

**AMENDED AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 28, 2018 at 6:30 P.M.**

CORRECTING ROLL CALL (2) TO INCLUDE NEW COUNCIL MEMBERS

CORRECTING (7.1) RESOLUTION #2018-1017 TO CORRECT #2018-1015



Support your local merchants

**AMENDED AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 28, 2018 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

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. Councilors ~~Jackie Baker~~, Buck Buchanan, ~~Joe Butner~~, Dee Jenkins, ~~Bill LeBeau~~, ~~Brad Gordon~~, Robin Whatley; Vice Mayor Jessie Murdock; and Mayor Charles German.

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) Council Hears P&Z Matters and Special Sessions – October 24, 2018
- 2) Regular Session – November 7, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, December 5, 2018 at 6:30 p.m. - Regular Session
- 2) Wednesday, December 12, 2018 at 5:30 p.m. – Work Session CANCELLED
- 3) Wednesday, December 19, 2018 at 6:30 p.m. – Regular Session
- 4) Wednesday, December 26, 2018 at 6:30 p.m. – Council Hears P&Z Matters – Meeting CANCELLED per Resolution 2018-994

c) Possible approval of Special Event Liquor License application for Jackpot Ranch Foundation located at 2025 Reservation Loop Road in Camp Verde for event to be held on March 1, 2019 and March 2, 2019. [Staff Resource: Judy Morgan]

5. Special Announcements and presentations.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about

any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

7. Business. Legal action can be taken.

7.1. Resolution 2018-~~1017~~-1015 - A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona to abandon a portion of an alley and associated reversion to acreage to Lots 1 and 2, Block 12, Parcel Number 404-23-013a, and Lot 3, Block 12, Parcel Number 404-23-013b, within the Camp Verde Townsite Subdivision; extending from Nichols Street South for approximately 140 feet. [Staff Resource: Carmen Howard]

7.2. Ordinance 2018-A438 - An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Zoning Map Change from R2-2 (Residential: Duplex & Other Multi-Family Uses - 2,000 Square-Foot Minimum Lot Size) and R1L-35 (Residential Single Family Limited - 35,000 Square-Foot Minimum Lot Size) to R2-PAD (Residential: Duplex & Other Multi-Family Uses/Planned Area Development) for a Small Home Community on approximately 2.6 Acres on Nichols Street and Fain Street; Parcel Numbers 404-30-029D And 404-23-013A, in Camp Verde, Yavapai County, Arizona. [Staff Resource: Carmen Howard]

7.3. Ordinance 2018-A439 - An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for a text amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 103: Definitions, Bed and breakfast [Staff Resource: Melinda Lee/Carmen Howard]

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are 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.

10. 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.

11. Adjournment

Posted by: *[Signature]* Date/Time: 11-21-2018 11:30 p.m.
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 at 928-554-0021

Agenda items may be taken out of order.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.

Pursuant to A.R.S. §38-431.03(A)(2) and (A)(3), the Council may vote to go into Executive Session for the purpose 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.

Camp Verde Council Meetings are recorded and may be viewed on the Camp Verde website. Pursuant to A.R.S. §1-602(A)(9), parents and legal guardians have the right to consent before the Town of Camp Verde makes a video or voice recording of a minor child. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request in advance to the Town Clerk that your child not be recorded.



Support your local merchants

**AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 28, 2018 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

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. Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German.

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) Council Hears P&Z Matters and Special Sessions – October 24, 2018
- 2) Regular Session – November 7, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, December 5, 2018 at 6:30 p.m. - Regular Session
- 2) Wednesday, December 12, 2018 at 5:30 p.m. – Work Session CANCELLED
- 3) Wednesday, December 19, 2018 at 6:30 p.m. – Regular Session
- 4) Wednesday, December 26, 2018 at 6:30 p.m. – Council Hears P&Z Matters – Meeting CANCELLED per Resolution 2018-994

c) Possible approval of Special Event Liquor License application for Jackpot Ranch Foundation located at 2025 Reservation Loop Road in Camp Verde for event to be held on March 1, 2019 and March 2, 2019. [Staff Resource: Judy Morgan]

5. Special Announcements and presentations.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about

any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

Page
31

7. Business. Legal action can be taken.

59

7.1. Resolution 2018-1017 - A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona to abandon a portion of an alley and associated reversion to acreage to Lots 1 and 2, Block 12, Parcel Number 404-23-013a, and Lot 3, Block 12, Parcel Number 404-23-013b, within the Camp Verde Townsite Subdivision; extending from Nichols Street South for approximately 140 feet. [Staff Resource: Carmen Howard]

87

7.2. Ordinance 2018-A438 - An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Zoning Map Change from R2-2 (Residential: Duplex & Other Multi-Family Uses - 2,000 Square-Foot Minimum Lot Size) and R1L-35 (Residential Single Family Limited - 35,000 Square-Foot Minimum Lot Size) to R2-PAD (Residential: Duplex & Other Multi-Family Uses/Planned Area Development) for a Small Home Community on approximately 2.6 Acres on Nichols Street and Fain Street; Parcel Numbers 404-30-029D And 404-23-013A, in Camp Verde, Yavapai County, Arizona. [Staff Resource: Carmen Howard]

7.3. Ordinance 2018-A439 - An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for a text amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 103: Definitions, Bed and breakfast [Staff Resource: Melinda Lee/Carmen Howard]

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are 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.

10. 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.

11. Adjournment

Posted by: _____

Date/Time: _____

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 at 928-554-0021

Agenda items may be taken out of order.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.

Pursuant to A.R.S. §38-431.03(A)(2) and (A)(3), the Council may vote to go into Executive Session for the purpose 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.

Camp Verde Council Meetings are recorded and may be viewed on the Camp Verde website. Pursuant to A.R.S. §1-602(A)(9), parents and legal guardians have the right to consent before the Town of Camp Verde makes a video or voice recording of a minor child. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request in advance to the Town Clerk that your child not be recorded.

[Page intentionally left blank]

DRAFT MINUTES
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
AND SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 24, 2018 at 6:30 P.M.

1. Call to Order

Mayor German called the meeting to order at 6:30 p.m.

- 2. Roll Call.** Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German were present. Councilor Dee Jenkins was absent.

Also Present: Town Manager Russ Martin, Marshal Corey Rowley, Town Clerk Judy Morgan, Finance Director Mike Showers, Community Development Director Carmen Howard, Community Development Planner Melinda Lee and Recording Secretary Marie Moore.

3. Pledge of Allegiance

Mayor German led the 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) Regular Session – October 10, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, November 7, 2018 at 6:30 p.m. – Regular Session
2) Wednesday, November 14, 2018 at 5:30 p.m. – Work Session -CANCELLED
3) Wednesday, November 21, 2018 at 6:30 p.m. – Regular Session – Meeting CANCELLED per Resolution 2018-994
4) Wednesday, November 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters

- c) Council Review and Possible approval of Street Names.** [Staff Resource: Carmen Howard]

- d) Possible approval for the Finance Director to make the Budget Adjustments as attached for Fiscal Year 2018.** [Staff Resource: Mike Showers]

- e) Discussion, consideration and possible approval of a revised Memorandum of Understanding (MOU) with Camp Verde Promotions for the purpose of partnering on events.** [Staff Resource: Russ Martin]

Councilor Baker requested Finance Director Mike Showers provide clarification on Item 4(d)

for the Budget Adjustments and why it was not previously approved in the budget. Finance Director Mike Showers explained that adjustments are in regards to the two library employees and the Wastewater employee that was approved by Council previously to move from part-time positions to full-time positions within their departments, and the approval at this time is to make the necessary adjustments to the budget. Town Manager Russ Martin explained for clarification that this is an adjustment being made to the 2018 budget that was approved in May of 2017, not the budget that was recently approved. Councilor Baker indicated that things are behind in approval for this matter and Finance Director Showers explained that this procedure is a normal process that happens annually and explained it would have been on the October 17th Regular meeting but that meeting was cancelled.

On a motion by Councilor Gordon, seconded by Vice Mayor Murdock, the motion carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Baker, Buchanan, Gordon and Whatley approving.

5. Special Announcements and presentations.

5.1. November 1, 2018 - Extra Mile Day Proclamation.

Mayor German Proclaimed November 1, 2018 – Extra Mile Day.

5.2. Arizona Cities and Towns Week Proclamation (October 21-27).

Mayor German Proclaimed October 21-17 Arizona Cities and Towns Week.

5.3. National Friends of Libraries Week (October 21-27) Proclamation.

Mayor German Proclaimed October 21-27 National Friends of Libraries Week.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

None

7. Council Hears P&Z Matters - Business. Legal action can be taken.

7.1. Discussion and Possible approval of Resolution 2018-1013 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on a Use Permit 20180344, an application submitted by Carmen Howard, Property Owner, Parcels 403-23-001X and 403-23-001Y, located at 3380 W Cloverleaf Ranch Rd, which is approximately 15 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 developing a community for Tiny-Houses-On Wheels and vintage Recreational Vehicles, and Agricultural events. The property is approximately 15 acres and is located at 3380 W. Cloverleaf Ranch Road; [Staff Resource: Melinda Lee]

Community Development Planner Melinda Lee explained the property is owned by Carmen Howard, who is present as an applicant only for the matter. Ms. Lee gave an overview of the plan for the property and what would happen with the approval of the requested use permit. A Planning & Zoning hearing was held on October 4th 2018, and received recommendation for approval with stipulations that the use permit be granted in perpetuity with a maximum amount of 30 units. Council viewed a presentation that listed a history of use permits granted in perpetuity with explanation of the purpose and

benefits such. Lee spoke on those few use-permits that were not in perpetuity such as mining permits, wireless communications and off premise sign permits, which are included in the town code. The presentation included pictures of the property with proposed amenities as well as conditions of the roads. Lee indicated that one neighboring property voiced concern regarding offroad traffic such as ATV's, which was clarified that would not be allowed. No other neighbors voiced objection. The request for the use-permit is within the scope of the General Plan and use area for the property. Staff recommends Council approve the request with stipulations: in perpetuity and the maximum allotment of 30 RV unit spaces.

Councilor Gordon questioned if there was feedback from the Yavapai-Apache Nation. Lee indicated she received a phone call where the meeting dates were requested, but other than that there was no input.

Call to Public:

Joe Butner passed the Arizona Attorney General Chapter 8 Conflict of Interest handout to Council for review. Butner stated he appeared for the Planning & Zoning meeting that took place on October 4th as well. Butner expressed that although he is not in direct opposition, he wanted Council to be aware that a memorandum should be filed by Carmen Howard regarding the conflict due to her position with the Town. Butner indicated that he was the individual who requested a 30 unit space limit and is not in support of granting perpetuity. Butner stated that rather than a use-permit, a zoning map change should be made due to the difficulty to prove a nuisance with a use permit. Butner also indicated use-permits should be granted on a temporary basis.

Alex Goetting, business owner of Verde Brewery recommended Council thoroughly examine the matter to ensure a conflict of interest has not taken place and the situation has been handled properly. Goetting stated is lack of support for the granting of a permit in perpetuity and expressed that a business should prove itself before such a timeframe is granted. Goetting expressed his frustration with being cited for signage with his own business, but indicated his hope for success to the applicant.

Public Comment Closed.

Mayor German questioned Town Manager Russ Martin regarding any issues with conflict of interest due to the position held by the applicant.

Martin indicated that he did not find any violation in the process, proper precaution was taken that excluded the applicant from handling the matter in any way and if there is a concern, that is for the Attorney General's office to handle.

Councilor Baker questioned if there should be a form filed regarding the conflict of interest for Carmen Howard's sake, Russ Martin indicated he is not an attorney and therefore is unsure what a proper form would be, but assured Council she was not involved in the approval process in any way.

Applicant, Carmen Howard informed Council that the Town Attorney, Bill Sims was contacted on the proper way to proceed. Sims directed staff to notify Council that she has recused herself from the matter as an employee and is appearing strictly as an applicant, which Community Development Planner, Melinda Lee did at the start of the presentation.

Councilor Baker questioned Carmen Howard regarding the length of stay for the 30 space RV area. Howard indicated she is looking for no less than 30 day stays; people who are looking to be a part of a community. People who have purchased tiny homes but do not want to be in an RV Park. Howard explained that she is not looking for transient traffic. Councilor Baker questioned if the tiny home can remain for a longer length of time and if so, what the maximum rental stay time would be. Howard explained that it will be a month to month rental situation and as long as the 30-day stay period is paid for, they will remain. Councilor Baker inquired about the septic, well and electricity availability on the property. Howard informed Council that there are two septic systems on the property to service the facility, a private well and electricity would be provided.

Councilor Buchanan questioned what the projected build-out time for the project would be. Howard indicated her contractor indicated approximately 4 weeks for 10 unit spaces. Buchanan questioned if the applicant was willing to shorten the time frame of the use permit rather than receiving the permit in perpetuity. Howard expressed that the application process is not easy and suggested that if Council feels there needs to be oversight for the use permit, a one-year review be considered to address any complaints received rather than limiting the time of the use permit.

Mayor German clarified that due to this being a use permit the Council has the ability to pull the permit, therefore sees no problem with perpetuity.

Planning & Zoning Commissioner Bruce George, expressed the matter was handled properly and no conflict was seen at time of review. The use permit is a permission which can be revoked and as far as any specific issues, the applicant is under restrictions from several entities besides the town.

Councilor Whatley reiterated that the matter was reviewed by the Town Attorney, and no issues were brought to the Town's attention. Whatley expressed that the Town encourages it's employees to live within the town limits, and they shouldn't be restricted in developing their property, nor should there be a restriction placed on the time-limit as it could hinder the applicant in receiving funding. Whatley also indicated that she read the handout given by Joe Butner, which helped clarify that there is no conflict in the matter.

Councilor Baker thanked staff for the list of permits approved in the past. Indicated that she feels it is troubling for use permits to be approved in perpetuity and feels this matter does fall under a zoning change. Baker suggested Council review the process and rather than "in-perpetuity" have a ten-year timeframe as it is sufficient for receiving funding.

Councilor Gordon explained that one of the reasons why zoning is not changed but a use permit is used is if the property is sold, the zoning doesn't restrict the property at a later time. Joe Butner clarified that the use permit goes with the land and it will not revert and requested that the use permit remain with owner not with the property. Councilor Gordon confirmed that the use permit does go with the land, but the use can't be changed to something else, whereas with a zoning change it could be. Therefore, it restricts a grocery store or something else from being built on the property at a later date.

On a motion by Vice Mayor Murdock, seconded by Councilor Whatley, Council approved Resolution 2018-1013 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on a Use Permit 20180344, an application submitted by Carmen Howard, Property Owner, Parcels 403-23-001X and 403-23-001Y, located at 3380 W Cloverleaf Ranch Rd, which is approximately 15 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 developing a community for Tiny-Houses-On Wheels and vintage Recreational Vehicles, and Agricultural events. The property is approximately 15 acres and is located at 3380 W. Cloverleaf Ranch Road. The motion was approved by a 5-1 vote, Councilors Whatley, Buchanan, Gordon, Vice Mayor Murdock and Mayor German voting "aye"; Councilor Baker voting "nay", due to the lack of a time restriction.

8. Special Session - Business. Legal action can be taken.

Councilor Baker asked for Council to discuss Item 8.2 ahead of 8.1. No objections were heard by Council. **Item 8.2 came before 8.1 on the Agenda.**

8.1. Discussion and possible approval of Resolution 2018-1014 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, providing Yavapai County with the Town of Camp Verde's comments regarding their consideration of a new North-South Route to connect Cornville Road to State Route 260. [Resource: Councilor Jackie Baker]

Addressed after 8.2

Councilor Baker explained this is a resolution for the Town of Camp Verde to present to Yavapai County their comments regarding the consideration of the new Verde connection road.

Vice Mayor Murdock stated there needs to be more information given to the Town before this should take place and looks forward to Yavapai County officials bringing that information formally to Council for consideration.

Councilor Gordon expressed that once the study is complete, if it is inadequate, Council can direct the Town Manager to request additional studies be completed on a smaller scope.

Public Comment was taken:

Eric Eberhard expressed his concern with a connection road bypassing the Town and encouraged Council to stick with the General Plan.

John McRenyolds stated that no planning is bad planning and it is the Council's responsibility to promote the road in the way that is best for the Town.

Mayor German spoke of the desires by residents for bypassing Main Street and the struggles of economically recovering after the Main Street bypass was built.

Councilor Whatley explained that she grew up in Chino Valley and how the expansion of the highway gutted the town and ruined the character of it. Whatley indicated that Camp Verde's character was maintained and she is thankful that the expansion did not do what Chino Valley experienced. Whatley expressed her surprise at the resolution

being put on the agenda for consideration of approval and requested a work session with council input in order to get the Council's collective comments, to then report to Yavapai County. Whatley indicated that at this point, she can't support the resolution and its exhibit.

Council Baker moved to approve Resolution 2018-1014 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, providing Yavapai County with the Town of Camp Verde's comments regarding their consideration of a new North-South Route to connect Cornville Road to State Route 260. The motion failed due to lack of a second.

Mayor German thanked Councilor Baker for bringing the matter forward to Council for review.

- 8.2. Discussion and possible approval of Resolution 2018-1015 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona seeking from Yavapai County an extension of consideration of a North-South Route to connect Cornville Road to State Route 260, and specifically seeking an extension of the closure of the public comment period in said consideration. [Resource: Councilor Jackie Baker]**

Addressed before 8.1.

Councilor Baker expressed that there was confusion regarding the project due to her lack of recollection of it ever having been discussed prior with the Council. Baker indicated that she was aware of a letter written by Mayor German requesting grant monies for the project. Baker expressed concern for the request to receive grant funding for construction of the bridge over the Verde River and the potential impacts that will be seen in the Middle Verde area. Councilor Baker indicated that the Resolution would allow the Town more time to gather information regarding costs and traffic impacts before asking for any grants or loans.

Mayor German introduced two gentleman, Roger McCormick, Assistant Public Works Director for Yavapai County and Troy Sieglitz with Jacobs Engineering Group.

Roger McCormick explained there has been no approval (Yavapai County Board of Supervisors – YC BOS) for the construction of the project and the only approval (YC BOS) has been to hire Jacobs Engineering Group to conduct a study of the project and its alternatives. McCormick explained that during the October 2, 2018 public meeting, a presentation was given that outlined concerns when considering the construction. Currently they are looking for public opinion on the project and are using the comments to consider the placement of the road. The Verde Connect website has been up and available since June, which allows the public to comment on the project. At this time, two presentations have been given to the public and so far there have been approximately 500 comments received online, which will be utilized for planning. McCormick explained that Camp Verde Public Works Director Ron Long is a member of a technical advisory committee and will be giving input for the project as well. There is no guarantee that the road will be built and there is no funding available at this point. The study is in its early stages and it is not predicted to be finished until mid-year 2019.

Councilor Baker expressed that she is not requesting more time than the projected 2019

study end-date. She expressed her concern that the surveys being conducted are inaccurately impacted due to increased traffic on the road due to the Hwy 260 construction. Roger McCormick informed them there was a previous survey done prior to the 260 expansion in 2016.

Troy Sieglitz with Jacobs Engineering Group explained that multiple traffic analyses have been completed over several years with a projection of 20 years. There have been a number of traffic counts conducted in the region and with projection after the expansion of 260, it is determined that there will be heavy congestion on Cornville Road. It's an investigation process, using existing data asking for feedback from the public. The road potentially will be designed to fit the topography of the area, just as Beaver Head Flat Road was constructed. Sieglitz explained that they will be continuing to work with local agency stakeholders throughout the process and there will be the ability for people to comment online. Due to the early stages of the project, there is no need to extend the comment deadline at this point.

Councilor Gordon requested confirmation that when the public opinion is closed there won't be a definite decision made. Troy Sieglitz confirmed, there will be a screening conducted with the feedback received, and then the matter will go back to the public.

Councilor Baker indicated that the public comment is closing in March. Troy Sieglitz explained that there will be public comment through all phases. Councilor Baker requested an extension after the public comment phase has been completed.

Public Comment:

Eric Eberhard expressed that he doesn't believe that the comments and feedback are accurate; potential problems with bypassing areas; doesn't think a connection road should be built due to redirecting traffic out of town; bypass road will disrupt two areas of the General Plan. (3 minutes speaking time was up) Carol German gifted her 3-minute comment time to Eberhard. Eberhard expressed concerns regarding costs, flooding in the Middle Verde Road area and questioned what would happen to the ditches in the area. He requested Council consider adding amendments, the stability of the Town and how projects such as these have a tendency of running over budget.

John McReynolds stated he spoke with Supervisor Tom Thurman and attended the October 2nd meeting and felt there was good input given and hopes they will stay open to public input.

Bruce George spoke of friends that live on middle Verde road who are isolated in the area, who like it that way. Spoke of NIMBY (Not In My BackYard) and indicated that there has not been enough research conducted at this point to make any decisions, but cautioned Council to be careful in consideration due to the increase of traffic and home construction that will come to the area.

Councilor Gordon feels that the resolution is premature, traffic studies will not be conducted on 19 different alternatives and doesn't feel stopping progress of research is productive.

Councilor Buchanan feels this is extremely premature and feels there may be a need for a resolution at a later time but not now.

Councilor Whatley expressed that she agrees with the concerns spoken of, but there are currently 19 options being looked into, and further down the line a resolution can be stated for the Town Council's preference. Whatley encouraged the public to use the public comment process to express concerns.

Vice Mayor Murdock thanked Roger McCormick and Troy Sieglitz for the information they provided, but indicated that she wants a formal presentation from Yavapai County regarding the project once they have received proper information. She feels the resolutions are premature.

Mayor German expressed how Camp Verde is cut into 4 quadrants and concern for traffic and exits with no emergency exits and he is looking at the matter on a safety perspective and hopes those considerations are being made as well. Feedback from residents regarding the matter given to him thus far is that they would like to see as little impact as possible.

Councilor Baker clarified that the resolution is asking for more time to collect proper information on this project. Baker expressed that there has not been a formal meeting from the County and more time is needed to gather information on the impacts of the projected areas. The project is going to impact the Town in one way or another and expressed concern of bypassing of the Town.

Councilor Baker moved to approve Resolution 2018-1015 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona seeking from Yavapai County an extension of consideration of a North-South Route to connect Cornville Road to State Route 260, and specifically seeking an extension of the closure of the public comment period in said consideration. The motion failed due to lack of second.

8.3. Discussion and possible action whether to support Northern Arizona Council of Governments' (NACOG) endeavor to pursue funding through the Route 66 Coalition 2018-19 Brownfields Assessment Grant.

It was the consensus of Council to support Northern Arizona Council of Governments' (NACOG) endeavor to pursue funding through the Route 66 Coalition 2018-19 Brownfields Assessment Grant without giving funding from the Town of Camp Verde.

9. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

None

10. Council Informational Reports.

Councilor Gordon indicated he purchased tickets to the Blues Festival, which his kids attended and it was well-attended. He attended the Fire Board Meeting and helped set-up and breakdown for Fort Verde Days.

Vice Mayor Murdock thanked Camp Verde Promotions for putting on Ft. Verde Days.

Councilor Buchanan attended the 50th celebration of Yavapai College in which almost 800 people attended, with presentations, meals, games and an evening concert.

Councilor Whatley stated she was part of parade committee for Ft. Verde Days. Whatley

thanked Camp Verde Promotions, vendors, and the carnival for staying for an additional week. Whatley also stated that Mike Reeves played at the casino afterwards, and it was a great show.

Mayor German stated that Council is needed to help out with donations for candy and requested members come in costume to the Main Street Trunk or Treat event.

11. Manager/Staff Report

Town Manager Russ Martin thanked the folks who listened to him announce the Ft. Verde Days Parade. Martin clarified for Council that use permits, conditional use permits, and zoning changes are processed as Yavapai County handles their's and the topic will come back to Council for further discussion.

There will be an All-hands meeting on November 14th at the Library and requested Council members be present to serve breakfast to the employees at 7:00 am. The offices for the Town will be closed until 10:00 a.m. due to the event.

The annual Christmas Party will be held on the 14th or 15th of December and asked he for input from Council on which date would work best for their schedules.

Russ Martin introduced the newly appointed Marshal, Corey Rowley. Mr. Rowley expressed his appreciation to Council and the opportunity to serve the community. Rowley indicated that the Town has a well-run police department with minimal things that need to be fixed. Rowley will be conducting individual meetings and then an audit phase for the Department. Rowley spoke highly of Commander Armstrong and stated he looks forward to getting to know Council and that he always an open door.

12. Adjournment

The meeting adjourned at 8:34 p.m.

Mayor Charles German

Attest: Town Clerk Judy Morgan

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on October 24, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2018.

Judy Morgan, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 7, 2018 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

Mayor German called the meeting to order at 6:30 p.m.

2. Roll Call

Mayor Charles German, Vice Mayor Jessie Murdock, Councilor Robin Whatley, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Jackie Baker and Councilor Buck Buchanan were present.

Also Present

Town Manager Russ Martin, Finance Director Mike Showers, Community Development Director Carmen Howard, Town Clerk Judy Morgan, and Recording Secretary Jennifer Reed were present.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Consent Agenda.

a) Approval of the Minutes:

- 1) Regular Session – October 3, 2018

b) Set Next Meeting, Date and Time:

- 1) Wednesday, November 14, 2018 at 5:30 p.m. – Work Session-CANCELLED
- 2) Wednesday, November 21, 2018 at 6:30 p.m. – Regular Session– Meeting CANCELLED per Resolution 2018-994
- 3) Wednesday, November 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters
- 4) Wednesday, December 5, 2018 at 6:30 p.m. – Regular Meeting

c) Council to award Bid #18-131, in Fiscal Year 2018/19 for Asphalt Paving on Aultman Parkway to the Contractor: Asphalt Paving & Supply Inc., in the amount of \$106,666.66.

Councilor Baker asked to pull Item 4c for questions/discussion.

Motion was made by Councilor Gordon to approve the consent agenda excluding Item 4c. Second was made by Councilor Whatley. Motion carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

4.c. Councilor Baker asked Public Works Director Ron Long about the motion date of FY17-18. Mr. Long said it should read FY18-19.

Councilor Baker asked about chip seal work completion, as many roads near her home are not done that were on the list to be done. Mr. Long explained they did all they could fit in, in the time frame the contractor had. Mr. Long said there were extra roads added to the list to be completed if time allowed, but the contractor had other commitments with start dates. Councilor Baker has had questions from the public regarding this. She asked if t paving old Highway 279 is being done since ADOT is completing Highway 260. Mr. Long spoke on the impact to access roads off Hwy 260, in this area. This paving is to support the heavy truck traffic. Councilor Baker asked if they are using the leftover funds from the chip seal project, to finish this project. Mr. Long confirmed and explained the amount of streets chosen was based on an estimate. They received such a good bid they had money left over, so they put many roads into the project.

Councilor Gordon asked if the contractor get all the linear feet done or is he coming back to finish up. Mr. Long said yes, the job was completed before the contractor left.

Public Comment was taken on 4c. Joe Butner spoke on the history of this project and it coming before the Council without the actual contract in the packet. He stated he felt that contract should be in the packet.

Mr. Long stated the contracts have never been in the Council packet because the contract isn't signed by the contractor until it has been awarded. The contract has already been cleared by the lawyer, he has reviewed it, we just haven't put them in the packet because it's not been signed yet. If this is something the Council wants, he suggested they can change this procedure.

Councilor Baker isn't happy with the amounts of money being considered and the work that got done.

Vice Mayor Murdock said a dollar amount was budgeted for various projects to complete paving and chip sealing, and she feels comfortable with the budgeted amount that was approved.

Motion was made by Vice Mayor Murdock to award Bid #18-131, in FY 18-19, for asphalt Paving of Old Hwy 279 and Aultman Parkway, to the Contractor: Asphalt Paving & Supply in the amount of \$106,666.66. Second was made by Councilor Gordon. **Motion** carried with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, and Buchanan approving. Councilor Baker voted against.

5. Special Announcements and presentations.

5.1 Promotional ceremony and badge presentation for the promotion of Steve McClure to the position of Sergeant with the Marshal's Office. [Staff Resource: Marshal Corey Rowley and Commander Brian Armstrong]

This Item was pulled from the agenda.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Linda Buchanan- thanked Council for their conducting during the election season and thanked them for their service. She spoke on citizen input usually being negative rather than positive feedback. She spoke on expecting a response when submitting a correspondence to Council via emailed. She thinks a courtesy note should be sent to say the comments have been forwarded.

Cheri Wischmeyer- spoke on the high turnout of audience members at tonight's meeting and the need to offer more chairs for the public. She spoke regarding contracts; she would like to see the contracts in the packet and having more information available to the public.

7. Business. Legal action can be taken.

7.1 Review and possible approval of Courier Agreement with Yavapai County Free Library District (YCFLD). [Staff Resource: Kathy Hellman]

Kathy Hellman provided a PowerPoint Presentation and drew the Council's attention to the savings that this contract provides to all libraries in the network. She spoke on a new mobile app for their online catalog. The contract saves the Camp Verde Community Library \$4,073.72 annually. They were able to work out a new system "downstream" for the courier. It will have much more consistent delivery time and quicker turnaround.

Mayor German asked if we are good to go on the termination of the contract. Ms. Hellman stated the attorney wants to make sure, when the contract is in place that we have a copy of the insurance.

Councilor Jenkins stated the item on the screen isn't included the packet and would like a copy. Ms. Hellman stated she didn't have it in time for the packet but will get her a copy.

Motion was made by Vice Mayor Murdock to approve the Courier Agreement with Yavapai County Free Library District (YCFLD). Second was made by Councilor Whatley. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving.

7.2. 1-Year Review of Salt Mine Winery Use Permit. [Staff Resource: Carmen Howard]

Community Development Director Carmen Howard stated that she has a Use Permit for Salt Mine Winery that is up for its annual review. She stated there was a stiff condition placed on this Use Permit. Ms. Howard said there has been absolutely nothing but good things said about Salt Mine Winery. Ms. Howard spoke on the mission of her department to afford every citizen of Camp Verde the flexibility to engage in the pursuit of commerce through the private use of property, without being impeded upon, or impeding upon others. A use permit is powerful because it allows someone to engage in a use in an area that you are not normally allowed to do. There are other documents and codes that give them the authority to enforce the codes. Ms. Howard believes her department has demonstrated significant ability to enforce the town codes in an efficient and fair manner. She is asking Council to review Salt Mine Winery's Use Permit. The

original permit placed a restriction to the hours of operation to Saturday, Sunday and Holidays from 10am-4pm. The only method they have right now, to expand on those hours, is to go through the whole use permit process again. Therefore, she would like to remove those restrictions, allowing them to expand their hours of operation.

Councilor Whatley asked what the hours would change to. Ms. Howard would like the applicant to determine what works best for them.

Councilor Jenkins spoke on legalities and asked if it is setting a precedence to change something without going through the process. Ms. Howard explained that coming to the Council is the process, and they are coming back to them in a year's time. In the past decade, the town Council has been removing the time limit stipulations in the use permit process.

Mayor German reminded Council the applicant is under an obligation that if there is a complaint they must comply or lose their permit..

Councilor Baker asked if the applicant will suggest his hours of operations. Ms. Howard stated she believes the business owner would have the best idea of what works for his business. Therefore, allow him the flexibility to do that properly. There is another winery that has no limit to hours.

Applicant Comment- Chip Norton explained that initially, without having prior experience, he didn't know what everyone else is doing. He said most tasting rooms run from noon to 5pm or 6pm. He has gotten some comments from the public as to why they are only open on Saturdays and not Sundays. He thinks they would be more profitable if they are open on Sunday.

Councilor Baker asked what hours he would like to be open. Mr. Norton said he would like to have the option of being open on Fridays, Saturdays, and Sundays and having winter hours and summer hours.

Public Comment- Economic Development Director Steve Ayers spoke on the arbitrary manner way these permits have been doled out the last few years, which makes it very difficult to meet with someone and make investments. The permits have different rules and restrictions; we want to encouraged them to stay. He suggested to the Council to grant the use permits as an open use permit, with the businesses regulate themselves. Have guidance, maybe a work session to create some kind of continuity as to how to standardize use-permits and only bring a use permit back if there are problems.

Ms. Howard asked to remove the time period stipulation and let them deal with it. They are the best stewards as to what works at their house.

Motion was made by Councilor Whatley to remove the conditions from Resolution 2017-982, Salt Mine Winery Use Permit 20170168. Second was made by Councilor Gordon. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

7.3. Discussion, consideration and possible approval of an agreement to lease property generally described as land to the east of the current wastewater treatment plant on the property currently used for treatment as approximately, 1000 E State Route 260 to the Camp Verde Arena Association (CVAA). Including but not limited to use of Town-owned arena facility and financial investment in the initial phase(s) of the development of an arena and associated improvements on Town-owned property. [Staff Resource: Russ Martin]

Town Manager Russ Martin gave an overview: wants to focus attention on staff's recommendation; this group has organized quickly, effectively and with few resources; wants to give them some resources, to get to a point where they can be successful; fundamentally there is more development that needs to happen; need to develop good base foundation to work from while protecting the liabilities of the town. Staff wants to engage an engineer to get a set of grading drawings to prevent flooding; then attorney direction for legal soundness. A lease of public property will require the "public benefit", established through an Economic Study, and identifying its problems and solutions to those problems.

Camp Verde Arena Association President Mary Phelps spoke on efforts with the association and her personally to get this done. She believes the arena will bring revenue to Camp Verde. She gave a PowerPoint Presentation showing the proposed site. She reviewed the amenities the proposed rodeo grounds would have and a list of events that could come to Camp Verde to use the arena.

CVAA Secretary Daria Weir explained two arenas are needed for the schools to be able to use the grounds. Ms. Phelps went on to review the accomplishments of the association:

- Acquired their Corporation, they are now the Camp Verde Arena Association Corporation.
- Final stages of the IRS filing for a 501c3
- Finalized the bylaws
- Reviewed with Ron Long and Carmen Howard the site plan, the annexation by town because the property is in the County's jurisdiction
- Received the ADOT drainage report
- Surveys and maps were completed by Heritage Survey, who donated their time
- Developed partner relationships with community members
- Moved the arena to the site and did a complete inventory, which showed items were missing.
- She worked with Economic Development Director Steve Ayers.

Economic Development Director Steve Ayers- feels this is a huge driver for the Town and a “cool” idea. He suggests creating a Memorandum of Understanding (MOU) between CVAA and the Town. There are many unanswered questions and recommended slowing it down and building the process. He stated that he and Ms. Phelps will develop a MOU in 30 days and bring it back to Council to show what the financial picture would look like through phasing. By the first of the year he thinks he can get good estimates, will look into having Yavapai College conduct an Economic Impact Study, using the study to pursue grants.

Heritage Land Surveying and Mapping Jesse Sharp has done surveys on the property, including a Topographic Survey, exhibit drawings and is now working on the drainage report. He has offered to do the drainage and grading Pro-bono to help out the kids in the community.

Mary Phelps added that APS is willing to donate their time for the lighting and electrical side. They are working to get more donations and doing fundraisers to get the project done. They need an agreement, to put this in place; need financial help to move to the next stage. Tonight they ask for an agreement and financial help.

Members of the Public that spoke in support of the project:

- Kaylee Barker
- Jody White
- Reagen Warren
- Shayna Hawkins
- Casey Sealey
- Joe Butner

Other Comments from Members of the Public:

Zackary Wolfe spoke in support of giving the private sector a chance to fill this need, taking a conservative approach.

Linda Buchanan spoke in support of taking thoughtful and strategic course of action, completing critical steps first without committing public money. She suggested bringing the parks and recreation committee back for their feedback.

Manager of Jack Pot Ranch, Amy Finley spoke on their time and commitment to providing this service in Camp Verde and considering how this project would impact private arenas.

Cameron Gressly asked why this project couldn't be done privately, consider hiring a financial advisor put together a proposal, consider this project could stir resentment from private arena owners and burden the town with taxes.

Councilor Baker spoke on being inspired by CVAA and encouraged the committee to take proper steps. She recommended having a work session with CVAA to goal set. She is unclear about the 99-year lease, and knows the attorney has a real problem with that, it is being worked on to bring back to the Council. This will be a Public/Private Partnership to accomplish this kind of things. She is in support of the arena. State law doesn't allow the use of public money for any

private entity or individual (gift clause). Mr. Martin spoke on the gift clause and the need to add “where as’s” to defend the use of public funds.

Mayor German confirmed with Ms. Phelps the MOU will be brought back in 30 days. He then asked Mr. Martin about “seed money” for the project. Mr. Martin spoke on setting cost structure, therefore needing seed money. Mr. Martin stated the \$80k is based on an engineer’s reduced cost estimate. Mayor German suggested adding a “not to exceed” stipulation in the MOU and bring it back in 30 days. Ms. Phelps spoke on costs for the Economic Impact Study and replacement arena parts, therefore asking for \$200,000. Daria Weir spoke on having enough to cover expenses for those donating their time.

Economic Development Director Steve Ayers spoke on working on creating the MOU and asked the committee to provide a Phase I amount, where work can start on the project. Mr. Martin spoke on being uncomfortable with putting more than just a little money to get to that point, and he wants to make sure Council is engaged, saying the MOU allows them to get there more quickly while avoiding potential liabilities. He needs a dollar amount to work with to get to a clearer number. Staff based this on the \$200,000 that was in miscellaneous in CIP. This would be a use of reserve funding to backfill what was budgeted.

Mayor German stated the first step is the MOU Agreement, then they have a clearer projection of costs.

Councilor Gordon explained Council is limited on what they can spend unless there is a special session to redo the budget. They cannot spend money out of the budget unless it is coming out of a budgeted line item (another project). The MOU needs to be vague enough to make sure they are not pinned down to a specific number. This is a great idea and he would like to see them succeed but they need to go through the process. He asked again where exactly the \$80,000 is coming out of. Mr. Martin stated this will come from the Reserve Fund balance.

Councilor Gordon disagrees with using the Reserve Fund for this purpose. He would like to see someone come to the table with engineering and hydrology reports. Those are expensive and it is too much liability for the town to use its on-staff engineers.

Councilor Jenkins wanted to clarify the only money in the budget that is available is \$200,000. Mr. Martin explained it is from the reserves.

Ms. Phelps said the money they are asking for allows them to move smoothly and correctly until the next budget. Mr. Martin explained they will have other opportunities for assistance during this fiscal year. This is the first step to establishing what they need for this project.

Councilor Whatley thinks they are well on the way, and she has a problem with the money since it wasn’t budgeted for and would use the Town’s reserves. She would like to see them plan for it and come back during the next budget process. She asked Mr. Martin, how seed money works with the gift clause laws. Mr. Martin stated it would be the Town’s development of our plan, on our property. This is why the MOU is critical to this phase, to get the legal documents in place.

Councilor Baker asked whether they could use some of the sports complex project funds for this project instead, with those funds replaced in later years with the returns from the arena revenues. Mr. Martin answered, yes it is a possibility but as there is no mention of this project in the sports complex funding documents it could be a violation of SCC Rules, since investors have invested in the project itself. This is not a conservative approach and Staff is avoiding using that money unless that is what it was planned for. The bond attorney will want to know if it structurally meets the requirement.

Camp Verde Arena Association Treasure, Charlotte Salsman is in favor of the arena. She said the Association can't accept money until they get their 501c3. The Town would be responsible for paying the bills upfront.

Councilor Whatley commented, in the packet one of the suggestions would be to take the money from the Camp Verde Sports Complex Fund. Ms. Whatley stated she will fight until her last breath to keep that from happening. We have worked for that Sports Complex for over a decade. The people of Camp Verde were promised those fields. If money were to be taken from this fund it would directly limit the amount available for park features in the proposed phase one of the improvements. This is not a viable solution.

Councilor Gordon is not in favor of taking money from park project either.

Mayor German would like to do the arena project right. They have investors for the sports park, and he doesn't want it to be perceived they are changing their direction, as well he doesn't want it to be challenged spending money for legal defense.

Vice Mayor Murdock spoke on the youth and building an incredible sports complex. She wants to be able to move forward with this (arena) and doesn't want progress to slow down. She wants to see it happen. She is ready to make a motion or direct staff.

Mayor German said he has been approached by people in the community to put it on the ballot in March. This will allow for more community input. Mayor German stated he would like them to move forward on the MOU only, tonight.

Vice Mayor Murdock said years ago the town was struggling. The community is feeling good now. There are investors coming in to town. When she votes on a budget, she doesn't look at it as a financial burden to the community, it is investments back into the citizens. These citizens are owed what they put into the system. At some point in time you have to pick something that starts the wheel of economics. She has expectations of the Town Manager, Economic Director and Finance Director to lead us in the way that the town should be going. They have the knowledge to do this. We may need to slow this down to do it the right way but hopes her fellow council members support her when she states she is in favor of the entire project.

Motion was made by Vice Mayor Murdock to direct staff, along with the town attorney, to continue to work with CVAA to formalize a design and accomplish the standards as required for the development of the land, following the

development review process while also establishing an economic study necessary to utilize additional funding, move to authorized funding not to exceed \$80,000.00 to acquire the design and fulfill the requirements necessary for development as well as the revised lease agreement. Second was made by Councilor Jenkins. Councilor Whatley stated this needs to be in the budget. **Motion** carried with Mayor German, Vice Mayor Murdock, Councilors Jenkins, Gordon, Baker and Buchanan approving. Councilor Whatley opposed.

Recess: 8:33pm

Resume: 8:43pm

7.4. Discussion, consideration and possible approval of changes and additions to the Comprehensive Economic Development Strategy (CEDS) for the Northern Arizona Council of Governments 2019 District Projects, Goals and Priorities that is submitted annually to the federal Economic Development Administration (EDA). [Staff Resource: Russ Martin, Steve Ayers]

Town Manager Russ Martin explained this is an annual conversation with NACOG. Mr. Martin, Mr. Ayers, and Councilor Baker have discussed recommending some additions and wanted Council's blessings to do so.

Councilor Gordon asked a question regarding the transportation section, that it covers everything that could be done relating to transportation. Mr. Martin explained that this is the minimum criteria for the application, being able to tie projects to the language.

Motion was made by Councilor Gordon to direct staff to submit to NACOG these changes to the 2019 Comprehensive Economic Development Strategy (CEDS). Second was made by Councilor Baker. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

7.5. Discussion, consideration and possible approval of job description update for Economic Development (ED) Director and creation of an ED Projects Manager to include but not limited to possible changes to the job description and salary plans within the ED Office. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated for the ED Director position, the previous "Range" number was 73, and the new number is 90. The draft included, incorrectly reflects this old range number, although the wage amounts are correct. This is just an update to the job description, without any recommended change to the salary.

The second item is the creation of an ED Project Manager position (and job description), to create a more accurate description of what the position entails. This change requests a change to the salary for this position as well.

Motion was made by Councilor Jenkins to postpone discussion and approval on this item until the next regular meeting. Second was made by Councilor Baker.

Mayor German spoke on possible concerns that postponing this item may impede what is going on in the Economic Development Office. Economic Development Director Steve Ayers stated the individual is doing things that were not in the job description. There wasn't time to follow up on the agreements. Now the description is more of an accurate description. Project Managers typically make \$90-\$140 thousand a year. She has remarkable talent and is getting her certification. It is unfair to continue to pay her as an Administrative Person.

Councilor Jenkins wanted to clarify that this will change her classification and her pay. Steve's will have no monetary affect. Mr. Ayers stated there was some flexibility built into his budget to give a raise with the new job title, as Sebra has gotten some grants to offset budgeted amounts.

Motion carried with Mayor German, Councilors Jenkins, Baker and Buchanan approving. Councilor Whatley, Gordon and Vice Mayor Murdock voting against.

7.6. Discussion, consideration and possible approval of the DRAFT Citizen Complaint Form and Procedures followed by direction to Staff. [Staff Resource: Russ Martin, Carol Brown]

Motion was made by Councilor Jenkins to postpone this item for additional work. Second was made by Councilor Baker. **Motion** carried unanimously with Mayor German, Vice Mayor Murdock, Councilors Whatley, Jenkins, Gordon, Baker and Buchanan approving

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Cheri Wischmeyer wanted to speak about the importance of getting information to the public. She spoke on wanting to be more involved in the analysis of what comes before the Council; fairness and consistency; and giving the public enough time to review the information in advance of the meeting.

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are the 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.

Councilor Baker- attended a NACOG Regional Meeting and will leave the notes with Clerk due to the lateness of the hour.

Councilor Gordon- attended Trunk or Treat.

Vice Mayor Murdock- attended Trunk or Treat. Great to see more businesses in the area participating.

Mayor German- attended Trunk or Treat.

Councilor Jenkins- attended Trunk or Treat. Applied for and was accepted to be on

the Yavapai County Workforce Development Board. She will represent Camp Verde because they were not represented. Her term is 2 years.

Councilor Whatley- attended Trunk or Treat. She received great compliments on the Wizard of OZ Themed decorations provided by the Clerk’s Office.

Vice Mayor Murdock- Thursday, November 15th, there is an Intergovernmental Meeting in Jerome at 6pm. Town Manager Russ Martin gave a meet time for Council members wishing to carpool for the meeting.

10. 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.

Town Manager Russ Martin:

- “All Hands” Staff meeting will start at 7 a.m., with breakfast, Wednesday November 14th at the Library.
- Council Retreat is scheduled for Thursday, January 3rd 8 a.m. – 2 p.m. Field trip is included. He requested Council get topics for discussion to him ASAP. Explaining they will need these topics in advance so they can be agendized, in order for them to be discussed at the meeting.

11. Adjournment

Mayor adjourned the meeting at 9:13 p.m.

Attest:

Mayor Charles German

Town Clerk, Judy Morgan

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on November 7, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2018.

Judy Morgan, Clerk



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 28, 2018

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Clerk’s Office

Staff Resource/Contact Person: Judy Morgan

Agenda Title (be exact: Possible approval of Special Event Liquor License application for Jackpot Ranch Foundation located at 2025 Reservation Loop Road in Camp Verde for event to be held on March 1, 2019 and March 2, 2019. [Staff Resource: Judy Morgan]

List Attached Documents: – Application for Special Event License

Estimated Presentation Time: 0

Estimated Discussion Time: 0

Reviews Completed by:

Department Head: Judy Morgan Town Attorney Comments: N/A

Finance Department N/A

Fiscal Impact: None

Budget Code: N/A Amount Remaining: _____

Comments:

Background Information: Application was submitted to Clerk’s Office on October 23, 2018 for Council Approval. All Fees connected with the Liquor License have been paid. No posting is required.

Recommended Action (Motion): Approve Special Event Liquor License application for Jackpot Ranch Foundation located at 2025 Reservation Loop Road in Camp Verde for event to be held on March 1, 2019 and March 2, 2019. Staff Resource: Judy Morgan

Instructions to the Clerk: Section II not required. Process application.



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

APPLICATION FOR SPECIAL EVENT LICENSE
 Fees: \$25.00 per day for 1-10 days (consecutive) Cash Checks or Money Orders Only
 A service fee of \$25.00 will be charged for all dishonored checks (A.R.S § 44-6852)

IMPORTANT INFORMATION: This document must be fully completed or it will be returned.
 The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event.

SECTION 1 Applicant must be a member of a qualifying nonprofit organization, political party, or Government entity and authorized by an Officer, Director, or Chairperson of the Organization.

1. Applicant: Finley Amy Sue 07/28/1970
Last First Middle Date of Birth
 2. Applicant's mailing address: 2025 Reservation Loop Camp Verde Az 86322
Street City State Zip
 3. Applicant's home/cell phone: (940) 445-5861 Applicant's business phone: (928) 300-5490
Street City State Zip
 4. Applicant's email address: managerjackpotranch@gmail.com

SECTION 2 Name of Organization, Candidate or Political Party/Gov.: Jackpot Ranch Foundation

Name of Licensed Contractor (if any): _____

SECTION 3 Non-Profit/IRS Tax Exempt Number: 47-5589699

SECTION 4 Event Location: Jackpot Ranch

Event Address: 2025 Reservation Loop Camp Verde, Az 86322

SECTION 5 Dates and Hours of Event. Days must be consecutive but may not exceed 10 consecutive days.
 See A.R.S. § 4-244(15) and (17) for legal hours of service.

PLEASE FILL OUT A SEPARATE APPLICATION FOR EACH "NON-CONSECUTIVE" DAY

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>03/01/2019</u>	<u>Friday</u>	<u>5pm</u>	<u>12am</u>
DAY 2:	<u>03/02/2019</u>	<u>Saturday</u>	<u>12pm</u>	<u>12am</u>
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

SECTION 6 What type of security and control measures will you take to prevent violations of liquor laws at this event?
(List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

2 Number of Police 2 Number of Security Personnel Fencing Barriers

Explanation: Will have 2 police and 2 Security. One in serving area, One on each entrance and one roaming crowd. Wrist bands will be issued to people who show proper ID. Permanent Fence is the front barrier, Property fence is back barrier and orange snow fence and flags on side.

SECTION 7 Will this event be held on a currently licensed premise and within the already approved premises? Yes No
(If yes, Local Governing Body Signature not required)

Name of Business License Number Phone (include Area Code)

SECTION 8 How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation and check one of the following boxes.

- Place license in non-use
- Dispense and serve all spirituous liquors under retailer's license
- Dispense and serve all spirituous liquors under special event
- Split premise between special event and retail location

(IF USING RETAIL LICENSE, PLEASE SUBMIT A LETTER OF AGREEMENT FROM THE AGENT/OWNER OF THE LICENSED PREMISES TO SUSPEND OR RUN CONCURRENT WITH THE PERMANENT LICENSE DURING THE EVENT. IF THE SPECIAL EVENT IS ONLY USING A PORTION OF THE PREMISES, AGENT/OWNER WILL NEED TO SUSPEND THAT PORTION OF THE PREMISES.)

SECTION 9 What is the purpose of this event?

- On-site consumption
- Off-site (auction/wine/distilled spirits pull)
- Both

SECTION 10

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?
 Yes No (if yes, attach explanation.)
2. How many special event days have been issued to this organization during the calendar year? 0
(The number cannot exceed 10 days per year.)
3. Is the organization using the services of a licensed contractor or other person to manage the sale or service of alcohol?
 Yes No (if yes, must be a licensed contractor or licensee of series 6, 7, 11, or 12)
4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name Jackpot Ranch Foundation Percentage: 100%

Address 2200 N. Central Ave Suite 105 Phoenix, AZ 85004

Name _____ Percentage: _____

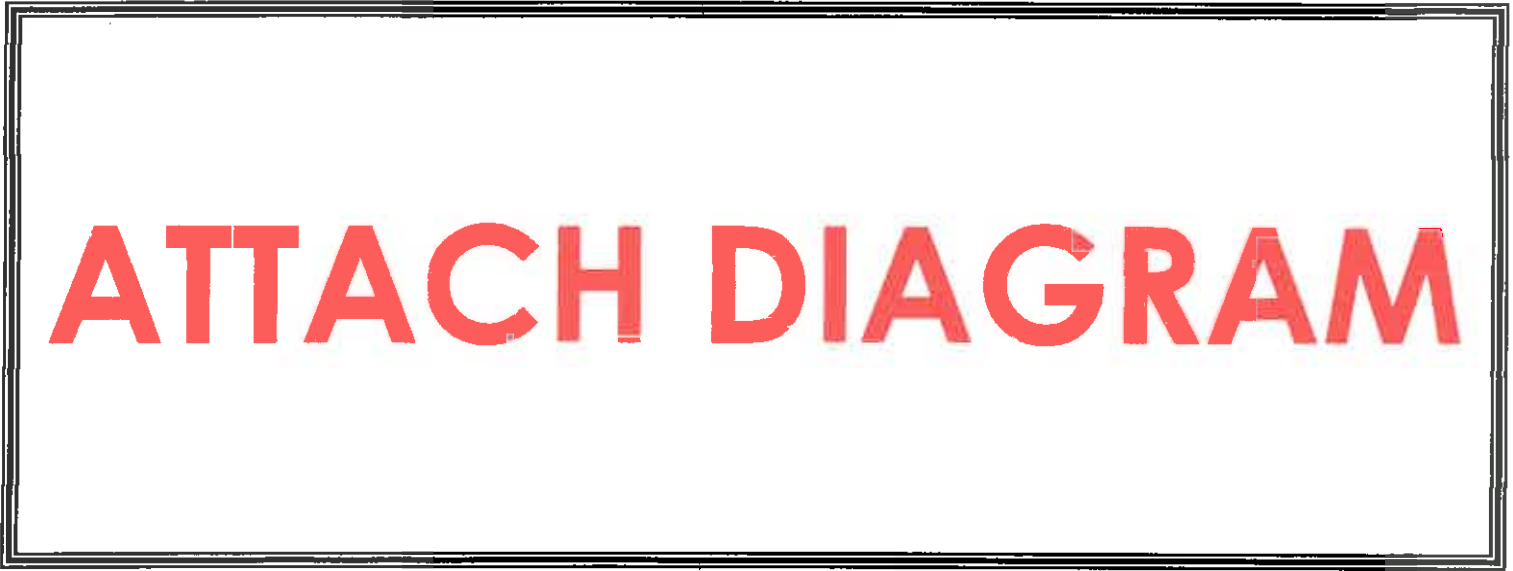
Address _____
Street City State Zip

Please read A.R.S. § 4-203.02 Special event license; rules and R19-1-205 Requirements for a Special Event License.

Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.

NO ALCOHOLIC BEVERAGES SHALL LEAVE A SPECIAL EVENT UNLESS THEY ARE IN AUCTION WINE OR DISTILLED SPIRITS PULL SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE /CRAFT DISTILLERY FESTIVAL LICENSE.

SECTION 11 License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. Please attach a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control. Please contact the local governing board for additional application requirements and submission deadlines. Additional licensing fees may also be required before approval may be granted. For more information, please contact your local jurisdiction.

NOTARY

I, (Print Full Name) Amy Sue Finley, hereby declare that I am the APPLICANT, I have read this document and verify the contents and all statements are true, correct and complete to the best of my knowledge.


X (Signature) Amy Finley
Applicant Signature

State of Arizona County of Yavapai
the foregoing instrument was acknowledged before me this

23 of October 2018
Day Month Year

My commission expires on: 12-9-19

Anthony Ramirez
Signature of NOTARY PUBLIC



Anthony Ramirez
Notary Public
Maricopa County, Arizona
My Comm. Expires 12-9-2019

LOCAL GOVERNING BOARD

Date Received: _____

I, _____ recommend APPROVAL DISAPPROVAL
(Government Official) (Title)

On behalf of _____
(City, Town, County) Signature Date Phone

DLLC USE ONLY

APPROVAL DISAPPROVAL BY: _____ DATE: ____/____/____

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.0

Property Line

Highway

Highway

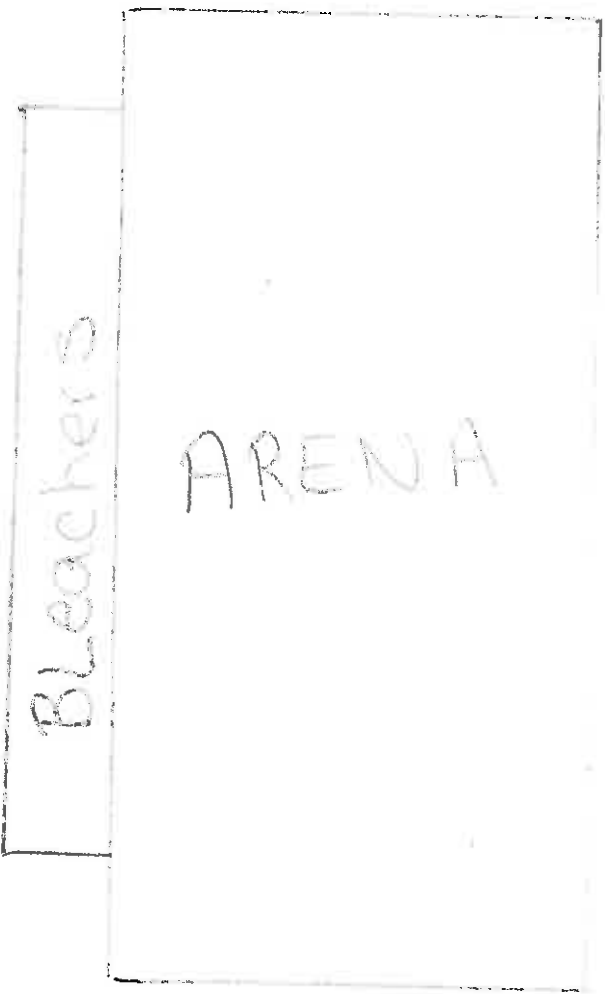
to Parking Area

Tent 20' x 20'

Beer

Serving Area 70'

30'



Security

Fence

Flag/orange Snow fence

Agenda Item 7.1.



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Alley Abandonment Resolution 2018-1015

Meeting Date: November 28, 2018

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Community Development

Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact): RESOLUTION 2018-1015, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA TO ABANDON A PORTION OF AN ALLEY AND ASSOCIATED REVERSION TO ACREAGE TO LOTS 1 AND 2, BLOCK 12, PARCEL NUMBER 404-23-013A, AND LOT 3, BLOCK 12, PARCEL NUMBER 404-23-013B, WITHIN THE CAMP VERDE TOWNSITE SUBDIVISION; EXTENDING FROM NICHOLS STREET SOUTH FOR APPROXIMATELY 140 FEET.

List Attached Documents:

- Resolution 2018-1015 (Prop 207 Waiver and Legal Description on File in Community Development)
- Staff Report
- Minutes from April 4, 2018 Town Council meeting and draft November 1, 2018 Planning and Zoning Commission meeting

Estimated Presentation Time: 5

Estimated Discussion Time: 10 minutes

Reviews Completed by:

Department Head: Carmen Howard Town Attorney

Recommended Action (Motion): A MOTION TO APPROVE (OR DENY) RESOLUTION 2018-1015, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, TO ABANDON A PORTION OF AN ALLEY AND ASSOCIATED REVERSION TO ACREAGE TO LOTS 1 AND 2, BLOCK 12, PARCEL NUMBER 404-23-013A, AND LOT 3, BLOCK 12, PARCEL NUMBER 404-23-013B, WITHIN THE CAMP VERDE TOWNSITE SUBDIVISION; EXTENDING FROM NICHOLS STREET SOUTH FOR APPROXIMATELY 140 FEET.



RESOLUTION 2018-1015

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA TO ABANDON A PORTION OF AN ALLEY AND ASSOCIATED REVERSION TO ACREAGE TO LOTS 1 AND 2, BLOCK 12, PARCEL NUMBER 404-23-013A, AND LOT 3, BLOCK 12, PARCEL NUMBER 404-23-013B, WITHIN THE CAMP VERDE TOWNSITE SUBDIVISION; EXTENDING FROM NICHOLS STREET SOUTH FOR APPROXIMATELY 140 FEET.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, The Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Part 5, Section 509 D5,6 and 7 provide regulations regarding the abandonment and dedication of street right of ways, subdivisions or easements, and;

WHEREAS, On April 4, 2018, the Town Council was apprised of the potential abandonment at their regular meeting and was asked for direction relating to this abandonment by Economic Development Director, Steve Ayers; and

WHEREAS, On a motion by Councilor Baker, seconded by Councilor Gordon, a motion to direct staff to work with the owners of the adjacent properties to facilitate an abandonment of the proposed alley was unanimously approved; and

WHEREAS, After agency review, a public hearing before the Planning and Zoning Commission was scheduled to formulate a recommendation to the Town Council; and;

WHEREAS, A public hearing was held before the Planning and Zoning Commission on November 1, 2018, according to law and the Town of Camp Verde Planning and Zoning Commission forwarded a recommendation of approval to the Town Council for Resolution 2018-1015.

NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, HEREBY DECLARES AS FOLLOWS:

1. That the abandonment of a portion of an alley, legally described on Exhibit A, and associated reversion to acreage to Lots 1 and 2, Block 12, Parcel number 404-23-013A, and Lot 3, Block 12, Parcel number 404-23-013B, within the Camp Verde Townsite subdivision; extending from Nichols Street south for approximately 140 feet. Is beneficial to the Town of Camp Verde and will not constitute a threat to the health, safety, welfare or convenience to the general public, the abandoned property is not necessary for public use as a roadway and has no market value and should be approved.
2. All currently existing rights of way or easements are reserved pursuant to A.R.S. 28-7210.

3. Owners shall submit an executed agreement for receipt of the vacated property containing terms acceptable to the town for utility procedures, maintenance and release of the town that shall be recorded with this resolution.
4. The abandonment of the property herein shall be conditioned upon the execution and recordation of the Agreement signed by the owners as set forth in 3 above and recordation of this resolution.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON NOVEMBER 28, 2018.

Charles C. German, Mayor

Attest:

Judith Morgan, Town Clerk

Date

Approved as to Form:



Town Attorney

Exhibit A
Legal Description and Map

Agreement for Receipt of Property from the Town of Camp Verde

The parties of this agreement are the Town of Camp Verde, Arizona, a municipal corporation (hereinafter referred to as the "Town") and Little Thunder Family Partnership LLP, Adene Carmichael, Agent, and Andrew Dickey (hereinafter referred to as "Owners") of certain property adjacent to the alley property which has been abandoned by the Town pursuant to Resolution 2018-1015.

The Parties agree as follows:

- 1. Abandonment:** The Town of Camp Verde has abandoned or will abandon a certain portion of an alley, described and attached as Exhibit "A", and associated reversion to acreage to Lots 1 and 2, Block 12, Parcel number 404-23-013A, and Lot 3, Block 12, Parcel number 404-23-013B, within the Camp Verde Townsite subdivision; extending from Nichols Street south for approximately 140 feet. The Town has abandoned this property to Owners, and Owners shall from the date of the signing of this Agreement own the Property in fee simple title subject to the easements and rights described herein. These rights shall run with the land and exist in perpetuity.
- 2. Easements:** The parties agree that Owners shall own the Property subject to the following easements and rights of the Town of Camp Verde, and utility companies which have existing utility lines, pipes or other utility facilities within the boundaries of the Property.
 - a.** An easement shall be reserved to any utility company which presently has utility lines, pipes or other utility facilities located within the boundaries of the Property for the purpose of maintenance, repair or reconstruction, and the right of ingress and egress for same. This easement shall run with the land and exist in perpetuity.
- 3. Maintenance:** Owners shall landscape or otherwise improve/cleanup the Property within ninety (90) days of the signing of this Agreement. In addition, the Owners shall:
 - a.** Be solely responsible for maintaining any improvements placed upon the Property. This maintenance shall be the sole responsibility of the Owner or any future Owner(s) of the Property.
 - b.** Comply with any other requirements and procedures for abandonment of Town property in accordance with the Town Community Development Department.
- 4. Permits:** Owners shall be responsible for obtaining all and any permits required by the Town or other governmental agency before beginning any improvements.
- 5. Release:** Owner acknowledges and agrees that ownership of the property is subject to the Town's and any existing utility company's easement right for the purposes of construction, installation, maintenance, repair or exploration of existing or future utilities, sidewalks or other pedestrian type easements or the like. Owner hereby releases the Town from any and all liability or responsibility for damage or injury to persons or property upon the property except such damage or injury as is caused by the acts or omissions of the Town.

- 6. **Reversion:** In the event that the Owners or any future Owner violates the conditions of this Agreement, fee simple title to the property shall revert to the Town of Camp Verde, however, the Town shall first have to file a lawsuit in a court of competent jurisdiction within Yavapai County to enforce this Agreement. In any such lawsuit filed by the Town, the Town shall have the right to reversion of fee simple title to the Property in addition to any other remedies the Town may have of law or in equity. Nothing in this paragraph shall limit the remedies Owners may have against the Town at law or in equity.
- 7. **Other Documents:** The parties agree to make and execute any other documents reasonably necessary to effectuate the promises and covenants in this Agreement, including, but not limited to executing formal easement documents which are in recordable form.
- 8. **Recording:** This Agreement and Resolution 2018-1015 shall be recorded in the Office of the Yavapai County Recorder, as an easement and covenant, which shall run with the land in perpetuity. This Agreement and Resolution 2018-1015 is intended to bind the Owners and any future Owner of the Property with respect to the use and maintenance of the Property.

Dated this _____ day of _____, 2018.

Owner _____

STATE OF ARIZONA

COUNTY OF _____

I, _____, a Notary Public, do hereby certify that on this ___ day of _____, 2018, personally appeared before me _____,

known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

 Notary Public, State of _____

My Commission Expires: _____

Dated this _____ day of _____, 2018.

Owner _____

STATE OF ARIZONA

COUNTY OF _____

I, _____, a Notary Public, do hereby certify that on this ____ day of _____, 2018, personally appeared before me _____,

known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

Notary Public, State of _____

My Commission Expires: _____

Town of Camp Verde: November 28, 2018 T o w n C o u n c i l

BACKGROUND:

The applicant, Dave Meier, has proposed a small house community off of Fain and Nichols Street in the Camp Verde Townsite. There are two parcels involved with this project; one for the housing units and the other for the main parking area. These two parcels should be combined into one property for best project and community benefit. There is a 13' alley that was dedicated on the Camp Verde Townsite plat that separates the two parcels; therefore, this alley needs to be abandoned before the lot combination and rezoning action can be accomplished.

The alley currently has utility poles with electric service on it. If approved, the alley will revert back to three of the four parcels from which it was originally dedicated and be retained as a utility easement, without restriction of access. The property owner of the fourth parcel chose not to sign the petition; this portion of the alley is not included in this abandonment application and will remain intact.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- The potential request was brought before the Town Council by Steve Ayers, Economic Development Director, on April 4, 2018 to ensure this abandonment request was viewed favorably by the Town Council.
- The Town Council directed staff to proceed.
- The applicant circulated a petition to abandon the alley to all adjoining property owners. Owners of three of the four adjoining parcels signed the petition, along with one other adjoining property owner to the east of the alley.
- Community Development Staff notified agencies that could potentially be affected by this abandonment. Comments received from some of these agencies are included in this report.
- A Notice of Public Hearing was placed in the Verde Independent–Camp Verde Bugle newspaper on October 7, 2018 by Community Development Staff.
- A Notice of Public Hearing was posted at the intersection of Fain and Nichols Street and in public places on October 8, 2018 by Community Development Staff.
- The Planning & Zoning Commission agenda was posted in public places on October 25, 2018 by Community Development Staff.
- The item was heard in a Public Hearing by the Town of Camp Verde on November 1, 2018, and the item was forwarded to the Town Council with a recommendation of approval.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff has received one comment from the public regarding this request:

- Mr. Jimi Vasquez, adjoins alley to the east at 160 E. Tres Rios Road; inquired about the proposed project and how it might affect his property. He did not respond back to an email sent to him describing the proposal.

Staff has received the following comments from reviewing agencies:

Town of Camp Verde Building Division

Contact: Robert Foreman Comments Received: October 18, 2018

- Building Department has no comments or concerns at this point.

Town of Camp Verde Public Works Department

Contact: Ron Long Comments Received: October 18, 2018

- Public Works has “no comments in regards to the intent or distribution as shown in the exhibit”.

Arizona Public Service

Contact: Sandra Finley Final Comments Received: October 18, 2018

- “APS does not oppose the abandonment as long as the existing alleyway remains a utility easement”.

Unisource Energy Services

Contact: Martin Conboy Comments Received: October 11, 2018

- “It has been determined that UNS Gas, Inc., has no facilities within the abandonment area, and we have no issues in proceeding with this abandonment”.

Copper Canyon Fire & Medical

Contact: Kristi Gagnon, Marshal Comments Received: October 23, 2018

- “Copper Canyon Fire and Medical Authority does not have concerns regarding the abandonment of the alley”.

GENERAL PLAN:

This request for an abandonment is located within the Downtown Character Area. This area of town promotes a “pedestrian friendly commercial corridor” to encourage use of surrounding businesses, services, government offices, and historical sites.

The reason for the petition to abandon the alley is to provide a pedestrian-oriented residential project that has separate parking facilities. The two parcels need to be combined as one project; however, the intervening alley would prevent doing so.

The request complies with goals in this character area that emphasize walkability and multi-modal transportation options:

- Goal A.5 states “Promote and integrate principles such as walkability, multi-modal transportation options, and trails connectivity, public spaces and streetscapes”.
 - ✓ *The proposal includes a pedestrian-centered layout on the main parcel, with small houses for people who tend to live a minimalist lifestyle. This would include those who tend to use bicycles and utilize transit systems.*

- Goal C.2 states also supports the pedestrian environment: “Encourage all new development to provide pedestrian and multi-modal pathways within their development with connectivity to the Downtown Character Area and open space”.
 - ✓ *As stated above, the proposal has an emphasis on pedestrian use. The main parking for the project is being provided on the adjoining parcel, which has the alley in-between. The project’s proximity to Downtown promotes the connectivity to the historic district.*

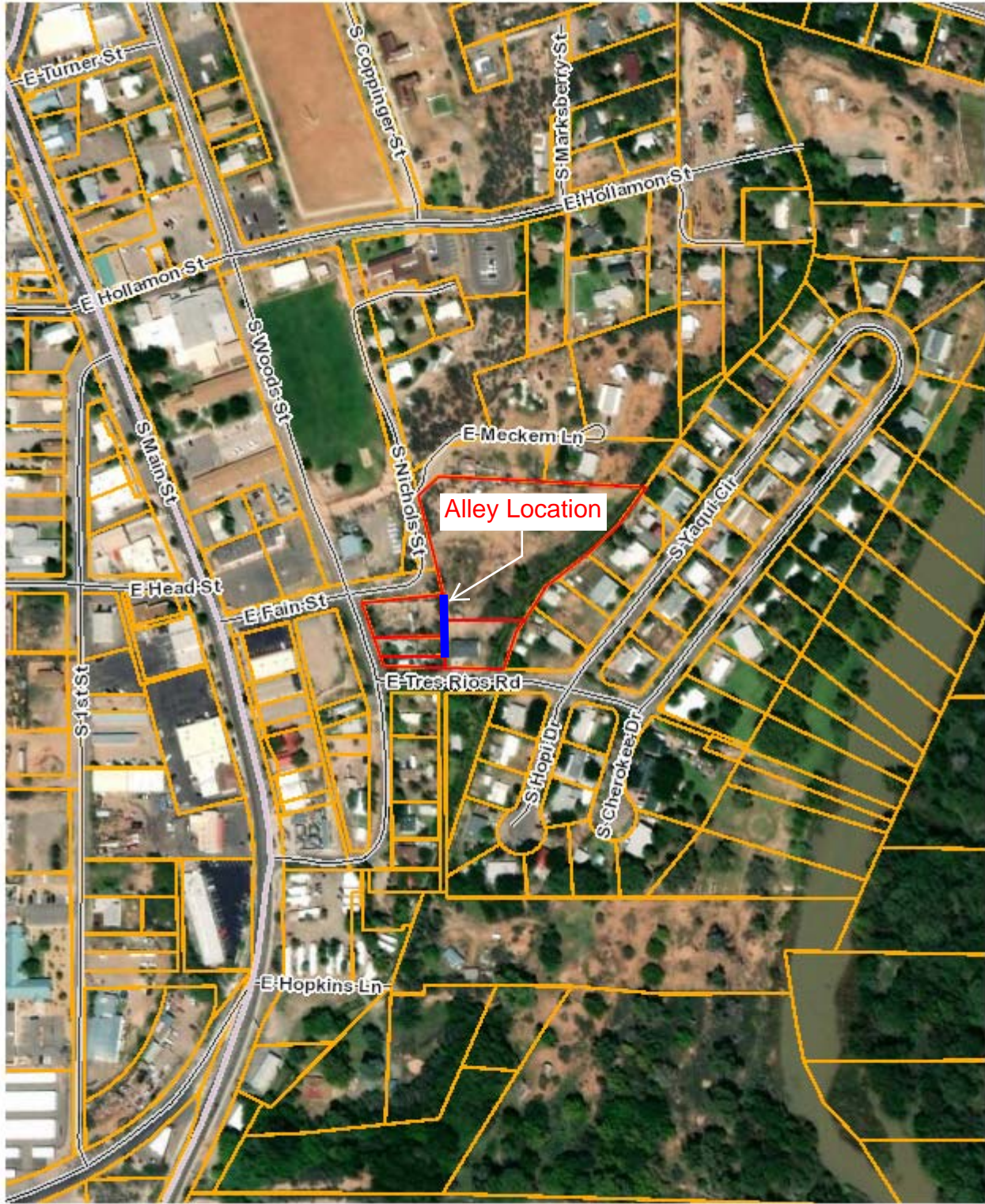
STAFF RECOMMENDATION:

Staff recommends approval of the request for an abandonment of a portion of the 13’ alley, as described, which would allow for the combination and development of two parcels for the proposed community for small houses.

RECOMMENDED MOTION:

A MOTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR AN ABANDONMENT OF A 13’ ALLEY AND ASSOCIATED REVERSION TO ACREAGE FOR LOTS 1 AND 2, BLOCK 12, PARCEL NUMBER 404-23-013A, AND LOT 3, BLOCK 12, PARCEL NUMBER 404-23-013B, WITHIN THE CAMP VERDE TOWNSITE SUBDIVISION, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA.

Exhibit A: Vicinity Map
Meier Abandonment of Alley



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: 10.23.2018

Exhibit B: Application & Petition
Meier Abandonment of Alley

Revised 06/05/18

Application #: 20180384

SEP 25 '18 PM 5:00



Land Use Application Form

1. Application is made for:

- | | | |
|---|---------------------|----------------------|
| Zoning Map Change | Use Permit | Temporary Use Permit |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Final Site Plan Review | Variance | Appeal |
| Abandonment | Minor Land Division | Wireless Tower |
| Administrative Review | Lot Line Adjustment | Zoning Verification |
| Development Standards Review (Commercial) | | |

Fee: \$1854

2. Project Name: Wee Hollow

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

Owner Name: <u>Town of Camp Verde</u>	Applicant Name: <u>Dave Meier</u>
Address: _____	Address: <u>165 Sombart Lane #17</u>
City: _____ State: _____ Zip: _____	City: <u>Sedona</u> State: <u>AZ</u> Zip: <u>86336</u>
Phone: _____	Phone: <u>928-853-5009 (cell#)</u>
E-mail: _____	E-Mail: <u>dmeier73@gmail.com</u>

4. Property Description: Parcel Number Alley Acres: 0.2104

Address or Location: Alley between parcels 404-30-0290 + 404-23-13A

Existing Zoning: Right of way Existing Use: Right of way

Proposed Zoning: PAD Proposed Use: Residential

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

Parking + Pathways to access 2 parcels 404-30-0290 + 404-23-13A

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. I have also attached a completed Permission to Enter form for consent to access the property regarding this action.

Owner: _____ Date: _____

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: [Signature] Date: 9-25-18

Martin
Martinae@Commspeed.net



Town of Camp Verde
◆ 473 S. Main Street, Suite 108 ◆ Camp Verde, Arizona 86322 ◆
◆ Telephone: 928.554.0050 ◆ www.campverde.az.gov ◆

SEP 25 '18 PM 5:04

PETITION TO VACATE EASEMENT / STREET / ALLEY

David Meier (hereinafter "Petitioner(s)"),

hereby petition the Town of Camp Verde Council for approval of vacating a(n) Alley
(easement/street/alley)

that crosses/adjoins 5 existing lots, as herein described.

1. Petitioner(s) are owners of Lots _____ of _____

subdivision. Parcel numbers: 404-23-013A, B, C, D and 404-30-029D

2. Exhibit "A" attached hereto and incorporated herein depicts the property to be vacated and reverted to acreage to adjoining properties, as appropriate (attach legal description and drawing completed by engineer or surveyor).

Petitioners hereby represent the following facts:

- A. There are no existing utilities located in the easement/street/alley to be vacated, or,
- B. The abandoned property will be retained as a public utility easement for any existing utilities;
- C. All adjoining property owners, by their execution of this petition, consent to this petition;
- D. The vacating of the easement/street/alley does not result in remnant land that did not already exist;
- E. No violation of applicable zoning requirements would result from this petition;
- F. Neither the public nor any person will be materially injured by this petition and there is good cause for this request.

Reason for request:

Adjoin to of the main parcels and no
benefit for keeping existing alley.

NOTARIZATION OF PROPERTY OWNERS/PETITIONER'S SIGNATURES:

State of Arizona)
 SS
County of Yavapai)

On the 19th day of September, 20 18, personally appeared before me
David Meier, the signer of the above document, who duly acknowledged to me
that they executed the same.

Anita R. McCarthy

Notary Public



2-27-2022

My Commission expires

State of Arizona)
 SS
County of Yavapai)

On the _____ day of _____, 20____, personally appeared before me
_____, the signer of the above document, who duly acknowledged to me
that they executed the same.

Notary Public

My Commission expires

(Copies of this page may be used for additional signatures, as needed)

On the _____ day of _____, 20____, the Town of Camp Verde Council approved
the Petition to Vacate Easement/Street/Alley.

Dated this _____ day of _____, 20_____.

ATTEST:

Judy Morgan, Town Clerk

Revised: 9/6/18 ml

SEP 25 '18 PM 5:04

CONSENT OF ADJOINING PROPERTY OWNERS:

The undersigned, being all of the owners of lots or property adjoining the lots described in Exhibit "A", hereby consent to the vacation and reversion to acreage of the _____ easement / street / alley (circle one).

Parcel No.	Owner Name & Address	Signature	Date
404-30-029D	David Meier, 165 Sombart	<i>David Meier</i>	09-13-18
404-23-013A	Little Thunder Family 8789 N 25th Av, Boring	x <i>Adene Carmichael</i>	9-14-18
404-23-013C	Sevine, Marlene J Rogers, Robin PO Box 1651, Camp Verde	x	
404-23-013B	Dicky, Andrew J 537 Nichols	x	
404-30-029C	Vasquez, Jimi K 160 E Tres Rosas Rd Camp Verde 86022	x	

Respectfully Submitted,

David Meier
Property Owner/Petitioner Name (Print)

David Meier 09/19/18
Property Owner/Petitioner Name (Print) Signature

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)


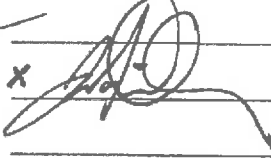
Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

*See attached Notary sheets for Property Owner/Petitioners' signatures:


CONSENT OF ADJOINING PROPERTY OWNERS:

The undersigned, being all of the owners of lots or property adjoining the lots described in Exhibit "A", hereby consent to the vacation and reversion to acreage of the _____
 easement / street / alley (circle one).

Parcel No.	Owner Name & Address	Signature	Date
<u>404-30-029D</u>	<u>David Meier, 165 Sombart</u>	<u></u>	<u>09-13-18</u>
<u>404-23-013A</u>	<u>Little Thunder Family</u> x <u>8789 N 95th AV, Peoria</u>		
<u>404-23-013C</u>	<u>Sovine, Marlene J</u> x <u>Rogers, Robin</u> <u>Po Box 1651, Camp Verde</u>		
<u>404-23-013B</u>	<u>Dicky, Andrew J</u> x	<u></u>	<u>10/1/18</u>
<u>404-30-029C</u>	<u>Vasquez, Jimi</u> x <u>160 E Tres Ros Rd</u> <u>Camp Verde 86022</u>		

Respectfully Submitted,

David Meier
 Property Owner/Petitioner Name (Print)

 J. Andrew Dicky
 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

 Property Owner/Petitioner Name (Print)

*See attached Notary sheets for Property Owner/Petitioners' signatures:

consent to the vacation and reversion to acreage of the _____
 easement / street / alley (circle one).

Parcel No.	Owner Name & Address	Signature	Date
<u>404-30-029D</u>	<u>David Meier, 165 Sombart</u>	<u>DA Meier</u>	<u>09-13-18</u>
<u>404-23-013A</u>	<u>Little Thunder Family</u> <u>8789 N 25th Av, Peoria Az</u>	<u>x Adene Carmichael</u>	<u>9-14-18</u>
<u>404-23-013C</u>	<u>Sovine, Marlene J</u> <u>Rogers, Robin</u> <u>PO Box 1651, Camp Verde</u>	<u>x</u>	
<u>404-23-013B</u>	<u>Dicky, Andrew J</u>	<u>x</u>	
<u>404-30-029C</u>	<u>Vasquez, Jimi</u> <u>160 E Tres Rosas Rd</u> <u>Camp Verde 86022</u>	<u>x Jim Vasquez</u>	<u>9/17/18</u>

Respectfully Submitted,

David Meier
 Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

Property Owner/Petitioner Name (Print)

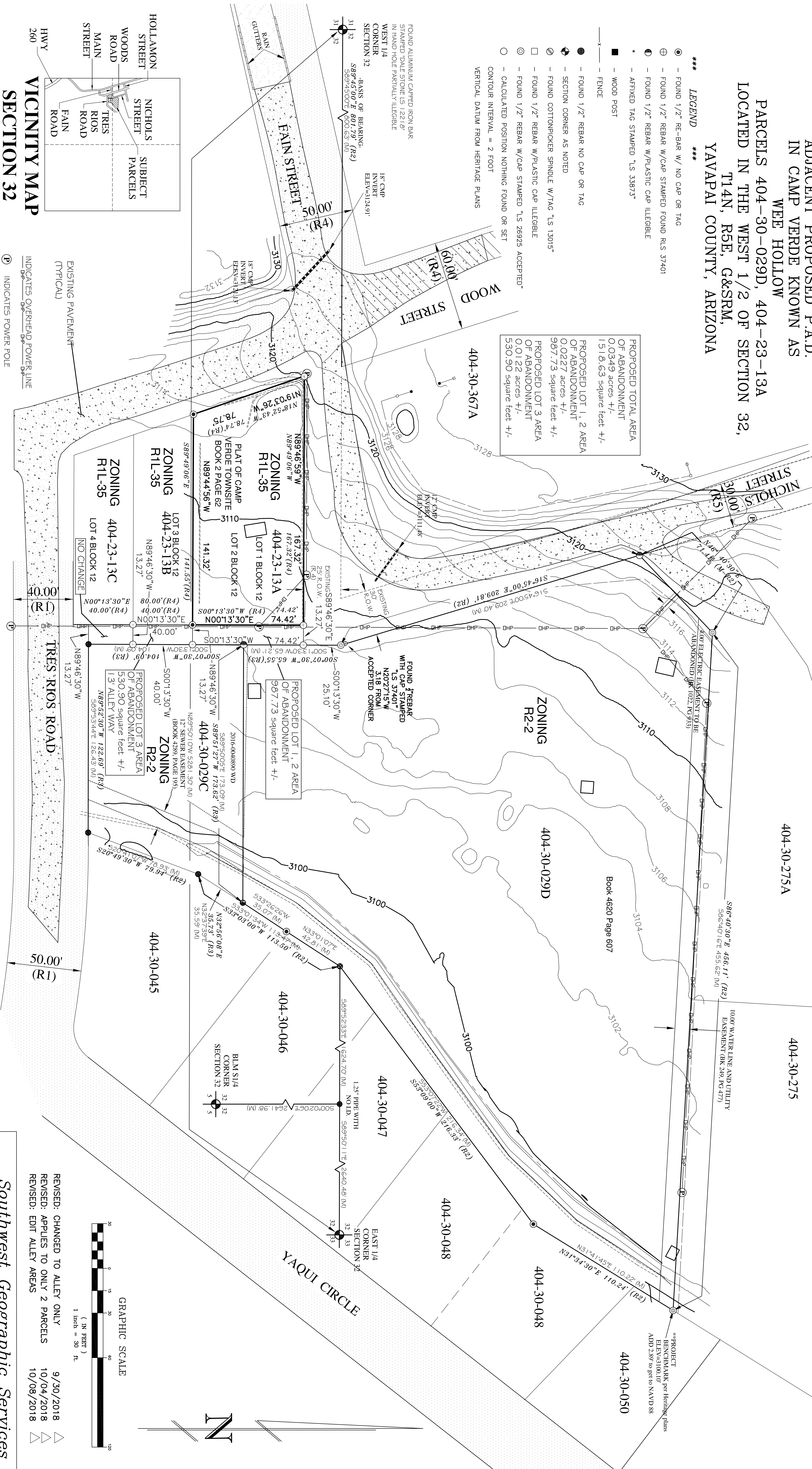
*See attached Notary sheets for Property Owner/Petitioners' signatures:

ALLEY ABANDONMENT

ALLEY ABANDONMENT
ADJACENT PROPOSED P.A.D.
IN CAMP VERDE KNOWN AS
WEE HOLLOW
LOCATED IN THE WEST 1/2 OF SECTION 32,
T14N, R5E, G&SRM,
YAVAPAI COUNTY, ARIZONA

- *** LEGEND *****
- FOUND 1/2" RE-BAR W/ NO CAP OR TAG
 - ⊕ FOUND 1/2" REBAR W/CAP STAMPED FOUND RLS 37401
 - ⊖ FOUND 1/2" REBAR W/PLASTIC CAP ILEGBLE
 - ⊙ FOUND 1/2" REBAR W/PLASTIC CAP ILEGBLE
 - ⊛ AFFIXED TAG STAMPED "LS 33873"
 - WOOD POST
 - FENCE
 - FOUND 1/2" REBAR NO CAP OR TAG
 - ⊙ SECTION CORNER AS NOTED
 - ⊙ FOUND COTTONPICKER SPINDLE W/TAG "LS 13015"
 - ⊙ FOUND 1/2" REBAR W/PLASTIC CAP ILEGBLE
 - ⊙ FOUND 1/2" REBAR W/CAP STAMPED "LS 26925 ACCEPTED"
 - CALCULATED POSITION NOTHING FOUND OR SET
 - CONTOUR INTERVAL = 2 FOOT
 - VERTICAL DATUM FROM HERITAGE PLANS

PROPOSED TOTAL AREA OF ABANDONMENT
0.0349 acres +/-
1518.63 square feet +/-
PROPOSED LOT 1, 2 AREA OF ABANDONMENT
0.0227 acres +/-
987.73 square feet +/-
PROPOSED LOT 3 AREA OF ABANDONMENT
0.0122 acres +/-
530.90 square feet +/-



VICINITY MAP SECTION 32

INDICATES OVERHEAD POWER LINE
INDICATES POWER POLE

****Notes****

1. This drawing is for planning purposes. The surveyor is in the process of surveying the parcels and adding more detail to the topographic features.
2. This map is a compilation of SCS Survey work including the Orthophoto.
3. Data was also provided to us from Heritage Land surveying and mapping (Dugan McDonald RLS). As this sketch is preliminary the data provided from Heritage is not yet verified and should be used with caution.

(R1) INDICATES RECORD DIMENSION FOUND ON THAT PLAN OF "TRETS RIOS", RECORDED IN BOOK 15, PAGE 62, IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

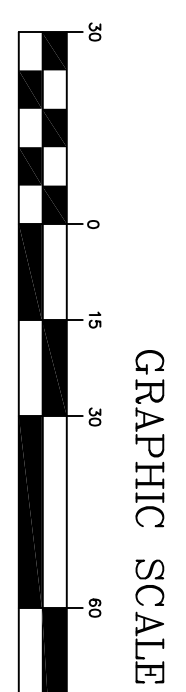
(R2) INDICATES RECORD DIMENSION FOUND ON THAT DOCUMENT RECORDED IN BOOK 655, PAGE 548, IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

(R3) INDICATES RECORD DIMENSION FOUND ON THAT DOCUMENT RECORDED IN DOCUMENT NUMBER 2016-0040890, IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

(R4) INDICATES RECORD DIMENSION FOUND ON THAT PLAN RECORDED IN BOOK 2, PAGE 62, IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

(R5) INDICATES RECORD DIMENSION FOUND ON THAT DOCUMENT RECORDED IN BOOK 2289, PAGE 185 IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

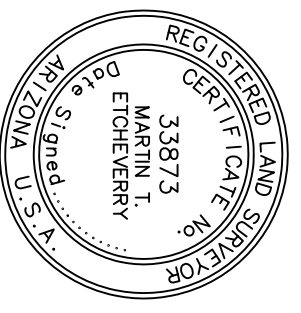
Per drawing provided to SCS from Heritage Land Surveying & Mapping Job#05-1225 Dated: 6/01/2007. This document was not found at the Yavapai County Recorder's Office by SCS and is believed to be a type error (wrong book and page) on the Heritage map.



REVISED: CHANGED TO ALLEY ONLY 9/30/2018
REVISED: APPLIES TO ONLY 2 PARCELS 10/04/2018
REVISED: EDIT ALLEY AREAS 10/08/2018

Southwest Geographic Services
P.O. Box 2701 Cottonwood, Az. 86326
(929) 298-9526

ABANDONMENT
DRAWN BY: W.T.E. CHECKED BY: F.M.E.
LOCATION: 488 S. NICHOLS STREET
SCALE: 1 INCH = 30 FEET
DATE: SEPTEMBER 24, 2018
Yavapai County, Arizona
JOB No.: 2017-138 SHEET: 1 of 1
REVISED: CHANGED TO ALLEY ONLY 9/30/2018



6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Doug Roach expressed his grievance toward early start times for construction in residential areas explaining how disruptive it is.

Marie DeClue from Meals on Wheels thanked the Town for their participation in the fundraiser walk that recently took place. The organization raised approximately \$1500.00.

7. Business. Legal action can be taken.

7.1. Discussion, consideration and possible direction to staff regarding a request to abandon Town property at the corner of Nichols Street and Fain Street and an alleyway connecting Fain Street with Tres Rios Road. [Staff Resource: Steve Ayers]

Economic Development Director Steve Ayers explained that he has been working on a project for a small housing community with developer Dave Meier. When Dave Meier purchased the property in the area for the construction it was determined that the Town has owned an alleyway separating two pieces of property. It is requested that the Town abandon the irregular alleyway to create a contiguous parcel for the development of a small house subdivision. The abandonment of the parcel would facilitate on street parking for both public and visitors of the subdivision. The abandonment is supported by the Public Works, Community Development and Economic Development Departments.

Councilor Gordon indicated his concern that the road is not up to standard and would not want to restrict further improvement to streets because of that. Gordon also indicated that any utility easements would need to be addressed immediately. Mr. Ayers explained that the developer would maintain the utilities easement and the road would be built to spec and parking would make up for the required footage.

On a motion by Councilor Baker, seconded by Councilor Gordon, the motion was approved unanimously to direct staff to work with the owners of the adjacent properties to facilitate an abandonment of the proposed property at the corner of Fain Street and Nichols Street along with the alleyway connecting Tres Rios Rd with Fain Street.

7.2. For Council Discussion and possible direction for staff to initiate a response to Representative Descheenie's request for funding of Certified Chemical Lab for Northern Arizona and/or correspondence from the Town supporting in principle the establishment of the Lab. [Resource: Mayor German]

It is the Consensus of Council for the Mayor to create correspondence for support toward the establishment of the lab.

After a brief discussion, Mayor German explained that he needed direction from Council regarding correspondence for support toward the establishment of a certified chemical lab located in Chinle, Arizona. The lab will be available to Northern Arizona University (NAU), other agencies and the private sector for use and not limited to tribal members.

DRAFT MINUTES
Regular Session & Public Hearing
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY, NOVEMBER 1, 2018
6:30 PM

Because All Commission meetings will end at 9 PM, any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

Chairman Davis called the meeting to order at 6:30 p.m.

2. Roll Call

Chairman B.J. Davis, Vice Chairman Teresa Helm, Commissioners, Jim Hisrich, Greg Blue, Bruce George, and Chip Norton are present. Commissioner Steve Vanlandingham is absent.

Also Present

Community Development Director Carmen Howard, Town Planner Melinda Lee, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Vice Chair Helm 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:

October 4, 2018 – Regular Session

b. Set Next Meeting, Date and Time:

TBD

Motion was made by Commissioner Blue to accept the consent agenda as presented. Second was made by Commissioner Norton. **Motion** carried unanimously with Chairman Davis, Vice Chairman Helm, Commissioners Hisrich, Blue, George, and Norton approving.

5. Call to the Public for Items Not on the Agenda

(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date).

No public comments were made.

6. Public Hearing Items:

a) Public Hearing, Discussion, and Possible Recommendation to the Town Council for an application submitted by Dave Meier, for an Abandonment of a 13' wide alley and associated reversion to acreage for Lots 1 and 2, Block 12, Parcel number 404-23-013A, and Lot 3, Block 12, Parcel number 404-23-013B, within the Camp Verde Townsite subdivision; extending from Nichols Street southerly for approximately 140 feet, in Camp Verde, Yavapai County, Arizona. – Resource: Planner Melinda Lee

Declare Actions:

Public Hearing Open at 6:32 pm.

Call for Staff Presentation:

Town Planner Melinda Lee gave a presentation on the project. Ms. Lee explained the applicant, Dave Meier, has proposed a small house community off Fain and Nichols Streets. These will be site-built homes. There are two parcels involved that need to be combined into one property. There is a 13' alley that was dedicated on the Camp Verde Townsite plat that separates the two parcels. The alley needs to be abandoned before the lots can be combined. Ms. Lee reviewed a map of the properties specifically showing the alley.

It was determined that this alley needed to be abandoned before the associated Zoning Map Change application was approved. Otherwise future abandonment of the alley and reversion to acreage would create a section of land that was not included in the zoning action and would have to be processed separately to make it the same zoning district as the two adjoining parcels.

Ms. Lee stated that in April 2018 this item was presented to the Town Council, so they could be aware of the situation because the alley is town property. Council gave direction to move forward with the abandonment and they are aware it will be coming before them again.

Ms. Lee showed pictures of the current state of alley. Pictures show the alley is currently overgrown with shrubbery and has a pole line in it. It will continue to be a utility easement but will have no vehicular access. APS is ok with abandonment as long as it is maintained as utility easement. Public Works is also okay with this abandonment. Unisource Energy had no issues because they have no gas in the area.

Staff only received one response from a property owner Jimi Vasquez who inquired about the proposed project and how it would affect his property. Ms. Lee sent an email describing the proposal but never heard back.

The request for abandonment is located within the Downtown Character Area. This area of town promotes pedestrian friendly environment. It also promotes walkability, bicycling, and encourages people to use the transit system.

Commissioner George asked about the fourth property owner who didn't sign the petition, if that would affect the project. Ms. Lee stated that this does not affect project. Their property will remain unchanged.

Ms. Lee stated that staff recommends approval of this request for the project.

Call for Applicant Presentation:

Luke Sefton, of Sefton Engineering introduced himself, he is representing Mr. Meier. He stated the abandonment was petitioned for entire alley, but they couldn't get everyone to sign. The remaining portion will not affect the project.

Call for Comments from the Public:

Marlene Sovine, owner of 404-23-013C, stated that her inheritance property was stolen from her. She stated that the town has never done anything with streets. She would like them to leave the alley alone and rearrange their plan. She went on to explain that her inheritance property was stolen and is very concerned that the situation hasn't been looked into. Chairman Davis suggests she talk with the Community Development Director Carmen Howard during her office hours. Ms. Sovine would like to make sure she is heard in a public meeting to be on a public record. Chairman Davis stated the Commission cannot take any action on this subject but again encouraged her to come in and speak with Ms. Howard.

Leroy White, represents a friend who owns a property in the area (Jan Spain). He stated that she is opposed to the project because the town has never maintained the alley and this is an easy way for the town to avoid their obligation. She would prefer the town to maintain the alleyway, clean it up and use it as it was intended.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate:

None.

Declare Public Hearing Closed at 6:57 pm.

Call for Commission Discussion:

Commissioner Hisrich asked about the separation of Items A & B on the agenda.

Chairman Davis stated that he understands the abandonment has to occur before the PAD can be approved if at all but can Items A & B be joined back together so they could have one discussion and get a better understanding of what the final PAD and the use of the abandonment might be. He will still call for two separate questions, one for the abandonment and one for the approval of the PAD. Ms. Howard stated that as long as they are treated as two separate action items that would be fine. Chairman Davis stated he would like to have a full discussion on the PAD, then drop back for questions and further discussion on the abandonment first, then another motion for the PAD.

b) Public Hearing, Discussion, and Possible Recommendation to the Town Council for an application submitted by Dave Meier, for a Zoning Map Change/PAD (Planned Area Development), from R2-2 (Residential: Duplex & Other Multi-Family Uses – 2,000 Square Foot Minimum Lot Size) to R2-PAD (Residential; Duplex & Other Multi-Family Uses/Planned Area Development). The intent is to develop a Small Home Community on approximately 2.6 acres on Nichols Street and Fain Street; Parcel numbers 404-30-029D and 404-23-013A, in Camp Verde, Yavapai County, Arizona. – Resource: Planner Melinda Lee

Declare Actions:

Public Hearing Open at 7:00 pm.

Call for Staff Presentation:

Town Planner Melinda Lee stated this is a Zoning Map Change for a PAD presented by Mr. Meier. The proposed project is named Wee Hollow and will have approximately twenty-six small homes ranging from 400 to 800 square feet. The reason for the PAD is the parking that is proposed is to be done in a different manner because of the concept he is proposing. The homes will be site built, small homes, and he wants the flexibility in the design of the project which includes internal trail systems for the residents of the community.

Ms. Lee gave background on property. Due to rezoning for the primary parcel in 2005, the property was rezoned to R2-2. This means the current zoning already allows the subdivision of parcels as small as 2000 square feet or a multi-family housing development. He could build twice as many homes without changing zoning. In December 2007, a final plat was approved for Sleepy Hollow Townhomes. The applicant is now proposing a new concept to provide something different for Camp Verde. This project is in the Downtown Character Area which describes the use of cottages and bungalows. This proposal will follow suit with what is currently there. Mr. Meier wants to provide parking on the additional parcel and on the street.

Chairman Davis asked if the parking spaces along Fain/Nichols would be public parking. Ms. Lee stated yes, those are proposed to be public spaces because that is Town right of way. The residents may use the parking and the developer is proposing to help facilitate development of this parking, yet it will also be available for public to use.

Commissioner George also pointed out parking at the top of the project and asked how many spaces would he be providing. Ms. Lee stated he would be providing about fifty-two spaces and some homes will have a private garage.

Ms. Lee stated the applicant has gone through the required processes. There were some concerns at the neighborhood meeting such as the density of the housing being proposed, fire access, adequate utilities, quality of the homes, and prices. Staff has received a few responses back from the public regarding the request:

Jan Spain: Opposed to the project that is really a proposal for “cracker box housing” and or a trailer park. Ms. Lee explained to her by phone that project is proposed for site-built housing and not a manufactured homes or tiny homes on wheels. It is a different concept than a trailer park.

Paul and Raul Gallegos: Supports the project as a means affordable housing.

Gaylene Allen: Supports the project in every way.

Jimi Vasquez: Asked about the project and how it would affect his property. He didn’t respond back to an email that was sent to him describing the proposal.

Staff did not solicit comments from agencies with this application for a zoning action due to the follow up discussions after the pre-application meeting. Agency comments will be solicited again at the development stage.

The General Plan supports this concept in the downtown area. It is going to be pedestrian friendly. The property is currently vacant and in dis-repair. This will be a good way to bring life back into the neighborhood. It will be very beneficial for the area. The General Plan promotes and encourages mixed use. The General Plan promotes diversity of housing types. These homes will be made available to all generations of people. The Strategic Plan, one of the guiding principles that was adopted in 2015, describes the provision of opportunities for citizens in all income levels, to have places live, work and thrive in a community.

Ms. Lee showed photographs of the property and surrounding properties and the proposed parking. Chairman Davis asked if the road would be paved. Ms. Lee stated yes, all the way until end of property. The property owner and the Town are proposing to share the road and public parking development and maintenance responsibilities.

Ms. Lee finished by saying that staff supports this project and recommends approval of the application.

Call for Applicant Presentation:

Applicant David Meier stated he has been a resident of Camp Verde for 20 years. This will be his third project in Town. He stated that as Ms. Lee stated, back in 2007 this was approved for twenty-two townhomes and thought that was high density. Since then he has chosen to purchase the other half acre. His intention is to not have cars on the property except in a garage. The parking on the street is for the public. All the parking spaces he needs to provide will have a "carport" style of covered parking. In the past he has donated the vacant lots for town events. He went on to say he anticipates the average occupancy of each home to be about two people.

Commissioner George asked about the price ranges for the homes. Mr. Meier thought they would possibly be \$150,000 to \$175,000. This doesn't have to be decided today.

Commissioner George asked if the community would have a Home Owners Association. Mr. Meier said yes, it will be very restrictive. He will maintain the exteriors until the HOA can be created. The internal roads are only wide enough to get furniture moved in the first time but no more than that. He is considering allowing golf carts.

Chairman Davis asked if they properties are sold units. Mr. Meier said yes, they will have about 10 feet of lot around their homes and the rest will be common areas, taken care of by the association.

Vice Chair Helm asked about emergency and fire access. Mr. Meier stated he are working with the fire department and will put in what they require; they have approved the turnaround shown on the map and the location of the hydrant.

Vice Chair Helm asked about the sizes of the homes. Civil Engineer for the project, Luke Sefton said they will be 600, 800 & 1,000 square feet.

Vice Chair Helm is amazed that a private company would like to share maintenance responsibility with the Town.

Chairman Davis asked how close the project will be to Mr. Vasquez's fence. Mr. Meier said approximately 20 ft. but it will be defined as the PAD comes through.

Chairman Davis stated that this is not a final approval for the project that it is just a zoning approval. There will be more meetings to work out the specifics.

Chairman Davis asked about a 6ft wall that was mentioned in the literature. Mr. Meier said it would be along the perimeter of the property. He would like privacy between the neighbors but not along the ditch because that is part of the landscaping scheme.

Chairman Davis asked about fire sprinklers. Ms. Howard said that they are not required in a residential project. A distance of 150ft from a hydrant is required.

Chairman Davis asked Mr. Meier to not restrict the occupancy to 1-2 people because small families would be perfect for the community.

Mr. Meier mentioned they are considering solar for the project.

Chairman Davis state, in response to Ms. Spain's concern, that these houses are not rentals but are sales, not on wheels and this will not be an RV Park. These are site-built homes on a foundation, not manufactured homes in a trailer park. He would like Mr. Meier be respectful of the quality of the project; small affordable housing is what Camp Verde needs.

Commissioner Norton stated that he can't see anything that is going to happen that would open up the easement. Mr. Sefton said it will be opened up and maintained as easement. Mr. Meier is hoping to work with APS to go to

underground utilities. Commissioner Norton added that this concept fits with what is there and will improve the surrounding property values. It was determined that the alley abandonment will improve its condition for the benefit of the neighborhood.

Call for Comments from the Public:

Leroy White, representing Ms. Spain, stated that after listening to the discussion, he doesn't think Ms. Spain would oppose the transfer of the alley and thinks it might make the Town be more responsible. He would like to know what percentage are they thinking of age restriction or will they have one? Mr. Meier this is more of a millennial generation but the project could attract older folks too. He will take the idea into consideration. CC&R's should be out in a couple months for the preliminary plat.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate:

None.

Declare Public Hearing Closed at 7:43 pm.

Call for Commission Discussion on abandoning the alley:

Commissioner George stated that abandoning the alley is a win-win for the neighborhood and applicant.

Call for Staff Comments:

None.

Call for Motion:

Motion was made by Commissioner George to recommend approval of an application for an Abandonment of a 13' wide alley and associated reversion to acreage for Lots 1 and 2, Block 12, Parcel number 404-23-013A, and Lot 3, Block 12, Parcel number 404-23-013B, within the Camp Verde Townsite Subdivision; in Camp Verde, Yavapai County, Arizona. Second was made by Commissioner Blue.

Call for Discussion of Motion:

None.

Call for the Question: Motion carried unanimously with Chairman Davis, Vice Chairman Helm, Commissioners Hisrich, Blue, George, and Norton approving.

Call for Commission Discussion on rezoning:

Commissioner Helm shared her experience living in a community like what is proposed and said it was easier to clean, created a real sense of community, and was overall a good experience. She thinks this is a good idea that Camp Verde needs, and it fits in the General Plan.

Chairman Davis asked Ms. Lee to get back to Mr. Vasquez about the proposed setbacks and the privacy wall next to his property; and to be open to Ms. Spain's issues as well.

Motion was made by Commissioner George to recommend approval of an application, as requested by the property owner, Dave Meier, for a Zoning Map Change/Planned Area Development (PAD), from R1L-35 and R2-2 to R2-PAD. The property is located at Fain and Nichols Streets on Parcels 404-30-029D and 404-23-013A, in Camp Verde, Yavapai County, Arizona. Second was made by Vice Chairman Helm.

Call for Discussion of Motion:

None.

Call for the Question: Motion carried unanimously with Chairman Davis, Vice Chairman Helm, Commissioners Hisrich, Blue, George, and Norton approving.

c) Public Hearing, Discussion, and Possible Recommendation to the Town Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section(s) 103: Definitions, and 301; Exceptions to Yard and Height Requirements. – Resource: Planner Melinda Lee

Declare Actions:

Public Hearing Open at 7:48 pm.

Call for Staff Presentation:

Community Development Director Carmen Howard stated she has some text amendments. When you make a change in the code you realize it needs to be strengthened or modified.

The first one is for Section 103: Definitions. Recently Community Development did some enforcement action relating to vacation rentals and accessory dwelling units. In doing so they found that there is not too much difference between having a one-bedroom rental in your house and having an accessory dwelling unit. The code says that an accessory dwelling unit can be attached or detached. It was not fair to ask the one-bedroom rental to come in and pay \$1,800 and go through the use permit process for a bed and breakfast where we were asking someone with an accessory dwelling unit to get a permit for \$144.00 and do an Administrative Review. It was not equitable. They felt like these two were the same. Therefore, the proposal is to change the definition for Bed and Breakfast to "limit to two to five bedrooms".

Chairman Davis assumes it is not retroactive. He asked what happens when someone comes in for a refund. Ms. Howard stated they realized this from the beginning and didn't require anyone to do this until they go to Planning and Zoning Commission and Council to make that suggestion. They have not enforced the rule because it needs to be fixed.

Ms. Howard stated the next Code change is to setbacks. When looking at the front setbacks in the Townsite plat there are three different zoning districts with different setbacks. Older development typically has no front setbacks, or minimal. When someone comes in to do an infill project, it doesn't make sense to require someone to have that large of a setback on Main Street. Staff is asking for an exception for the front setback requirement up to zero within the historic Townsite plat. Right now they range from 10-50 feet and most for setbacks, zero is more appropriate based on what the neighboring properties are.

Chairman Davis doesn't like zero. He would rather go to 10 feet across the board. He stated this is for two reasons. One, if it's a house he'd like to see landscaping before porch or if it's a business, it would allow that business to put sale items out front. He asked who would determine the setback and thinks it opens them up for criticism if there is not more structure to this requirement.

Ms. Howard would really like them to consider a different idea with the Main Street setbacks. Most businesses on Main Street have zero setbacks and now we are requiring them to have 10ft setbacks. This is not how a historic downtown came in. Chairman Davis doesn't disagree with Main Street but it applies to much more than just Main Street. Ms. Howard wants some form of uniformity with the old Townsite relating to front setbacks.

Chairman Davis suggested a change to state that everywhere else, besides Main Street, shall be 10ft, except that it could be modified based on current adjacent property setbacks, as determined by the Community Development Department. The proposal states that it would allow from 50 feet down to zero at your discretion; this could get into a "perceived" favoritism situation.

Ms. Howard thinks that, when determining what your setbacks should be, there should be some way of writing in there that the setback will be determined by the adjacent property setbacks. She suggested taking it off of the agenda tonight to reword it and bring it back.

Call for Applicant Presentation:

None.

Call for Comments from the Public:

None.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate:

None.

Declare Public Hearing Closed at 8:01 pm.**Call for Commission Discussion:**

Commissioner Blue asked if a rental unit is attached or detached. Ms. Howard stated either.

Vice Chair Helm asked if staff could add definitions for site-built homes, small homes, and cottage; so people don't think trailer park when hearing these terms.

Chairman Davis directed Ms. Howard to work outside the meeting on that topic.

Call for Staff Comments:

None.

Call for Motion:

Motion was made by Commissioner Norton to recommend to Town Council, the approval of the proposed Text Amendments to the Town of Camp Verde Planning & Zoning Ordinance amending Section 103, Definitions of Terms as recommended by staff, and to table action on Section 301, Exceptions to Yard and Height Requirements to a future meeting. Second was made by Commissioner Hisrich.

Call for Discussion of Motion:

None.

Call for the Question: Motion carried unanimously with Chairman Davis, Vice Chairman Helm, Commissioners Hisrich, Blue, George, and Norton approving.

7. Current Events

(Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.)

None.

8. Staff Comments

None.

9. Adjournment

Motion was made by Vice Chairman Helm to adjourn the meeting. Second was made by Commissioner Blue. **Motion** carried unanimously with Chairman Davis, Vice Chairman Helm, Commissioners Hisrich, Blue, George, and Norton approving. Meeting was adjourned at 8:07 pm.

Chairman BJ Davis
Planning & Zoning Commission

Carmen Howard, Director
Community Development

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 Regular Session & Public Hearing of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 1st day of November 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of November 2018.

Jennifer Reed
Jennifer Reed, Recording Secretary

[Page intentionally left blank]

Agenda Item 7.2.

Town of Camp Verde



Agenda Item Submission Form / Section I: Ordinance 2018-A438 Zoning Map Change Application #2018-0353 Wee Hollow

Meeting Date: November 28, 2018 Town Council Meeting

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

Requesting Department: Community Development
Staff Resource/Contact Person: Carmen Howard, Community Development Director

Applicant: David Meier
Application: Zoning Map Change 2018-0353 request to rezone 2.46 approximate acres at Nichols and Fain Street.

Agenda Title (be exact):

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R2-2 (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES - 2,000 SQUARE-FOOT MINIMUM LOT SIZE) AND R1L-35 (RESIDENTIAL SINGLE FAMILY LIMITED - 35,000 SQUARE-FOOT MINIMUM LOT SIZE) TO R2-PAD (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES/PLANNED AREA DEVELOPMENT) FOR A SMALL HOME COMMUNITY ON APPROXIMATELY 2.6 ACRES ON NICHOLS STREET AND FAIN STREET; PARCEL NUMBERS 404-30-029D AND 404-23-013A, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA

List Attached Documents:

- Ordinance 2018-A438 (Prop 207 Waiver and legal description on file with Community Development)
- Staff Report
- Application
- NB meeting documents
- Communications
- See Agenda Item for Abandonment for draft minutes from November 1, 2018 P & Z meeting.

Estimated Presentation Time: 20 minutes.

Estimated Discussion Time: 20 minutes

Reviews Completed by:

- Department Head: Carmen Howard
 Town Attorney review:
Comments: In Staff Report
Comments: Ordinance for form



ORDINANCE 2018 A438

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R2-2 (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES - 2,000 SQUARE-FOOT MINIMUM LOT SIZE) AND R1L-35 (RESIDENTIAL SINGLE FAMILY LIMITED - 35,000 SQUARE-FOOT MINIMUM LOT SIZE) TO R2-PAD (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES/PLANNED AREA DEVELOPMENT) FOR A SMALL HOME COMMUNITY ON APPROXIMATELY 2.6 ACRES ON NICHOLS STREET AND FAIN STREET; PARCEL NUMBERS 404-30-029D AND 404-23-013A, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600(C)(1) of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, and

WHEREAS, the Mayor and Council find that the requested re-zoning will be beneficial to the community and is in conformity with the Camp Verde General Plan, and

WHEREAS, the Mayor and Council find that the procedures required by ARS §9-462.03 and 9-462.04 have been complied with in connection with this zoning action, and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:

Section 1. The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2018-0353** was filed by David Meier, property owner, to rezone the subject parcels from R2-2 (Residential: Duplex & Other Multi-Family Uses - 2,000 Square-Foot Minimum Lot Size) and R1L-35 (Residential Single Family Limited - 35,000 Square-Foot Minimum Lot Size) to R2-PAD (Residential: Duplex & Other Multi-Family Uses/Planned Area Development) FOR the following described real property: The legal description is attached as exhibit "A". The above described parcel contains an area of approximately 2.6 acres.

- B. The Planning & Zoning Commission reviewed the request on November 1, 2018 in a public hearing that was advertised and posted according to state law and recommended approval of Zoning Map Change 2018-0353.
- C. The proposed Zoning Map Change Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- D. The Waiver of Diminution of Value Claim has been signed by the property owners and is attached as exhibit "B".

Section 2. That this ordinance be hereby expressly conditioned as follows:

- 1. Approval by the Town Council of a Final Development Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. prior to issuance of any building permits;

In the event of non-compliance with any of the above conditions, the zoning designation for the described properties may revert from R2-PAD (Residential: Duplex & Other Multi-Family Uses/Planned Area Development) back to the original designation of R2-2 (Residential: Duplex & Other Multi-Family Uses - 2,000 Square-Foot Minimum Lot Size) and R1L-35 (Residential Single Family Limited - 35,000 Square-Foot Minimum Lot Size) in accordance with the procedures set forth in ARS §9-462.01(E).

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED BY A MAJORITY VOTE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON THIS 28TH DAY OF NOVEMBER, 2018.

Charles German - Mayor

Date: _____

Approved as to form:


Attest: _____
Judith Morgan, Town Clerk

Bill Sims - Town Attorney

Town of Camp Verde: November 28, 2018 Town Council

BACKGROUND:

Due to a rezoning action for the primary parcel in 2005, the zoning was changed from R1L-35 (Residential: Single Family Limited, 35,000 Square Foot Minimum Lot Sizes) to R2-2 District (Residential: Duplex & Other Multi-Family Uses, 2,000 Square Foot Minimum Lot Sizes). Thus, the current zoning already allows a division to smaller parcels or a multi-family housing development.

In December 2007, a Final Plat was approved for Sleepy Hollow Townhomes. This was a 20-unit proposal for two-story townhomes, with garages. However, the applicant and property owner, Dave Meier, is now proposing a new concept, which requires a zoning map change to a Planned Area Development (PAD) for a flexible design. The use of a secondary parcel requires a zoning change to make them both the same district and prepare them for a lot combination.

Mr. Meier has submitted a request for a Zoning Map Change/PAD for two parcels on Fain & Nichols Street in downtown Camp Verde. He is requesting the change from R1L-35 and R2-2 to R2-PAD to develop a pedestrian-oriented community for small houses, being referred to as “Wee Hollow”. The main parcel of 2.41 acres provides the location of the houses, common areas, pathways, and limited covered parking with storage. The secondary parcel of .27 acres is proposed to be used for covered parking and storage for the project’s residents. Additional parking is proposed in the rights-of-way of Fain Street and Nichols Street, which will also be available for public parking through a public-private-partnership.

A request to abandon the intervening alley is being processed in conjunction with this request, in order to allow the two parcels to be combined for a single project site.

On May 24, 2018, Mr. Meier and his engineer, Luke Sefton, had a pre-application meeting with Town Staff. A project was proposed for approximately 26 site-built housing units, ranging from 400 – 800 square feet in size. Five of the units are proposed to be 2-story and have their own garage. Each parcel will have a minimal site pad and the remaining portion of the property will be common areas with internal pathways.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- The applicant posted the subject property and mailed out letters to property owners within 300’, which invited them to the neighborhood meeting on August 21, 2018.

- The meeting was held at the Camp Verde Library. There were 15 attendees at the meeting; 5 of which were associated with Dave Meier. Questions about the project proposal included issues about the density of housing, fire access, fire sprinklers, property values, noisy foot and vehicle traffic, parking, sewer connections, potential rental units, quality of homes, occupants of the homes (people and animals), pricing, and the pedestrian concept.
- Community Development Staff mailed out 47 letters to properties owners within three hundred (300) feet of the subject parcels on August 30, 2018. This letter advised the neighbors of the original date for Planning & Zoning Public Hearing and Town Council meetings.
 - When it was determined that the abandonment needed to precede the zoning action, the meetings were rescheduled and a second notice was sent on October 4, 2018, advising of the new, tentative meeting dates, times, and locations.
- A Notice of Public Hearing was placed in the Verde Independent–Camp Verde Bugle newspaper on September 9, 2018 and October 7, 2018 by Community Development Staff.
- A Notice of Public Hearing was posted on the subject property at the juncture of Fain and Nichols Streets and in public places on October 8, 2018 by Community Development Staff.
- The Planning & Zoning Commission agenda was posted in public places on October 25, 2018 by Community Development Staff.
- The Planning & Zoning Commission reviewed the request at their meeting on November 1, 2018 and forwarded a recommendation of approval to the Town Council.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff has received three comments from the public regarding this request:

- Jan Spain, 516 S. Yaqui Circle: Opposes the project, concerned that it is really a proposal for “cracker box housing” or a “trailer park”.
- Paul & Raul Gallegos, 590 S. Nichols Street: Supports the project as a means of affordable housing.
- Gaylene Allen, Nichols Street resident: Supports the project “in every way”.
- Jimi Vasquez, 160 E. Tres Rios Road: Inquired about the proposed project and how it might affect his property. He did not respond back to an email sent to him describing the proposal.

Staff did not solicit comments from agencies with this application for a zoning action, due to the follow up discussions after the pre-application meeting (summary included). Agency comments will be solicited again at the development stage.

GENERAL PLAN:

This proposal is located in the Downtown Character Area. The vision of this Area is “pedestrian friendly” with shopping, entertainment, and nearby residential. The existing residential use includes a “diverse collection of bungalows and cottages”, with high density residential existing in the town’s center.

The commercial sector includes retail, services, restaurants, medical services, historic venues, schools, and churches. The Area describes preferred non-residential uses that support the continuation of what is already existing in the area, which, in turn, supports surrounding residential neighborhoods.

The proposed project complies with this Character Area through its promotion of maintaining a small-town character and walkability.

- Goal A.2 states “Encourage mixed-use development with multi-modal development”.
 - ✓ *Integrating a higher density residential use into the downtown business corridor helps alleviate dependence on a car and promotes use of alternate means of transportation.*
- Goal A.2 further states “Promote and integrate principles such as walkability, multi-modal transportation options and trails connectivity, public spaces, and streetscapes”.
 - ✓ *The project has a pedestrian-oriented concept, which promotes walking and alternate types of transportation. It also promotes connectivity to the downtown corridor; the use of public spaces with its common areas in the plan; and the sharing of public space through access to additional parking for residents and visitors.*

Goal C describes the concept of this proposal well. “Support healthy residential environments that provide safe and convenient access, open spaces, and recreational opportunities”.

- ❖ *The Wee Hollow design supports a healthy environment with a minimalist approach; safe and convenient access to Downtown amenities; open spaces within their design; and recreational opportunities by promoting walking, bicycling, or personal mobility devices, rather than driving, to the local entertainment, shopping, and dining options.*

Further,

- Goal C.1 says to “Encourage a diversity of housing types to meet the needs of all income levels and ages”.
 - ✓ *The proposed small house community is intended to provide an affordable housing option for the Town’s workforce and/or retired residents.*
- Goal C.2 states “Encourage all new development to provide pedestrian and multi-modal pathways within their development with connectivity to the Downtown Character Area and open space”.

- ✓ *The project includes pathways within their plan for recreation or interaction amongst neighbors. They are being designed to accommodate personal mobility devices so those with limited mobility may benefit from them also. They will provide connectivity to Downtown through its proximity to Main Street and park spaces nearby.*

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 2018-A438 a request for a Zoning Map Change 20180353 which would allow for the development of a community for small houses.

RECOMMENDED MOTION:

A MOTION TO RECOMMEND APPROVAL OF ORDINANCE 2018-A438, AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R2-2 (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES - 2,000 SQUARE-FOOT MINIMUM LOT SIZE) AND R1L-35 (RESIDENTIAL SINGLE FAMILY LIMITED - 35,000 SQUARE-FOOT MINIMUM LOT SIZE) TO R2-PAD (RESIDENTIAL: DUPLEX & OTHER MULTI-FAMILY USES/PLANNED AREA DEVELOPMENT).

Revised 8/16/17

Application #: 20180353



Land Use Application Form

1. Application is made for:

- | | | |
|---|------------------------------------|------------------------|
| Zoning Map Change | Use Permit | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| <u>PAD Zoning</u> | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Verification of Non-Conforming Use | |
| Development Standards Review (Commercial) | Other: _____ | |

2. Project Name: Wee Hollow

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

Owner Name: <u>Dave Meier</u>	Applicant Name: <u>Dave Meier - same</u>
Address: <u>165 Sombart Lane</u>	Address: _____
City: <u>Sedona</u> State: <u>AZ</u> Zip: <u>86336</u>	City: _____ State: _____ Zip: _____
Phone: <u>928-853-5009</u>	Phone: _____
E-mail: <u>dmeier73@gmail.com</u>	E-Mail: _____

4. Property Description: Parcel Number 3 404-30-0290 + 404-23-13A Acres: 2.41 + .27

Address or Location: 485 S. Nichols St. Camp Verde AZ 86322

Existing Zoning: R2-2 / R1L-35 Existing Use: vacant land

Proposed Zoning: R2-PAD / R2-PAD Proposed Use: residential living

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

The purpose of rezoning is to allow for more flexible + creative design of the property.

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: Wh Meier Date: 08/22/18 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: same Date: _____

David L. Meier
Verde River Estates
165 Sombart Lane #7
Sedona, AZ 86336

July 26, 2018

Re: Neighborhood Meeting Notification/ Letter of Intent

Dear Resident,

As a neighbor of the property located at Parcel #: 404-30-029D on 2.41 acres at 485 S. Nichols St. in Camp Verde, you will be pleased to know that a formerly approved plat for a 22-unit apartment complex has been replaced by a more aesthetically appealing, lower density, small home project at this location. These small energy efficient units will each have electric supplemented by solar power from solar panels situated on an adjacent parcel just South-West on the corner of Fain Rd. at Parcel #: 404-23-13A, .27 acres.

Both parcels will need to be rezoned from R2 to R2-PAD and combined into one parcel before we can move forward with this new planned project. Rezoning the property from R2 to R2-PAD will allow for more creative design of the property. The density will stay the same, just more flexibility added to the project.

This project is under design with several green features incorporated. We are collaborating with engineers for drainage and about the potential harvest of rainwater for the greenery planted around the edges of the 26 small homes. All residences will share a beautiful courtyard with some shaded seating. All parking will be located on the outside perimeters of the development. Walking paths will be utilized from the parking areas to each individual home; thus preserving the most scenic view from the surrounding properties, such as yours.

Steve Ayres, the Economic Development Director for the town of Camp Verde and Sebra Choe, the Economic Development Specialist, have worked hard to the juncture to attract the builders, architects, investors and finance people to take the next steps. The project is a flagship announcement of Camp Verde's progression toward a more beautiful, sustainable and environmentally responsible town that still honors its founders and quiet lifestyle.

We invite your questions and ask that you voice your concerns, ideas and suggestions at our upcoming neighborhood meeting on August 20, 2018 from 6:00 to 7:30 pm at the Camp Verde Library in the Terra Cotta Room – 130 Black Bridge Loop Road.

Please feel free to submit written comments to me and/or attend the meeting in person to discuss the project. You may reach me at my email: WeeHollowProject@gmail.com.

Sincerely,

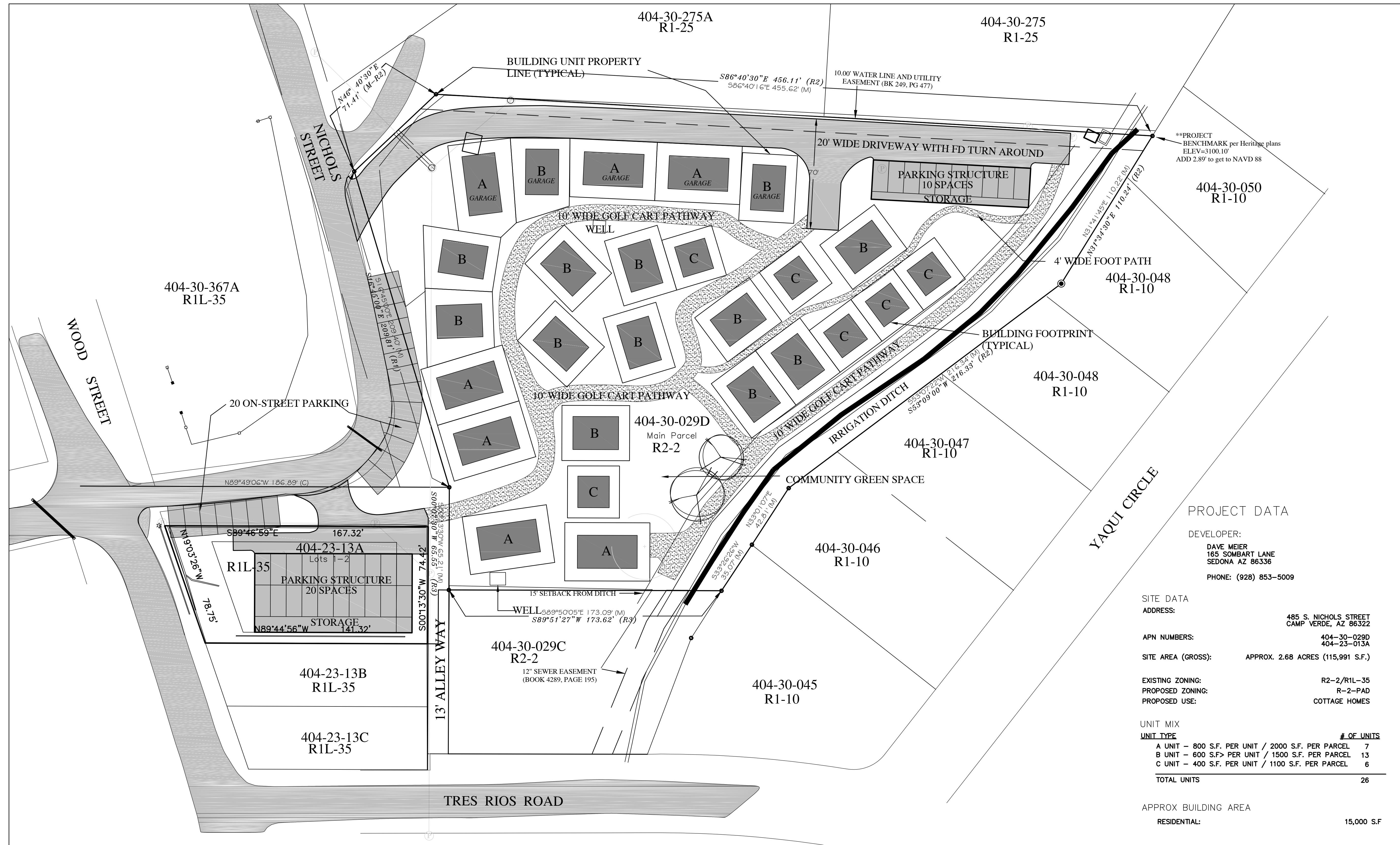
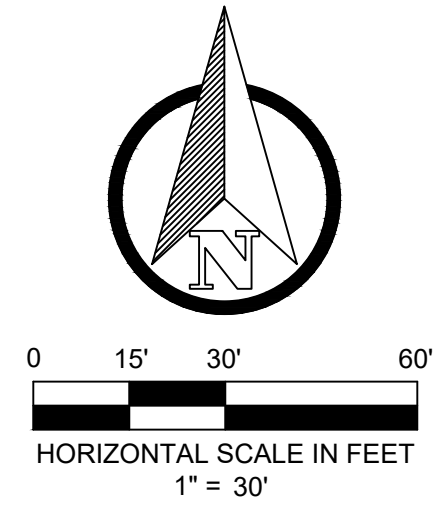


David Meier
Verde River Estates

WEE HOLLOW

APN: 404-30-029D & 404-23-13A
 ADDRESS: 458 S. NICHOLS STREET
 CAMP VERDE, AZ

LOCATED IN THE WEST HALF OF SECTION 32,
 T14N, R5E, G&SRM,
 YAVAPAI COUNTY, ARIZONA



PROJECT DATA

DEVELOPER:
 DAVE MEIER
 165 SOMBART LANE
 SEDONA AZ 86336
 PHONE: (928) 853-5009

SITE DATA

ADDRESS: 485 S. NICHOLS STREET
 CAMP VERDE, AZ 86322

APN NUMBERS: 404-30-029D
 404-23-013A

SITE AREA (GROSS): APPROX. 2.68 ACRES (115,991 S.F.)

EXISTING ZONING: R2-2/R1L-35
 PROPOSED ZONING: R-2-PAD
 PROPOSED USE: COTTAGE HOMES

UNIT MIX	# OF UNITS
A UNIT - 800 S.F. PER UNIT / 2000 S.F. PER PARCEL	7
B UNIT - 600 S.F. PER UNIT / 1500 S.F. PER PARCEL	13
C UNIT - 400 S.F. PER UNIT / 1100 S.F. PER PARCEL	6
TOTAL UNITS	26

APPROX BUILDING AREA
 RESIDENTIAL: 15,000 S.F.

PRELIMINARY

Sefton
 Engineering Consultants
 Your Ideas to Completion
 Surveying • Engineering • Land Planning
 20 STUTZ BEARCAT DR. #8
 SEDONA, ARIZONA 86336
 PH: (928) 202-3999 LS@SEFTONCO.COM

SITE PLAN

WEE HOMES

DAVE MEIER

SHEET TITLE: WEE HOMES

PROJECT TITLE: WEE HOMES

DRAWN BY: LAF

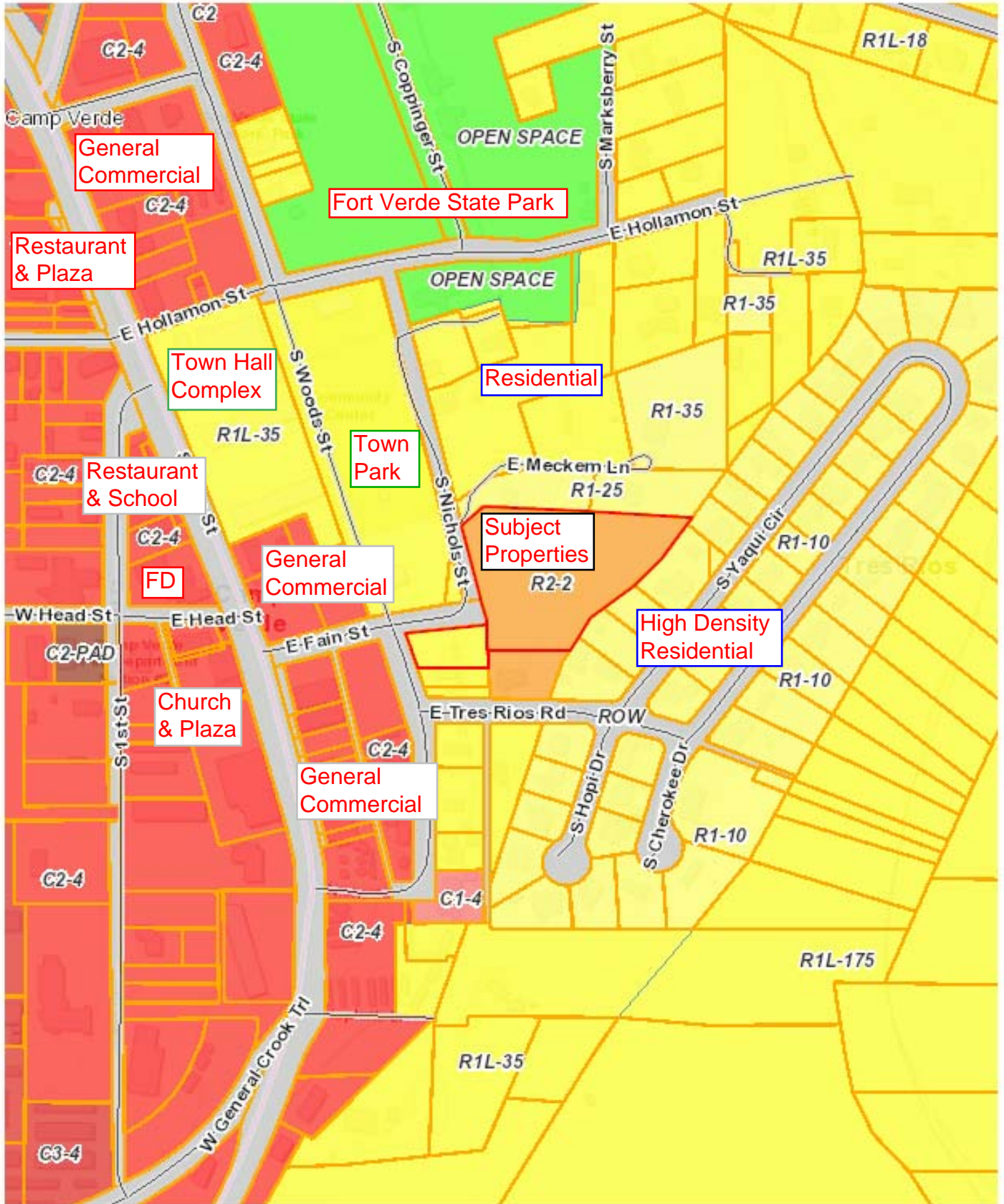
SCALE: 1" = 30'

DATE: 8-27-18

PROJECT NO: 180103

SHEET NO. **C-1**

Zoning & Land Use Map Meier
 Zoning Map Change/PAD



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.



Luke Sefton PE, CFM
Tim Huskett, PE, CFM
Dugan McDonald RLS
Clint Gillespie RLS
Sam Musser, Planner

August 21, 2018

AUG 29 '18 PM 4:08

Melinda Lee
Planner/Addressing Official
Town of Camp Verde, Community Development
473 S. Main St.
Camp Verde, AZ 86322

Re: Wee Hollow Proposed Development Neighborhood Meeting Report

Dear Melinda,

A Neighborhood Letter of Intent, along with a preliminary site plan, and vicinity map were mailed to each neighbor within a 300' radius of 485 S. Nichols St. on July 30, 2018. Two letters came back undeliverable, but it seems that most of the letters were received in plenty of time for this meeting.

On Monday, August 20, 2018 at 6:00 pm Sefton Engineering Consultants met with the neighbors of the proposed Wee Hollow Small Home Community along with the developer, Dave Meier, and Sebra Choe, from the Town of Camp Verde. There were 9 neighbors in attendance as well as the two representatives from Sefton Engineering, and two from the developer.

Sefton Engineering Consultants brought very Preliminary Site and Grading Plans for the neighbors to view. We also had a sign-in sheet as well as comment cards for the neighbors to fill out if they preferred to. The sign-in sheet, comment cards (1), and summary of the meeting are all attached at the end of this letter.

Luke respectfully talked to everyone and explained the development and answered concerns and questions from the neighbors. He tried to address all the issues that were brought up with help from Dave Meier. The majority of the neighbors were not opposed to the development or were neutral about it. One was very concerned, and several were very glad to for this project to be developed.

The Sefton team waited until everyone left before leaving the library at about 7:30 pm.

Respectfully,

Deanna Harrison, Administrative Assistant
Sefton Engineering Consultants

Attachments

40 Stutz Bearcat Dr., Sedona, Arizona 86336 ~Phone: (928) 202-3999
Email: info@sefengco.com ~ www.SeftonEngineeringCompany.com

In affiliation with:
Heritage Land Surveying & Mapping, Inc. with offices in Sedona, Camp Verde & Colorado

David L. Meier
Verde River Estates
165 Sombart Lane #7
Sedona, AZ 86336

July 26, 2018

Re: Neighborhood Meeting Notification/ Letter of Intent

Dear Resident,

As a neighbor of the property located at Parcel #: 404-30-029D on 2.41 acres at 485 S. Nichols St. in Camp Verde, you will be pleased to know that a formerly approved plat for a 22-unit apartment complex has been replaced by a more aesthetically appealing, lower density, small home project at this location. These small energy efficient units will each have electric supplemented by solar power from solar panels situated on an adjacent parcel just South-West on the corner of Fain Rd. at Parcel #: 404-23-13A, .27 acres.

Both parcels will need to be rezoned from R2 to R2-PAD and combined into one parcel before we can move forward with this new planned project. Rezoning the property from R2 to R2-PAD will allow for more creative design of the property. The density will stay the same, just more flexibility added to the project.

This project is under design with several green features incorporated. We are collaborating with engineers for drainage and about the potential harvest of rainwater for the greenery planted around the edges of the 26 small homes. All residences will share a beautiful courtyard with some shaded seating. All parking will be located on the outside perimeters of the development. Walking paths will be utilized from the parking areas to each individual home; thus preserving the most scenic view from the surrounding properties, such as yours.

Steve Ayres, the Economic Development Director for the town of Camp Verde and Sebra Choe, the Economic Development Specialist, have worked hard to the juncture to attract the builders, architects, investors and finance people to take the next steps. The project is a flagship announcement of Camp Verde's progression toward a more beautiful, sustainable and environmentally responsible town that still honors its founders and quiet lifestyle.

We invite your questions and ask that you voice your concerns, ideas and suggestions at our upcoming neighborhood meeting on August 20, 2018 from 6:00 to 7:30 pm at the Camp Verde Library in the Terra Cotta Room – 130 Black Bridge Loop Road.

Please feel free to submit written comments to me and/or attend the meeting in person to discuss the project. You may reach me at my email: WeeHollowProject@gmail.com.

Sincerely,



David Meier
Verde River Estates

Affidavit

I, Dave Meier, owner/agent of parcel's 404-30-029D + 404-23-13A have notified the neighbors within 300' of above property, by sending letters on July 30, 2018 to notify them of the neighborhood meeting that I conducted on the 21st day of August 20 18.

I posted my property with meeting the date, time, and place, on the 30th day of July 20 18, and taken a photograph of such posting.

I, Dave Meier, owner/agent of parcel's 404-30-029D + 404-23-13A will provide a summary of neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde with the associated application submittal, attesting to the issues and concerns discussed at the above neighborhood meeting.

Summary

Statement: see attachments

If Summary statement is too long, attach a copy.

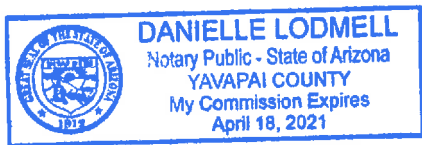
State of Arizona}

County of Yavapai}

Dave Meier
Signature of Document Signer No. 1

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 22 day of August 20 18.



Danielle Lodmell
Signature of Notary

AUG 29 '18



AUG 29 '18 PM 4:08

Neighborhood Meeting Sign in Sheet

AUG 29 '18 PM 4:08

PLEASE PRINT

Name	Address	E-Mail
181 E Meckem Kellae Fischer	PO Box 1156 Camp Verde AZ 86303	Kellae104@yahoo.com
252 Meckem Sandy Farrar	PO Box 842 Camp Verde AZ	Sandra_Farrar@AOL.com
252 Meckem Mito Engeland	PO Box 1510 Camp Verde AZ	
Steve Morrow	7035 of Woodall C.O. Ariz	morrow567@yahoo.com
Paul Canegos	5905 S. Nichols St Camp Verde 86322	RGALLEGOS02@gmail.com
Sebra Choe	POB 3446 Camp Verde AZ	Sebra-choe@campverde-az.gov
Gaylene Allen	571 S. Nichols St CV	jrallenglee@yahoo.com
Dru WINDERS	558 S. NICHOLS ST.	DRUOW@NPGCABLE.COM
Rebeca Anzuletta	lot 7 S. Yaguic	
Jan Valle	399 Yaguic Ave	

Representatives

Neighborhood Meeting Sign in Sheet

AUG 29 '18 PM 4:08

PLEASE PRINT

Name	Address	E-Mail
Maana Harrison - Sifton Eng. Cons.		
Dave + Jacqueline - Developer Mitt		
Luke Sifton - Sifton Eng. Cons.		
Sebra Choe - Camp Verde Economic Development Specialist		

Neighborhood Meeting – Wee Hollow Project

AUG 29 '18 PM 4:08

Monday, August 20, 2018 – 6-7:30 pm – Camp Verde Library, Terra Cotta Room

Summary of Meeting:

Luke Sefton of Sefton Engineering Consultants (Civil Engineer on project) opened with introductions of Deanna Harrison (Administrative Assistant), and the developer, Dave Meier and welcomed everyone to this neighborhood meeting.

Luke gave an overview of the project describing the streets, parking & additional parking, storage, solar, walking paths or inside cart paths (have to park on outside of complex and walk to home), one road for moving van if needed, types of homes being built (small stick-built homes), 26 homes with varying square footage (400-800 sq. ft.), possible two-story homes, and described this development going towards the trend of the minimalists. Luke had a very preliminary site plan to show as he described the proposed development.

After giving the overview of the project, Luke opened the floor to questions and concerns from the neighbors.

Concerns from neighbors:

Flood and drainage issues on property and surrounding properties from density of amount of homes, fire access concern – will a fire truck be able to get inside and around the grounds, will there be fire sprinklers in homes, issues with density and too many homes on a small parcel – is this acreage big enough for that many homes, property values going down when next to small homes, noisy traffic and foot traffic on and around the area streets, not enough parking for that many homes, will other properties be forced to use the town sewer if it is brought in for this project, this kind of project will create noise as well as increased traffic and this is a quiet area, don't want rentals in this neighborhood, concerns about quality of homes, what is the number of people allowed to live in each home, are pets allowed, who will be allowed to buy these homes, will the homes and area be kept nice, price of homes, and do home owners really want to walk up to their homes?

Lastly a concerned neighbor commented and asked everyone to please do research on how this type of community will lower property values.

Responses from Sefton Engineering, Dave Meier, and Sebra Choe:

All the land is above flood plain and above the ditch so there should not be any flood issues. We can put the homes at ground level. Drainage will be engineered and will meet all requirements of the Town and County. There will be a hydrant on each end and the main road will be wider than normal to accommodate fire trucks, there will be at least a 10' fire separation between homes and the developer estimates at least 20' between homes. Fire sprinklers in homes will be based on fire department guidelines.

The complex will have an HOA so the homes will have to be kept up as well as weeds and regulations regarding noise, working on cars, non-working cars, pets, maybe even including the amount of people that can live in each home, etc. will be in place. Having an HOA will help keeping the whole areas' property values up. These small homes are not on wheels, will be on the town sewer and water. A 6-foot

wall is proposed along one roadway area to help with noise. Short fences will be allowed for small animals. HOA can adjust rules if there are complaints and complaints can be made to the Town if issues come up. The road will be paved. This community will be green and a very short walking distance to uptown and hopefully less traffic going into town.

The neighbors wanted a comparison of small homes to standard residences: they are about the same costs as regular homes, but they will be presold and built to the homeowner's specifications. They can be custom and will have to go through an architectural committee through the HOA. There is not another development to compare this project to so three homes will probably have to be built and sold for cash to get a market value. Architect is from CV. He wants it to be beautiful and has beautiful ideas.

Trends are moving towards small walking communities and affordable housing is needed in the Verde Valley especially with the BnB change in rentals in Sedona. Younger people are looking for minimalist type housing.

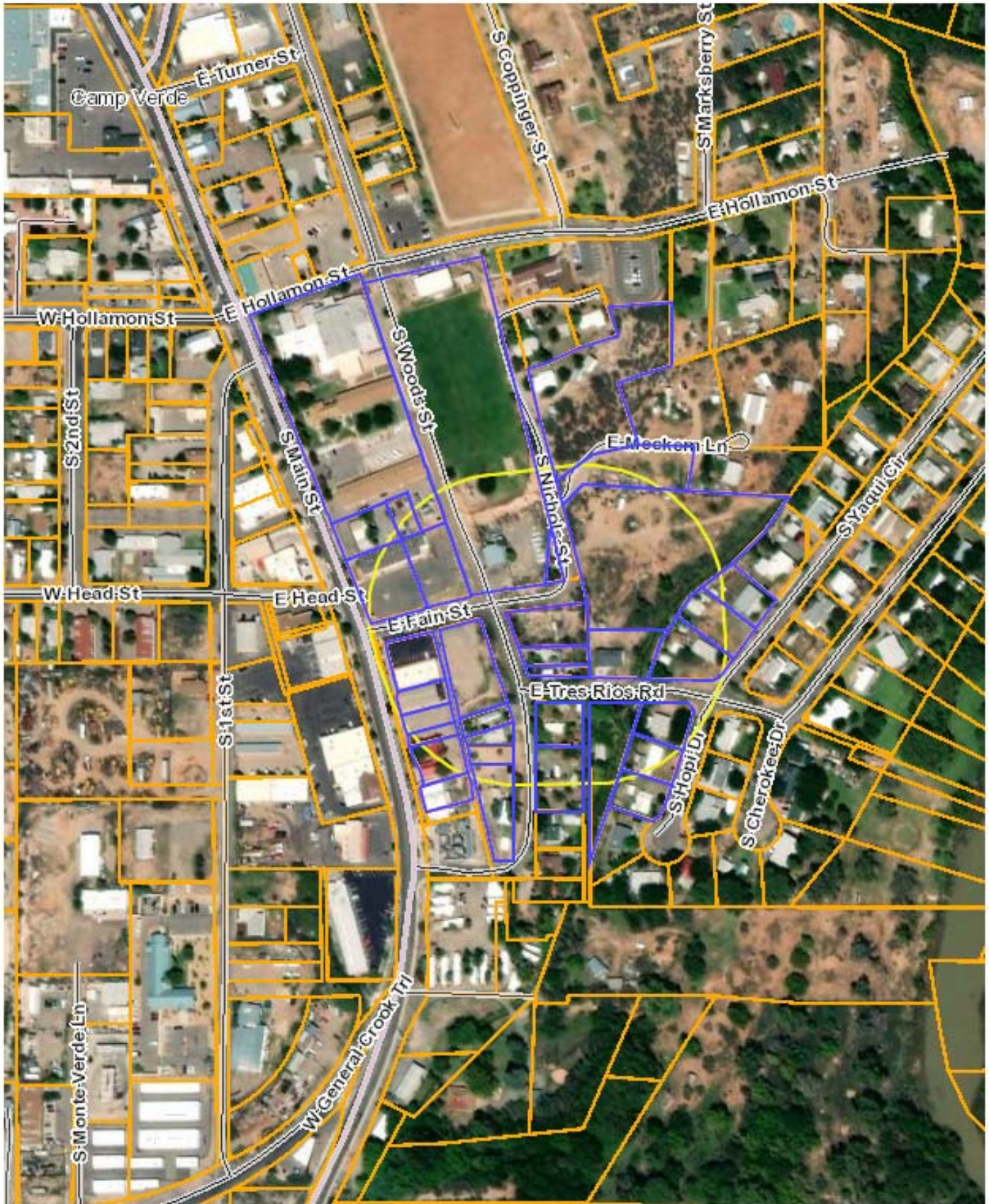
Sebra Choe commented on a few items towards the end of the meeting - that an article about this development was put on the front page of the newspaper and it received interest from all over Arizona and California. She had people from different walks of life call about this housing development. This project is envisioned to be workforce housing for people who are contributing to the work force and/or retired. So far there hasn't been interest from someone you wouldn't want to be a neighbor. This project has grown out of a need. Young people want to work and live in CV. Retired people are wanting to size down. They need affordable housing. We need to understand other homeowners needs. CV will grow one way or another and California wants to bring businesses here.

Luke closed and thanked everyone for coming and for voicing all their concerns and questions.

Respectfully Submitted,

Deanna Harrison, Administrative Assistant
Sefton Engineering Consultants

Notification Buffer for 404-23-013A Meier
Zoning Map Change/PAD



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

Notification Buffer for 404-30-029D Meier
Zoning Map Change/PAD



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.



Town of Camp Verde

Revised: ML
10/24/18

Community Development

◆ 473 S. Main Street, Suite 108 ◆ Camp Verde, Arizona 86322 ◆
◆ Telephone: 928.554.0050 ◆ Fax: 928.567.7401 ◆
◆ www.campverde.az.gov ◆

Conceptual – Pre-Application Meeting Summary

Date of Meeting: May 24, 2018
Location: Community Development

Project Name: Wee Hollow / Dave Meier
Parcel No.: 404-23-013A, 404-30-029D
Location: Fain Street & Nichols Street

Attendees:

Dave Meier, Developer
Steve Ayers, Director, Economic Development
Luke Sefton, Sefton Eng., Agent
Robert Foreman, Bldg. Official, Comm. Develop.

Carmen Howard, Director, Community Development
Sebra Choe, Specialist, Economic Development
Melinda Lee, Planner, Community Development

Melinda opened the meeting with a brief explanation of the project. It is intended to be for the development of smaller homes, cottages, with individual parcels within, surrounded by common areas to be maintained by an HOA. The property will need to be rezoned to an R2-PAD, with the two lots combined through Yavapai County, the intervening alley abandoned. Public works and the Town attorney, Bill Sims, will need to be consulted for clarification of the abandonment process. Carmen added that a Final Site Plan Review will be required, which involves the preparation of a development agreement, followed by the platting process. The applications, estimated fees, and timelines for these processes will be forwarded to Luke as they are needed.

Robert gave general information on requirements for fire access. Depending on the use, the fire hydrants may need to be within 400’ or 600’ of the structures; the access street may not be more than 150’ in length without a turnaround – otherwise an appropriate turnaround will need to be provided. Luke said he will work with the fire department on fire access and turning radiuses. Robert also noted that ADA parking will be required; solar panels for covered parking is acceptable; and rain catchment is also acceptable.

Further discussion included the use of walking paths within the project to encourage a more pedestrian-oriented environment; a driveway will be provided to the Town’s pump house; the 2 story homes will be on the north side of the project with their own parking/garages; and the majority of parking is intended to be along Nichols/Fain Streets. They will be in Town right-of-way and partially on private property, with a public-private-partnership agreement for the developer to do the improvements.



Handicap Relay: 711 or Voice: 1-800-842-4681 TTD: 1-800-367-8939



Comment Card

AUG 29 '18 PM 4:09

David Meier – Wee Hollow Project – 485 Nichols St. Neighborhood Meeting 8-20-18

Thank you for attending this Neighborhood meeting. We appreciate your time and feedback is very important to our process moving forward. Please take a moment to fill out the information below as well as any comments you wish to make regarding this project.

Name: Gaylene Allen

Phone: 928-300-4211

Email: jrallenglee@yahoo.com

Comments:

I live on Nichols St. I love the concept presented here, & feel it's an upside in every way. For the neighborhood & the town.

Melinda Lee

From: Paul Gallegos <pgallegosaz@gmail.com>
Sent: Friday, September 14, 2018 8:46 AM
To: Melinda Lee
Subject: Zoing map change 20180353

Mayor & Council members:

We would like to express our support for said rezoing of parcels. We have attended meetings and understand the importance of this project for Camp Verde & Our community. In addition it's very close to our home. We feel it's vital to move our community forward and create affordable housing for our community!

Thank you,

Paul & Raul Gallegos
590 S Nichols street
Camp verde Az 86322

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board / Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 

9/10/18

SEP 10 '18 AM 8:44

Melinda Lee

Community development Planner

FAX 928.567.7401

Re: Zoning application 20180353

This is a request that the following comments be presented at the various hearings held for the subject zoning application.

I grew up in Camp Verde, and am a current property owner in the subject area (513 S. Yaqui Cir.). I am adamantly opposed to the proposed zoning change to allow 'crackerbox' housing or a trailer park on the subject parcel. All the 'wonderfulness' described in the Verde River Estates neighborhood meeting notification letter of 7/26/18 belies the fact that this is a trailer park being foisted off as affordable small unit housing, using the touchy feelie green features gambit in an attempt to put a positive spin on a really bad idea. I have nothing against trailer parks in a rural setting, BUT NOT IN THE CENTER OF CAMP VERDE. I am not particularly pleased with the existing apartment complex proposal, but properly re-designed and scaled down, is preferable to the 'small home project'.

When did Camp Verde degenerate into a progressive/socialist mindset as exemplified by the so-called Community Development Department? I implore the Planning & Zoning Commission, the Mayor and the Town Council to put an end to this devious scheme.



Jan Spain

PR#(406)539-0971

Melinda Lee

From: Melinda Lee
Sent: Monday, October 08, 2018 7:08 AM
To: 'Email Account'
Subject: RE: Application number 20180353

Mr. Vasquez~

The project Mr. Meier is proposing involves a small home community of approximately 26 sites. The property is intended to be mostly pedestrian use, with limited parking on the larger parcel (404-30-029D) and the main parking for the project on the smaller parcel (404-23-013A) and along Nichols/Fain Street. The alley between you is being abandoned, with that property reverting back to the subdivided lots along Nichols St, from which it was dedicated. We have maps in our office for you to look at, or, the meeting packet for the project will be ready for public view around October 25th.

The Town Council meeting of October 24th has been rescheduled to November 28th. The public hearing before the Planning & Zoning Commission was rescheduled to November 1st (originally Oct 4th).

You are still welcome to submit written comments since the meetings have been rescheduled.

Melinda Lee
Planner / Addressing Official
Town of Camp Verde
Community Development
(928)554-0053
melinda.lee@campverde.az.gov

-----Original Message-----

From: Email Account [mailto:vasquez0612@hotmail.com]
Sent: Friday, October 05, 2018 7:34 AM
To: Melinda Lee
Subject: Application number 20180353

Hi I just had a question in regards to this application. My parcel number is 40430029 C I am at 160 E. Tres Rios. In regards to what is possibly going to be built in the property behind me by Mr. Meier I wanted to know Specifically how this would affect the back of my property line. How close will whatever he is building be to my fence? I am sorry I did not get my questions submitted within the timeline and I do plan on being at the meeting on October 24 any answers you can give me would be great thank you

~Jimi

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain

confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board/ Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. P

[Page intentionally left blank]



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Section I Zoning Ordinance Text Amendments Ordinance 2018-A439, Definitions/Bed & Breakfast

Meeting Date: November 28, 2018

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

Requesting Department: Community Development

Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact): *AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE AMENDING SECTION 103, DEFINITIONS, BED AND BREAKFAST.*

List Attached Documents:

- Staff report
- Ordinance 2018-A439

Estimated Presentation Time: 5

Estimated Discussion Time: 10 minutes

Reviews Completed by:

- Department Head: Carmen Howard** **Town Attorney**

Town of Camp Verde: November 28, 2018 Town Council

BACKGROUND:

This action is a continuation of a review of the Planning & Zoning Ordinance to resolve issues within the code. It has come to the attention of the Department that some issues need clarification, redefined, or restructuring to provide greater enforcement ability and provide development projects with greater flexibility in overall design and efficiency.

1. Recently, Community Development contacted short term rental properties identified within the Town that may have permitting requirements. There are many types of short term rentals. Recent changes to Arizona State Law and Town of Camp Verde Ordinances make it possible for short term rentals in most of our residential zoning districts and for most configurations of rentals. During this process, Community Development Department realized that a one room short term rental Accessory Dwelling Unit (ADU) is allowed with an ADU Rental Permit but a one room rental within a home was considered a Bed and Breakfast. The requirement and fees for a Bed and Breakfast Use Permit are much more extensive (public process) and costly (\$1800 compared to \$144) than an ADU rental permit. An ADU rental permit does require an inspection to ensure that a rental room does comply with basic health and safety requirements such as proper ingress/egress, smoke detectors and parking. The definition of an ADU according to the Town of Camp Verde P & Z Ordinance is:

***“-ACCESORY DWELLING UNIT (ADU):** A dwelling unit, either attached or detached, customarily incidental and subordinate to and located on the same lot with the principal dwelling unit used to house guests or relatives. ADU’s must meet the applicable Zoning District requirements as to construction type and setbacks, are not to exceed 1000 square feet of livable building area or twenty-five (25%) of the total square footage of livable building area of the primary residential structure, whichever is larger. See Section 311 for ADU Rental requirements.”*

Staff believes that a one room in home rental is covered in the ADU definition and is equivalent to an ADU rental and should be regulated as such (see ADU Rental Permit Requirements Ex. B). Currently, the definition of Bed and Breakfast conflicts with the definition of an ADU by defining a B&B as up to 5 bedrooms. Staff recommends the following change to the definition of a B&B to clarify ADU's and B&B's:

**A. The following definition will be amended (underline) in Part One, Section 103-
Definition of Terms:**

BED AND BREAKFAST: An overnight rooming or boarding house with breakfast where the host lives on the premises. Bed and Breakfast establishments are limited to two (2) to five (5) bedrooms and must comply with parking requirements under Section 403.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- ✓ A Notice of Public Hearing was placed in the Verde Independent – Camp Verde Bugle newspaper on October 7, 2018.
- ✓ A Notice of Public Hearing was posted in (1) one public place and on the Town's website on October 8, 2018 by Community Development Staff.
- ✓ The item was heard by the Planning Commission in a Public Hearing at their meeting on November 1, 2018.

COMMUNICATION FROM THE PUBLIC:

Staff has received no comments from the public regarding this request.

STAFF RECOMMENDATION:

Staff recommends approval of the request for the Planning & Zoning Ordinance Text Amendment.

RECOMMENDED MOTION:

Recommendation of approval (or denial) to the Town Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 103, Definition for a Bed and Breakfast.



ORDINANCE 2018 A439

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE AMENDING SECTION 103: DEFINITIONS, BED AND BREAKFAST; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning text regulations of the Planning & Zoning Ordinance by the Town Council, and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning & Zoning Ordinance by including definitions and text amendments.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:

Section 1. The Town Council hereby finds as follows:

A. Text Amendments may be initiated by the Planning & Zoning Commission, the Town Council itself or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. This Text Amendment was initiated by the Planning & Zoning Commission.

B. The Text Amendment was reviewed by the Planning & Zoning Commission on November 1, 2018 in public hearing that was advertised and posted according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission.

C. The proposed Text Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2. The following uses will be amended in Part One, Section 103; Definition of Terms, of the Camp Verde Planning & Zoning Ordinance:

BED AND BREAKFAST: An overnight rooming or boarding house with breakfast where the host lives on the premises. Bed and Breakfast establishments are limited to two (2) to five (5) bedrooms and must comply with parking requirements under Section 403.

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 28TH DAY OF November, 2018.

Charles German - Mayor

Date: _____

Approved as to form:


Bill Sims - Town Attorney

Attest: _____
Judith Morgan, Town Clerk