

**AMENDED AGENDA
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 28, 2015 at 6:30 P.M.**

**ADDING ITEM
4.D**

**POSSIBLE APPROVAL OF YAVAPAI COUNTY FLOOD CONTROL
INTERGOVERNMENTAL AGREEMENT CHANGE ORDER NUMBER 1;
RE-APPORTIONING OF THE FISCAL YEAR 2015-16 IGA FUNDING
BY SPLITTING INTO THREE PROJECTS. STAFF RESOURCE: RON
LONG**



Support your local merchants.

AMENDED AGENDA
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 28, 2015 at 6:30 P.M.

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Work Session – October 14, 2015
 - 2) Joint Council & Planning & Zoning Work Session—October 16, 2015
 - 3) Council Manager Retreat – October 17, 2015
 - b) **Set Next Meeting, Date and Time:**
 - 1) Wednesday, November 4, 2015 at 6:30 p.m. Regular Session
 - 2) Wednesday, November 11, 2015 –CANCELLED – VETERANS DAY
 - 3) Wednesday, November 18, 2015 at 6:30 p.m. Regular Session
 - 4) Friday, November 20, 2015 at 8:00 a.m. Work Session – General Plan
 - 5) Wednesday, November 25, 2015 at 6:30 p.m. Council Hears Planning & Zoning-CANCELLED
 - c) **Possible award of separate, three-year, on-call consulting services agreement to 22 professional consultants in 9 categories of Civil Engineering, Surveying Services, Wastewater Treatment, Geotechnical & Construction, Traffic Engineering, Architectural Services, Environmental, Mechanical Engineering and Structural Engineering Request for Qualifications solicitation number 15-112. Staff Resource: Ron Long**
 - d) **POSSIBLE APPROVAL OF YAVAPAI COUNTY FLOOD CONTROL INTERGOVERNMENTAL AGREEMENT CHANGE ORDER NUMBER 1; RE-APPORTIONING OF THE FISCAL YEAR 2015-16 IGA FUNDING BY SPLITTING INTO THREE PROJECTS. STAFF RESOURCE: RON LONG**
5. **Special Announcements and presentations:**
 - There are no special announcements
6. **Call to the Public for items not on the Agenda.**
7. **Quarterly Reports from the following Commissions/Boards**
 - Planning & Zoning Commission
 - Board of Adjustments & Appeals
8. **Public Hearing, discussion, and possible approval of Resolution 2015-946, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M. Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013. Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current planning and Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route**

260, in Camp Verde, Yavapai County, Arizona. Staff Resource: Michael Jenkins

- Call for Staff Presentation
- Declare Public Hearing Open
- Declare Public Hearing Closed
- Call for Council Discussion

9. **Call to the Public for items not on the agenda.**

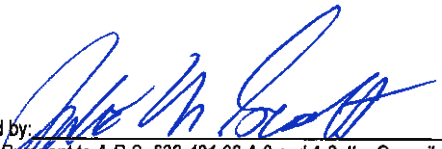
10. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Fire District, Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

11. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

- **Reminder: Open Meeting Law Presentation by Kathryn Marquait for the Office of the Arizona Ombudsman. Meeting will be held at 9:00 a.m. on Friday, November 13, 2015 at 473 South Main Street, Suite 106, Camp Verde, sponsored by the Verde Natural Resource Conservation District. Council and public is invited.**

12. **Adjournment**

Posted by:


Date/Time: 10-26-15 11:27 AM

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 4, 2015

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Public Works –

Staff Resource/Contact Person: Ron Long

Agenda Title (be exact): Consideration and possible approval of: Yavapai County Flood Control Intergovernmental Agreement (IGA) Change Order Number 1; Re-apportioning of the FY15/16 IGA funding, by splitting into three projects.

List Attached Documents: Yavapai County Flood Control District Change Order #1 Intergovernmental Agreement

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by: N/A

- Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: **Budget Code:** _____ **Amount Remaining:** _____

Comments:

Background Information: On July 15, 2015 Council approved the Fiscal Year 15/16 Intergovernmental Agreement (IGA) between Yavapai County Flood Control District (District) and the Town of Camp Verde Wherein the District as budgeted a \$75,000 financial contribution to the Town for the Verde Lakes Estates Drainage Improvements, Phase I.

As you are aware in July, the Bull Pen Wash area of Verde Lake Estates experienced a major storm event. The Town received funding for emergency watershed protection from the NRCS; the infrastructure repairs and debris removal is completed and NRCS has officially closed the Agreement. The Town's share of cost for this project was \$36,428.12. In August it was necessary to excavate the build-up of sand/debris accumulated in the box culvert crossing of Faulkner Wash on Finnie Flat Road. The cost of this maintenance project was \$13,274.00. The balance of the IGA (\$25,297.88) will be devoted to final project for the Finnie Flat/Bashas' drainage channel. These will include installation for cmp culverts, constructing headwalls and installing steel drainage grates behind Walgreen's on

Cliffs Parkway. This drainage channel will connect to the existing culverts at Walgreens, draining into the Finnie Flat Drainage Channel. Any remaining funds will be used for ancillary tasks associated with the Finnie Flat/Bashas' Channel.

Recommended Action (Motion): Move to approve and authorize the signing of the Yavapai County Flood Control Intergovernmental Agreement (IGA) Change Order Number 1 to re-apportioning of the FY15/19 IGA funding.

Instructions to Clerk: Please obtain the Mayor's signature – PLEASE SCAN THE SIGNED DOCUMENTS TO PUBLIC WORKS PRIOR TO SENDING TO THE COUNTY.

YAVAPAI COUNTY FLOOD CONTROL DISTRICT

1120 COMMERCE DRIVE
PRESCOTT, AZ 86305
928.771.3197 PHONE
928.771.3427 FAX



10 S. 6TH STREET
COTTONWOOD, AZ 86326
928.639.8151 PHONE
928.639.8118 FAX

CHANGE ORDER INTERGOVERNMENTAL AGREEMENT FISCAL YEAR 2015/16

PROJECT: Town of Camp Verde – IGA for Verde Lakes Estates Drainage Improvements, Ph1

FCD Project#: FC0061

Date of Original Intergovernmental Agreement (IGA): September 8, 2015

AGENCY: Yavapai County Flood Control District

Change Order No. 1

COMMUNITY: Town of Camp Verde

Change Order Date: _____

The following changes shall be made to this Contract:

The Project added to this Contract is	<u>No Change</u>
The original IGA Contract Sum was	\$ <u>75,000.00</u>
Net change by previous Change Orders (+ or -)	\$ <u>0.00</u>
The Contract IGA Sum will be changed by	\$ <u>0.00</u>
Contract IGA Sum for FY 2015/16	\$ <u>75,000.00</u>

The term of this agreement will be extended to June 30th, 2016, and may be renewed for additional one year terms, until the completion of identified drainage improvements.

Comments: The Town of Camp Verde has requested a re-apportioning of the FY 15/16 IGA funding, with no additional funds to be added. Originally, the full amount of funding was requested to be spent within the Verde Lakes area of Camp Verde on a variety of drainage improvement projects. Change Order #1 is requesting the same funding to be split into three project areas with the following breakdown:
Verde Lakes Estates: **\$36,428.12**

Faulkner Wash sediment removal: **\$13,274.00**

Finnie Flat/Bashas Drainage Channel work: **\$25,297.88** Total FY15/16 amount is still \$75,000.00

Yavapai County Flood Control District
1120 Commerce Dr.
Prescott, AZ 86305

Town of Camp Verde
CHARLES GERMAN, MAYOR
473 S. Main Street
Camp Verde, AZ 86322

By: _____
Craig L. Brown, Chairman
District Board of Directors

By: _____

Date: _____

Date: _____



Support your local merchants.

**AGENDA
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
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 - Call for Staff Presentation

- **Declare Public Hearing Open**
- **Declare Public Hearing Closed**
- **Call for Council Discussion**

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12. **Adjournment**

Posted by:



Date/Time:

10-22-15 9:42am

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421

**DRAFT MINUTES
WORK SESSION
MAYOR AND COMMON COUNCIL
Of the TOWN OF CAMP VERDE
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, OCTOBER 14, 2015 at 5:30 p.m.**

1. **Call to Order**

Mayor German called the meeting at 5:30 pm.

2. **Roll Call**

Mayor German, Vice Mayor George, Councilors German, Gordon, Jones-Murdock and Whatley present. Councilor Baker is absent.

3. **Pledge of Allegiance**

Mayor German led the pledge.

4. **Presentation by Brigit Lowenstein supporter for the proposed Sedona Verde Valley Red Rock National Monument in and around the Sedona area, how it affects the Verde Valley Communities.**

Brigit Lowenstein spoke to Council regarding the organization, Keep Sedona Beautiful, and how it has benefited and affected the City of Sedona for the past 43 years as a not-for-profit organization. Mrs. Lowenstein presented a PowerPoint Presentation with information representing the history and current intentions of who Keep Sedona Beautiful is. Mrs. Lowenstein discussed the possibility of a non-binding resolution passed by the US Senate March 2015 as an amendment to a must pass budget bill to sell or give away all federal land to states except national parks and national monuments.

5. **Presentation by Susan Amon representing Arizona Liberty and Sandra Cosentino, a land management expert regarding the proposed Sedona Verde Valley Red Rock National Monument in and around the Sedona area, how it affects the Verde Valley Communities.**

Dwight Kadar introduced himself as well as Rick Norman and Sandra Cosentino as representatives of the United Citizens against the Monument. Mr. Kadar presented a PowerPoint Presentation and outlined the reasons why the surrounding areas of Sedona are being communicated the unintended consequences with the allowances of a Monument Designation.

Sandra Cosentino, M.S., land management expert presented a PowerPoint and explained in detail why she feels the National Monument Plan is not beneficial for the Verde Valley and Sedona area.

6. **Council will allow up to 15 Minutes for final remarks from Brigit Lowenstein supporter for proposed Sedona Verde Valley Red Rock National Monument in and around the Sedona area, how it affects the Verde Valley Communities.**

Noris Lowenstein rebutted facts presented by the United Citizens against the Monument representatives and stated that there could not be a loss of business revenue all while it is agreed the Monument Plan would

generate more Tourist to the area. Mr. Lowenstein asked Council to recognize an important fact that the Monument Plan would prevent Forest Service lands from being turned over to State Land. Mr. Lowenstein indicated that the purpose is to make things more transparent rather than opaque as they are now. The monument plan brings certainty to the area while the political environment is changing. Mr. Lowenstein discussed the sources of funding that would be needed to make the Monument Plan successful and how grants will be helpful. Briget Lowenstein commended Sandra Cosentino on her research and presentation, but again pointed that her fear is the land being turned over to the State. Mrs. Lowenstein clarified the process of the Red Rock Monument Plan.

7. **Council will allow up to 15 Minutes for final remarks by Susan Amon representing Arizona Liberty and Sandra Cosentino, a land management expert regarding the proposed Sedona Verde Valley Red Rock National Monument in and around the Sedona area, how it affects the Verde Valley Communities.**

Dwight Kadar indicated that the president of KSB and a Council Member of the City of Sedona are known friends, which allegedly allowed the Monument Plan to be pushed for approval by that City Council but the Mayor of Sedona indicated there was not enough information to make a decision and therefore, the matter was brought back to that Council again where the public was informed and more involved.

Mr. Kadar recommended Council Members and the Public to visit the website www.arizonaliberty.us to find additional information regarding national monuments besides the information provided by himself and Sandra Cosentino. Mr. Kadar repeated statistic provided in his earlier presentation indicating that 80% of the public polled regarding this matter are against the Monument Plan.

Sandra Cosentino indicated that bottom line to this is an unfair process and feels there is an incredible backlash occurring including the City of Sedona for not backing this matter.

8. **Public input regarding the Sedona Verde Valley Red Rock National Monument in and around the Sedona area, how it affects the Verde Valley Communities.**

No public comment.

9. **Discussion by Council followed with questions and answers to all presenters in regarding to the proposed National Monument. No action will be taken by Council**

The Mayor called a recess at 7:30 pm. The meeting reconvened at 7:38 pm.

Councilor Jones-Murdock left the meeting at 7:38 pm.

Councilor Brad Gordon questioned the processing of Red Rock Park Pass funds and Sandra Cosentino explained that the Red Rock Ranger district keeps 95% of all revenue generated from the passes.

Councilor Carol German indicated that she does not want to see state lands and federal lands merged. Councilor German questioned if the Monument Plan would eliminate the Forest Service. Rick Norman, representative of the United Citizens against the Monument, indicated that there is no guarantee that the Forest Service would be the managing department in perpetuity of the Monument. Mrs. Lowenstein explained that the monument designation is still in the public outreach stage but based on the fact that National

Monuments and Parks have their own management plans, it is unlikely the Forest Service would manage the monument.

10. **Adjournment**

The meeting adjourned at 8:24 pm.

Charles German, Mayor

Marie Moore, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona, held on October 14, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2015.

Virginia Jones, Town Clerk

4 a2

**DRAFT MINUTES
JOINT WORK SESSION
MAYOR AND COMMON COUNCIL AND
PLANNING & ZONING COMMISSION
Of the TOWN OF CAMP VERDE
COUNCIL CHAMBERS - 473 S. MAIN STREET ROOM 106
FRIDAY, OCTOBER 16, 2015 at 8:00 a.m.**

Minutes are a summary of the discussion. They are not verbatim.
Public input is placed after Commission discussion to facilitate future research.

1. **Call to Order**
Call to Order at 8:00 a.m.

2. **Roll Call**
Mayor Charles German, Vice Mayor Bruce George, Councilors Jackie Baker, Robyn Whatley, Brad Gordon and Jessie Jones-Murdock are present. Councilor Carol German is absent. Chairman B. J. Davis and Vice Chairman Dave Freeman are present. Commissioners Greg Blue, Jim Hisrich, Chip Norton, Howard Parish and Bob Burnside are absent. Mayor German acknowledged that a quorum of the Common Council was present, however, a quorum of the Planning and Zoning Commission was not present.
Also Present
Community Development Director Michael F. Jenkins, Permit Technician Kendall Welch, Tony Gioia, and Town Clerk Virginia Jones and Recording Secretary Lynn Riordan.

3. **Pledge of Allegiance**
Mayor German led the pledge.

4. **Update by Planning & Zoning Chairman b. J. Davis, and other members of the P&Z Commission regarding the General Plan Process, various elements of the General Plan and Character Areas that are included in the General Plan.**
Chairman B. J. Davis addressed the Mayor and Common Council, stating each council member has been provided a written handout that outlines the General Plan by Chapter with each Chapter including a Vision Statement, Introduction, and Goals, with specific emphasis on Chapter 3, Land Use designating and defining the ten new Character Areas with current and intended land uses in each Character Area.

*Hand-out is available at the Clerk's Office or on the Town's Website.

Chairman Davis advised that the subcommittee and Planning and Zoning Commission continue to review and revise the proposed General Plan, keeping the intent of the 2005 General Plan with Camp Verde's unique history and rural character while planning for, and encouraging development, primarily in the growth areas. The Planning and Zoning Commission will present the Proposed General Plan in final form to the Council for consideration in January 2016. All Commissioners are available to answer any questions from Council members to insure all Council members are familiar with the changes and are able to address any public comment or questions when the Proposed General Plan is complete and available to the public in January 2016.

Chairman Davis and Vice Chairman Freeman explained the information contained in the handout and the progress currently underway by the sub-committee and Planning and Zoning Commission. Chairman Davis explained the Character Areas, and the intent of the establishment of Character Areas, advising that nothing is set in stone, major and minor amendments may still be applied for, however, the Character Area designations will allow potential developers and investors to know in advance which areas are designated for development, clarity of what type of development is desired and the intent and goals of the Town in each Character Area, resulting in reduced development costs, time, and public concerns.

Chairman Davis advised that the Proposed General Plan also encourages water conservation and education, however, at this time the Town does not own any water companies or have any authority over ditch irrigation rights. The appendix, contained in the Proposed General Plan, also serves as a disclaimer and provides definitions.

Chairman Davis and Michael Jenkins gave an overview of the proposed Growth Areas (commercial), which is primarily along Hwy 260. The intent of the Proposed General Plan is to find an appropriate balance to allow growth while maintaining and protecting the view and rural areas, with clarity, strategies and goals. Chairman Davis also advised that Chapter 8 of the Proposed General Plan is Circulation, Trails and Transportation, which includes a vision statement to create new, preserve existing, and maintain trails, bike paths and river access in conjunction with marketing (tourism), growth and development. Mayor German advised that the local civic organizations and churches have been receptive and cooperative in assisting with distributing public information regarding the Proposed General Plan, although the Proposed General Plan will not be available to the Public until January 2016.

Adjournment. Mayor German adjourned the meeting at 9:25 a.m.

Mayor Charles German

Chairman B. J. Davis

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Joint Work Session of the Mayor and Common Council and Planning and Zoning Commission of the Town of Camp Verde – General Plan Update - held on October 16, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2015.

Lynn Riordan, Recording Secretary

4a3

**DRAFT MINUTES
MAYOR AND COMMON COUNCIL RETREAT
Of the TOWN OF CAMP VERDE
MARSHALL'S OFFICE TRAINING ROOM – 646 S 1ST STREET
SATURDAY, OCTOBER 17, 2015 at 11:00 a.m.**

Minutes are a summary of the discussion. They are not verbatim.
Public input is placed after Commission discussion to facilitate future research.

1. **Call to Order**
Call to Order at 11:00 a.m.

2. **Roll Call**
Mayor Charles German, Councilors Jackie Baker, Robyn Whatley, Brad Gordon and Jessie Jones-Murdock are present. Councilor Carol German was present (arrived at 11:12 a.m.) Vice Mayor Bruce George is absent.
Also Present
Ken Strobeck, League of Arizona Cities and Towns, Town Manager Russ Martin, Town Clerk Virginia Jones, and Recording Secretary Lynn Riordan.

3. **Pledge of Allegiance**
Mayor German led the pledge.

4. **Presentation by League of Arizona Cities and Towns Executive Director, Ken Strobeck, to include, but not limited to, the duties of the Mayor and Common Council as required by Arizona Revised Statute, Council-Manager Form of Government, and Council Policies and Procedures.**
Mayor German introduced Ken Strobeck, and advised the purpose of this Retreat is to clarify the duties of the Town Council, the Town Manager, and develop materials and resources for Council Members (including any resident considering running for office), and Commission Members.
Mr. Strobeck advised that it is common for the general public to be unaware of the time and effort required by Council and Commission members to serve their community. Mr. Strobeck gave a brief overview of best practices of successful communities to help protect and work in the best interest of the community. Mr. Strobeck advised, and recommended, many written resources available in written form and online (League of Arizona Cities and Towns), publications: You as a Public Official, Council-Manager Government in Arizona, and What All Local Elected Official Need to Know.
Mr. Strobeck gave a presentation that included Council Member and Town Manager questions and answers, and comment, emphasizing the need to work together as one body of government, not independently of each other, and for the best interest of the community. City government is non-partisan and is the most efficient and independent form of government. It is important to remember that differences of opinion are normal, however, it is imperative that each Council member put disagreements, conflicts and prior errors behind them, moving forward with an open mind. Council members should not try to resolve or investigate any allegations of criminal behavior. Such allegations should be handled and investigated by law enforcement and adjudicated in the courts. The Council may, however, investigate and address character complaints or general citizen complaints about the Town Government or Council decisions, with such matters being placed on a Council Meeting Agenda or addressed at the "Call to Public" Agenda Item at any open meeting. The Mayor, and all Council members, should be careful in representing the town and address all matters in an objective and non-partisan manner. It is the Mayor's responsibility to conduct the Council Meetings in an appropriate manor, controlling the flow of discussion and setting an example of respect and protocol. Council Members are elected by the residents and remain in the "spot-light" 24 hours a day while in office, as they are the "stewards" of the community. Mr. Strobeck gave an over-view of Mayor and Council duties and obligations as set forth by Arizona Revised Statute, Title 9.

Lunch Break 12:05 p.m. – 12:25 p.m.

Mr. Strobeck advised that it is also common for the general public to have a misconception of the relationship between the Council and the Town Manager. Discussion covered the misconception that the City Council "rubber stamps" everything the Town Manager presents, and the lack of public knowledge regarding the Town Manager's

duties and responsibilities. Mr. Strobeck advised that the Council-Manager Form of Government was designed after corporate structure, as in any corporation there is a Board of Directors and a Chairman, who direct management and administration of the corporation to the CEO. The Town, with a Council-Manager Form of Government has a City Council with a Mayor, who make decisions and enact city ordinances and resolutions, and directs the Town Manager to administer their decisions. The Town Manager also holds the obligation to accurately and efficiently prepare and present the annual budget, objectively provide information and data to the Council, as well as manage the Town Departments, as instructed by the Town Council. It is the duty of the Town Council and the Town Manager to uphold and perform duties within their positions in an ethical manner and always avoid the appearance of impropriety. The Town Manager, although always available to discuss Town matters with all Council Members, should not take direction from any Council Member individually. The Council as a body should present all directives, policies and administrative decisions to the Manager.

Mr. Strobeck suggested and encouraged additional discussion between Council members, presentation of multiple options, and requesting formal motions at Town Council Meetings may help the public understand the administration of the Town and help alleviate the misconception that the Town Manager is "running the Town". Mr. Strobeck advised that the Camp Verde Town Code already has policies and procedures, including investigation of all complaints. Discussion covered council members attending neighborhood meetings. Mr. Strobeck advised while council members may be interested in gathering information, want to show support to the community, or have a personal interest, and that attendance is not prohibited, the Council members should avoid advocating, or giving the appearance of advocating, for any special interest group. Any matter of public interest, or complaint, can be placed on the Agenda or brought to the Council's attention under "Call to Public" during a Council Meeting. As there is no true authority, except public election, to remove or discipline any inappropriate, disrespectful or unethical Council member behavior, it should be of highest priority for each Council member to act respectfully and ethically, follow the Town Code policies and procedures and State law, work together as a group, not individually, and keep an open line of communication to best serve their community.

The Mayor and Councilors thanked Mr. Strobeck for his presentation. Mayor German advised that an additional Council Retreat would be scheduled for Council discussion regarding any suggested changes to Town Code, Policies and/or Procedures particularly Council and/or Staff appearance of impropriety and addressing potential inappropriate behaviors.

Adjournment. The meeting was adjourned by Mayor German at 1:45 p.m.

Mayor Charles German

Virginia Jones, Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council Retreat of the Town of Camp Verde held on October 17, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2015.

Lynn Riordan, Recording Secretary

4.c



Agenda Item Submission Form – Section I

Meeting Date: October 28, 2015

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Public Works

Staff Resource/Contact Person: Ron Long

Agenda Title (be exact): Discussion, consideration and possible award of separate, three-year, On-Call Consulting Services Agreements to 22 Professional Consultants in 9 categories of Civil Engineering, Surveying Services, Wastewater Treatment, Geotechnical & Construction, Traffic Engineering, Architectural Services, Environmental, Mechanical Engineering and Structural Engineering.

List Attached Documents: Professional Services Contract (7 pages)
On-Call Professionals by specialty (1 Page)

Estimated Presentation Time: 5 Minutes.

Estimated Discussion Time: 10 Minutes

Reviews Completed by:

- Department Head: Ron Long Town Attorney Comments: Contract approved by Bill Sims attached

Finance Review: Budgeted Unbudgeted N/A

Finance Department

Fiscal Impact:

Budget Code: Comments: For all amounts

Background Information: Following ARS- §41-2578: Procurement of Specified Professional and Construction Services, Public Works, at the direction of Town Manager, Russ Martin, advertised Solicitation #15-112: Professional Services Request for Proposal.

Qualifications were requested in nine categories: Civil Engineering, Survey Services, Wastewater Treatment & Collection Systems, Geotechnical & Construction Inspection, Structural Engineering, Traffic Engineering, Architectural Services, Mechanical Engineering, Environmental, Archaeological, and Biological Services. A total of 37 professionals responded. Three professionally-accredited staff members reviewed and scored each of the submissions. Some firms submitted for and were selected in more than one category.

Staff is requesting a contract term of an initial three-year On Call Agreement, with the option to renew for another three years.

When a project requiring Professional Services is needed, Public Works will select a pre-approved On-Call Professional within the specific category of the project work; a scope of work and negotiated price will be detailed in a written agreement or memorandum of understanding for the performance of services. All approved Projects exceeding a cost of \$50,000 will be submitted to Council for prior approval as required under the Financial Operations Guide.

Recommended Action: *Move to approve the award of separate, three-year, On-Call Consulting Services Agreements to 22 Professional Consultants in 9 categories of Civil Engineering, Surveying Services, Wastewater Treatment, Geotechnical & Construction, Traffic Engineering, Architectural Services, Environmental, Mechanical Engineering and Structural Engineering.*

Instructions to the Clerk: Public Works will be providing 22 complete Agreements, please obtain the Mayor's signature.

Town of Camp Verde

Contract for Professional Services

For
On-Call Consulting Services
Between the
Town of Camp Verde
Camp Verde, Arizona
And
Insert Consultant Name

This Agreement ("Agreement") is entered into this day of , 2015, by and between **Insert Consultant Name**, with a business address of **Insert address/city/state/zip**, an **Insert description of profession** (i.e. Attorney at Law) ("Consultant") and the Town of Camp Verde, a municipal corporation ("Town") with a business address of 473 S. Main Street, Camp Verde, AZ 86322.

The Town engages the Contractor to perform professional services for various projects associated with Solicitation for Request for Statement of Qualification, Professional On-Call Consulting Services #15-112. Projects shall be assigned on as-needed basis as determined by the Town.

For each potential project a Scope and all Fees shall be negotiated with the Contractor and shall be approved by the Town prior to commencement of work. The Contractor agrees to provide to the Town services and materials set forth in the Scope of Work requested by the Town in its Requests for Proposal during the Agreement period. No material, labor, or facilities will be furnished by the Town, unless otherwise provided for in the Agreement. Timing is of the essence to the Town.

This Agreement does not create an **employee/employer relationship** between the parties and shall not be deemed to guarantee any employment of the Contractor or any employee of the Contractor or any subcontractor or **an employee of any subcontractor** by the Town **at the present time or in the future**. It is the parties' intention that the Consultant will be an independent Consultant and not an employee of the Town for all purposes, including, but not limited to, the Fair Labor Standards Act, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the Internal Revenue Code (and any other Arizona income tax laws), the State of Arizona workers' compensation laws and unemployment insurance laws and any of the Town's benefit plans for the Town's employees. Consultant agrees that it is a separate and independent enterprise from the Town, that it has a full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform any work performed for the Town. This Agreement shall not be construed as creating any joint employment relationship between Consultant and the Town. The Town will not be

liable for any obligation incurred by the Consultant, including, but not limited to, unpaid minimum wages and/or overtime premiums. This Agreement shall not be construed to authorize the Consultant to act as an agent for the TOWN in any manner.

The parties further agree and acknowledge that the Town is engaging Consultant as an independent Consultant to provide **on-call services to the Town on an as-needed basis** under the terms of this Agreement and that the Town shall not be required, under any circumstance(s), to assume liability for the direct payment of any salary, wage, or other compensation to any person employed by the Consultant before, during, or after this agreement is in effect.

The Town shall not withhold from sums becoming payable to the Consultant under this Agreement any amounts for federal, state or local taxes, including federal or state income taxes, employment taxes (including Social Security and Medicare taxes), and unemployment taxes. The Town shall report all payments to Consultant on Internal Revenue Service Form 1099. The Consultant agrees that any tax obligation of Consultant arising from the payments made under this Agreement will be the Consultant's sole responsibility. The Consultant will indemnify the Town for any tax liability, interest, and/or penalties imposed upon the Town by any taxing authority based upon the Town's failure to withhold any amount from the payments for tax purposes.

In performance of services hereunder, CONSULTANT shall determine his/her necessary hours of work. CONSULTANT shall provide whatever employees, tools, equipment, vehicles, and supplies CONSULTANT may determine to be necessary in performance of services hereunder.

Section I. Period of Service

The term of this Agreement shall be for the period commencing on **INSERT DATE** with the Town Council approval of this Agreement and shall continue for **INSERT LENGTH OF CONTRACT IN MONTHS** until **INSERT DATE** unless terminated sooner by the parties, pursuant to Section IV below.

Section II. Compensation

Consultant shall provide **INSERT TYPE OF SERVICES**. The Town and Consultant shall mutually agree upon the specific work product, scope of services and cost of any work performed.

The rates Consultant will be paid as consideration for performance of **INSERT TYPE OF SERVICES** on a monthly basis through a flat fee system. No further payment will be made for routine facsimile, telephone, postage, copy, or travel costs. **Extraordinary costs, as identified and detailed shall be negotiated as part of the Scope of Work.**

Section III. Billing

Consultant shall provide Consultant services to the Town, based on **the negotiated Scope of Work and Fees**. The Town shall pay Consultant **monthly**, based upon work performed, completion to date and submission of invoices pursuant to Section II. Invoices should be mailed to the following address:

Town of Camp Verde
Finance Department
395 S. Main Street
Camp Verde, AZ 86322

Section IV. Termination

The Town or the Consultant reserves the right to cancel the whole or part of this Agreement with or without cause and for any reason or no reason by giving 60 days written notice to either party.

However, in the event that this Agreement is terminated the Town shall pay Consultant in full for all services already rendered pursuant to Section II, exclusive of any markup for profit or expected compensation following such termination, and all future obligations under this Agreement shall cease. This Agreement is subject to termination pursuant to A.R.S. § 38-511.

Section V. Successors and Assigns

Neither this Agreement, nor any obligation of Consultant hereunder, shall be assigned in whole or in part by Consultant without the prior written consent of the Town Manager.

Section VI. Waiver and Severability

A waiver of any part of this Agreement, whether express or by conduct, shall not constitute a continuing waiver of such part (unless explicitly stated to be so), or a waiver of any other part, nor shall a waiver of any breach of this Agreement, or any part of it, whether express or by conduct, constitute a waiver of any succeeding breach. The provisions of this Agreement shall be severable such that if any provision shall be deemed to be invalid and unenforceable for any reason, such invalidity or unenforceability shall not affect the remaining provisions hereof.

Section VII. Whole Agreement

This Agreement represents the parties' whole Agreement. There are no other promises, terms, conditions or obligations, and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written.

Section VIII. Construction

This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.

Section IX. Insurance Requirements

The Contractor/Consultant agrees to procure and maintain at Contractor/Consultant's sole expense and to provide a Certificate of Insurance/Endorsement evidencing insurance coverages below.

1. **COMPREHENSIVE COMMERCIAL GENERAL LIABILITY**

Combined single limit against claims for Bodily Injury, Death and Property Damage, in connection with services provided and in an amount not less than:

\$1,000,000 each occurrence

\$2,000,000 aggregate

General Liability Insurance certificates *shall name the Town of Camp Verde as an Additional Insured (with corresponding endorsement relative to the additionally insured status)* and provide a description of operations: Example: For Bid #: XYZ123

2. **COMPREHENSIVE COMMERCIAL AUTOMOBILE LIABILITY**

Combined single limit for Bodily Injury and Property Damage, in an amount not less than:

\$1,000,000

Commercial Auto Liability Insurance policies or certificates *shall name the Town of Camp Verde as an Additional Insured (with corresponding endorsement relative to the additionally insured status)*.

Required if the Contractor/Consultant is driving for the town beyond the normal commute to the job site.

Including:

1. Non-Owned
2. Leased
3. Hired Vehicles

3. **WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY**

Statutory Minimum \$1,000,000

Plus Employer's Liability Coverage for:

A:	Each Accident	\$1,000,000
B:	Each Employee	\$1,000,000
C:	Disease, Each	\$1,000,000

Exception: sign a waiver provided by the Town relative to being a sole proprietorship without any employees.

- 4.** All carriers shall be approved to write insurance in the State of Arizona and possess an A- or better A.M. Best rating.
- 5.** With the execution of this Agreement, Consultant shall simultaneously furnish any original Certificates of Insurance and corresponding endorsement(s) evidencing the required coverage to be in force on the date of this Agreement.
- 6.** Consultant shall furnish to the Town of Camp Verde any renewal Certificates of Insurance (if coverage has an expiration or renewal dates occurring during the term of this Agreement).
- 7.** The Consultant shall keep said policies in force for the duration of the Agreement and for any possible extension thereof. The policy shall not be suspended, voided canceled or reduced in coverage for the duration of the Agreement and for any possible extension thereof without at least thirty (30) days' notice of cancellation of material change in coverage. Such notice shall be sent directly to Town of Camp Verde, 473 S. Main Street, Ste. 102, Camp Verde, AZ 86322, Attn: Risk Manager.
- 8.** The receipt of any Certificate of Insurance and endorsement does not constitute an agreement by the Town of Camp Verde that insurance requirements have been met.
- 9.** Failure of Consultant to obtain Certificates or other insurance evidence from other Consultants shall not be deemed a waiver by the Town of Camp Verde.
- 10.** The Consultant's liability under this Agreement is not in any way limited by the insurance required by this Agreement.
- 11.** Failure to comply with insurance requirements may be regarded as a breach of the Agreement terms.

Section X. Indemnity

Consultant agrees, to the fullest extent permitted by law, to indemnify, defend, save and hold harmless the Town of Camp Verde, its departments, agencies, boards, commissions, and its officers, officials, agents, and employees (hereinafter referred to as "Indemnatee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Consultant or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by Consultant from and against any and all claims. It is agreed that Consultant will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this Agreement, the Consultant agrees to waive all rights of subrogation against the Town of Camp Verde, its officers, officials, agents and employees for losses arising from the work performed by the Consultant for the Town of Camp Verde.

Section XI. Compliance with Federal and State Laws

The Consultant understands and acknowledges the applicability to it of the Americans with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989.

Under the provisions of A.R.S. §41-4401, Consultant hereby warrants to the Town that the Consultant and each of its SubConsultants ("SubConsultants") will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulations that relate to their employees and A.R.S. §23-214(A) (hereinafter "Consultant Immigration Warranty").

A breach of the Consultant Immigration Warranty shall constitute a material breach of the Agreement and shall subject the Consultant to penalties up to and including terminations of this Agreement at the sole discretion of the Town.

The Town retains the legal right to inspect the papers of any Consultant or SubConsultant's employee who works on this Agreement to ensure that the Consultant or any SubConsultant is complying with the Consultant Immigration Warranty. Consultant agrees to assist the Town in regard to any such inspections.

The Town may, at its sole discretion, conduct random verification of the employment records of the Consultant and any of the SubConsultants to ensure compliance with Consultant's Immigration Warranty. Consultant agrees to assist the Town in regard to any random verification performed.

Neither the Consultant nor any of the SubConsultants shall be deemed to have materially breached the Consultant Immigration Warranty if the Consultant or SubConsultant establishes that it has complied with the employment verification provisions prescribed by sections 274A and 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. §23-214, Subsection A.

This Agreement is subject to termination pursuant to A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate originals, this **INSERT MONTH/DATE/YEAR**.

APPROVED AS TO FORM:

Town of Camp Verde:

Town Attorney/Date

By: _____
Mayor/Date

Consultant:

By: _____

Date: _____

ATTEST:

The Mayor and Council approved this agreement for execution at the regular session of
INSERT MEETING DATE.

Town Clerk

The contract was reviewed and delivered, as signed by the Town, to the Consultant on by
INSERT NAME OF PERSON THAT DELIVERED/MAILED CONTRACT.

DRAFT

**Professional On-Call Services
RFQ # 15-112**

Civil Engineering	Firm/Individual Selected
	Shephard-Wesnitzer, Inc
	Hoskin Ryan Consultants, Inc.
	SEC, Inc.
	WLB Group, Inc.
	Woodson Engineering & Surveying Inc.

Surveying Services	Firm/Individual Selected
	Hammes Surveying LLC
	SEC, Inc.
	Hoskin Ryan Consultants, Inc.
	Shepard-Wesnitzer, Inc.

Wastewater Treatment	Firm/Individual Selected
	SEC, Inc.
	Woodson Engineering and Surveying, Inc.
	Valentine Enviromental Engineers, LLC
	Hazen and Sawyer, P.C.

Geotechnical & Const.	Firm/Individual Selected
	Speedie & Associates, Inc.
	Western Technologies Inc.
	Ninyo & Moore

Traffic Engineering	Firm/Individual Selected
	Kimley-Horn
	Rick Engineering Company
	Woodson Engineering and Surveying, Inc.

Architectural Services	Firm/Individual Selected
	Johnson WalzerAssociates, LLC
	Architectural Resource Team
	Joel Westervelt Architect

Environmental	Firm/Individual Selected
	Logan Simpson
	Northland Research, Inc.
	EnviroSystems Management, Inc.

Mechanical Engin.	Firm/Individual Selected
	Joel Westervelt Architect
	LSW Engineers Arizona, Inc.

Structural Engineer.	Firm/Individual Selected
	Caruso Turley Scott Inc
	Structural Grace, Inc.
	Kimley-Horn

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**QUARTERLY REPORT
Planning and Zoning Commission
July – September 2015**

REGULARLY SCHEDULED MEETINGS: 0

WORK SESSIONS: 5

JOINT WORK SESSIONS: 1

SPECIAL SESSIONS: 1

THURSDAY JULY 02, 2015 – SPECIAL SESSION

Present: Chairman Davis, Commissioners Blue, Norton and Burnside

Absent: Vice Chairman Freeman, Commissioners Hisrich and Parrish

THURSDAY July 9, 2015 – GENERAL PLAN WORK SESSION

Present: Chairman Davis, Vice Chairman Freeman, Commissioners Blue, Burnside, Hisrich, Norton and Parrish

THURSDAY July 23, 2015 – GENERAL PLAN WORK SESSION

Present: Vice Chairman Freeman, Commissioners Blue, Burnside, Hisrich and Norton

Absent: Chairman Davis, and Commissioner Parrish

THURSDAY August 13, 2015 – GENERAL PLAN WORK SESSION

Present: Chairman Davis, Vice Chairman Freeman, Commissioners Hisrich, Blue, Parrish and Burnside

Absent: Vice Chairman Dave Freeman

THURSDAY August 27, 2015 – GENERAL PLAN WORK SESSION

Present: Chairman Davis, Vice Chairman Freeman, Commissioners Blue, Norton and Parrish

Absent: Commissioners Burnside and Hisrich

THURSDAY September 24, 2015 – GENERAL PLAN WORK SESSION

Present: Chairman Davis, Vice Chairman Freeman, Commissioners Blue, Hisrich, and Norton

Absent: Commissioners Parrish and Burnside

THE FOLLOWING WAS A JOINT WORK SESSION WITH COUNCIL:

Friday, September 18, 2015 – Update by Planning & Zoning Chairman B.J Davis, and other members of the P&Z Commission regarding the General Plan process.

Present: Chairman Davis, Commissioners Norton and Hisrich

Absent: Vice Chairman Freeman, Commissioners Blue, Burnside, and Parrish

THE FOLLOWING REGULAR SESSION ITEMS WERE DISCUSSED:

There were no Regular Session meetings held this quarter.

THE FOLLOWING SPECIAL SESSION ITEMS WERE DISCUSSED:

July 2, 2015 – Item 6, Public Hearing, Discussion and Possible Recommendation for approval (or denial) to Council on Zoning Map Change 20150170, an application submitted by Chester-Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005c, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1I-175 (Residential: single-family limited) to PUD (Planned Unit Development). The property is located at 30 E State Route 260.

On a motion by Burnside, seconded by Blue, Commission unanimously recommends the approval to Council on Zoning Map Change 20150170, an application submitted by Chester-Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1I-175 (Residential: single-family limited) to PUD (Planned Unit Development). The property is located at 30 E State Route 260 with the following stipulations:

1. Provide a parking stops in the parking area south of the Town of Camp Verde's sanitary pump station to prevent vehicle impacts to the building.

2. Provide bollards around the existing transformer in the same parking lot for vehicle impact protection.
3. Comply with the changes to the access road as deemed necessary by the Fire District.

THE FOLLOWING GENERAL PLAN WORK SESSION ITEMS WERE DISCUSSED:

July 23, 2015 – Item 5, Discussion, Public Input and Commission Consensus for Chapter 2 History & Culture. Chapter 2 was discussed and changes were recommended.

August 13, 2015 – Item 5, Discussion of General Plan Schedule and necessity for a quorum. Chairman Davis advised the Commission that they are slightly behind schedule with the General Plan Update. Chairman Davis requested Commissioners communicate their schedule to ensure a quorum.

Item 6, Discussion, Public Input and Commission Consensus for Chapter 2 History & Culture Goal A, A7. Chapter 2 Goal A, A7 was discussed and changes were recommended. A Consensus was reached for Chapter 2 History & Culture.

Item 7, Discussion, Public Input and Commission Consensus for Chapter 11 Water Resources. Chapter 11 was discussed and changes were recommended.

August 27, 2015 – Item 5, Update, Clarification and Discussion on Town Council's Direction to Staff concerning the "Water Demand and Conservation Assessment for the Town of Camp Verde – April 2014" as prepared by Western Resource Advocates (Linda Stitzer) and the incorporation of a Town-Sponsored Water Conservation Policy into the General Plan Update. Community Development Director Michael Jenkins gave the Commission a brief history on the document "Water Demand and Conservation Assessment for the Town of Camp Verde" dated April 2014 and how it pertains to the General Plan Update. Linda Stitzer was present and also helped to clarify her role in developing the document and also explained how parts of the document were incorporated as proposed changes to the Water Resources element.

Item 6, Discussion, Public Input, and Commission Consensus on Chapter 11 – Water Resources. Chapter 11 was discussed and changes were recommended. The Commission reached a consensus on this element.

Item 7, Discussion, Public Input, and Commission Consensus on Chapter 7 – Housing. Chapter 7 was discussed and changes were recommended.

September 10, 2015 – Item 5, Discussion, Public Input, and Commission Consensus on Chapter 7 – Housing. This item was tabled to the next available General Plan Work Session.

Item 6, Discussion, Public Input, and Commission Consensus on Chapter 8 – Transportation and Circulation. Chapter 8 was discussed and changes were recommended. The Commission reached a consensus on this element.

September 24, 2015 – Item 5, Discussion, Public Input, and Commission Consensus on Chapter 10 – Environmental Planning. Chapter 10 was discussed and changes were recommended. The Commission reached a consensus on this element.

Item 6, Update of the Joint Work Session of the Town Council and Planning and Zoning Commission for Friday, September 18, 2015. Chairman Davis gave the Commission a brief update on the Character Areas that were discussed at the Joint Work Session.

THE FOLLOWING PRESENTATIONS WERE HEARD BY THE COMMISSION:

There were no presentations heard by the Commission.

B.J. Davis, Chairman of the Planning and Zoning Commission

**QUARTERLY REPORT
Board of Adjustments & Appeals
July - September 2015**

REGULARLY SCHEDULED MEETINGS: 3

Tuesday, July 14, 2015 - Regular Session

Cancelled, no business before the Board

Tuesday, August 11, 2015 - Regular Session

Cancelled, no business before the Board

Tuesday, September 8, 2015 - Regular Session

Present: Chairman Binick, Vice Chairman Hough, Board Members Blue, and Buchanan

Absent: Board Member Lichty, Stevens, and McHenry

SPECIAL SESSION MEETINGS: 0

WORK SESSIONS: 0

THE FOLLOWING APPLICATIONS WERE APPROVED:

No Applications were approved.

THE FOLLOWING APPLICATIONS WERE DENIED:

There were no applications denied.

THE FOLLOWING APPEALS WERE DENIED:

There were no appeals denied.

THE FOLLOWING ITEMS WERE DISCUSSED BY BOARD:

There were no items discussed by the Board.

THE FOLLOWING ITEMS WERE DISCUSSED IN WORK SESSIONS:

There were no items discussed in work sessions.

THE FOLLOWING PRESENTATIONS WERE HEARD BY THE BOARD:

Tuesday, September 8, 2015 - Item 6, Presentation and Discussion on Planned Unit Developments (PUD)

Community Development Director Michael Jenkins gave the Board a brief presentation on Planned Unit Developments.

Chairman Jim Binick



Town of Camp Verde

Exhibit A - Agenda Item Submission Form - Section I

Meeting Date: October 28, 2015 Council Hears Planning & Zoning

- Consent Agenda
- Recommendation to Council
- Executive Session Requested
- Presentation Only
- Action/Presentation

Requesting Department: Community Development

Staff Resource/Contact Person: Michael Jenkins, Community Development Director

Agenda Title (be exact):

Public Hearing, Discussion and Possible Approval of Resolution 2015-946 a Resolution of the Common Council of the Town of Camp Verde, Yavapai County, Arizona on Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013. Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona.

List Attached Documents:

Draft Resolution 2015-946 with Exhibit A – Consent to Conditions/Waiver for Diminution of Value, Application, Directions to Property, Letter of Intent, Neighborhood Meeting Affidavit, Site Plan, Vicinity Map, Land Use Map, Zoning Map of Adjacent Properties, Agency Comments, Draft Minutes from the October 1, 2015 Special Session of the Planning & Zoning Commission with Recommendation to Council.

Estimated Presentation Time: 10 minutes.

Estimated Discussion Time: 20 minutes

Reviews Completed by:

Department Head: Michael Jenkins

Town Attorney Comments:

Page 1 of Draft Resolution 2015-946:

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby approve Use Permit 20150245 in perpetuity subject to the limitations of Section 203 - Zoning Decisions, C - Use Permit Approvals, Subsection 2 for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 and all other uses allowed under Agri-Tourism with the following findings:



Bill Sims

You need this so that you don't waive the requirement that the use permit can be voided or discontinued.

1. The use of this property shall be operated and maintained in a manner consistent with the general provisions of the current Town of Camp Verde Planning and Zoning Ordinance per Part Two, Section 203 – Use Districts, D. - R-R District (Residential-Rural), 3.f. Agri-Tourism.

Instructions to the Clerk: None

Exhibit B – Agenda Item Submission Form – Section II (Staff Report)

Town of Camp Verde: October 28, 2015 Council Hears Planning & Zoning

Background:

The intent of this application is for the applicant to obtain a Use Permit for Parcel 404-13-013D, located at 4053 E. State Route 260, Camp Verde, Yavapai County, Arizona to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 and all other uses allowed under Agri-Toursim.

Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit.

The following has been completed by the applicant and staff:

- The applicant posted the subject property on July 16, 2015 and mailed out letters to the neighboring property owners within 300' of the subject property which invited them to attend a neighborhood meeting to express their comments and concerns on their Use Permit application to allow for Agri-Tourism.
- The meeting was held on July 30, 2015 from 6:00PM-7:00PM on the subject property located at 4053 E. State Route 260, Camp Verde, Arizona. There were nine (9) people in attendance, including (3) Town Staff from the Community Development Department in addition to Yavapai County Supervisor, Tom Thurman. There were no issues or concerns raised by any of the attendees.
- Community Development Staff mailed out twelve (12) letters to properties within 300' of the subject parcel on September 10, 2015. This letter advised the neighbors of the Planning & Zoning Commission meeting date and time as well as the tentatively scheduled meeting date and time the item will appear before Town Council.
- A Notice of Public Hearing was posted on the subject property located at 4053 E. State Route 260, Camp Verde, Arizona on September 16, 2015 by Community Development Staff.
- A Notice of Hearings was placed in the Verde Independent – Camp Verde Bugle newspaper on Wednesday, September 16, 2015 and Sunday, October 11, 2015 by Community Development Staff.
- Community Development has received no letters in response to the letters mailed out on September 10, 2015 by Community Development Staff.

Agencies were notified and the responses are as follows:

Arizona Department of Transportation (ADOT)-

Contact: Bruce Cooper Comments Received: 9/14/15

- *ADOT has no comments based on the current proposed use by Mr. Ignacio M Mesa, Parcel 404-13-013D. The access permit is still valid with ADOT and there have not been any issues reported at this time. Should the use continue to increase in the future ADOT may need to require further mitigation at that time, however, none are needed currently.*

APS-

Contact: Monique Holliday Comments Received: 9/11/15

- *APS has facilities readily available on the property. There is only singlephase 120/240V power available. Please have customer provide load information and panel size as soon as available so we can decide the best way to feed the new building.*

Camp Verde Fire District-

Contact: Kristi Gagnon Comments Received: 9/8/15

- *All portions of the fire apparatus access roadway must meet the minimum standards of the IFC:*
 - *IFC 503.1.1 – Fire apparatus access roads with a width of only 20 feet shall be marked with permanent “NO PARKING – FIRE LANE” signs. Signs shall measure 12 inches by 18 inches, have red letters on a white background, and shall comply with Federal Department of Transportation Standards for R8-31.*
 - *IFC 503.2.3 – Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities.*
 - *Dead-end fire apparatus access roadways in excess of 150’ in length shall be provided with an approved area for turning around fire apparatus, including proper turning radius.*
- *IFC 507.1 – An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (Water flows are based on building construction type and square footage.)*
- *Will entrances be gated?*
- *New and existing building shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetic letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structures.*
- *Exiting from each building will need to be assessed to ensure conformity with occupancy classification requirements.*
- *Fire extinguishers are required to be provided in accordance with IFC and NFPA. Additional requirements may be forthcoming once the building plans have been submitted.*
- *PLANS ARE NOT APPROVED. Failure to identify a code violation during this process of the plan review DOES NOT give the permit applicant the right nor authority to violate the code. The final installation and construction must be in accordance with the International Fire Code.*

Town of Camp Verde Building Division-

Contact: Robert Foreman Comments Received: 9/9/15 – Amended 9/23/15

- *Per aerial and satellite photos and previous site plans submitted by the applicant it would appear building #7 was constructed sometime after 2013. There are no records of a building permit for that structure. If the applicant has such records we would request copies of them to clarify any confusion concerning this structure.*
- *As a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC per the attached memo dated August 10, 2015 a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing residential barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The Building Division would recommend that a specific time limit of six months be placed on this item. The applicant should note that the building will not be issued a Certificate of Occupancy from the Building Division until this item has been completed.*

Yavapai County Development Services Environmental Unit –

Contact: Stacey Clark Comments Received: 9/2/15

- 1) *Any new structures being added to this property will require an adequately sized on-site wastewater treatment facility that is permitted through Yavapai County Development Services- Environmental Unit (YCDS-EU). For each septic system being installed:*
 - a. *A site investigation will be required in order to determine a soil absorption rate (SAR). There are 2 options for the site investigation:*
 - i. *You may have 3 discovery holes dug in the area in which the septic system will be installed, and Yavapai County Development Services- Environmental Unit will inspect the discovery holes. The YCDS-EU fee for this is \$81.50.*
 - ii. *You may hire a Registered Sanitarian, geologist, or a professional engineer licensed in the state of Arizona to perform the site investigation and their results will be submitted to the county. The YCDS-EU fee for this is \$67.50.*
 - b. *A commercial septic application will need to be submitted to Yavapai County Development Services with the following information for review:*
 - i. *Application, scaled plot plan to engineers scale with the scale being no smaller than 1"=60', directions to site, commercial sizing calculations, permit submittal fees of \$210.00.*
- 2) *The existing "Winery" building does not have a permitted on-site wastewater treatment facility. If this building will be connected to the existing septic system for the house, the existing unpermitted septic system will need to be permitted following the procedures for permitting an existing conventional septic system (procedure is attached). This process will also determine if the existing system will have capacity for both the existing house and the existing "Winery" building, or if the system will need to be upgraded to accommodate all flows. A floor plan (showing rooms, the use of each room, and location of any water using fixture) of any structure with flows going into this system will be required in order to determine if the capacity is sufficient. If a new septic system will be installed for this "Winery" building, refer to number 1 in these notes.*
- 3) *As the property is larger than 5 acres, any new well permitting will go directly to the Arizona Department of Water Resources.*

Yavapai County Flood Control District –

Contact: Vickie Lewis Comments Received: 8/25/15

- *This parcel is not impacted by a FEMA or District-Regulated Special Flood Hazard Area. Yavapai County Flood Control has no issued with this proposed application. As this parcel is within close proximity to West Clear Creek, that being a tributary to the Verde River, care should be taken that there be no discharge of pollutants within the waters of the U.S.*

Current and Proposed Development Conditions:

- *The Commission should note that it appears the existing winery does not meet the front setback of fifty (50) feet or the exterior side setback of thirty (30) feet. When the old barn was originally constructed it actually encroached onto the adjacent property to the West. Mr. Mesa did contact the adjacent land owner and did purchase all of the land adjacent to his barn and to the easterly Right-Of-Way line of Aspen Way. However there is no more land that can be acquired in order to achieve his front or exterior side yard setback. This is a pre-existing issue as Yavapai County lists the construction date of the old barn as 1964.*
- *The Commission should also be aware that on the site plan submitted, Building #7 scales at ten (10) feet from the westerly side property line. Staff recommends that the interior side yard setback of twenty five (25) feet be maintained. This will allow for a better buffer between the Mesa property and the rear of the properties abutting Aspen Way.*
- *All front setbacks with the exception of the existing winery appear to be within the ordinance requirements. All side yard setbacks along the east property line appear to meet the side yard setback requirements. All rear setbacks also appear to be well within ordinance requirements.*
- *As far as outdoor lighting and building height limitations are concerned, Staff will review for compliance when building permits are applied for should the Use Permit be approved.*
- *Per Arizona Department of Transportation (ADOT) comments, should the use increase, additional improvements at the entrance may be required.*
- *If the entry gate is to be locked after closing, then Knox Box entry will be required as stipulated by the Camp Verde Fire District.*
- *Per the Building Official as a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The Building Division is recommending a specific time limit of six months be placed on this item. The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.*

Recommendation by the Planning & Zoning Commission:

Recommendation for approval (or denial) to Council on Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 with the following stipulations:

- *Per Arizona Department of Transportation (ADOT), should the use increase additional improvements at the entrance may be required.*
- *Per the Camp Verde Fire District, should the entry gate be locked after closing then a Knox Box will be required.*
- *Per the Building Official, as a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The Building Division is recommending a specific time limit of six months be placed*

on this item. The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.

Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona.

On a motion by Commissioner Norton, seconded by Vice Chairman Freeman, the Commission recommends for approval to Council, Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 with the following stipulations:

- **Per Arizona Department of Transportation (ADOT), should the use increase additional improvements at the entrance may be required.**
- **Per the Camp Verde Fire District, should the entry gate be locked after closing then a Knox box will be required.**
- **Provide suction water pipe at an accessible location for fire water as approved by the Camp Verde Fire District and supply adequate supply for fire protection as determined by the Camp Verde Fire District.**
- **Per the Building Official, as a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Ground U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.**
- **This Use Permit shall be in perpetuity.**

Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona.

All Commissioners are in favor. Motion passes unanimously.

Recommended Motion:

A Motion to Approve (or Deny) Resolution 2015-946 a Resolution of the Common Council of the Town of Camp Verde, Yavapai County, Arizona on Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013. Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona. With the following stipulations as recommended by the Planning and Zoning Commission:

- **Per the Arizona Department of Transportation (ADOT), should the use increase additional improvements at the entrance may be required.**
- **Per the Camp Verde Fire District, should the entry gate be locked after closing then a Knox Box will be required.**
- **Per the Camp Verde Fire District, provide suction water pipe at an accessible location and supply an adequate water supply for fire protection.**
- **Per the Building Official, as a condition of the Use Permit approval for Clear Creek Vineyard and Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.**
- **This Use Permit shall be in perpetuity.**



RESOLUTION NO. 2015-946

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ON USE PERMIT 20150245, AN APPLICATION SUBMITTED BY MRS. SUE MESA, AGENT FOR MR. IGNACIO M MESA, OWNER OF PARCEL 404-13-013D, WHICH IS 10.09 ACRES. THE PROPERTY OWNER IS REQUESTING A USE PERMIT TO ALLOW FOR AGRI-TOURISM IN A RESIDENTIAL NEIGHBORHOOD ZONED R-R (RESIDENTIAL-RURAL) FOR THE PURPOSE OF SELLING AND OPERATING A WINE TASTING ROOM AS AUTHORIZED BY ARIZONA DOMESTIC FARM WINERY LICENSE #13133013. AGRI-TOURISM IS AN ALLOWED USE UNDER THE R-R (RESIDENTIAL-RURAL) DISTRICT IN THE CURRENT PLANNING AND ZONING ORDINANCE WITH A USE PERMIT. THE PROPERTY IS LOCATED AT 4053 E STATE ROUTE 260, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby resolve as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 20150245 was filed by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of Parcel 404-13-013D, located at 4053 E State Route 260, Camp Verde, Arizona. The parcel is zoned R-R (Residential-Rural) and the proposed uses (Agri-Tourism) are permitted under such zoning with a Use Permit.
 - B. The request was reviewed by the Planning and Zoning Commission on October 1, 2015 and by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on October 28, 2015 in public hearings that were advertised and posted according to State Law.
 - C. A neighborhood meeting was held on July 30, 2015 by the applicant to provide for citizen review pursuant to ARS §9-462.03 and as required by the Town of Camp Verde Planning and Zoning Ordinance, Part Six, Section 601 (Zoning Decisions) A. – Zoning Ordinance Amendment Applications and Hearings, 3.a-e.
 - D. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town of Camp Verde Planning and Zoning Ordinance.
 - E. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as Exhibit A.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby approve Use Permit 20150245 in perpetuity, subject to the limitations of Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, Subsection 2, for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 and all other uses allowed under Agri-Tourism with the following findings:

1. The use of this property shall be operated and maintained in a manner consistent with the general provisions of the Town of Camp Verde Planning and Zoning Ordinance per Part Two, Section 203 – Use Districts, D. - R-R District (Residential-Rural), 3.f. Agri-Tourism.

2. Per Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, 1.e The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No such use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

The following stipulations would be in place:

1. Per the Arizona Department of Transportation (ADOT), should the use increase additional improvements at the entrance may be required.
2. Per the Camp Verde Fire District, should the entry gate be locked after closing then a Knox Box will be required.
3. Per the Camp Verde Fire District, provide suction water pipe at an accessible location and supply an adequate water supply for fire protection.
4. Per the Building Official, as a condition of the Use Permit approval for Clear Creek Vineyard and Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.

All of the requested uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 – Zoning Decisions, C. – Use Permit Approvals, 1. and 2. of the Town of Camp Verde Planning and Zoning Ordinance.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON OCTOBER 28, 2015.

Charles C. German, Mayor Date:

Attest:

Virginia Jones, Town Clerk Date:

Approved As To Form:



Town Attorney

EXHIBIT A

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Use Permit 20150245 for parcel 404-13-013D. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 9th day of October, 2015

OWNER:

IGNACIO M. MESA

Print Name

Ignacio M. Mesa
Signature

OWNER:

Susan L. Mesa

Print Name

Susan L. Mesa
Signature

STATE OF ARIZONA)
County of Yavapai) ss.



On this 9th day of October, 2015, before me, the undersigned Notary Public, personally appeared Ignacio M. & Susan L. Mesa, who acknowledged that this document was executed for the purposes therein contained.

Bailey Kusner
Notary Public

My Commission Expires: 08/30/2018



Land Use Application Form

1. Application is made for:

- | | | |
|---|------------------------------------|------------------------|
| Zoning Map Change | Use Permit | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PUD Zoning | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Verification of Non-Conforming Use | Utility Exemption |
| Site Plan Compatibility Review (Commercial) | | |

Other: _____

2. Project Name: CLEAR CREEK VINEYARD & WINERY, LLC - Usage for Tasting Room in the Winery Building

Please print or type legibly

3. Contact information: *(a list of additional contacts may be attached)*

Owner Name: Ignacio M Mesa Applicant Name: Susan L Mesa

Address: 4053 E Hwy 260, Camp Verde, AZ 86322 Address: 4053 E Hwy 260, Camp Verde, AZ 86322

Phone: 602.859.7418 Phone: 602.904.0173

E-mail: messimjr@gmail.com E-Mail: mesa@rioclarowines.com

4. Property Description:

Address or Location: 4053 E Hwy 260, Camp Verde, AZ 8632

Existing Zoning: Rural Residential Existing Use: Agriculture

Proposed Zoning: Ag-Tourism Proposed Use: Agriculture including wine sales

5. Purpose: *(describe intent of this application in 1-2 sentences)*

To get a Use Permit to sell and taste wine with customers in our new Winery building
as authorized by Arizona Domestic Farm Winery License #13133013

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: Ignacio M Mesa Date: July 31, 2015 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: Susan L Mesa Date: July 31, 2015



Directions to Property

Assessor's Parcel Number 404-13-013C 0 / 404-13-014C 3/ 404-13-013B

Applicants Name Ignacio & Sue Mesa

Property Address 4053 E Hwy 260, Camp Verde, Arizona 863232

Directions To Property:

Take Hwy 260 East from the Center of Camp Verde until you reach mile marker 226.

Pass Aspen Way and see the back of a large red barn which is our Winery building.

Continue on 100 feet to our front gate marked with our banner displaying

CLEAR CREEK VINEYARD & WINERY with our Rio Claro Wines logo

LETTER OF INTENT

THIS LETTER OF INTENT (“the Letter”) made as of this 31st day of July, 2015 (the “Execution Date”),

BETWEEN:

CLEAR CREEK VINEYARD & WINERY, LLC (Applicant)

- AND -

TOWN OF CAMP VERDE (Municipality)

BACKGROUND:

- A. The Municipality requires a Master Plan (future state) of all possible land use in advance of issuing a “Use Permit” to any prospective applicant.
- B. The Applicant wishes to present the appropriate Master Plan (future state) for all land use activities planned for the 10 acres of land now proposed for “Ag-Tourism” ~~zoning~~ **USE PERMIT** by the Municipality.

This Letter will establish the planned expansion of the buildings and business of the applicant in the Master Plan (future state) now being submitted to the Municipality.

Non-Binding

1. This Letter does not create a binding agreement between the Applicant and the Municipality and will not be enforceable until such time as the Municipality grants a “Use Permit” to the Applicant.

Transaction Description

2. The property (the “Property”) that is the subject of this Letter is located at:

4053 E State Route 260, Camp Verde, AZ 86322
3. The legal land description for the Property is included in the Addendum marked Exhibit A.
4. The Master Plan (future state) drawing with 25 copies are included in the “Use Permit” application currently being submitted by the Applicant for review by the Municipality. All designations required by the Municipality have been incorporated into the drawing.

MASTER PLAN (future state) narrative description of the Property by Parcel number and then by the numbers displayed on each item/building being added to the plan drawing to achieve future state:

Parcel Used: **404.13.013C 1.00 Acre**

1. PHASE 1 - 48' x 28' building /Tasting Room with covered Patio glassed enclosed sides (1350 sq. ft.) Phase I – includes two (2) handicap accessible Bathrooms (Septic tank/sewer system (420 sq. ft.)
3. PHASE 2 – 2000 sq. ft. building – expansion of the Tasting Room space overlooking the vineyard.
4. Garage 1200 sq. ft. – Four (4) car garage for personal vehicles and ATV
6. Entry Gate – enlarged to 30' to create easy access for all size vehicles
8. Decorative Gazebo located in garden area behind parking lot
10. Decorative Pond & Fountain – located in the garden area.

Parcel Used: **404.13.014C 8.81 Acres**

2. Building 1980 sq. ft. - additional Processing and wine storage space.
7. Building 1750 sq. ft. – Farm / vineyard equipment storage space.
9. Wedding Gazebo – located out behind the pond overlooking the acres of vineyard

Parcel Used: **404.13.013B 0.28 Acres**

5. Parking Lot - 25 parking spaces to be provided for Tasting Room customers

Future lighting for the property will be shielded as per Town Ordinance. All future public access buildings will meet ADA requirements. All septic and sewer installations will meet County and Municipal requirements. Bus & Tour Parking is displayed on the drawings.

Applicant:

Ignacio & Susan Mesa, Owners

Clear Creek Vineyard & Winery, LLC

4053 E State Route 260

Camp Verde, Arizona 86322

Cell: 602.904.0173

ADDENDUM

EXHIBIT B

EXHIBIT "B"

A portion of the Government Lot 1, (a fractional portion of the South East 1/4, of Section 11, Township 13 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona more particularly described as follows:

COMMENCING FOR REFERENCE at the Southeast corner of said Section 11, a found stone and shown on the record document R1 – Book 52 of Land Surveys, Page 99, Yavapai County Recorder – (YCR), from which the closing corner at the intersection of the Southeast line of the Fort Verde Garden Reservation (abandoned) and the East line of Section 11 bearing North $00^{\circ}13'39''$ East Calculated – (C) basis of bearings, determined from N $00^{\circ}09'11''$ W 2239.37 feet distant R1; Said closing location determined per R2 - Book 18 of Land Surveys, Page 33, YCR;

Thence North $00^{\circ}13'39''$ East 352.0 C, N $00^{\circ}09'11''$ W (R1), N $00^{\circ}08'$ W R4 along the East line of said Section 11 to the Southwest Corner of R4 – Book 3550, Page 583, YCR;

Thence South $83^{\circ}58'21''$ East 447.00 feet C S $84^{\circ}20'$ E R4 to a point;

Thence North $00^{\circ}13'39''$ East 867.40 feet C N $00^{\circ}08'$ W R4 to a point on the southerly right of way line of Camp Verde – Pine Highway (aka the Camp Verde to Clear Creek Highway, Book 18 of Maps, page 59-60, per grant of Easement recorded in R0 – Book 154 of Deeds, Page 329-330 YCR;

Thence North $58^{\circ}11'21''$ West, 522.00 feet C N $58^{\circ}33''$ W R4 along said Southerly right of way to the intersection of the East line of said Section 11 and the Northwest corner of said R4, and the point of BEGINNING of this description, from which the Southwest corner of R4 bears S $00^{\circ}13'39''$ W 1095.7 feet C distant S $00^{\circ}09'11''$ E R1, S $00^{\circ}08'$ E R4;

Thence continue North $58^{\circ}11'21''$ West 5.07 feet C N $58^{\circ}33'$ W R4 along said Southerly right of way to the East line of the Northerly projection of the East line of Aspen Way, R5 – Book 1292, Page 644-645, YCR, a portion of Lot 460, R6 – Verde Lakes Unit 2, Book 14 of Maps, Page 35, YCR;

Thence South $32^{\circ}41'32''$ West 83.00 feet C S $32^{\circ}52'30''$ W R5 along said projection of the Easterly right of way to the Northeast corner of R5;

Thence South $57^{\circ}22'15''$ East 37.00 feet C along the Northeast line of Lot 460 S $57^{\circ}11'17''$ E 37.00 feet R5 to the Northeast corner of said Lot 460;

Thence continue South $57^{\circ}22'15''$ East 20.89 feet C to the intersection of the East line of said Section 11;

Thence North $00^{\circ}13'39''$ East 98.39 feet C along said East line of said Section 11 N $00^{\circ}08'$ W R4 to the POINT OF BEGINNING.

Affidavit

I Sue & Ignacio Mesa owner of parcel 404-13-014C 3 have notified my neighbors within 300' of my residence, by sending letters on 07/15/15 to notify them of the neighborhood meeting that I conducted on the 30th day of JULY 2015.

I posted my property with meeting date and time on the 16TH day of July 2015.

404-13-013B

I Sue & Ignacio Mesa owner of parcel 404-13-014C 3/ 404-13-013C 0 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 30th day of July 2015.

Summary

Statement: We had 9 attendees (include Yavapai Supervisor Tom Thurman)

and 3 Town staffers attended. The group was seated on the patio to view the vineyard, irrigation pond and mountatin vistas. The group then went out to the winery to tour and learn about the operations at Clear Creek Vineyard and Winery. They viewed the cold aging storage room where almost 4000 gallons are aging awaiting bottling and the temporary tasting area. The winery activities were described, hours of operation discussed, noise abatement and level of traffic to be generated including buses entering the property. Tasting will only be conducted during daylight hours avoiding luminary issues. Handicap access will be undertaken when a building permit is submitted for the Tasting Room building later this year. There were no issues or concerns raised by the neighbors and all seemed very supportive.

If Summary statement is too long, attach a copy.

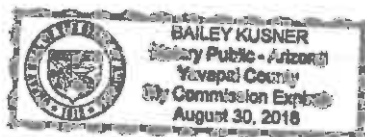
State of Arizona}

County of Yavapai}

Ignacio M. Mesa
Signature of Document Signer No. 1

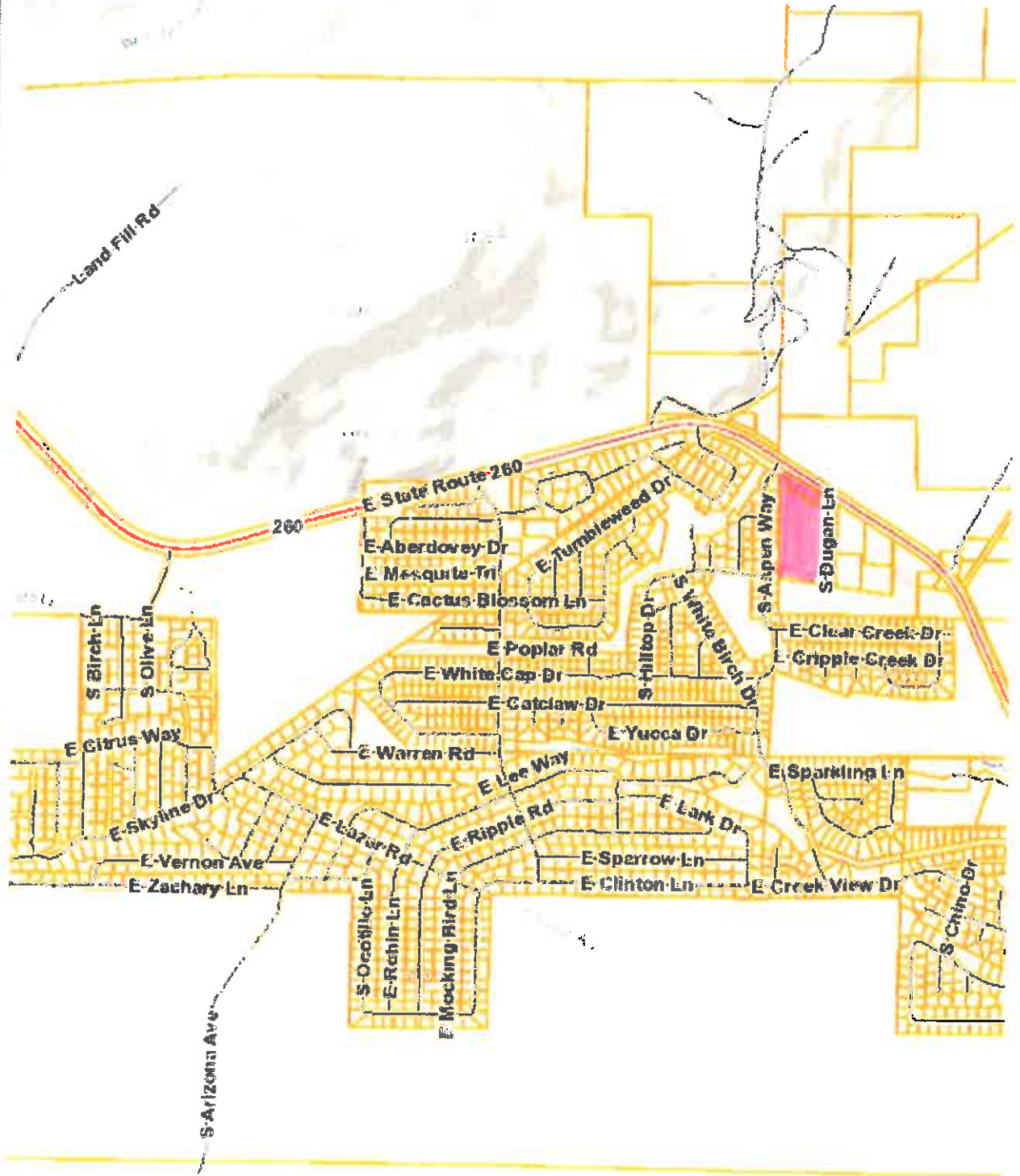
Susan L. Mesa
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 31st day of July 2015.



[Signature]
Signature of Notary

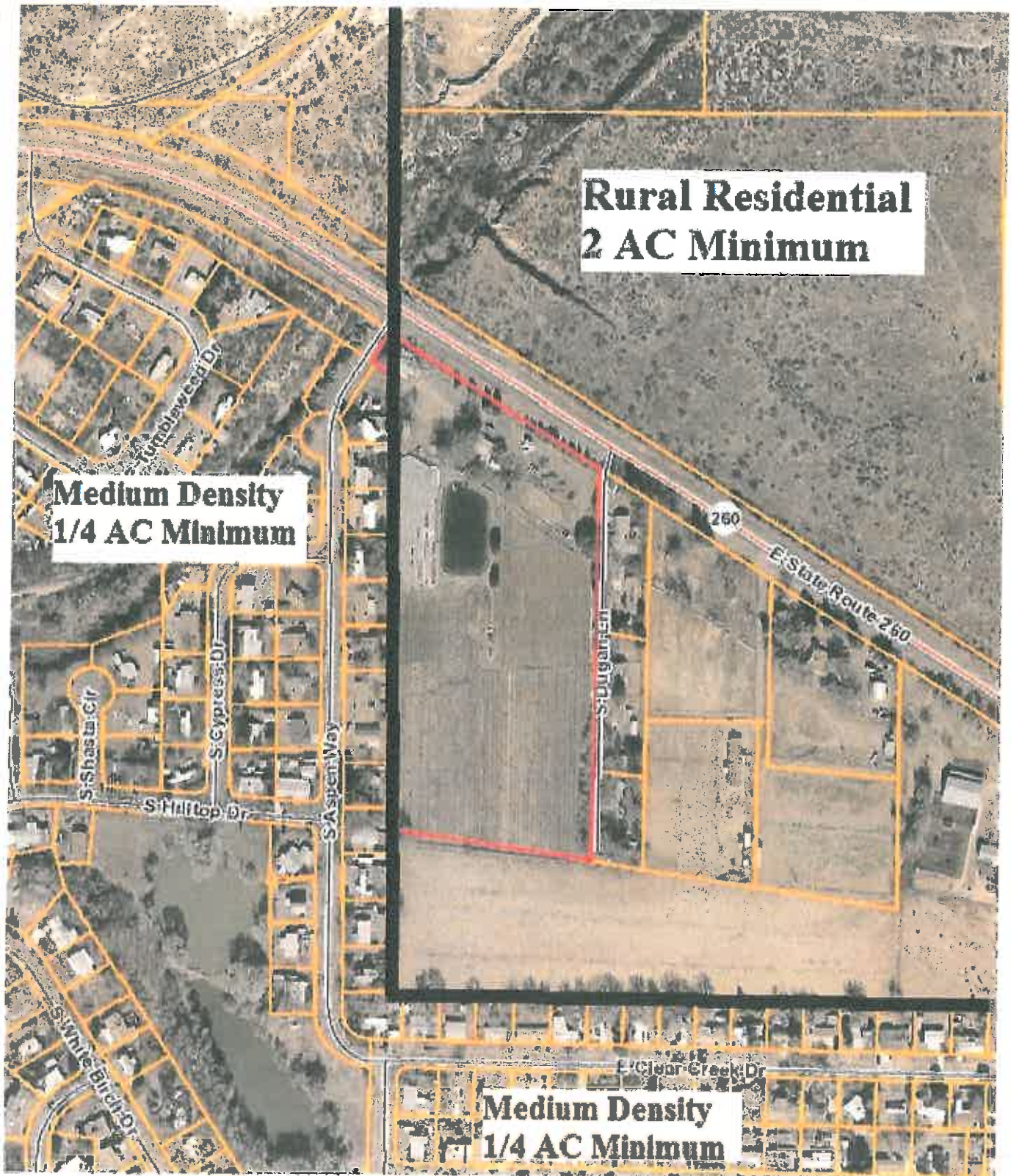
Vicinity Map



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on 7/29/2015

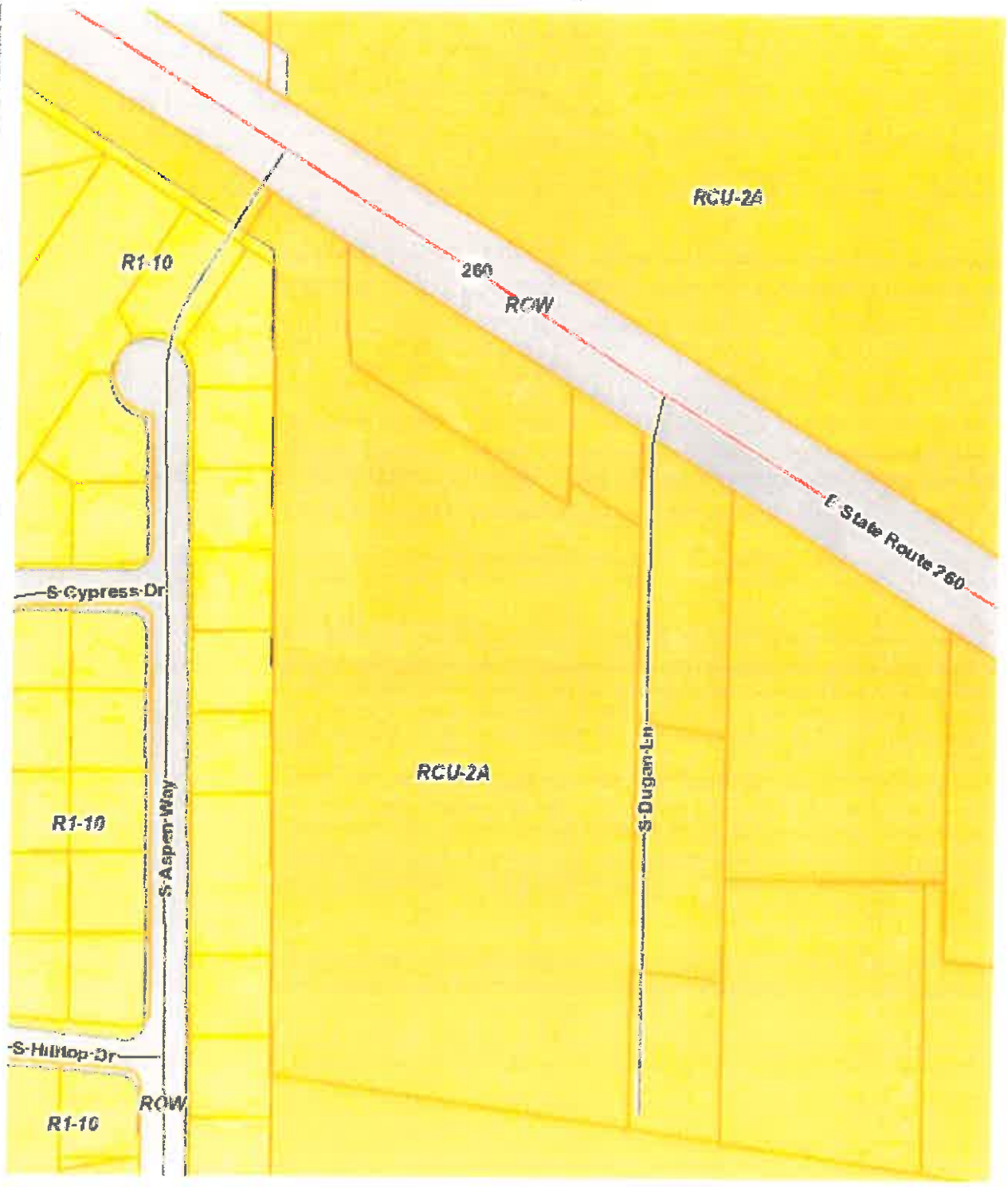
Land Use Map



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on: 6/24/2015

Zoning Map



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on 7/7/2015

Emily Diver

From: Kendall Welch
Sent: Monday, September 14, 2015 1:18 PM
To: Emily Diver
Subject: Fwd: Use Permit Application 20150245
Attachments: image001.jpg

For Mesa Use Permit File. Thank you!

Sent from my iPhone

Begin forwarded message:

From: Bruce Cooper <BCooper@azdot.gov>
Date: September 14, 2015 at 1:26:04 PM MDT
To: "Kendall.welch@campverde.az.gov" <Kendall.welch@campverde.az.gov>
Subject: Use Permit Application 20150245

Kendall,

ADOT has no comments based on the current proposed use by Mr. Ignacio M Mesa parcel 404-13-013D, The access permit is still valid with ADOT and there have not been any issues reported at this time. Should the use continue to increase in the future ADOT may need to require further mitigation at that time however none are needed currently.

Thank you!

Bruce Cooper
Prescott District Traffic Analyst
1109 Commerce Dr
Prescott, AZ 86305
(928) 777-5877
azdot.gov



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Emily Diver

From: Monique.Holliday@aps.com
Sent: Friday, September 11, 2015 1:06 PM
To: Emily Diver
Subject: RE: Use Permit - Ignacio Mesa Parcel No. 20150245

Good afternoon Emily,

APS has facilities readily available on the property. There is only singlephase 120/240V power available. Please have customer provide load information and panel size as soon as available so we can decide the best way to feed the new building.

Thanks!



Monique Holliday

Sr. Designer, Cottonwood Construction Office
1250 E. State Route 89A, Cottonwood, AZ 86326 M.S. 4718

Tel (928)646-8435

monique.holliday@aps.com aps.com

APS Volunteer Council
Live It. Log It. Every act counts.



Camp Verde Fire District

26 B Salt Mine Road
P.O. Box 886
Camp Verde, Arizona 86322

Phone: 928.567.9401
Fax: 928.567.2444
www.campverdefire.org



September 8, 2015

USE PERMIT APPLICATION COMMENTS

This review is based on: 2012 International Fire Code and 2012 International Building Code.

PROJECT

**AGRI-TOURISM
USE PERMIT APPLICATION
4053 E. STATE ROUTE 260
CAMP VERDE, AZ 86322**

CONTACT

**IGNACIO MESA
602-859-7418**

1. All portions of the fire apparatus access roadway must meet the minimum standards of the IFC:
 - a. IFC 503.1.1 - Fire apparatus access roads with a width of only 20 feet shall be marked with permanent "NO PARKING – FIRE LANE" signs. Signs shall measure 12 inches by 18 inches, have red letters on a white background, and shall comply with Federal Department of Transportation Standards for R8-31.
 - b. IFC 503.2.3 - Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities.
 - c. Dead-end fire apparatus access roadways in excess of 150' in length shall be provided with an approved area for turning around fire apparatus, including proper turning radius.
2. IFC 507.1 - An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (Water flows are based on building construction type and square footage.)
3. Will entrances be gated?
4. New and existing building shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetic letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structures.

Camp Verde Fire District

26 B Salt Mine Road
P.O. Box 386
Camp Verde, Arizona 86322

Phone: 928.567.9401
Fax: 928.567.2444
www.campverdefire.org



5. Exiting from each building will need to be assessed to ensure conformity with occupancy classification requirements.
6. Fire extinguishers are required to be provided in accordance with IFC and NFPA.

Additional requirements may be forthcoming once the building plans have been submitted.

PLANS ARE NOT APPROVED. Failure to identify a code violation during this process of the plan review **DOES NOT** give the permit applicant the right nor authority to violate the code. **The final installation and construction must be in accordance with the International Fire Code.**

Please feel free to contact me at (928) 567-9401 ext. 105, should you have any questions.

Sincerely,

Kristi Gagnon
Fire Marshal

TOWN OF CAMP VERDE



Memorandum

To: Kendall Welch, Assistant Planner

Cc: Sandy, Permit Technician

Emily Diver, Permit Technician

Kristi Gagnon, Camp Verde Fire Marshal

From: Robert Foreman, Building Official

Date: September 23, 2015

Re: Amended Comments - Use Permit Clear Creek Vineyard & Winery, LLC, Project #20150245

Building Department has the following comments on the use permit application. These comments are preliminary in nature only, and are subject to change.

- Per aerial and satellite photos and previous site plans submitted by the applicant it would appear building #7 was constructed sometime after 2013. There are no records of a building permit for that structure. If the applicant has any such records we would request copies of them to clarify any confusion concerning this structure.
- As a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC per the attached memo dated August 10, 2015 a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing residential barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2 Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The Building Division would recommend that a specific time limit of six months be placed on this item. The applicant should note that the building will not be issued a Certificate of Occupancy from the Building Division until this item has been completed.
- Building Department has no further comments pending Building Permit applications for the proposed new buildings, as it is agreed that any new buildings will be properly permitted and inspected, and existing utility infrastructure is already in place or will be in place prior to Certificate of Occupancy being issued.

A handwritten signature in blue ink that reads "Robert Foreman".

Robert L. Foreman
Building Official
Town of Camp Verde
473 S. Main St. Ste 108
928-567-8514 ext 112

Robert.foreman@campverde.az.gov



Memorandum

To: Susan & Ignacio Mesa

Cc: Mike Jenkins, Community Development Director

File

From: Robert Foreman, Building Official

Date: August 10, 2015

Re: Permit Application, 4053 E. State Route 260, Parcel #404-13-014C

Mr. & Mrs. Mesa

Per your request this is a list of items that will need to be addressed in your Commercial Tenant Improvement application to change the use and occupancy of an existing Residential barn (U) into a Commercial wine tasting room (A-2) and a wine processing facility (F-2).

Please note that this list may not be all inclusive and during the plan review phase of the application other issues may or may not arise. Also please note that the plans submitted will need to be reviewed by the Camp Verde Fire District, Camp Verde Planning & Zoning Division, Yavapai County Flood District and Yavapai County Developmental Services, Environmental Services Unit and approved by them prior to issuing a permit for the change of occupancy and use.

- The occupancy of the F-2 portion of the building will be limited to 5 and the occupancy of the A-2 occupancy will be limited to 15, for a total occupant load of 20. This is necessary so that ARS Statute 32-144 will not come into play so that it would be required for the building plans to be drawn by a registered Arizona Design Professional. This occupancy load is assigned per the exception in IBC Section 1004.1.2, as opposed to using the mathematical formula in Table 1004.1.2
- Electrical plans will need to be included in the submittal showing location of service, capacity of service and load calculations for all electrical equipment in the building.
- Emergency exit signs will need to be shown and installed above both man doors in the F-2 occupancy and the man door in the A-2 occupancy. These will need to include emergency hard wired lighting and battery back-up. Frog eyes are acceptable.
- Bathrooms will need to be shown on the site plan. These will need to be readily accessible to the occupants of the building and will need to be ADA accessible.

- The flame and smoke spread index of the GACO 183M spray foam insulation installed meets code requirement and is acceptable.
- Per table 1106.1 parking up to 25 cars will require one handicapped accessible space and parking from 25 to 50 cars will require 2 handicapped accessible spaces. At least one space has to be van accessible and signage will be required. Per Section 1106.6 Location "accessible parking spaces shall be located on the *shortest accessible* route of travel from adjacent parking to an accessible building entrance."
- On the submitted plans indicate whether the glazing (windows) in the A-2 occupancy is safety glazed or not. If it meets the four criteria of Section 2406.4.3 it will need to be safety glazed.
- Please show any plumbing work that has been completed including the G&D chillers and the Propylene Glycol.
- Per table 508.4 it will need to be shown that there is a one (1) hour fire separation between the A-2 occupancy and the F-2 occupancy.



Robert Foreman
Building Official
Town Safety Officer
Town of Camp Verde
473 S. Main St. Ste., 108
928-554-0050
Robert.foreman@campverde.az.gov

Community Development Director Comments

Ignacio Mesa Use Permit

On July 24, 2015, the Town Council approved a text amendment to the Residential-Rural zoning district that will allow for Agri-Tourism Uses with an approved Use Permit. The Use Permit is subject to criteria and specific showings of:

- 1) Multiple points of direct ingress and egress for patron safety and direct emergency vehicle access;
- 2) Ample improved in-site parking for normal business activity and provisions on site for special event overflow parking;
- 3) Adequate separation distance, limitation of hours of operation, and/or additional impact mitigation to negative effects of lighting, noise, traffic, dust and other detrimental environmental factors on nearby residential uses or vacant residentially zoned property.
- 4) Provision for patrons' health, safety and comfort, such as shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, security for persons and property.
- 5) A full two (2) acres (87,120 square feet) parcel is required to obtain a Use Permit for Agri-Tourism.

These items will be reviewed and addressed in the staff report to the Planning & Zoning Commission.

Staff is recommending approval of the Use Permit with all conditions met.

Emily Diver

From: Ron Long
Sent: Tuesday, September 15, 2015 12:12 PM
To: Kendall Welch; Emily Diver
Cc: Mike Jenkins; Robert Foreman
Subject: Mesa Agri-Tourism Use Permit

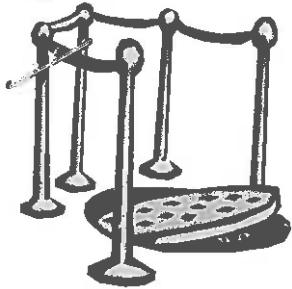
I have reviewed the Use Permit Application for Sue & Ignacio Mesa to allow for Agri-Tourism (Project No. 20150245) and have **No Comment**.

Ron Long, P.E.
Public Works Director
Town of Camp Verde
395 S. Main Street
Camp Verde, AZ 86322
Office: (928) 554-0821
Mobile: (928) 274-3750
Ron.Long@campverde.az.gov

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Town of Camp Verde

Camp Verde Sewer Division

P.O. Box 1205
1000 E State Rte 260
Camp Verde, AZ 86322-1205
Phone (928) 254-9197 Fax (928) 567-8832
Email jan@campverdesewer.com

8/20/2015

Town of Camp Verde
Community Development Department
Planning Division

RE: Use Permit
Project Number 20150245
404-13-013D

This property is not located within the sewerage collection system.

We have no conflicts with this application.

Jan Grogan

928-567-6794
Manager
Sewer Department
Town of Camp Verde

Kendall Welch

From: RMartin@uesaz.com
Sent: Friday, August 21, 2015 8:55 AM
To: Kendall Welch
Subject: Application review

Good Morning Kendall;

In response to the use application for 4053 E State Route 260, parcel 404-13-013D,
There is no gas-no comment.

Thank You
Rhonda

Rhonda Martin

Planner

Unisource Energy Services

Verde Valley District

(Office) 928-203-1214

Fax. 928-634-8994

rmartin@uesaz.com

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Emily Diver

From: Adams, Judy -FS <jadams05@fs.fed.us>
Sent: Wednesday, September 16, 2015 4:07 PM
To: Emily Diver
Subject: FW: Use Permit - Ignacio Mesa Parcel No. 20150245

Emily, The Coconino NF does not have concerns with this proposal as described. It appears all of their current proposal is on the north side of the parcel and not close to the forest boundary. It would be beneficial for them to have the property surveyed to federal standards to ensure they know where their boundaries are and avoid crossing over the forest boundary with improvements or activities. They should ensure that all of their visitors and activities remain on the private property and not on the forest at any time. Thanks for allowing us to comment on the proposal.



Judy Adams
Lands Team Leader
Forest Service
Coconino National Forest

p: 928-203-7506
f: 928-203-7539
jadams05@fs.fed.us

PO Box 20429, 8375 State Route 179
Sedona, AZ 86341

www.fs.fed.us



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YAVAPAI COUNTY

Development Services

Prescott Office-
1120 Commerce Dr., Prescott AZ 86305
(928) 771-3214 Fax: (928) 771-3432



Cottonwood Office-
10 S 6th Street, Cottonwood, AZ 86326
(928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – Environmental – Land Use – Planning & Design Rev

EU notes for Use Permit application 20150245- Clear Creek Vineyard and Winery LLC

- 1) Any new structures being added to this property will require an adequately sized on-site wastewater treatment facility that is permitted through Yavapai County Development Services- Environmental Unit (YCDS-EU). For each septic system being installed:
 - a. A site investigation will be required in order to determine a soil absorption rate (SAR). There are 2 options for the site investigation:
 - i. You may have 3 discovery holes dug in the area in which the septic system will be installed, and Yavapai County Development Services- Environmental Unit will inspect the discovery holes. The YCDS-EU fee for this is \$81.50.
 - ii. You may hire a Registered Sanitarian, geologist, or a professional engineer licensed in the state of Arizona to perform the site investigation and their results will be submitted to the county. The YCDS-EU fee for this is \$67.50.
 - b. A commercial septic application will need to be submitted to Yavapai County Development Services with the following information for review:
 - i. Application, scaled plot plan to engineers scale with the scale being no smaller than 1"=60', directions to site, commercial sizing calculations, permit submittal fees of \$210.00.
- 2) The existing "Winery" building does not have a permitted on-site wastewater treatment facility. If this building will be connected to the existing septic system for the house, the existing unpermitted septic system will need to be permitted following the procedures for permitting an existing conventional septic system (procedure is attached). This process will also determine if the existing system will have capacity for both the existing house and the existing "Winery" building, or if the system will need to be upgraded to accommodate all flows. A floor plan (showing rooms, the use of each room, and location of any water using fixture) of any structure with flows going into this system will be required in order to determine if the capacity is sufficient. If a new septic system will be installed for this "Winery" building, refer to number 1 in these notes.
- 3) As the property is larger than 5 acres, any new well permitting will go directly to the Arizona Department of Water Resources.

Yavapai County Development Services

Prescott Office

1120 Commerce Dr., Prescott, AZ 86305
(928) 771-3214 Fax: (928) 771-3432



Cottonwood Office

10 S. 6th Street, Cottonwood, AZ 86326
(928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – Environmental – Land Use – Planning

PERMITTING AN EXISTING CONVENTIONAL SEPTIC SYSTEM

In order to approve an existing conventional septic system the following items must be done:

- 1.) The tank must be pumped by a certified individual/company and must meet the requirements stipulated in Arizona Administrative Code R18-9-A314. An effluent filter must be installed in the tank. The applicant must then provide YCDS Env. Unit with a copy of the pumping receipt showing description, capacity and integrity of the tank. The tank must remain open for inspection of the filter and setbacks by YCDS-Environmental Unit.
- 2.) A site investigation (if required – check with YCDS-EU) to show soils to at least 4 feet below the installed depth must be performed by a Registered Sanitarian, Professional Engineer, or Registered Geologist and submitted to YCDS-EU per R18-9-A310. If there is some question about shallow soil depth in the area, additional holes may be required as well.
- 3.) The beginning and ends of the leach field (end caps of pipes) must be excavated so that the length of the disposal pipes can be measured.
- 4.) A hole at the end of the leach line(s) must be dug to show the total depth of leach rock in the trench. Or, if a disposal bed is present, the four corners of the bed must be excavated.
- 5.) All fees must be paid to YCDS prior to services being rendered.
Fees to examine a site (perc test) are \$81.50
Septic Permit application fees are \$160.00 plus document fee for residential installations or \$205 plus document fee for commercial installations
Such septic permits will be issued only if all current standards for septic system design are met.
- 6.) An inspection of the components of the septic system (items 1, 3, and 4 and above) must be conducted and a final approval granted by a YCDS inspector.

If you have any questions about this procedure, please feel free to speak with an Environmental Unit Inspector.

Kendall Welch

From: Vickie Lewis <Vickie.Lewis@yavapai.us>
Sent: Tuesday, August 25, 2015 3:05 PM
To: Kendall Welch
Subject: 404-13-013D Use Permit

Kendall,

I am in receipt of Project Number 20150245 for a Use Permit for parcel 404-13-013D for Agri-Tourism.

This parcel is not impacted by a FEMA or District-Regulated Special Flood Hazard Area. Yavapai County Flood Control has no issues with this proposed application. As this parcel is within close proximity to West Clear Creek, that being a tributary to the Verde River, care should be taken that there be no discharge of pollutants within the waters of the U.S.

Please let me know if you have any questions.

*Vickie Lewis
Hydrologist
Yavapai County Flood Control
(928) 649-6222*

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DRAFT MINUTES
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY OCTOBER 1, 2015
6:30 PM

1. **Call to Order**
Chairman Davis called the meeting to order at 6:30 pm.
2. **Roll Call**
Chairman Davis, Vice Chairman Freeman, Commissioners Blue, Burnside, Norton, and Parrish are present. Commissioner Hisrich is absent.

Also present: Community Development Director Michael Jenkins, Assistant Planner Kendall Welch, Building Official Robert Foreman, and Recording Secretary Marie Moore.
3. **Pledge of Allegiance**

Vice Chairman Freeman led the pledge.
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. **Approval of Minutes:**
No Minutes for Approval
 - b. **Set Next Meeting, Date and Time:**
As Needed
No action was taken on this item.
5. **Call to the Public for Items not on the Agenda**

None.
6. **Public Hearing, Discussion and possible Recommendation for approval (or denial) to Council on Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013. Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona.**

On a motion by Commissioner Norton, seconded by Vice Chairman Freeman, the Commission recommends for approval to Council, Use Permit 20150245, an application submitted by Mrs. Sue Mesa, agent for Mr. Ignacio M Mesa, owner of parcel 404-13-013D, which is 10.09 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (Residential-Rural) for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 with the following stipulations:

- *Per Arizona Department of Transportation (ADOT), should the use increase additional improvements at the entrance may be required.*
- *Per the Camp Verde Fire District, should the entry gate be locked after closing then a knock box will be required.*

- *Provide suction water pipe at an accessible location for fire water as approved by the Camp Verde Fire District and supply adequate supply for fire protection as determined by the Camp Verde Fire District.*
- *Per the Building Official, as a condition of the Use Permit approval for Clear Creek Vineyard & Winery LLC a Commercial Tenant Improvement Building Permit Application along with As-Built Plans will be required by the Building Division in order to change the use and occupancy of the existing Residential Barn (Group U Occupancy) into a Commercial Wine Tasting Room (Group A-2) Occupancy) and Wine Processing Facility (Group F-2 Occupancy). The applicant should note that the Certificate of Occupancy from the Building Division will not be issued until this item has been completed.*
- *This Use Permit shall be in perpetuity.*

Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The property is located at 4053 E State Route 260, in Camp Verde, Yavapai County, Arizona.

All Commissioners are in favor. Motion passes unanimously.

Community Development Director Michael Jenkins read the definition of Agri-Tourism to the Commission out of the current Planning and Zoning Ordinance. Jenkins also read in detail from the staff report items that the applicant and staff had completed as well as information and comments that had been received from various agencies that were notified regarding the Use Permit application. Jenkins also explained the current and proposed development conditions of the property and concluded his presentation with the approval recommendation from staff.

Various Commission members such as Chairman Davis, Commissioners Norton and Burnside questioned and indicated their concern in the wording of the requirements for Agri-Tourism within the existing R-R (Residential-Rural) zoning district and agreed the wording of the existing requirements under Agri-Tourism would need to be addressed and discussed in further detail at a later date in time.

Commissioner Burnside questioned the reason for the six month stipulation/condition being placed on the permitting of the existing winery by the Building Official. Building Official Robert Foreman explained that this condition is already stated in the current Planning and Zoning Ordinance and was a reasonable recommendation.

Chairman Davis declared the public hearing open.

The property owner, Ignacio Mesa, gave a brief presentation to the Planning and Zoning Commission and used an aerial photograph of the property to explain his intentions of how the property is to be developed and the process he plans to follow.

Town Council Member and Camp Verde Resident, Bruce George, addressed the Commission and explained that the applicant had previously come forward at a Council Meeting expressing concerns that they were unable to start their business. George indicated that after that Council Meeting the Mesa's graciously allowed the Mayor and himself to tour the property. George closed by stating that he felt the Mesa's have diligently attempted to comply with the Town's requirements and supports the recommendation of approval to Town Council.

Tom Pitts made a brief statement of support toward the application and stated that he feels it is a step forward and a positive business for Camp Verde.

Kris Metzler stated to the Commission that it was difficult for him to run a small winery boutique due to all of the planning and zoning regulations. Metzler indicated his strong support toward the approval of the Mesa's application.

Chairman Davis declared the public hearing closed.

Community Development Director Michael Jenkins indicated that the Planning and Zoning Ordinance allows for a time limit to be placed on the use permit and that the Commission would need to determine the time limit. Jenkins also stated that there was still an issue of an adequate water supply capacity for the Camp Verde Fire District.

Commissioner Burnside recommended striking a time limit on the use permit. Vice Chairman Freeman agreed with Commissioner Burnside's recommendation. Commissioner Blue recommended the use permit be in perpetuity with Chairman Davis agreeing as well.

There will be no Public input on the following items:

7. Commission Informational Reports:

There were no Commission Informational Reports given.

8. Staff Comments

Assistant Planner Kendall Welch stated that the Commission Members had received an invitation to attend the presentation at Town Hall on November 13th regarding the Arizona Open Meeting Law. Welch requested that the Commission RSVP if they interested in attending.

9. Adjournment

On a Motion by Commissioner Blue, seconded by Vice Chairman Freeman, the meeting adjourned at 7:47 pm.

Chairman B.J. Davis
Planning & Zoning Commission

Michael Jenkins
Community Development Director

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 1st day of October, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ of _____, 2015.

Marie Moore, Recording Secretary