COUNCIL DECISION REQUEST

SUBJECT: Rim Ridge Estates Subdivision

MEETING DATE: 09-10-09

PAYSON GOAL: NEW: EXISTING:

ITEM NO.:

TENTATIVE SCHEDULE:

SUBMITTED BY: LaRon Garrett, Public Wks. Dir.

AMOUNT BUDGETED: $ 0

SUBMITTAL TO AGENDA
APPROVED BY TOWN MANAGER

EXPENDITURE REQUIRED: $ 0

CONT. FUNDING REQUIRED: $ 0

EXHIBITS (If Applicable, To Be Attached): Copy of "Notice of Action"; Copy of Letter from Developer

POSSIBLE ACTION

I move to revise two of the Rim Ridge Estates Subdivision Preliminary Plat conditions to read as follows:

No. 3: The Mud Springs Road adjacent to the project shall be upgraded to meet Town Standards. This may require additional right of way dedications. Improvements shall be a minimum of 16.5 feet of pavement from the roadway center of the right of way to the back of curb with vertical curb and gutter. *The developer shall also make a contribution to the PATS equal to constructing 380 liner feet of granite trail of $5,700.00 payable prior to approval of the development plans for Tract 'D'.*

No. 5: The developer will contribute their pro rata share of the cost of a traffic control device at Mud Springs Road and Highway 260, to be payable prior to the *approval of the development plans for Tract 'D'.*

and, to direct staff to formulate a financial assurance agreement with the Developer that will facilitate installing the landscape within 9 months of the final acceptance of the subdivision construction improvements.

SUMMARY OF THE BASIS FOR POSSIBLE ACTION:

Rim Ridge is a Townhome subdivision located on the west side of Mud Springs Road just north of Highway 260. The Developer currently has 3 model homes almost completed. They area not able to proceed with any future units until the subdivision improvements have been accepted by the Town.

The Preliminary Plat for the Rim Ridge Estates Subdivision was approved October 18, 2007 by the Town Council. That approval included 13 conditions that must be met either during the subdivision approval process or prior to the final construction acceptance of the subdivision. A copy of the "Notice of Action" from the October 18th meeting is attached. The construction is nearing completion. On August 31, 2009 we received a request to modify two of the original preliminary plat conditions and to allow the landscaping installation to be delayed. A copy of that request is attached.

The first request is to modify Condition No. 3. That condition currently reads in part: "It shall also include a minimum 8' wide trail on the east side of Mud Springs Road in accordance with the Town of Payson Trails Plan. This 8' wide trail shall be offset from the proposed back of curb at least 4 feet." The Developer is willing to participate with their share of the Payson Area Trail System (PATS). However, in previous discussion with staff it was determined that if they constructed this section of the trail at this time, it would be a "trail to nowhere" since it

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did not connect to another trail segment at either end. In situations like this, policy has been to accept a contribution from the Developer equal to the construction cost to the PATS segment. Then the Town would be responsible, using the Developer's funds, to construct this section of the trail when it could also be connected to other trail segments to make it a useful system. The estimated cost of the Phase 1 trail segment is $5,700.00. The original condition was that this money must be paid to the Town prior to final acceptance of the phase 1 subdivision improvements. Due to the current economic conditions, the Developer is requesting that this PATS contribution be delayed until the development of Tract 'D' of the Rim Ridge subdivision. Tract 'D' is the commercial tract located at the northwest corner of the Mud Springs Road and Highway 260 intersection.

The second request is to modify Condition No. 5 which reads: "The developer will contribute their pro rata share of the cost of a traffic control device at Mud Springs and Highway 260, to be payable with Phase One." Staff estimated the cost of the traffic control device and then divided by the estimate usage for each property that will be served by this traffic control device. The estimated cost of this device for the Rim Ridge Subdivision is $28,385.54. The original condition was that this money must be paid to the Town prior to final acceptance of the phase 1 subdivision improvements. Due to the current economic conditions, the Developer is requesting that this traffic control contribution be delayed until the development of Tract 'D' of the Rim Ridge subdivision. Again, Tract 'D' is the commercial tract located at the northwest corner of the Mud Springs Road and Highway 260 intersection. It is currently anticipated that only a Stop Sign will be necessary at the Mud Springs Road and Highway 260 intersection prior to the development of the commercial property in Tract 'D' of this subdivision.

The third request is that the requirement of installing the landscape improvements be delayed for 9 months. Typically, in accordance with the Town's Unified Development Code, the installation of the landscaping is required prior to acceptance of the subdivision improvements. Due to the current economic conditions, the Developer is requesting that installation of the landscaping requirements be delayed for a period of 9 months. The Developer has indicated that they would be willing to enter into an assurance agreement with the Town and post financial assurances for landscape installation to be completed later.

Staff is in agreement with these requests and recommends that Council revise the PATS portion of Preliminary Plat Condition No. 3 and Preliminary Plat Condition No. 5 to be completed prior to approval of the development plans for Tract 'D'. Staff also recommends that the Council direct staff to formulate a financial assurance agreement with the Developer that will facilitate installing the landscape within 9 months of the final acceptance of the subdivision construction improvements.

PROS: Approving this request will lessen the financial burden on the Developer during the current economic condition while allowing them to move forward with the Rim Ridge development.

CONS: The landscaping will be delayed. Also, the funds for the PATS segment and the Mud Springs Road and Highway 260 traffic control device will not be available until the commercial property is developed.

PUBLIC INPUT (if any): N/A

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes): N/A

FUNDING:

Account Number:	Title:	Amount: $
Account Number:	Title:	Amount: $
Account Number:	Title:	Amount: $
Account Number:	Title:	Amount: $

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Total Cost: $

CFO: _____ Date: _____

CITY CREEK DEVELOPMENT

August 31, 2009

To: Town of Payson
Attn: La Ron Garrett
Re: Rim Ridge Estates - Final Approval of Subdivision

Dear Mr. Garrett:

City Creek Development LLC requests that our prorated share of traffic control be deferred development of Tract D.

City Creek Development LLC requests to defer the payment of $5,700.00 to the Town of Payson for PAT trail system.

City Creek Development LLC agrees to the request of deferment of landscape requirement for a period of nine months.

Thank you for your consideration, we look forward to approval and final acceptance.

Sincerely,

Cheryl Scholtman
City Creek Development

42402 TONTO ROAD • CAVE CREEK, AZ • 85331

06086

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF PAYSON
303 N. BEELINE HIGHWAY
PAYSON, ARIZONA 85541-4306
PHONE: (928) 474-5242 X. 263 • FAX: (928) 472-7490 • TDD: (928) 472-6449

NOTICE OF ACTION

October 19, 2007

Michael & Cheryl Schlotman
City Creek Development LLC
808 E. Hwy 260
Payson, AZ 85541

Re: S-144-07, Preliminary Plat – 808 E. Hwy 260– Rim Ridge Estates

Dear Michael & Cheryl:

This letter serves to inform you that the Town Council approved the preliminary plat, Rim Ridge Estates (S-144-07), for 808 E. Hwy 260, on October 18, 2007, subject to the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat as submitted.
2. Streets shall be named prior to submittal of the final plat.
3. That Mud Springs Road adjacent to the project shall be upgraded to meet Town Standards. This may require additional right of way dedications. Improvements shall be a minimum of 16.5 feet of pavement from the roadway center of the right of way to the back of curb with vertical curb and gutter. It shall also include a minimum 8' wide trail on the east side of Mud Springs Road in accordance with the Town of Payson Trails Plan. This 8' wide trail shall be offset from the proposed back of curb at least 4 feet.
4. The improvements to Mud Springs Road shall be included in Phase One. The existing road (used for campground access from E. Highway 260) shall be paved and extended to connect to the east-west road that extends to N. Mud Springs Rd with Phase One. The north-south loop road shall be included in the financial assurances for Phase Two, but may be constructed with Phase Three.
5. The developer will contribute their pro rata share of the cost of a traffic control device at Mud Springs and Highway 260, to be payable with Phase One.
6. The applicant shall comply with all standard Town of Payson development requirements, including fire hydrant placement.
7. The stub street planned near Tract D shall be posted "No Parking Fire Lane".
8. If a subdivision sign is planned, a sign easement shall be created on the lot or tract where the subdivision sign will be placed.
9. That the final plat be submitted within 12 months of Council approval of the preliminary plat.

10. The developer shall provide sanitary sewer facilities in accordance with Northern Gila County Sanitary District requirements and be annexed into the District prior to Council approval of the Final Plat.
11. That the applicant submit a written proposal regarding their workforce housing contribution prior to Council consideration of the final plat.
12. That a landscape plan/tree preservation plan be submitted with the final plat improvement plans.
13. That all other provisions of the Unified Development Code be met.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,

Jerry Owen
Community Development Director

Cc: Ralph Bossert, Tetra Tech
LaRon Garrett, Town Engineer
Bethany Beck, Housing Program Manager