet around the perimeter and 100 feet across. Is this well thought out or cramped for profit.
- 40-foot wide lots
- Current plan cramming too many homes in too small of a space

He stated he want to eliminate the town homes and thinks it is presumptuous of the developer to contact builders before the development is approved.

Mayor Von Gausig noted the construction will be up to code and parking will be addressed in the preliminary plat.

Monty Bondurant, 460 Antelope, stated that his primary objection is the small lots. There have been many references to the General Plan, but it is not a good fit with the surrounding neighborhoods. Blackhills lots are well over the minimum 10,000 square foot zoning. Mingus View Estates and Foothills Terrace have reduced lot sizes, but still are over 10,000 square feet. Now Cliffrose has less than 10,000 square foot lots in a development sandwiched by R1 lots. He feels the Mountain Gate plan elements are being superimposed into the Cliffrose development, but there are significant differences between the areas. There are smaller lot size areas surrounding Mountain Gate. In incorporating the concepts of the 2002 General Plan, a fundamental issue has been overlooked. The land use element in Chapter 2 implies a projection of the anticipated use. The land use plan map indicates the projected use of this area as LR or low residential single-family development. The General Plan defined Mountain Gate as mixed use. It is tempting to have the contractor offer items as a trade-off for the zoning change, to get small lot size and commercial. Residents anticipated the property to be developed similar to the existing area and he urged the Council to take this into consideration.

Mayor Von Gausig clarified that staff proposed the commercial area in order to have clustered commercial development.

Lee Daniels, 1889 Wildflower, stated that the representative of the developer stated that the

General Plan supports mixed housing. The land in question is zoned R1. Does this constitute a major change to the General Plan that should be subject to public review? The Planning Commission seems to feel the mere creation of a commercial area will bring income. There is ample commercial property elsewhere and a commercial area in Mountain Gate. The Council says it cannot negotiate whether it is best with a PAD vs. a subdivision. Then change the Subdivision Code. The process would go faster be improved. He stated that he recognized that the developer has right to develop property as zoned.

Jesse Walters, 1770 Rhinos Place, agreed with the previous speakers that growth does not belong here. The Council is doing a disservice to the voters by selling out for goodies the town may be getting.

Joe Gramont, 1985 Old Jerome Highway, stated that nothing has changed in the plan in response to public comment, so he is not feeling heard. The development does not fit the area and commercial has no place in this area.

Unidentified person, 2106 Austin Way, stated he does not understand how village and patio homes protect the wildlife habitat. It sounds like they are just leaving the washes alone. He wants to know how the Council can make decisions on representations not documented. He would like all facts presented to the Council before they make a decision.

Lee Gilreath, 1800 Old Jerome Highway, stated he doesn't see his issues being addressed. He is concerned about the impact of the drainage on his house. Old Jerome Highway would become 50' wide from its current 24' width. The Town has already spent money to widen the bridge to 25' wide. If the street were widened, how much land would be taken off each side? Would the curb and sidewalk be replaced, who would pay for it and what about utilities? Would the road be widened up to Blackhills or Scenic? Three neighbors of his already have short driveways. Traffic on Old Jerome Highway is fast.

Community Development Director Brown noted that if the Old Jerome Highway is widened, the portion that is there is dedicated and any improvement would be on the other side of the

road. If any curbs and sidewalks were taken out, the developer would pay to replace them. If utilities need to be moved, it would be paid for and relocated by the developer. Old Jerome Highway is not anticipated to be widened to Blackhills. The 50' right-of-way width is not the standard, which would be 40'. They would have to study where to locate and work with homeowners who have landscaping in the right-of-way. Traffic calming devices could be put on the Highway.

Town Manager Mabery noted that the improved surface would not be the whole 40 feet.

Tami Gramont, 1985 Old Jerome Highway, stated she does not feel that this is well thought out. It is an old road along which there is a creek. Mescal Gulch was a river during the rains. There is nothing in the plan accommodating that. She is afraid wheels will go too far before all of that is thought out. Things need to be worked out first. Have the developers been out there during a flood?

Mayor Von Gausig noted that Yavapai County Government would look at the drainage.

Community Development Director Brown stated that drainage is an issue and they are aware of the problems in this area. They had a study done in the area previous to development with recommendations. At the preliminary plat, they would submit a Phase II water study and take a look at the land uses and add flows and make estimates on how to deal with that drainage. In the technical review, a much more detailed study with modeling would be done. That also looks at all upstream drainage and must meet the approval of Yavapai County Flood Control staff.

Mark Rice, 1680 Cholla, showed a picture of a home on Mescal with a river on the road and asked if homeowners could be held liable for drainage coming off their property?

Town Manager Mabery noted they couldn't give legal advice. It looks like a private road and was developed that way. There is no public infrastructure there. The Town has a policy in place to accept roads only if the neighborhood upgrades it to Town standards. Developers are required to address

drainage coming out of their development.

Mark, Cottonwood, stated he is a small builder. This community is passionate about lot size, density and affordable housing. It is difficult to build affordable housing with land prices today. This is an outstanding job.

Anke Pitrella, 570 Antelope, stated water is her big concern. She appreciates that the Mayor pointed out that Arizona is still in a drought that may last for 20-30 years. Recent studies state air pollution is affecting participation. Phoenix Cement Plant is the fourth worst company. We are already in a train wreck, how do we get out of it? Look for everyone to postpone or restrict development until water is available.

Phil Terbell, 1021 Desert Sky Drive, stated he was here when Mingus View Estates project was approved. When Blackhills subdivision started it had larger lots with less infrastructure required. The land was cheaper then, but it's getting harder now. In Mingus View Estates lots got smaller and infrastructure increased. He appreciates the stipulations. The Arizona economy is two thirds based on growth. It is not easy to attract jobs in the Verde Valley. We want an economy where people are employed. Mingus View Estates has been good for the community as a whole. In the beginning there was a gate to protect Blackhills from the riff-raff in Mingus View Estates. Cliffrose has reduced the number of lots to 240 and make most of the lots 10,000 square feet, and reduced the number of town homes. Staff is working to resolve problems with the commercial. Growth is a viable product in the Arizona economy and we need to understand that it affects us all, as we did when we came here. This development is good for the community. Hold the developer accountable and proceed.

Deborah Abari, a real estate broker and resident since 1971 in Verde Village, stated her family has been here for seven generations. She is in support of the development. In any given day six families cannot find homes. They are first time homebuyers and elderly and there is nowhere for them to go for a price range under \$150,000. The average price in Verde Village is \$200,00-275,000.

Michael Bluff, 2450 Haskell, stated he is in favor of the project. When they were working on the General Plan there was a lot of effort to have commercial development on 89A.

Deborah, 1881 Peregrine, stated that when she purchased her home it was zoned R1. Part of her consideration of purchasing was the noise level and that with R1 they knew that any development there would not block their view. She is concerned with overlooking commercial buildings. There are lots of affordable housing and small lots elsewhere in Clarkdale. If the General Plan is about balance, why not have larger lots here. She hears the developer making statements about the aquifer that she doesn't understand. Because people are not saying the 'proposed' development, it sounds like it is a done deal. Mountain Gate is going to have affordable housing. Couldn't we wait and see how that goes? She is against the zoning change, wants to be heard and represented. The timing of the meetings makes it feel like the issue is rushed.

Leanne Gregory, 2120 Red Creek, stated she purchased her home two years ago. She saw some cheaper lots, but liked the open space and wanted to make a wise investment. She is disappointed about the two stories. Doing mixed residences changes the area. There are a lot of areas for other uses. She is concerned about property values.

Kyle Spencer, representing the developer, stated the asphalt width of Old Jerome Highway is 28 feet. The impact with widening to driveways would be two to four feet. They will not encroach on private property. Landscaping improvements would be above town requirements with a meandering sidewalk. The one-way street, with lots on the outside, will have restricted garage entrances and added additional access. There are no garage doors fronting the street in that area. They have talked about a boulevard effect on Scenic Drive and about stamping asphalt at crosswalks, and fencing along Old Jerome Highway. Their intent is to submit the same plan to the Council that the Planning Commission saw. They are aware of the flood flows in Mescal Wash and the storm drains. Mayor Von Gausig stated that a few people have said they felt they were not heard. You are heard, but the council

Charlotte Hawken, Admin. Assistant

must take the sum total and make decisions. The developer has done a good job with the density at 2.45 homes per acre, which is lower than with R1 zoning. Lower Clarkdale is 3.5, upper Clarkdale is 3.1 and Verde Village is 3.

ZONING CHANGE – Consideration of a zoning change from R1 to PAD for the area known as Cliffrose village, tax parcel numbers 406-29-195A, 406-26-012G and 406-29-070B.

Mayor Von Gausig stated he wants information on the development agreement process before making a zoning change.

Community Development Director Brown advised that the development agreement needs to be approved as part of the zoning change.

Town Manager Mabery noted that from a process perspective, they want to hear if stipulations are okay, add some direction and then draft an ordinance and development agreement and bring it back to the Council.

Vice-Mayor Wiley moved that staff draft an ordinance and a development agreement and bring them both to the Council. Mayor Von Gausig seconded and the motion passed unanimously.

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

- The tabled items from the last meeting.
- Impact fees for police protection and parks.
- Dark sky ordinance.

ADJOURNMENT - With no further business before the Council and without objection, the meeting adjourned at 9:05 p.m.

APPROVE:

Doug Von Gausig, Mayor

ATTEST:

Joyce Driscoll, Town Clerk

SUBMIT:
