



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, February 28, 2017
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a.** Status report by Chris Marley regarding water-related advisory committees on which he represents the Town.

3. CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4. RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

- a.** Concerns expressed about two proposed apartment complexes, one on East Road 2 North, and one on West Road 2 North.

5. CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a. Status reports by Mayor and Council regarding current events.
- b. Status report by Interim Town Manager Cecilia Grittmann and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

6. CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

- a. Consideration and possible action to direct the Appointments Subcommittee to initiate search for a Magistrate for a July 1, 2017 start date. (Cecilia Grittmann, Interim Town Manager)
- b. Consideration and possible action to accept the January 31, 2017 Study Session/Retreat minutes. (Jami Lewis, Town Clerk)
- c. Consideration and possible action to accept the February 14, 2017 regular meeting minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a. Consideration and possible action to approve Ordinance 17-828 to rezone approximately two (2) acres of real property, identified as Assessor's Parcel Number 306-17-089G, generally located near the southwest corner of Granite Creek Lane and Hayward Drive from SR-2 (Single Family Residential - 2 acre minimum) to SR-1 (Single Family Residential - 1 acre minimum) zoning district. Applicant: Nathan M. Peabody & Ana P. Hurtado-Acedo. (Ruth Mayday, Development Services Director)

Recommended Action: Approve Ordinance 17-828 to rezone approximately two (2) acres of real property generally located near the southwest corner of Granite Creek Lane and Hayward Drive from SR-2 to SR-1 zoning district.

- b.** Consideration and possible action to approve Ordinance 17-829 (ZC-PAD 16-001 Hawksnest at Chino Valley), rezoning approximately 15 acres of real property located approximately 700 linear feet west of the intersection of State Route 89 and West Road 2 North from SR-0.16 (Single Family Residential - 1.6 Acre Minimum) zoning district with a Planned Area Development Overlay zoning district to MR-1 (Multi-family Residential - 1 acre Minimum) zoning district with a Planned Area Development overlay zoning district, and approving the Development Plan for the same. Applicant: Bill Watson, Construction Management Services. (Ruth Mayday, Development Services Director)

Recommended Action: Approve Ordinance No. 17-829 to rezone approximately 15 acres from SR-0.16-PAD to MR-1-PAD, and approve the Development Plan for Hawksnest at Chino Valley.

- c.** Consideration and possible action to review Development Plan for Village North Apartments and Planned Area Development overlay (Zone Change), on property identified as Assessor's Parcel Number 306-20-031Q, and located on Road 2 North, approximately 1,200 feet east of State Route 89 and 600 feet west of Road 1 East. Applicant: Don Karcie / Sam Malouff. (Ruth Mayday, Development Services Director)

Recommended Action: Direct staff to return the item to the Planning and Zoning Commission for further review and recommendation; OR
Direct staff to place this application on the next available Town Council agenda for consideration and possible approval.

- d.** Consideration and possible action to authorize staff to apply for the Economic Strength Projects Grant, and authorize the Mayor to sign a letter to the Arizona Commerce Authority committing the Town to a \$50,000 match for improvements to East Road 4 North. (Ruth Mayday, Development Services Director)

Recommended Action: Authorize the Mayor to sign a letter to the Arizona Commerce Authority committing the Town to a \$50,000 match for the Economic Strength Projects Grant, and authorize staff to submit an application to the same in the amount of \$500,000 for improvements to East Road 4 North.

- e.** Consideration and possible action to approve a Notice of Intent to increase Wastewater Rates, Fees, and Service Charges, set a public hearing date, and issue a public report. (Joe Duffy, Finance Director)

Recommended Action: Adopt a Notice of Intent to Increase Wastewater Rates, Fees, and Service Charges, and set a public hearing on the proposed rates for May 9, 2017.

8. EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

9. ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

10. ADJOURNMENT

Dated this 23rd day of February, 2017.

By: **Jami C. Lewis, Town Clerk**

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter> and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 2. a.

Meeting Date: 02/28/2017
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Town Clerk
Estimated length 10 minutes
of Staff Presentation:
Physical location of item: N/A

AGENDA ITEM TITLE:

Status report by Chris Marley regarding water-related advisory committees on which he represents the Town.

SITUATION & ANALYSIS:

Former mayor Chris Marley, the Town's representative to three water-related advisory committees, will report on recent committee activity.

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. a.

Meeting Date: 02/28/2017
Contact Person: Cecilia Grittman, Acting Town Manager
Department: Town Manager
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to direct the Appointments Subcommittee to initiate search for a Magistrate for a July 1, 2017 start date. (Cecilia Grittman, Interim Town Manager)

RECOMMENDED ACTION:

Move to direct Appointments Subcommittee to initiate search for a Magistrate with a July 1, 2017 start date and effective date of the contract.

SITUATION AND ANALYSIS:

The contract for the Town's current Magistrate, per item #12 on the contract, expires June 30, 2017.

The magistrate is appointed by and reports to the Town Council. The Mayor and Vice Mayor, having considered the options available to the Town Council with regard to the contract, would like the Town's Appointments Subcommittee, which has 3 Council Members, to initiate a search for a Magistrate.

Council may choose to have a staff member assist the Appointments Subcommittee in the Magistrate search. It is anticipated that should the Council begin the search now, the position could be filled by July 1, 2017.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Magistrate Contract

**CONTRACT FOR MAGISTRATE SERVICES BY AND BETWEEN
THE TOWN OF CHINO VALLEY, ARIZONA
AND
CATHERINE KELLEY**

THIS AGREEMENT ("Agreement") is made and entered into this __ day of _____, 2015, by and between the Town of Chino Valley, Arizona (the "Town"), a municipal corporation, and Catherine J. Kelley ("Ms. Kelley").

WHEREAS, this written Agreement under which the parties shall be operating shall expire on June 30, 2017 and,

WHEREAS, on June 23, 2015, the Mayor and Common Council of Town approved a motion appointing Ms. Kelley as its Town Magistrate for the term cited; and

WHEREAS, it is the intention of both parties that Ms. Kelley is and shall remain, at all times during the term of this Agreement, an Independent Contractor.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties mutually agree as follows:

1. Ms. Kelley possesses the knowledge, skills, and experience to be Town's Municipal Judge.
2. In keeping with the separation of powers between the judicial and legislative, and the judicial and executive branches of government, Ms. Kelley, so long as she performs her duties in a competent manner and commits no act nor fails to act in such a manner that gives good cause for Town to terminate this Agreement, shall be independent of those other branches of Town's government and shall be free of restrictions in performing her judicial duties.
3. Ms. Kelley's powers and duties as Town Magistrate include those set forth in the Chino Valley Town Code § 35.02 and § 35.03; that the proceedings of the Municipal Court shall be governed by the Arizona Constitution, Arizona Revised Statutes, Arizona Code of Judicial Administration, and Arizona Rules of Court pertaining to the type and nature of the cause being heard; and that the Municipal Court shall abide with Chino Valley Town Code and Arizona Revised Statutes with respect to fees and penalties that may be assessed.
4. Ms. Kelley shall have limited administrative duties insofar as it is necessary to administer the Court and its personnel, and as set forth in the Chino Valley Town Code, but said duties shall not interfere with Town personnel assigned to the Court insofar as Town's Personnel Policy is concerned. Court personnel salaries and wages, as well as their rights and obligations, shall remain under the control of Town provided, however, this provision shall not in any way deprive Ms. Kelley of sufficient, adequate, and competent personnel necessary for Ms. Kelley to properly perform her judicial duties and her limited administrative duties.
5. Town, with the assistance of Ms. Kelley, will make available, at all times during the term of this Agreement, adequate and comfortable physical facilities in which Ms. Kelley shall

perform her duties, including filing facilities, supplies, and equipment deemed necessary for the expedient and orderly operation of the Municipal Court.

6. Ms. Kelley may appoint qualified individuals to serve in the position of Pro Tem Magistrate or hearing officer to provide services in her absence and in cases where she may not act pursuant to a change of judge being filed. A Pro Tem Magistrate may be appointed pursuant to Chino Valley Town Code § 35.02; if the appointee is not a sitting or retired judge, judge pro tem, magistrate or hearing officer, his or her appointment shall require prior approval by the Town Council. Pro Tem Magistrates may also perform Ms. Kelley's duties in cases where Ms. Kelley may be prohibited by law, ethics, illness, vacations, overload, and other reasonable reasons from performing her duties. Pro Tem Magistrates must meet all eligibility requirements set forth in the Town Code and Arizona Revised Statutes and shall comply with the Arizona Code of Judicial Administration.
7. Extended periods during which Ms. Kelley is unable or unwilling to perform her duties due to illness, absences, incapacitation, or suspension by higher judicial authority may be cause for Town to terminate this Agreement or, at Ms. Kelley's option, shall allow the Town to withhold installment payments to Ms. Kelley and use said sums to compensate temporary or permanent replacement of Ms. Kelley. For purposes of this Agreement, "extended periods" shall mean periods longer than three consecutive weeks.
8. Town shall provide Ms. Kelley with employee retirement benefits, if Arizona State Retirement System eligibility requirements are met, and employee health insurance, if Health Care Reform Act eligibility requirements are met. Ms. Kelley shall be covered under Town's Workman's Compensation and Unemployment Benefits. Ms. Kelley shall have deducted from her installments any and all Federal and State withholding and taxes, including FICA payments.
9. Ms. Kelley shall comply with the Arizona Code of Judicial Administration and the Judicial Canons of Ethics embodied in the Arizona Code of Conduct for Judicial Employees, Rule 81 of the Arizona Rules of the Supreme Court.
10. It is understood that various Judicial Commissions, the State Legislature, or the Arizona Supreme Court may impose additional obligations, duties, and limitations upon Ms. Kelley, in which event the provisions of this Agreement shall be modified or terminated, as the case may be, to the extent such Commission, Legislative, or Court directives are imposed and enforced.
11. Ms. Kelley recognizes this Agreement is personal to her, and the benefits accruing to her and duties imposed on her hereunder may not be transferred or assigned, save and except this Paragraph does not alter the provision set forth in Paragraph 6, above.
12. The term of this Agreement shall be for a period of two (2) years commencing on June ____, 2015 and expiring on June 30, 2017.
13. Town shall compensate Ms. Kelley in the sum of Sixty Thousand and 00/100 (\$60,000.00) per year, payable in bi-weekly installments, during the term expiring on June 30, 2017. Additionally, from time to time during the term this Agreement is in effect, the Town

Council may, within its sole discretion, grant Ms. Kelley such increases in compensation as the Council deems appropriate.

14. Town hereby agrees to compensate Ms. Kelley for all mandated training courses as required by the Judicial Court System including travel expenses as long as prior approval is obtained and receipts provided.
15. Regardless of the provision contained in Paragraphs 6 and 7 above, and in addition thereto, Town may terminate this Agreement and cease installments hereunder if, during the term of this Agreement or any renewal(s) hereto, either the Judicial or Legislative Branch, or both, or the State of Arizona, modify, merge, or abolish the lower Court Judicial System so as to make performance of this Agreement by Ms. Kelley impossible or impractical. Notwithstanding any other provision of this Agreement, this contract may be terminated by Town for cause. Cause includes, but is not limited to, failure to comply with the Judicial Canons of Ethics as embodied in Arizona Supreme Court Rule 81 and the Arizona Code of Conduct for Judicial Employees, failure to comply with federal, state and local laws, and failure to perform the duties set forth herein.
16. If a Judge Pro Tem is required, pursuant to any provision of Rule 10 of the Arizona Rules of Criminal Procedure; because of a conflict of interest; for attendance at an educational program; or for sick leave or vacation time not to exceed a total of three weeks per year, Town shall pay for the Pro Tem assigned by the Yavapai County Justice and Municipal Court Administrator, the presiding Criminal Judge of Yavapai County Superior Court, or Ms. Kelley. The use of a Judge Pro Tem for any other reason shall be at the expense of Ms. Kelley.
17. Ms. Kelley acknowledges that this Agreement constitutes written notice from Town that it advises her to seek legal counsel before signing this Agreement.

IN WITNESS WHEREOF, Town and Consultant have executed this Agreement as of the date first written.

Catherine J. Kelley, Magistrate Judge

Town of Chino Valley, Arizona

Signature

Chris Marley, Mayor

ATTEST: Town Clerk

APPROVED AS TO FORM: Town Attorney

Jami Lewis, Town Clerk

Phyllis L. N. Smiley, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab,
P.L.C.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. b.

Meeting Date: 02/28/2017

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to accept the January 31, 2017 Study Session/Retreat minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the January 31, 2017 Study Session/Retreat minutes.

Attachments

January 31, 2017 minutes

DRAFT

MINUTES OF THE STUDY SESSION/RETREAT OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, JANUARY 31, 2017
9:00 A.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session/Retreat in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 31, 2017.

Present: Mayor Darryl Croft; Vice-Mayor Mike Best; Councilmember Susie Cuka; Councilmember Annie Lane; Councilmember Corey Mendoza; Councilmember Jack Miller; Councilmember Lon Turner

Staff Present: Interim Town Manager Cecilia Grittmann; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Public Works Director/Town Engineer Michael Lopez; Utilities Supervisor Chris Bartels; Development Services Director Ruth Mayday; Code Compliance Officer David Jaime; Customer Service Supervisor JoAnn Brookins; Library Director Scott Bruner; Senior Services Administrator Cyndi Thomas; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Croft reviewed several guidelines for the meeting.

Town Manager Grittmann requested that item #9 be moved after item #2. No one objected.

2) Presentation and discussion regarding use of space at the Community Center, located at 1527 N. Road 1 East. (Chris Bartels, Utility Supervisor)

Ms. Grittmann reported that the Community Center had been dormant for many years. Various groups, including the Boys and Girls Club, had approached the Town about using the facility. Staff also desired to move Parks and Recreation staff into the building.

Utilities Supervisor Bartels presented on:

- Facility attributes
- Current conditions and upgrades needed
- Current occupancy and users
- Potential users

Council, Mr. Bartels, and Public Works Director/Town Engineer Lopez discussed:

- *Facility refurbishing costs:* Staff budgeted \$69,000 for total upgrades, but estimated \$60,000 for the work. The funding source came from funds originally allocated for the Library tower. They also discussed adding internet access and WiFi.
- *Facility users:* As local service clubs were having trouble finding space to meet, one zone should be made available for clubs and family gatherings.
- *Boys and Girls Club (BGC) proposal:* The Club desired to develop a program for at-risk

teens. They were interested in the whole building or any portion of it. The Club's leadership team could help with managing the facility. Provisions of a lease agreement were totally open at this point. Staff preferred reserving one exclusive area for leadership and studying, and another for activities that would be shared with other users. BGC expectations for sustaining their programs were based on the community's need and economic condition.

Staff recommendations:

- Use the building wholly for Community Services.
- House Parks and Recreation staff in the central offices as the most immediate need.
- Reserve two zones for users.

Council preferences:

- They wanted the building to be usable, and were willing expend some money, but might need to gauge support of the business community.
- They supported basic upgrades to the offices now to move Town staff into them, retaining two wings for users, and staff researching the costs to upgrade to a commercial kitchen.
- While the Boys and Girls Club proposal was welcome, the Club should bear some of the financial burden.
- Staff should do scheduling for user groups and keep occupancy limits in mind when scheduling.

Staff should prepare a plan with costs, funding sources, and timelines for immediate and longer-range upgrades; vet plans through the Parks and Recreation Advisory Board; and report back at a study session.

3) Presentation and discussion regarding septage receiving at the Town's Wastewater Treatment Plant (WWTP). (Michael Lopez, Public Works Director/Town Engineer)

Mr. Lopez reported that Council had previously tasked staff with developing a program to receive septage and report financial projections. He reviewed the results of a Septage Receiving Study by Kimley Horn:

- The plant was designed to receive septage and staff had hoped it could receive 5,000 GPD; however, the receiving system was only designed for 2,000 GPD and the septage received could only be released all at once, which in the past, had overtaxed the system. The plant's mechanics could handle the septage, but impacts to the biology, power, and additional loading were unknown.
- Septage receiving was still an option for the Town, but not with the current system. Staff was applying for grants with WIFA to design a regional system compatible with the current plant.

Staff recommendations by Mr. Bartels and Mr. Lopez, per Kimley Horn's recommendation, were that the plant not accept raw septage, allow liquids only, and allow no more than 2,000 GPD at this time.

Council preferred that the Water and Utilities Subcommittee review this item with the consultant.

Mayor Croft recessed the meeting at 10:42 a.m. and reconvened it at 10:53 a.m.

4) Presentation and discussion regarding a summary of potential funding alternatives to finance the improvement of Town roads. (Joe Duffy, Finance Director)

Finance Director Duffy presented on:

- HURF (Highway User Revenue Fund) budget shortfall
- Options for increasing funding
- Regional property taxes and tax calculations on secondary assessed values

Council, Mr. Duffy, Mr. Lopez, and Development Services Director Mayday discussed:

- *Maintenance costs:* It cost \$500,000 per year just to maintain five miles and the Town was three to five years behind on light maintenance. Staff had a prioritization plan, but due to limited funds, they were only able to perform patchwork and chipseal here and there. Costs also depended upon materials used, such as chip seal versus pavement.
- *Funding options:* General Obligation bonds were not preferred as they were for one-time situations. Borrowing money for maintenance was also not recommended and there was not enough HURF revenues to support the debt. The Town could propose a property tax to fund roads directly or to fund public safety, freeing up General Funds for roads. Another option was to allocate a percentage of sales taxes, or increase a particular tax, such as construction sales tax. Whatever method was offered, the Town needed to property educate the public and keep it as simple as possible.
- *Economic development:* Another way to increase revenues in general was through economic development, spending money to make money, such as extending infrastructure for a second grocery store. Having a greater labor force will hopefully attract more businesses. The proposed apartments will hopefully add to that.

Staff recommendations:

- Amend next year's budget so that the General Fund would absorb all overhead currently in the HURF budget and more HURF funds would dedicated to roads.
- If a property tax was Council's preferred funding option, staff recommended a 2% tax and a 10-year plan to take to the voters.
- Hire a consultant to perform a needs assessment and transition plan to pavement. Such study would cost \$30,000 to \$40,000.
- Append the final maintenance plan to the General Plan.
- Prepare for impacts to Town roads from the County's Northern Connector project.

Council preferred that:

- Staff initiate a roads needs assessment, then assess how to finance the results.
- Staff develop a roads maintenance plan with the Roads and Streets Committee and report back at a Council study session.

Mayor Croft recessed the meeting at 12:11 p.m. and reconvened it at 12:47 p.m.

Councilmember Lane left the meeting at 12:47 p.m.

5) Presentation and discussion regarding the roles of the Parks and Recreation Advisory Board and the Mayor's Ad Hoc Old Home Manor Recreational Committee. (Ruth Mayday, Development Services Director)

Ms. Grittmann reported that these two bodies had some of the same goals and members, and the OHM committee was formed as an ad hoc committee by the former mayor.

Council and Ms. Mayday discussed:

- *OHMRC purpose:* OHMRC's intention was largely to preview projects at OHM. While it was a good idea, the problem was that the Committee would like a proposal and assume they had approval. Members were surprised and confused by the development processes.

The group could have been more proactive and worked on a master plan.

- *Staff and public bodies:* Staff needed to be more engaged with the Town's public bodies.

Staff recommendations:

- Disband the OHMRC.
- Take OHM development to the existing PRAB.
- Include the OHM master plan in the General Plan.

Mayor Croft preferred to dissolve the OHMRC.

Council preferred to not form another committee specific to OHM, but to remand OHM issues to current bodies, such as PRAB, and the Council Water and Utilities and Economic Development Subcommittees.

6) Presentation and discussion regarding the Town's Old Home Manor Industrial Park. (Ruth Mayday, Development Services Director)

Ms. Mayday and Mr. Lopez reported that:

- Staff was consulting with Jim Rounds to evaluate leasing versus selling the land. Once staff had that, they intended to contract with planners to assess current market demand, and assist with options for the park and a conceptual layout. Two such planning firms will be making presentations before the Economic Development Subcommittee. Once that was done and the Town knew what it wanted, a developer would develop the plan.
- As the infrastructure to the park boundary would be in the ground by fall, staff needed a conceptual layout by the fourth quarter, so they could then design the back-end items, such as water, wastewater, and traffic.

Council and staff discussed:

- *OHM:* Having such a large plot of land was rare and a great advantage for the Town, as out-of-state industries were looking at coming to Arizona. The OHM entry sign also needed upgrading.
- *Possible uses:* Firearms manufacturing was a good fit and could include supply chain employers, too. There were several developers who were already interested.
- *General Plan:* The current Plan was not long-range enough. The next one in 2020 should really set forth what the Town wanted and how to get there.

Council preferred that:

- The Economic Development Subcommittee assess the planning consultants and bring a recommendation to Council.
- Staff not spend money on consultants unless certain that the resulting study would be used.

Staff develop a master plan with costs for the project; provide it to the Economic Development Subcommittee for review; and then present it to Council at a study session.

7) Presentation and discussion regarding Code Compliance. (Cecilia Grittmann, Interim Town Manager)

Ms. Grittmann reported that, as councilmembers generally brought code complaints to her attention, she had asked the Town's new Code Compliance Officer, David Jaime, to present an overview of his responsibilities.

Mr. Jaime reported on:

- His scope of work
- Staff processes
- Current and standard case load

Council, Mr. Jaime, Mr. Duffy, Mr. Lopez, and Customer Service Supervisor Brookins) discussed:

- *Goals and scope:* The goal was compliance and the Town could help with resources for those in need. His scope included code enforcement, responding to citizen complaints, investigating complaints of illegal business activity, enforcing business license and sign code regulations, attending legal proceedings, and organizing one or two community cleanup programs per year. Whereas the position had been part-time and reactive only, he was now full-time and hoped to be more proactive, although one person could not keep up with all the issues in the Town.
- *Process:* Anyone could submit a complaint in variety of ways. He created cases, inspected and photographed properties, notified property owners of violations, and if, necessary, turned the matter over the municipal court, which might result in a civil citation.
- *Council complaints:* He treated complaints from Council as any other complaint. He needed an address, location, and a good description of the problem.
- *Sign code compliance:* Issuing a sticker for all legal signs might help with compliance.
- *Liens:* If a property owner could not comply once cited, the Town could fund the cleanup and then lien the property for the amount. The Town will eventually get its money back, but Finance needed enough funds in the budget to cover such expenses.
- *Community cleanups:* The Town needed a procedure in place to ensure that only Town residents were dumping during Town cleanups, such as requiring a proof of residency.

Council preferred:

- Proactive code compliance.
- That staff look into cleaning up the highway from Road 5 North to the northernmost boundary.

8) Presentation and discussion regarding Town assets, including fixed assets, land, and assets financed with debt, and future equipment needs. (Joe Duffy, Finance Director)

Ms. Grittmann reported that this item stemmed from previous Council direction and staff would also address Police capital needs and personnel.

Mr. Duffy reported on:

- Asset management process for items \$5,000 and over
- Assets financed with debt
- All property parcels in the Town's name and how purchased
- Asset replacement fund
- Current Public Works equipment needs
- Police Department vehicle replacement schedule and industry standard

Human Resources Director Kyriakakis reported on:

- Police recruitment and retention

- Turnover impacts
- Solutions to recruit and retain staff

Council, Mr. Duffy, Mr. Lopez, Police Chief Wynn, Police Lt. Schaan, Mr. Bartels, and Ms. Kyriakakis discussed:

- *Cameron Property*: If the Town had used or sold this asset for non-public use, it would have lost its tax exempt status, and the debt holder could demand that the Town pay the taxes. Once it was paid off, the Town could do whatever it wanted with it, but it would want to retain the water rights. The maturity date would occur in 2025.
- *Water right assets*: The Town owned roughly 110 acres for water rights. If the Town sold any such properties, it would have no way to access that property's rights. Staff and Council needed a long discussion and understanding regarding water issues.
- *Capital Asset Replacement Fund*: This was set up years ago to put aside funds for replacing vehicles and equipment. Staff desired Council's input on equipment acquisition and how the Town should approach it.
- *Vehicle maintenance data*: The Town had only two mechanics, who were doing all aspects of maintenance inhouse, except tires. Staff was just getting to the point of generating enough data to determine whether or not it would be more cost-effective to outsource some maintenance activities.
- *Current Police vehicles*: Due to past financial hardships, the Town had been keeping vehicles longer than industry standard, resulting in higher liability. Some agencies replaced vehicles by time, others by mileage. All five Chargers needed replacing now.
- *Police recruitment and retention*: While the Town's retention was higher than average, turnover affected small organizations more than large ones. As it was costly to recruit, staff was considering ways to retain officers. Compared to neighboring entities, the Town's benefits were comparable, but wages were not competitive and police and fire personnel in PSPRS were not eligible for social security. Staff was considering longevity pay, commitment contracts, and separating the Police positions from the general employee pay plan and performing a wage study for those positions. Staff did not recommend specialty pay, as the budget could not accommodate offering that to all employees.
- *Public Works shop at Old Home Manor*: Staff had five years to vacate their current building and anticipated the new facility at \$2 million in order to house parts, water, sewer, roads, vehicles, maintenance, water and sewer lines, and including locker rooms, fencing, security, roads, and fire protection. Staff had hoped to leverage energy savings toward this project.

Staff recommendations:

- Purchase two cars per year.
- Possibly accommodate purchasing three to six cars this year.
- Run options for the PD by the Personnel Committee.

Council preferred that staff develop a plan for how to fund the new Public Works facility in five years.

- 9) Presentation and discussion regarding the re-establishment of a Community Services Department that includes Parks and Recreation. (Cecilia Grittman, Interim Town Manager)

(This item was heard after item #2 but is retained here for clarity.)

Ms. Gritman reported that she was going back to the model of having a Community Services Department consisting of Parks, Recreation, Aquatics, Library, and Senior Center. The Department would be run by Library Director Bruner and Senior Services Administrator Thomas, both of whom had experience with recreation. Over the next year, Mr. Bartels will work with Mr. Bruner and Ms. Thomas on the transition.

Mr. Bartels presented on:

- Facilities maintained by the Parks Division
- Recreation events
- Current staffing and budget
- Future needs and projects

Council, Mr. Bartels, Mr. Lopez, Ms. Mayday, and Mr. Duffy discussed:

- *Staffing:* 130 plus acres were maintained by two full-time and two-six seasonal employees, which was way below national standards. Recreation had two full-time employees and had been underfunded for years. The full-time employees were also involved in every Town event. These departments could take on no more with the current staffing. There were new recreation opportunities, but no funding or manpower to accommodate them.
- *Future needs and projects:* Staff's top five current projects were: Community Center Park playground rehab, dog park, Memory Park expansion and bathroom remodel, Community Center walking trail, and Center Street Park development. Staff's ultimate goal was to have a park within a one-mile radius of all residents.
- *Facilities:* Current and recommended projects at the Community Center still accommodated the park's original Phase 3 plan. Surveillance cameras had reduced vandalism, and staff desired to find volunteers to help with inspections and monitoring. The School District was interested in partnering and integrating with the Town.
- *Facility upgrades:* Some desired upgrades were part of the proposed Climatec project from 2016 that Council did not pursue. In staff's spare time, staff was still seeking opportunities for replacing HVAC units and lights, and relocating ballfield lights. The Town could not sponsor softball tournaments without relocating the lights, and staff needed Council's input on priorities.
- *Highway beautification:* There was a problem with trash on the north side of Town along the highway. Options included using community service workers or finding someone to adopt that stretch of highway. This could be coordinated through Code Compliance.
- *Funding parks and recreation:* Sports organizations were struggling to get registration based on participation costs, as well as parks' use fees. Other groups want to use the Old Home Manor recreation spaces, but the Town saw no direct revenue from that. Indirectly, users might spend money on local stores and diners.

Staff recommendations:

- Perform a Parks and Recreation needs assessment and develop a volunteer program.
- The Town needed staffing and funding to properly maintain its current facilities and properties before talking about expanding anything.
- Staff needed Council to prioritize functions, after which staff could provide cost estimates.
- The Town should memorialize a better-developed recreation plan in the General Plan, which would help with economic development recruitment.
- Police staff needed additional local ordinances to assist with enforcement issues related to parks.

- Staff needed input from Council about goals and desires for recreation for the next budget year.

Council preferred that:

- Staff fund maintenance for what the Town had first, then.
- Staff provide information regarding relocating the ballfield lights.
- Staff allocate funds in the budget to maintain the Town's current properties, then develop a phasing and funding plan for facility upgrades and other extras, such as ballfield lighting.

10) Presentation and discussion regarding the proposed motor sports project at Old Home Manor.
(Ruth Mayday, Development Services Director)

(This item was heard after item #3 but is retained here for clarity.)

Ms. Grittmann reported that:

- This item had come before Council only one time and changes to the Council and staff had occurred since then. There were issues not fully vetted by Council, such as noise, dust, traffic, police, who would pay for studies, and a question about whether or not Council could make a decision without the studies.
- Staff had received some input from the community and there was a lot of interest in favor and in opposition.
- In response to the Town's letter outlining the motor sports proposal's talking points, the Yavapai Community College (YCC) Board stated that they wanted a formal presentation.

Council and staff discussed:

- *Process:* There was some confusion as to whether or not Council's action taken on October 11, 2016—to forward the talking points to YCC—was in support of a lease or only the concept. As such, they discussed bringing the item back, voting solely on the concept, and if the vote was in favor, scheduling a presentation before YCC. Ms. Mayday recommended that Council adopt a resolution.
- *YCC contract:* YCC legally had the right to reject any use at OHM with excessive noise, especially with regard to motor sports. While the College's concern was mainly noise interfering with classes, Council and staff believed that the contract should be amended and this might be a good opportunity for that.
- *Timeline:* The community was concerned about the Town rushing into a lease for motor sports. Council preferred to look at it from all angles, be clear, and take the time to assess the issues. There was no purpose in setting up public meetings without getting answers to questions first.

Council preferred:

- That staff put this item on their next regular agenda to vote on whether or not to continue pursuing the matter and that Ms. Mayday recap the process already gone through and spell out a more formal one for the upcoming actions.
- That if they voted to continue, staff will contact the YCC Board to get a presentation by Mr. Brinkley on their agenda. Staff and councilmembers should attend said presentation and the Town should request that the College give the Town an answer within a specified timeframe.
- That staff place an executive session on the next agenda to review the Lease with YCC.

11) Discussion regarding future study session topics. (Cecilia Grittman, Town Manager)

Council suggested several future study session topics:

- Water – mobile home park rates
- Sewer – Town Code Chapters 50 and 51
- Disposition of Town-owned properties
- Chamber-Council joint meeting (March 31 deadline) at Chamber offices
- Community Center remodel – after drafting a plan for the move and vetting all work, costs, and funding through the Parks and Recreation Advisory Board first
- Old Home Manor (OHM) and OHM Industrial Park master plan
- Parks and Recreation needs assessment/prioritization
- Committee reports
- Septage
- Roads maintenance plan – after vetting through Roads and Streets Committee first
- Ordinance for parks open/close times
- Public ways and rights-of-way development standards
- Engineering standards
- Permitting

Council asked staff to put this item on their next regular agenda for prioritizing.

Mayor Croft suggested holding a meeting like this every six months.

12) ADJOURNMENT

The meeting adjourned at 3:18 p.m.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session/Retreat of the Town Council of the Town of Chino Valley, Arizona held on the 31st day of January, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of February, 2017.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. c.

Meeting Date: 02/28/2017

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to accept the February 14, 2017 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the February 14, 2017 regular meeting minutes.

Attachments

February 14, 2017 minutes

DRAFT

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, FEBRUARY 14, 2017
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, February 14, 2017.

Present: Mayor Darryl Croft; Vice-Mayor Mike Best; Councilmember Susie Cuka; Councilmember Annie Lane; Councilmember Corey Mendoza; Councilmember Jack Miller

Absent: Councilmember Lon Turner

Staff Interim Town Manager Cecilia Gritman; Town Attorney Phyllis Smiley (via Skype); Finance

Present: Director Joe Duffy; Police Lieutenant Vince Schaan; Development Services Director Ruth Mayday; Library Director Scott Bruner; I.T. Specialist Spencer Guest (videographer); Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

1) **CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**

- a)** Presentation by Yavapai County Public Works and/or Lyon Engineering regarding the proposed Northern Connector road between Williamson Valley and the Town.

Byron Jaspers, County Public Works Director, reported on the current public comment period relative to the long range study for an east-west corridor that will accommodate a new roadway in about 10 years.

Roger McCormick, County Assistant Public Works Director, reviewed the project's history from 2006 through the present.

Kevin Horton with Lyon Engineering described the project to date, their evaluation of and criteria for possible alignments, and the roadway's preliminary design.

3) **CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

Cloyce Kelly with the Chino Valley American Legion spoke about community activities sponsored and supported by the organization.

Mark Vucich, resident, expressed concern about the proposed apartment complexes on Road 2 North with regard to traffic, crime, and other problems with high density housing.

4) **RESPONSE TO THE PUBLIC**

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

- a) Comments regarding the manufactured homes sales tax reduction and request to reduce sales taxes for all merchants.

Councilmember Mendoza reported that the Town depended upon sales tax revenues, while Prescott had a property tax and Prescott Valley had stronger economic development. Staff and Council were focusing on the Town's economic future so they could reduce the sales tax rate. He commended Chino Valley businesses for their community support despite the higher tax rate.

5) **CURRENT EVENT SUMMARIES AND REPORTS**

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a) Status reports by Mayor and Council regarding current events.

Councilmember Cuka reported that on February 21, the Economic Development Subcommittee will hear presentations by consulting firms for development of the Old Home Manor Industrial Park.

- b) Status report by Interim Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Ms. Grittman recognized employees with 10, 15, and 20 years of service:

- 10 years – Barbara Babbitt (Library), and Jeri Miller and Deana Winn (Police);
- 15 years – Vicky Ferguson and Vince Schaan (Police), and herself; and
- 20 years – Steve Audis (Fleet), Mat Gronek (Police), and Kenny Tribolet (Roads).

- c) Demonstration on how to sign up on the Town's website to receive Council agendas and other notices. (Jami Lewis, Town Clerk)

Ms. Lewis demonstrated how citizens could subscribe to receive various notifications through the Town's website.

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Jack Miller to approve Consent Agenda items 6a through g.

Vote: 6 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the Declaration of Right-of-Way by the Town of Chino Valley, for the creation of public right-of-way along a portion of Road 4 North. (Michael Lopez, Public Works Director/Town Engineer)
- b) Consideration and possible action to approve Financial Report for the six months ending December 31, 2016. (Joe Duffy, Finance Director)
- c) Consideration and possible action to nominate Police Chief Chuck Wynn to represent the Town on the Yavapai County Unified Emergency Management Advisory Committee, with Lt. Vince Schaan or the Chief's designee as alternate. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to approve amendment to the Planning and Zoning Commissioner Position Description and Selection Process per recommendation of the Council Appointments Subcommittee. (Jami Lewis, Town Clerk)
- e) Consideration and possible action to disband the Mayor's Ad Hoc Old Home Manor Recreational Committee. (Mayor Croft)
- f) Consideration and possible action to accept the January 10, 2017 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- g) Consideration and possible action to accept the January 24, 2017 Regular Meeting minutes. (Jami Lewis, Town Clerk)

7) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a) Consideration and possible action to direct Staff to make a presentation to Yavapai College's Governing Board, requesting the Board to vote on Motor Sports at Old Home Manor as soon as possible or as practical. (Cecilia Grittmann, Interim Town Manager)

Recommended Action: Direct Staff to make a presentation to Yavapai College's Governing Board, requesting the Board to vote on Motor Sports at Old Home Manor in Chino Valley as soon as it can get scheduled or as practical.

Dr. Penny Wills, Yavapai Community College President, reported that:

- In 2002, the Town and College added a provision to the College's lease that the College could comment on any notion of a speedway at Old Home Manor (OHM), as the Board at that time felt such activity was not favorable to the College, mainly due to noise.
- She had received nearly 300 emails on the matter: the majority of those in opposition were from the community, while the majority in favor were not. She saw nothing new to influence a change in the IGA and the college would require that noise not be above 70 db at the property line.
- A previous economic impact study for Yavapai County demonstrated that the amount of money to come to the Town would not be that significant, and listed other concerns related to the effects on traffic on Perkinsville Road; a required environmental study; water usage, as the college would draw from the same water source as the speedway; conflicts with outdoor courses; and impacts on home values.
- Since 2002, the College had put over \$8 million in capital investments in the Chino Valley center, as well as hundreds of thousands in operating funds; and they had great concerns about negative impacts on the center.

Mayor Croft recounted for Council that this item pertained to whether or not Council wanted Town officials to make a presentation to the College, not whether or not they approved motor sports.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Annie Lane to direct staff to make a presentation to Yavapai College's Governing Board, requesting the Board to vote on Motor Sports at Old Home Manor.

Vote: 5 - 1 PASSED

NAY: Vice-Mayor Mike Best

- b) Consideration and possible action to approve the Intergovernmental Agreement (IGA) between the Chino Valley Unified School District and Town of Chino Valley for project management and construction of the adjacent ways project at Del Rio and Heritage Schools. (Michael Lopez, Public Works Director/Town Engineer)

Recommended Action: Approve the Intergovernmental Agreement between the Chino Valley Unified School District and Town of Chino Valley for the project management and construction of the adjacent ways project at Del Rio and Heritage Schools.

Mayor Croft reported that the School District was not ready with the project and recommended that Council postpone the item.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Corey Mendoza to pull this item until the school district was ready for this project.

Vote: 6 - 0 PASSED - Unanimously

- c) Consideration and possible action to adopt a notice of intent to increase admission fees for the Chino Valley Aquatic Center and hold a public hearing on April 25, 2017. (Chris Bartels, Recreation Supervisor)

Recommended Action: Adopt a notice of intent to increase admission fees for the Chino Valley Aquatic Center and hold a public hearing on April 25, 2017.

Mr. Bartels reported that:

- The increase in the minimum wage over the next two years approved by Arizona voters last year will impact the aquatic facility's labor pool and labor budget by about 20%.
- The Aquatic Center experienced a net loss of \$140,000 per year. Staff projected an additional \$10,000 shortfall this year, and with no rate increase, a net loss next year of \$160,000. Staff proposed a 20% increase in rates to offset some of those operational costs and keep the net loss at \$140,000.
- The Parks and Recreation Advisory Board reviewed the proposed rate increase in comparison with those of Prescott Valley, Prescott, YMCA, Camp Verde, and Cottonwood. The Town's rates would be about 20% higher than the others, but staff anticipated that those entities would go through the same process.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Susie Cuka to adopt a notice of intent to increase admission fees for the Chino Valley Aquatic Center and hold a public hearing on April 25, 2017.

Vote: 6 - 0 PASSED - Unanimously

- d) Consideration and possible action to assign dates / topics for future Council Study Sessions. (Cecilia Grittman, Interim Town Manager)

Recommended Action: Accept the prioritization schedule created by Council for future Study Sessions.

Ms. Grittman reported that during the January 31 retreat, Council discussed several future study session topics. Staff needed Council to prioritize the topics for scheduling purposes.

Town Attorney Smiley informed Council that she would be on vacation during the March study session, so they should not schedule anything that required her presence then.

Council and staff discussed the various topics and possible review dates. Council then recommended that staff review, update and bring back the schedule per Council's discussion.

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Corey Mendoza to go into executive session at 7:00 p.m.

Vote: 6 - 0 PASSED - Unanimously

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a contract with Prescott Sportsmen's Club related to management of the Chino Valley Shooting Range Facility that is the subject of negotiations. (Cecilia Grittman, Interim Town Manager)
- b) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending litigation or in settlement discussions conducted in order to resolve litigation in the matter of Town v. The Glenarm Land Company, Inc., et al. (Cecilia Grittman, Interim Town Manager)
- c) An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations to amend the lease with Yavapai Community College District of real property located at Old Home Manor. (Cecilia Grittman, Interim Town Manager)
- d) An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, or salary of Cecilia Grittman, Interim Town Manager. (Mayor Croft)

9) ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

Mayor Croft reconvened the regular meeting at 7:56 p.m. and reported that Council discussed all four executive session items and gave direction to the Town's attorneys.

10) ADJOURNMENT

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Susie Cuka to adjourn the meeting at 7:57 p.m.

Vote: 6 - 0 PASSED - Unanimously

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 14th day of February, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of February, 2017.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 02/28/2017
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development Services
Item Type: Action Item - Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: Granite Creek Lane, west of Hayward Drive

AGENDA ITEM TITLE:

Consideration and possible action to approve Ordinance 17-828 to rezone approximately two (2) acres of real property, identified as Assessor's Parcel Number 306-17-089G, generally located near the southwest corner of Granite Creek Lane and Hayward Drive from SR-2 (Single Family Residential - 2 acre minimum) to SR-1 (Single Family Residential - 1 acre minimum) zoning district. Applicant: Nathan M. Peabody & Ana P. Hurtado-Acedo. (Ruth Mayday, Development Services Director)

RECOMMENDED ACTION:

Approve Ordinance 17-828 to rezone approximately two (2) acres of real property generally located near the southwest corner of Granite Creek Lane and Hayward Drive from SR-2 to SR-1 zoning district.

SITUATION AND ANALYSIS:

See Staff Memorandum, attached.

Fiscal Impact

Fiscal Impact?: no
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Peabody Staff Report
 Ordinance 17-828

Staff Report – Proposal for Land Split

File Number:

Assessors Parcel Number: 306-17-089G

Site Location: Generally located near the Southwest corner of Granite Creek Road and Hayward Lane, Chino Valley, Arizona.

Applicant: Nathan M. Peabody & Ana P. Hurtado-Acedo

Owner: Nathan M. Peabody & Ana P. Hurtado-Acedo

Request: To allow a lot split to create two separate parcels in the SR-2 district.

Current Zoning: SR-2 Single Family Residential

Lot Size: Approximately 2 Acres (approx.. 87,120 sq ft)

BACKGROUND

SITE DESCRIPTION AND PRESENT USE

The subject property is generally located near the Southwest corner of Granite Creek Road and Hayward Lane, the lot size is approximately 87,120 square feet. There is no existing use on the property and is currently vacant. (See Appendix A) The property is currently zoned SR-2 Single Family Residential under the Town of Chino Valley Unified Development Ordinance.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding properties are zoned SR-2.5, SR-2, SR-1 Single Family Residential, AR-5 Agricultural/Residential and Industrial further eastbound. The neighborhood is predominantly single-family dwellings. (See Appendix B)

PROJECT DESCRIPTION

The applicant is proposing to divide the subject property from (1) 2 acre parcel to (2) 1 acre parcels.

PREVIOUS ACTIONS

A neighborhood meeting was held on January 3, 2017 at the subject property. Approximately eight (8) people were in attendance; after the purpose for the rezoning was explained, those in attendance supported the proposed rezoning.

A Public Hearing was held on February 7, 2017 during the regular meeting of the Planning and Zoning Commission. After a presentation by staff, Chair Merritt opened the floor to comments from the public. The Peabody-Hurtados thanked the commission for their consideration of the zone change. No other comments were received. The Commission then voted to forward the application to Town Council with a recommendation for approval; all Commissioners supported the motion and none opposed.

After the public hearing, staff received one (1) phone call from an adjacent property owner objecting to the proposed rezoning. The reasons for the objection was that the Peabody-Hurtado's intended to install mobile homes on the resulting two (2) lots, which would reduce the value of surrounding properties.

A Public Hearing was held on February 7, 2017 after notice in compliance with ARS9-462.4. After a brief presentation by staff, the Commission discussed the proposed zone change, then opened the public hearing for comment. The applicants explained the purpose of the proposed zone change; no other comments were offered. The Commission then voted unanimously to forward the application to Town Council with a recommendation for approval.

ANALYSIS

Section 5.2.6 of the Town of Chino Valley addresses lot splits less than 2 acres. The applicant meets the following requirements set forth in that section:

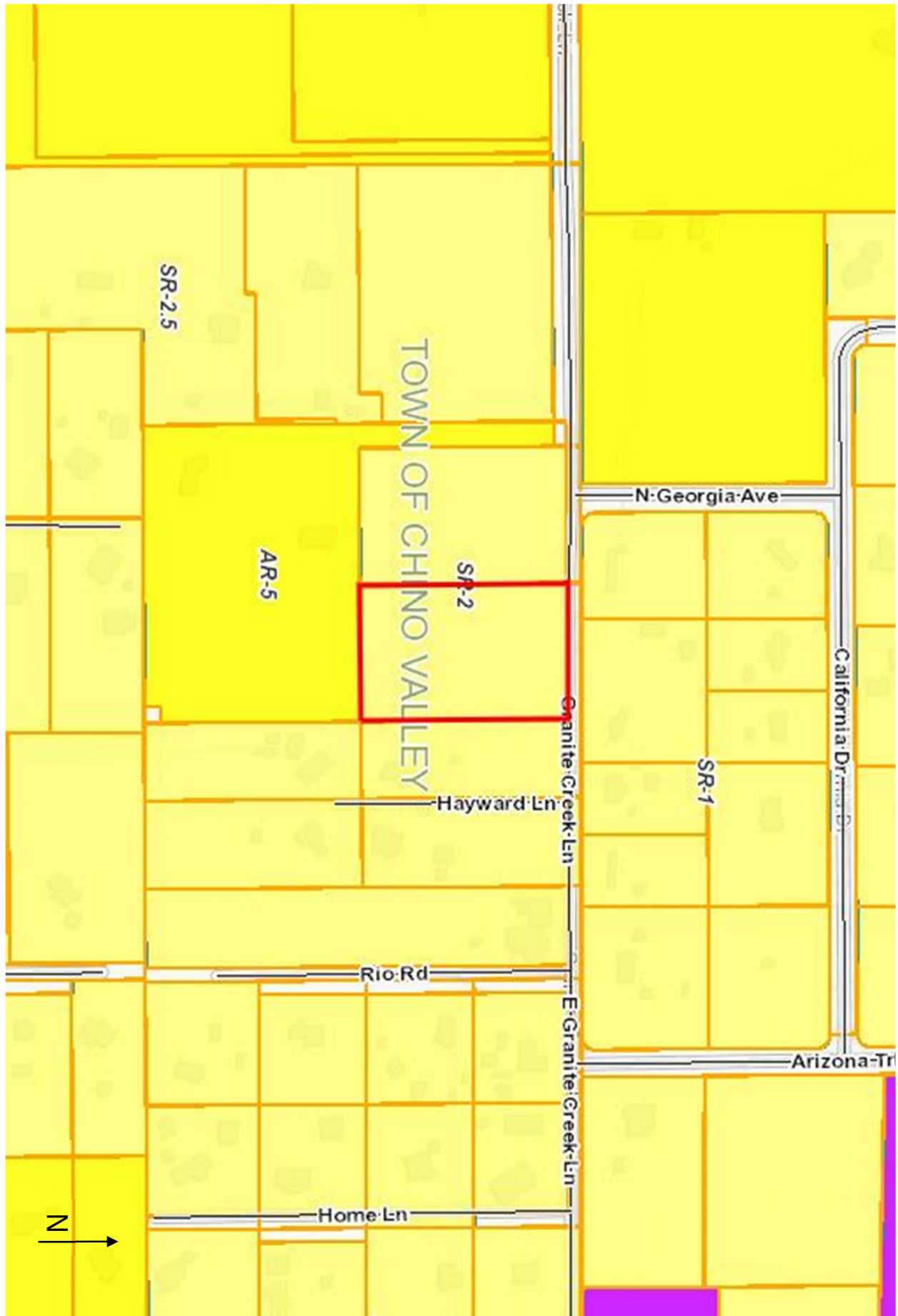
- A. All lots will meet minimum parcel size applicable under the proposed zoning district.
- B. As the property is vacant, the proposed land split will not create any new non-conforming structures related to building setbacks or increase the non-conformance of an already non-conforming structure relating to buildings setbacks.
- C. The lots will have permanent legal access to Granite Creek Lane.
- D. The applicant shall submit a Record of Survey prepared by a civil engineer or registered land surveyor licensed in Arizona which reflects the lots or parcels and legal access.
- E. The applicant shall provide for dedication of 25' of row adjoining Granite Creek Lane.

A



APPENDIX

APPENDIX B



ORDINANCE NO. 17-828

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 2.0 ACRES OF REAL PROPERTY GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF GRANITE CREEK LANE AND HAYWARD DRIVE, FROM SR-2 (SINGLE FAMILY RESIDENTIAL; 2 ACRE MINIMUM) ZONING DISTRICT TO SR-1 (SINGLE FAMILY RESIDENTIAL, 1 ACRE MINIMUM) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission, by a unanimous vote recommends approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for real property consisting of approximately 2.0 acres, generally located at the southwest corner of the intersection of Granite Creek Lane and Hayward Lane, and legally described in Exhibit A and shown on the Zoning Exhibit (map) in Exhibit B, both of which are attached hereto and incorporated herein by this reference, from SR-2 (Single Family Residential, 2 acre minimum) Zoning District to SR-1 (Single Family Residential, 1 acre minimum) Zoning District.

2. The Property described in Paragraph 1 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance. Development of the Property shall also be subject to the following conditions:

- a. Dedication to Chino Valley for Granite Creek Lane right-of-way that is adjacent to the Property shall be completed within thirty days of the effective date of this ordinance or sooner as required by the Town Engineer. Dedication of Granite Creek Lane shall extend 25 feet south from the common boundary of the subject parcel and parcel number 800-13-041L. Failure to dedicate within the timeframe required herein may result in reversion of the zoning to the prior zoning classification.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

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, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 28th day of February, 2017 by the following vote:

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAINED: _____

APPROVED this 28th day of February, 2017.

Darryl L. Croft, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Phyllis L. N. Smiley, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-828 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 28TH DAY OF FEBRUARY 2017, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2017.

Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- A. Legal Descriptions
- B. Vicinity Map
- C. Location Map

EXHIBIT A1: LEGAL DESCRIPTION

EMPIRE SURVEYING, INC.
P.O. BOX 67, PAULDEN, AZ 86334-0067
PHONE (928)-636-6992

Property Description
PARCEL "3A"
1.064 ACRES



January 5, 2017

All that portion of GOVERNMENT TRACT 39, according to the plats recorded in Book 34 of Land Surveys, Pages 1 and Book 51 of Land Surveys, Page 85, Yavapai County Recorder's Office, all in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of "Parcel B" as shown on Book 34 of Land Surveys, Page 1, marked with a one-half inch rebar;

Thence North 00° 13' 09" West 764.74 feet to a one-half inch rebar on the Southerly right-of-way of Granite Creek Lane;

Thence North 89° 50' 53" East 276.08 feet along said right-of-way to a one-half inch rebar and **THE TRUE POINT OF BEGINNING**;

Thence continuing North 89° 50' 53" East 125.54 feet along said right-of-way to a one-half inch rebar;

Thence South 00° 13' 09" East 369.33 feet to a one-half inch rebar;

Thence South 89° 50' 53" West 125.54 feet to a one-half inch rebar;

Thence North 00° 13' 09" West 369.33 feet to **THE TRUE POINT OF BEGINNING**.

Containing 1.064 acres.

EXHIBIT A2: LEGAL DESCRIPTION

EMPIRE SURVEYING, INC.

P.O. BOX 67, PAULDEN, AZ 86334-0067
PHONE (928)-636-6992

Property Description
PARCEL "3B"
1.064 ACRES



January 5, 2017

All that portion of GOVERNMENT TRACT 39, according to the plats recorded in Book 34 of Land Surveys, Pages 1; and Book 51 of Land Surveys, Page 85, Yavapai County Recorder's Office, all in Section 11, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southwest corner of "Parcel B" as shown on Book 34 of Land Surveys, Page 1, marked with a one-half inch rebar;

Thence North 00° 13' 09" West 764.74 feet to a one-half inch rebar on the Southerly right-of-way of Granite Creek Lane;

Thence North 89° 50' 53" East 401.62 feet along said right-of-way to a one-half inch rebar and **THE TRUE POINT OF BEGINNING**;

Thence continuing North 89° 50' 53" East 125.54 feet along said right-of-way to a one-half inch rebar;

Thence South 00° 13' 09" East 369.33 feet to a one-half inch rebar;

Thence South 89° 50' 53" West 125.54 feet to a one-half inch rebar;

Thence North 00° 13' 09" West 369.33 feet to **THE TRUE POINT OF BEGINNING**.

Containing 1.064 acres.

EXHIBIT B: ZONING MAP

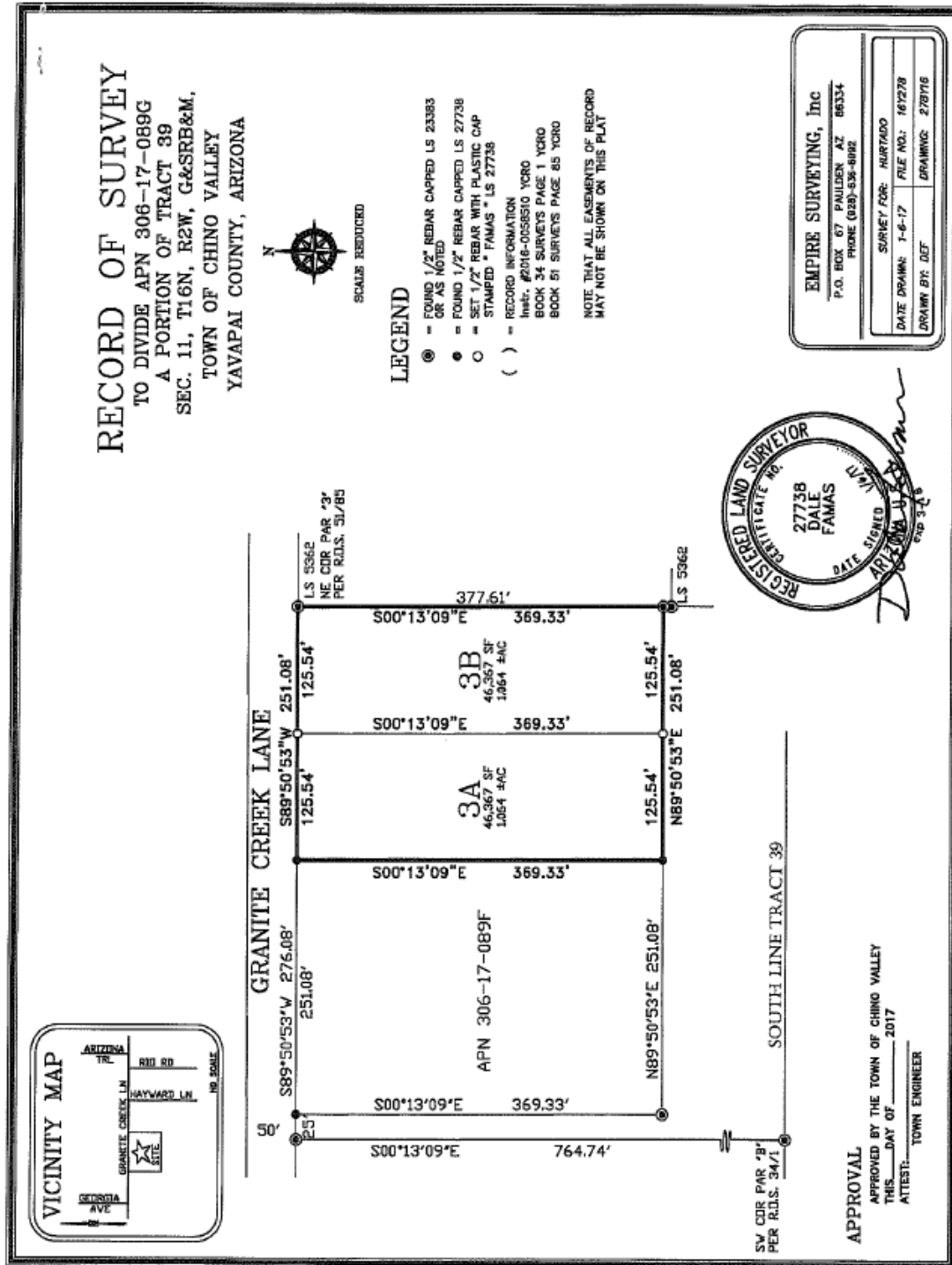
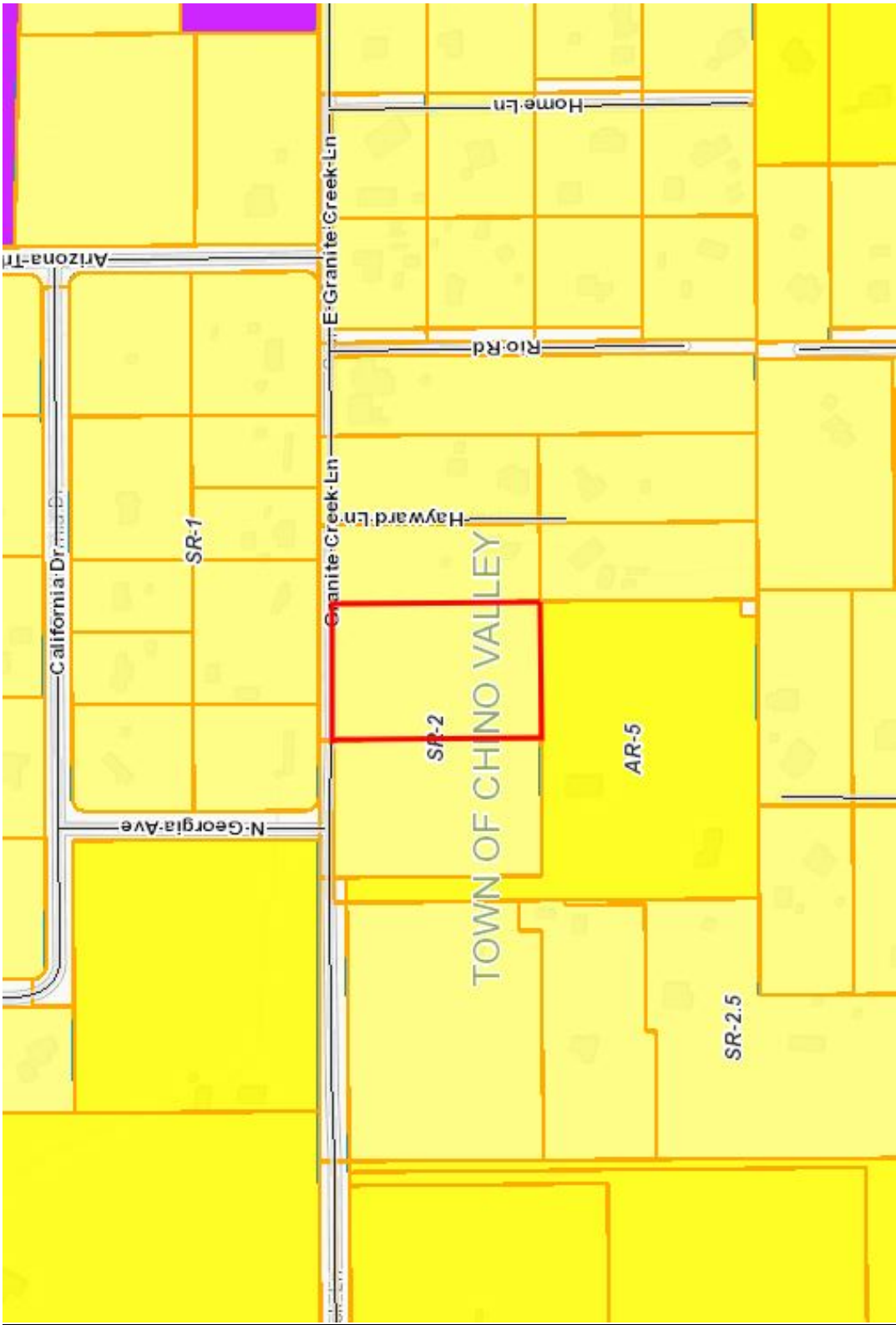


EXHIBIT C: LOCATION MAP



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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 02/28/2017

Contact Person: Ruth Mayday, Development Services Director
Phone: 928-636-4427 x-1217

Department: Development Services

Item Type: Action Item - Presentation

Estimated length 30 minutes

of staff presentation:

Physical location of item: Behind Walgreen's near the intersection of SR 89 and W. Road 2 North

AGENDA ITEM TITLE:

Consideration and possible action to approve Ordinance 17-829 (ZC-PAD 16-001 Hawksnest at Chino Valley), rezoning approximately 15 acres of real property located approximately 700 linear feet west of the intersection of State Route 89 and West Road 2 North from SR-0.16 (Single Family Residential - 1.6 Acre Minimum) zoning district with a Planned Area Development Overlay zoning district to MR-1 (Multi-family Residential - 1 acre Minimum) zoning district with a Planned Area Development overlay zoning district, and approving the Development Plan for the same. Applicant: Bill Watson, Construction Management Services. (Ruth Mayday, Development Services Director)

RECOMMENDED ACTION:

Motion to approve Ordinance No. 17-829 approving the Hawksnest@Chino Valley Development Plan and rezoning approximately 15 acres from SR 0.16 with a PAD overlay zoning district to MR-1 with a PAD overlay zoning district.

RECOMMENDED MOTION: I move to approve Ordinance No. 17-829 approving the Hawksnest@Chino Valley Development Plan and rezoning approximately 15 acres of real property generally located west of the intersection of State Route 89 and West Road 2 North from SR-0.16 (Single Family Residential - 0.16 Acre Minimum) zoning district with a Planned Area Development Overlay zoning district to MR-1 (Multi-family Residential - 1 acre Minimum) zoning district with a Planned Area Development Overlay zoning district, subject to the conditions set forth in the Ordinance.

SITUATION AND ANALYSIS:

Issue Statement

Bill Watson, Construction Management Services (the applicant), is requesting to rezone 15 acres of a 92 acre parcel located approximately 800 linear feet west of the intersection of State Route 89 and West Road 2 North, from SR-0.16 PAD (Single Family Residential - 1.6 Acre Minimum with a Planned Area Development Overlay zoning district) to MR-1 PAD (Multiple Family Residential - 1 acre Minimum with a Planned Area Development Overlay zoning district). Approval of the rezoning requires the applicant to submit and obtain approval of a development plan with the approval of the Planned Area Development Overlay Zoning District. When the property was zoned SR-0.16 PAD, it was approved,

erroneously, without a proper development plan. With the rezoning to MR-1 PAD, a development plan will be approved, as required by the UDO. See attached memo and proposed development plan. The building elevations are for illustration purposes only and are not part of the official development plan that will be adopted with the rezoning ordinance.

Other Pertinent Documents Available Upon Request:

Alternate Landscape Plan is approved administratively.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Hawksnest Staff Report

Ordinance 17-829

Building Rendering -reduced



MEMORANDUM

To: Planning & Zoning Commission
 From: Ruth Mayday, Development Services Director
 Re: Hawksnest at Chino Valley
 Date: February 15, 2017

Project Overview

This project proposes 224 apartments in two phases over fifteen acres of a larger ninety-acre parcel generally located west of the intersection of State Route 89 and Road 2 North, on the north side of West Road 2 North. Of the 224 units, a total of 64 one bedroom/one bath and 160 two bedroom/2 bath units will be constructed. The frontage on West Road 2 North will provide access/egress to the development, with the primary access slightly east of center and secondary access adjacent to the west boundary of the subject parcel.

History

Upon adoption of Ordinance 06-663 by Town Council on July 13, 2006, the subject parcel was zoned SR 0.16 (Single Family Residential, 7,000 sf minimum) with a Planned Area Development (PAD) overlay to allow for a 150-lot single family residential development. Prior to the zoning action, the parcel had been zoned AR-5 (Agricultural/Residential, 5-acre minimum). Subsequent to that, a Preliminary Plat was approved by Council on September 14, 2016 upon the approval of Resolution 06-803, setting forth the arrangement of lots and streets for the proposed Hawksnest Estate residential subdivision; a Certificate of Assured Water Supply (CAWS) was issued for the project by the Arizona Department of Water Resources (ADWR) on December 19, 2007. Due to poor economic conditions, the project stalled at the conclusion of the preliminary plat stage.

The property was acquired in 2010 and resold to the current developer in 2015. At the December 6, 2016 Regular Meeting, the Planning and Zoning Commission held a Public Hearing to discuss the development of a multi-family housing development near the intersection of SR 89 and West Road 2 North. After presentations by staff and Bill Watson, agent for Hawksnest at Chino Valley LLC, the Commission took public comment and discussed the proposal. The project was then forwarded to the Town Council for review and comment; Council recommended proceeding with consideration of a final plan.

During the review process, staff discovered that the applicant had erred in notification of surrounding property owners- while ARS requires notification of all property owners within 300' of the property boundary, the applicant notified property owners within 300' of the *project* boundary. A second Neighborhood Meeting was held on January 30, 2017, after notification in compliance with ARS 9-462.4.

Approximately eight (8) people were in attendance at each neighborhood meeting. Questions from the public concerned traffic impact, density, block perimeter walls, and pedestrian safety. Similar questions were asked by the public during the first Public Hearing on December 6, 2016.

The proposal was reviewed again by the Planning & Zoning Commission at its regular meeting held on February 7, 2017. After a presentation by Director Mayday, the Commission asked questions of the Developer; Chair Merritt then opened the public hearing portion of the meeting. Of those present, two (2) persons spoke in opposition of the project, citing the additional traffic, overcrowding of stores, and propensity for crime. The public hearing was then closed; the Commission voted 7-0 to forward the item to Town Council with a recommendation for approval.

Project Detail

The development contemplates 224 multi-family dwelling units in two nearly identical phases. Phase One calls for 32 one br/1ba and 80 2 br/2ba units for a total of 112 apartments on 8.60 acres. A total of fifteen buildings are planned: four (4) 1/1 8-plex buildings, ten (10) 2/2 8-plex buildings, and a reception/club



MEMORANDUM

building. Phase One also includes 248 parking stalls and a landscaped courtyard adjacent to and immediately north of the reception/club building, as well as a small dog park in close proximity to the courtyard. In accordance with the submitted landscaping plan, all plants will be low water users selected from the ADWR drought-tolerant plant list. Pedestrian links between buildings will provide an alternative pathway through the central portion of the project, connecting Phase 1 with Phase 2.

Phase 2 includes 112 units on 6.313 acres. Again, 32 1/1 units and 80 2/2 units would be constructed in 14 separate buildings, five (5) of which would be 1/1 units in an 8-plex configuration and nine (9) of which would be 2/2 units in similar 8-plex structures. A secondary courtyard is identified, along with an additional dog park. The preliminary plan also provides 226 parking stalls, continuation of the pedestrian linkage from Phase 1, and connectivity to future expansion to the west and north.

The matrix below sets forth the proposed project's compliance with the MR (Multi-family Residential) zoning district and required development standards for the parking, landscaping, and related standards.

Development Standard Matrix: Hawksnest Apartments				
Phase 1	Required/ Maximum		Proposed	+/-
Dwelling Unit Density	375,000 sf/3,000:	125	112	-13
DU/Acre	14.52		13.01	-1.51
Parking	1 br: 1.5; 2 br: 2; guest 1:10	220	248	28
Lot Coverage	40%		21%	-19%
Phase 2	Required/ Maximum		Proposed	+/-
Dwelling Unit Density	275,000 sf/3,000:	92	112	20
DU/Acre	14.52		17.74	3.22
Parking	1 br: 1.5; 2 br: 2; guest 1:10	220	248	28
Lot Coverage	40%		25%	-15%
Phases 1 & 2	Required/ Maximum		Proposed	+/-
Landscaping	Frontage (10' deep x 500)	5,000	25,000	20,000
	Sides (5' x 1300)X2	13,000	39,000	26,000
	Rear (5 x 500)	2,500	4,400	1,900
Additional		0	49,000	49,000
Total landscaping	sf	20,500	117,400	96,900
(perimeter)	acre	0.47	2.70	2.22

Signage and Lighting each require a separate permit. Permitted signage includes two (2) monument signs (NTE 32 sf in aggregate), other signage (directional, building identification) is approved as illustrated on the Development Plan. Lighting must be shielded to reflect downward and is also approved as indicated on the Development Plan.

While a CAWS was issued with the prior zoning district, ARS 32-210 (56) (c) (iii) specifically excludes apartments and other commercial residential uses from subdivision regulations. "The leasing of agricultural lands or apartments, offices, stores, hotels, motels...rental recreational vehicle community, rental manufactured home community, rental mobile home park or commercial building." Therefore, a CAWS is not required for this project.



MEMORANDUM

Planned Area Development Overlay District (PAD)

Standards for the Planned Area Development (PAD) were amended upon the adoption of Ordinance No. 14-786 by Town Council on July 22, 2014. The purpose of the text amendments was to streamline the regulations and approval process, and provide a clarified purpose for the zoning district. The purpose of the Planned Area Development (PAD) is fivefold:

- A) Provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley to permit flexibility in the design of residential, commercial, and/or industrial developments in conformity with the intent and purpose of the General Plan and Unified Development Ordinance.
- B) Modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development.
- C) Promote economical construction and maintenance of streets and utilities without compromising public safety and welfare.
- D) Preserve and utilize open space and offer recreational opportunities close to residential use.
- E) Encourage the preservation of community character and stabilization of surrounding neighborhoods.

Density

UDO Chapter 3.13 Multiple Family Residential, Subsection 3.13.2 Permitted Uses allows one (1) dwelling unit for each 3,000 square feet of land, or 14.52 dwelling units/acre. Phase 1 proposes a density of 13 du/acre, or 1.5 units less than the maximum allowed, for a total of 13 units. These excess units would be transferred to Phase 2 to allow a higher density in that phase, (density transfer) which is commonly found in multiple family developments.

Phase 2 proposes a density that exceeds the allowed 14.52 du/a by 3.2 du/a. The du/a rate is reduced by 13 units as a result of the density transfer from Phase 1 from 3.2 to 1.2 du/a. Thus, $(92+13)-112 = 7$ $(7/6.313) = 1.1/\text{du/a}$ for Phase 2, or an increased density of .46 du/a for the entirety of the 15+/- acres encumbered by the subject project.

Increasing the density of the proposed project by approximately one-half dwelling unit per acre is justified for the following reasons:

- 1) Connection to municipal sewer and water eliminates the need for land set aside for an adequate on-site septic system and to meet separation requirements between the septic system and well.
- 2) The proposed increase represents a 3% increase in the number of units, while remaining well under the maximum lot coverage (40% vs. 23%) and within the maximum building height of 35'.
- 3) Increased density reduces sprawl – by concentrating the number of dwelling units over a smaller area, less surface area is consumed by buildings, parking lots, and drive lanes or streets.

Landscaping

UDO Chapter 4.26 Landscaping Subsections 4.26.3 Landscaping Requirements Generally and 4.26.4 Determination of Requirements, unless Modified by the Zoning Administrator, Subsections 4.26.4 B Multiple Family, Office, Commercial, and Industrial Districts, D Minimum Landscaping Pattern, and E Parking Lots sets forth the minimum landscape requirements for projects such as the one proffered by the developer in this case. As illustrated in the development standard matrix above, the required area for perimeter landscaping is 20,500 square feet; the landscape plan calls for a total of 117,400 square feet. A total of 180 trees and 229 shrubs are required for the perimeter landscaping; the preliminary plan calls for 98 trees and 184 shrubs, a difference of 82 and 45 respectively. This deficit is largely offset by the



MEMORANDUM

number of trees and shrubs distributed throughout the interior of the project – an additional 56 trees and 105 shrubs in Phase 1 and 53 trees and 93 shrubs in Phase 2, for a total of 109 additional trees and 198 additional shrubs. (this total does not include plantings in the required landscape islands in the parking areas).

Clustering the landscaping in the interior of the project is justified for the following reasons:

- 1) Concentrating trees and shrubs in close proximity to buildings and parking areas helps break up the mass of the structures and minimizes the visual impact of the parking areas.
- 2) Clustering landscaping also provides natural shade for sidewalks and interior pedestrian circulation paths, increasing the likelihood of use.
- 3) Use of drought tolerant/low water use plantings reduces the demand on water and provides a more natural setting, allowing the project to better blend into the existing viewscape.

During the initial review by the Planning and Zoning Commission, landscaping and UDO landscaping requirements were discussed at length. The Commission recommended that the required number of trees and shrubs be further reduced to lessen the impact of watering vegetation on the water supply.

Other Development Concerns

In addition to the reduction in landscaping, Commissioners also discussed potential impact on traffic at the 2N/SR 89 intersection; amenities offered, sewer and water extensions, sidewalks, use of low-flow fixtures/grey water for irrigation, and surrounding the property with a block wall. These items are discussed in further detail as Stipulations of Approval.

Stipulations of Approval

Development Agreements (DA) are the typical vehicle for approval of additional requirements for developments such as the project under consideration when certain conditions justify their implementation: reimbursement agreements, significant off-site improvements, or reservation of lands for future public acquisition, among other things. In this case, there are only two (2) off-site improvements required: continuation of the sidewalk along the West Road 2 North frontage, and improvements resulting from a Traffic Impact Analysis (TIA) that mitigate the impact increased traffic may have on the existing street/road system. Rather than implement a Development Agreement, Stipulations of Approval will be employed.

- 1) Traffic Impact Analysis shall be completed, reviewed, and accepted by the Town Engineer/PW Director.
 - A. All required improvements shall be constructed by the developer.
 - B. Improvements shall be constructed to YAG/MAG standard and dedicated to the Town upon approval and acceptance of the TE/PWD.
 - C. Dedication of a 45' Right of Way to the Town of Chino Valley along the entirety of the West Road 2 North frontage.
 - D. No Certificate of Occupancy to be issued until improvements are complete and accepted.
- 2) Electrical lines serving the site shall be buried and extend across the frontage of the subject parcel.
- 3) The sidewalk that terminates on the adjacent parcel to the east shall be continued along the entire frontage of the subject parcel.
- 4) The proposed residential units shall be connected to and served by municipal sewer and water. Service lines for sewer and water will be extended across the entire frontage of the subject property. Any/all recharge credits inure to the benefit of the Town of Chino Valley.
- 5) Minimum 25' half-street ROW dedication adjacent to the east boundary of the subject parcel along its entirety.



MEMORANDUM

- 6) Adequate turn radii to accommodate school buses (minimum 55' outside)
- 7) IF both phases of the project are not completed within ten (10) years of the effective date of this Ordinance, Council may take action to revert the zoning to SR-0.16
- 8) Applicant will submit an Alternative Landscape Plan as set forth in UDO Chapter 4.26 Landscaping Subsection 4.26.5 Alternative Landscape Plan showing a reduction of at least 25%.

ORDINANCE NO. 17-829

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING THE DEVELOPMENT PLAN FOR THE HAWKSNEST PLANNED AREA DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF CHINO VALLEY BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONSISTING OF APPROXIMATELY 15 ACRES LOCATED APPROXIMATELY 700 FEET WEST OF THE NORTHWEST CORNER OF THE INTERSECTION OF STATE ROUTE 89 AND ROAD 2 NORTH, FROM SR- 0.16 (SINGLE FAMILY RESIDENTIAL – 7,000 SQUARE FOOT MINIMUM LOT AREA) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT TO MR-1 (MULTIPLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town Council desires to permit flexibility in the design of residential development in conformity with the intent and purpose of the General Plan and the Unified Development Ordinance; and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission, by a unanimous vote recommends approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

1. The Hawksnest@Chino Valley Planned Area Development Plan, defined in Paragraph 3 herein and attached hereto as Exhibit C, is hereby approved.

2. The Official Zoning Map of the Town of Chino Valley is hereby amended by changing the zoning classification of property consisting of approximately 15 acres, described in the legal description, Exhibit A and shown on the Zoning Exhibit (map) in Exhibit B (the "Property"), both of which are attached hereto and incorporated herein by this reference, from SR-0.16 (Single Family Residential – 7,000 Square Foot Minimum Lot Area zoning district with a

Planned Area Development (PAD) Overlay zoning district to MR-1 (Multiple Family Residential – 1 acre minimum) zoning district with a Planned Area Development Overlay (PAD) zoning district.

3. The following definitions shall apply:

- a. “Project” shall mean the “Hawksnest@Chino Valley PAD” containing approximately 15 acres, located approximately 700 feet west of the northwest corner of State Route 89 and Road 2 North.
- b. “Development Plan” shall mean that certain document submitted pursuant to Section 1.9.4.3 of the Unified Development Ordinance, as follows:

Exhibit C: Development Plan Exhibit of the Hawksnest@Chino Valley Planned Area Development, dated February 16, 2017.

4. The Property described in Paragraph 2 of this Section shall be used and developed in accordance with the Development Plan and the Town of Chino Valley Unified Development Ordinance. In addition to conformance with the Development Plan, development of the Property shall be subject to the following conditions:

- a. Dedication to Chino Valley for a future road right-of-way that is adjacent to the eastern boundary of the Property shall be completed prior to the effective date of this ordinance. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification. Dedication of the future road right-of-way shall extend 25 feet from the centerline along the eastern boundary of the Property.
- c. Dedication to Chino Valley for West Road 2 North right-of-way that is adjacent to the Property shall be completed prior to the recordation of final plat or issuance of a building permit, whichever is earlier, or sooner, as required by the Town Engineer. Failure to complete dedication as required by this ordinance may result in reversion of the zoning to the prior zoning classification.
- d. Dedication of West Road 2 North right-of-way adjacent to the Property shall extend 45 feet northward from the common boundary of the Property and Yavapai County Assessor's Parcel No. 800-13-030P for approximately 1015 feet.
- e. Developer shall construct improvements to West Road 2 North as required by this ordinance. Prior to construction, Developer shall provide the Town with a Traffic Impact Analysis completed by a qualified professional for the Town's review and acceptance by the Town Engineer.
- f. Construction of off-site improvements to West Road 2 North right-of-way that is adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Chino Valley, whichever is earlier. Improvements shall be constructed to YAG/MAG standard and dedicated to the Town upon approval and acceptance of the Town Engineer.

- g. All electrical and other utility lines serving the Project shall be buried and shall extend across the frontage of the Property.
- h. Developer shall install a sidewalk on the Property, beginning at the adjacent parcel to the east and continuing across the frontage of the entire Property.
- i. All residential units shall be connected to and served by the Town of Chino Valley water and sewer. Service lines for sewer and water shall be installed along the entire frontage of the Property. Any and all recharge credits shall inure to the benefit of the Town of Chino Valley.
- j. Developer shall construct all streets to provide adequate turn radii to accommodate school buses for a minimum of 55 feet outside turn radius.
- k. If both phases of the Project are not completed within ten (10) years of the effective date of this Ordinance, the Town Council may revert the zoning to the prior zoning classification.
- l. Developer shall submit an Alternative Landscape Plan as set forth in UDO Chapter 4.26 Landscaping Subsection 4.26.5 Alternative Landscape Plan showing a landscape requirement reduction of at least 25% in plant material.
- m. Within 60 days of approval of this Ordinance, Developer shall submit to Town staff infrastructure improvement plans in substantial conformance with the Development Plan.
- n. Failure to complete construction and installation of the Improvements as required in this Ordinance may result in reversion of the zoning to the prior zoning classification.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

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, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 28th day of February, 2017 by the following vote:

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAINED: _____

APPROVED this 28th day of February, 2017.

Daryl L. Croft, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Phyllis L.N. Smiley, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-829 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 28TH DAY OF FEBRUARY, 2017 WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2017.

Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Survey Exhibit (map)
- C. Development Plan
- D. Location Map

EXHIBIT A: LEGAL DESCRIPTION

**NEXUS SOUTHWEST, LLC
REGISTERED LAND SURVEYORS**



212 S. Marina St. • Prescott, Arizona 86302
Phone 928-778-5101 • Fax 928-778-9321 • email info@nexus-sw.net

**PROPERTY DESCRIPTION
Sec. 15 T16N-R2W**

All that portion of the East Half of the Southwest Quarter of Section 15, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

BEGINNING at the South One-quarter corner of said Section 15;

Thence, South 89°59'14" West, 500.00 feet to a point on the South line of said Section 15;

Thence, North 00°04'32" West, 1300.00 feet;

Thence, North 89°59'14" East, 500.00 feet to a point on the North-South mid-section line;

Thence, South 00°04'32" East, 1300.00 feet to the **POINT OF BEGINNING**;

Containing 14.9219 acres, more or less.



September 21, 2016
16-456

15 acres

EXHIBIT B: RECORD OF SURVEY

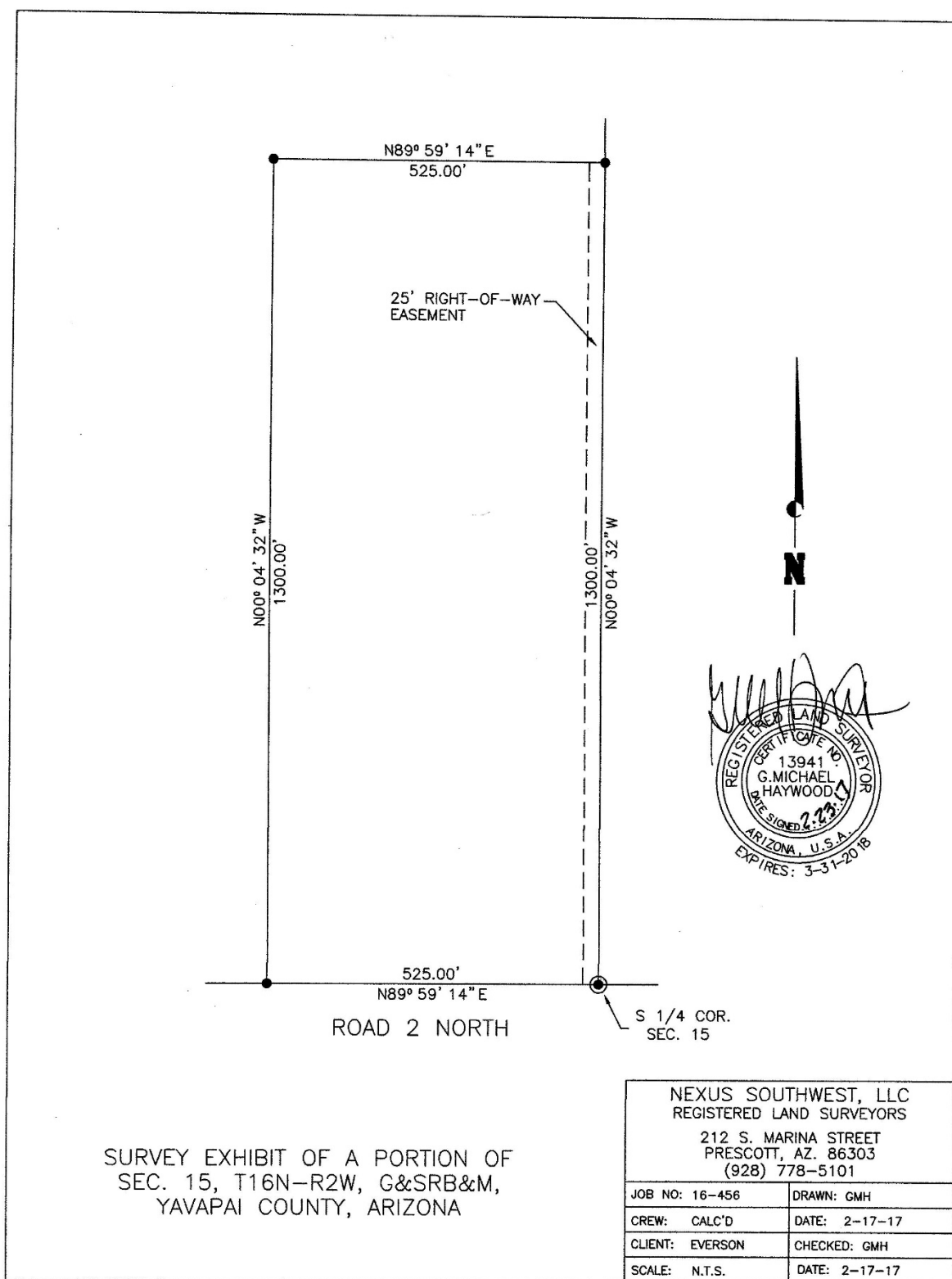


EXHIBIT D: LOCATION MAP



FINISH LEGEND

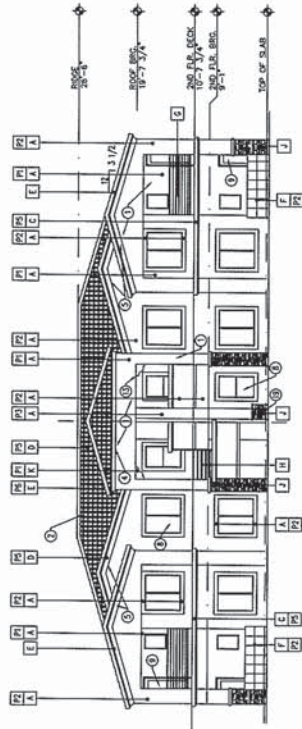
- A. STUCCO FINISH
- B. TRIM AT WINDOW UNIT - STUCCO ON FORM SHAPE
- C. HORIZONTAL BAND - STUCCO ON FORM SHAPE
- D. EXTERIOR - STUCCO ON FORM SHAPE
- E. CONCRETE ROOF TILE
- F. 12" X 12" STUCCO REPAIR PATCH
- G. WOODSIDE FLOOR FINISH - PAINT COLOR "J" 1/2" DEEP
- H. STEEL STUD UNIT - PAINT COLOR "J" 1/2" DEEP
- I. METAL ENTRY DOOR
- J. STONE FASER (RANDOM CORNERS)
- K. FORM CORREL - STUCCO
- L. 15" X 15" RECESSED STUCCO MOLE

COLOR LEGEND

- P1 BASE COLOR
- P2 STONE COLOR
- P3 BASE COLOR
- P4 STONE COLOR
- P5 FACIA TRIM
- P6 ROOFING
- P7 EXTERIOR LIGHTING
- P8 EXTERIOR LIGHTING
- P9 EXTERIOR LIGHTING
- P10 EXTERIOR LIGHTING
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KEYED NOTES

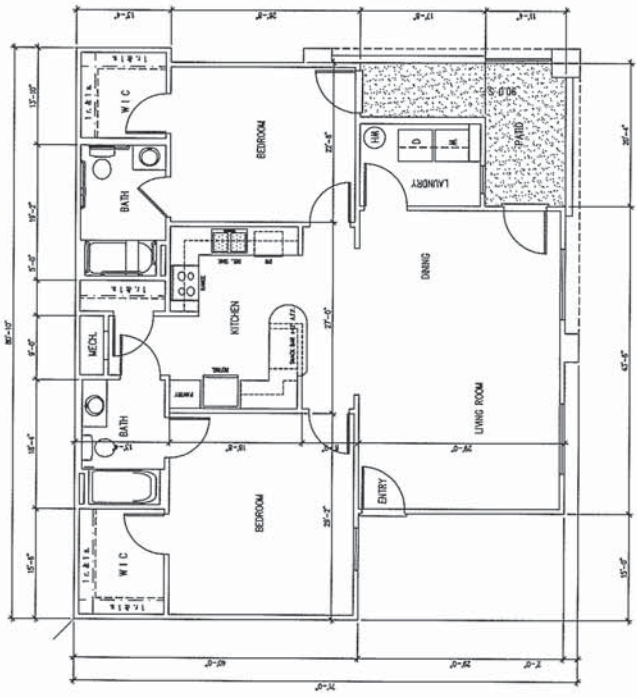
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BUILDING B FRONT ELEVATION (8 plex - 2/2)

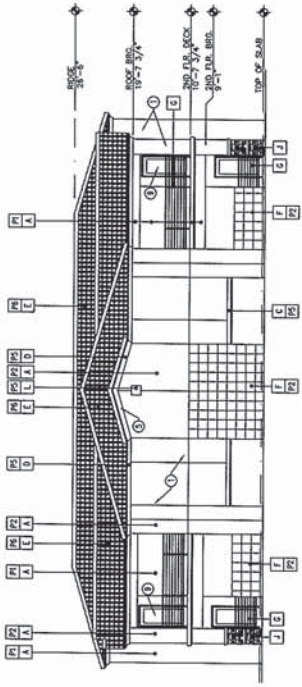
(TYPICAL BOTH FRONTS)

COLOR / COLOR SYMBOLS SAME FOR ENTIRE BUILDING FACE



UNIT PLAN - BUILDING B (8 plex - 2/2)

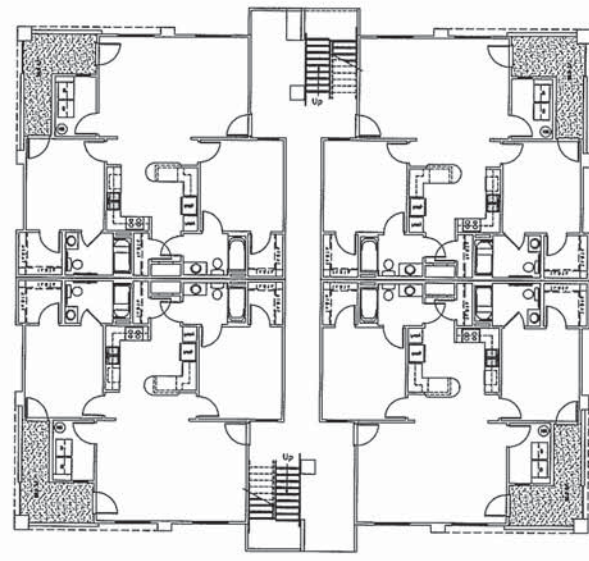
HEATED AREA: 1,186.0 S.F. PATIO AREA: 90.0 S.F. 1/4" = 1'-0"



BUILDING B FRONT ELEVATION (8 plex - 2/2)

(TYPICAL BOTH FRONTS)

COLOR / COLOR SYMBOLS SAME FOR ENTIRE BUILDING FACE



FLOOR PLAN - BUILDING B (8 plex - 2/2)

HEATED AREA: 4,664.0 S.F. 1/8" = 1'-0"

ERIC MILLER • ARCHITECT
ALBUQUERQUE, NM 87105
(505) 764-8550

Chino Valley Apartments
Town of Chino Valley
Arizona

DRAWN BY: JH
DATE: 8-5-15
REVISIONS

ARCHITECTURAL
A2.2
BUILDING B
PLANS



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 02/28/2017

Contact Person: Ruth Mayday, Development Services Director
Phone: 928-636-4427 x-1217

Department: Development Services

Item Type: Action Item - Presentation

Estimated length of staff presentation: 15 minutes

Physical location of item: East Road 2 North, between SR 89 and North Road 1 East

AGENDA ITEM TITLE:

Consideration and possible action to review Development Plan for Village North Apartments and Planned Area Development overlay (Zone Change), on property identified as Assessor's Parcel Number 306-20-031Q, and located on Road 2 North, approximately 1,200 feet east of State Route 89 and 600 feet west of Road 1 East. Applicant: Don Karcie / Sam Malouff. (Ruth Mayday, Development Services Director)

RECOMMENDED ACTION:

The developer has met all the requirements set forth by the Planning and Zoning Commission during its February 7, 2017 Meeting. Council may either direct staff to return the item to the Planning and Zoning Commission for further review and recommendation, or place the item on the next available Town Council agenda for consideration and possible approval.

MOTION 1: I MOVE TO DIRECT STAFF TO RETURN THE ITEM TO THE PLANNING AND ZONING COMMISSION FOR FURTHER REVIEW AND RECOMMENDATION.

MOTION 2: I MOVE TO DIRECT STAFF TO PLACE THIS APPLICATION ON THE NEXT AVAILABLE TOWN COUNCIL AGENDA FOR CONSIDERATION AND POSSIBLE APPROVAL.

SITUATION AND ANALYSIS:

See attached Staff Report from Planning & Zoning meeting.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Village North Staff Report
Development Plan (Site Plan)
Landscaping and Amenities
Village North Rendering

Staff Report – (PAD) Planned Area Development Overlay District

APPLICATION SUMMARY

File Number:

Assessors Parcel Number: 306-20-031Q

Site Location: Located approximately 1,200 feet east of State Route 82 and 2 North and 600 feet west of 1 East and 2 North.

Applicant: Don Karcie/ Sam Malouff

Property Owner: John A. Dejong

Request: Request for PAD Overlay District in order to allowed the required density for project proposal.

SITE DATA

Existing Zoning	(MR-1 / MHP-4) Multi-Family Residential / Mobile Home Parks-Residential
Lot Size	9.22 Acres (approx. 401,623 sq. ft.)
Designated General Plan Land Use	Commercial / Multi- Family Residential
Existing Land Use	Vacant

BACKGROUND

SITE DESCRIPTION

The subject property is generally located approximately 1,200 feet east of State Route 82 and 2 North and 600 feet west of 1 East and 2 North. (See Appendix A) The property is current zoned (MR-1 / MHP-4) Multi-Family Residential / Mobile Home Parks-Residential under the Town of Chino Valley Unified Development Ordinance. The property has a Land Use Designation of Commercial / Multi-Family Residential under the Town of Chino Valley General Plan Potential Land Use Map. The site is currently vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

Directly east of the site, properties are zoned (AR-5) Agricultural/Residential and (SR-2) Single Family Residential. South of the lot, properties are zoned (MR-1 / MHP-4) Multi-Family Residential / Mobile Home Parks-Residential and (CL) Light Commercial. Directly west of the, lots are zoned (CL) Light Commercial and (CH) Heavy Commercial. To the north properties are zoned (CH/AR-5) Heavy Commercial / Agricultural Residential and (CL) Light Residential. (See Appendix B)

PROJECT DESCRIPTION

The applicant is submitting an application for approval of a (PAD) Planned Area Development Overlay on site to allow the proper density for project proposal of an apartment complex. The applicant recently rezoned the property to (MR-1 / MHP-4) Multi-Family Residential / Mobile Home Parks-Residential to meet Town requirements.

Section 1.9.4.A. of the Town of Chino Valley (UDO) Unified Development Ordinance states that a PAD Overlay District will “permit flexibility in the design of residential, ” furthermore Section 1.9.4.B. states the modification of “underlying zoning district regulation to permit flexibility and innovation in development design and provide opportunities for unique or mixed-use development.”

A Neighborhood Meeting was held on January 23, 2017, with seven (7) neighbors present. Concerns expressed by neighbors included traffic, noise, decreased property values, increased crime, and desire for lower density (Bright Star) development.

The application was first reviewed by the Planning & Zoning Commission during its regular meeting on February 7, 2017. A Public Hearing was held during that meeting after notice in compliance with ARS9-462.0-4. As with the neighborhood meeting, the concerns expressed by those in attendance included traffic, noise, decreased property values, increased crime, overwhelming existing stores, and desire for lower density (Bright Star) development.

The Commissioners also discussed the proposal at length, requesting additional details with respect to landscape, amenities, building elevations, walls, and other similar issues. The commission then voted 7-0 to forward the application to Town Council for review and comment.

ANALYSIS

Section 1.9.4.3 of the Town of Chino Valley UDO addresses that PAD overlay district will be considered and treated as a change in zoning and will be subject to the procedures required for changes in zoning, including citizen review, public hearing by the Planning Commission and approval by Town Council.

The applicant will meet the following requirements:

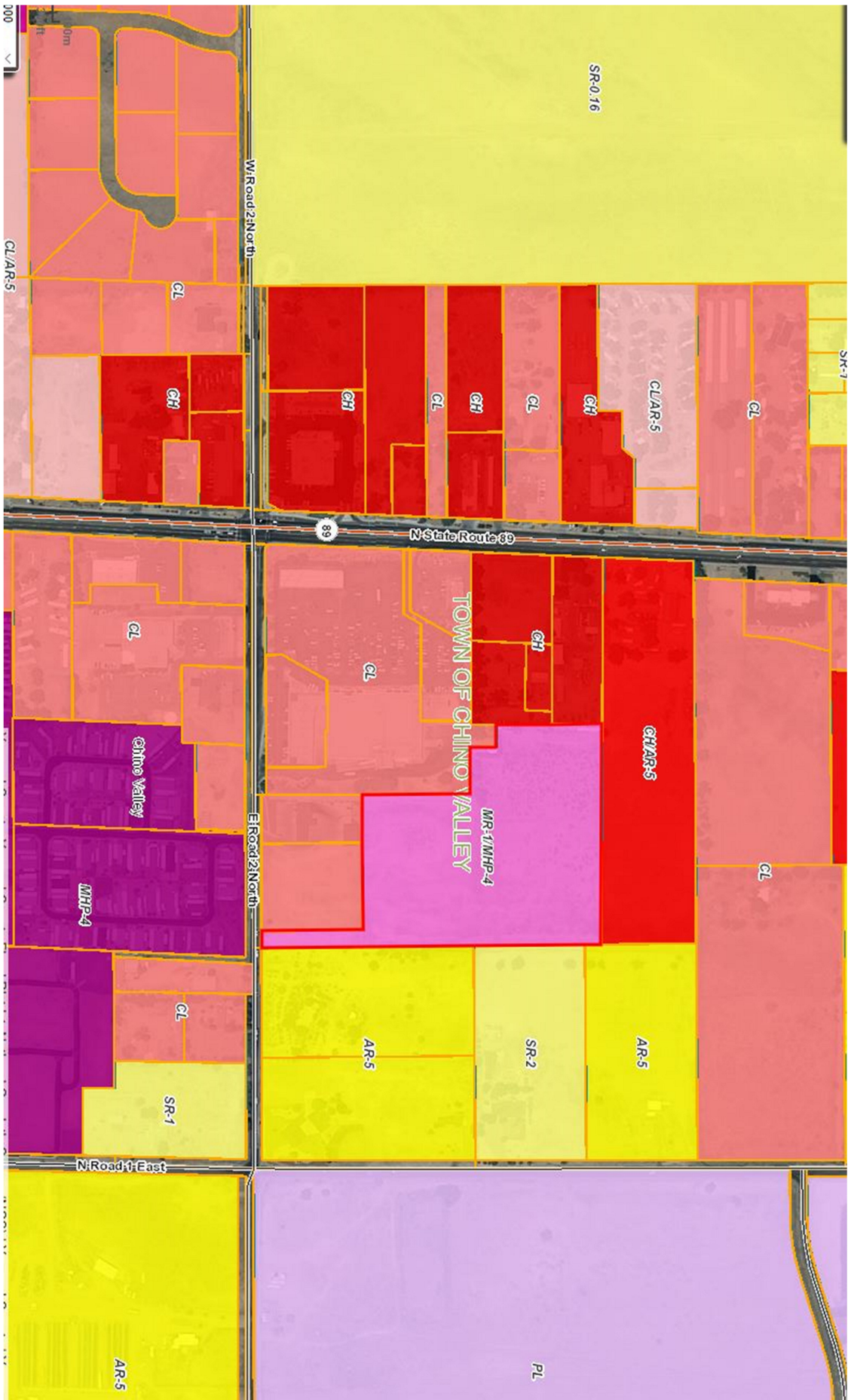
- A. Applicant will submit Development Plan consisting of site plan showing the locations of buildings and street layout plans. Applicant will provide building elevation, building heights, design guidelines, residential lots layout and any additional information relevant to the request.
- B. Use and development of the property will conform to the development plan which will be approved by the Town Council as an exhibit to the PAD overlay district zoning ordinance.
- C. Applicant will comply with recommendations and conditions set by Planning Commission and Town Council.
- D. Applicant will dedicate the required land for public use.
- E. The applicant shall provide dedication right-of-way as streets, alleys, public ways, drainage and public utilities and easements as required.

APPENDIX

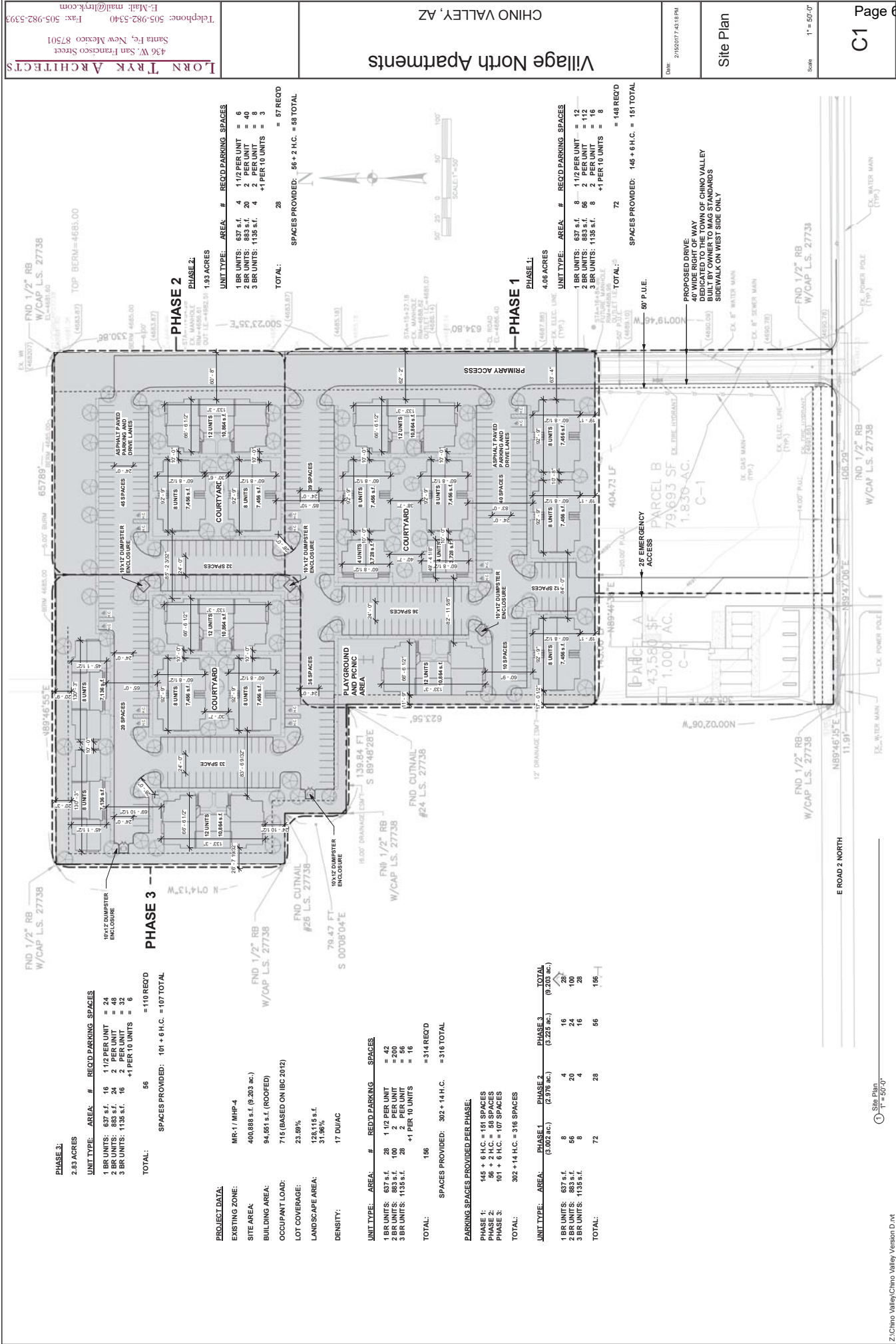
A



B



APPENDIX



LOAN TRYK ARCHITECTS
430 W. San Francisco Street
Santa Fe, New Mexico 87501
Telephone: 505-982-5340
E-Mail: mail@tryk.com
Fax: 505-982-5393

Village North Apartments

CHINO VALLEY, AZ

Date: 2/15/2017 4:18 PM

Site Plan

Scale 1" = 50'-0"

PHASE 2
4.93 ACRES

UNIT TYPE	AREA	#	REQ'D PARKING SPACES
1 BR UNITS: 637 s.f.		4	1 1/2 PER UNIT = 6
2 BR UNITS: 883 s.f.		20	2 PER UNIT = 40
3 BR UNITS: 1135 s.f.		4	2 PER UNIT = 8
			+1 PER 10 UNITS = 3
TOTAL:		28	= 57 REQ'D

SPACES PROVIDED: 56 + 2 H.C. = 58 TOTAL

PHASE 1
4.06 ACRES

UNIT TYPE	AREA	#	REQ'D PARKING SPACES
1 BR UNITS: 637 s.f.		8	1 1/2 PER UNIT = 12
2 BR UNITS: 883 s.f.		56	2 PER UNIT = 112
3 BR UNITS: 1135 s.f.		8	2 PER UNIT = 16
			+1 PER 10 UNITS = 8
TOTAL:		72	= 148 REQ'D

SPACES PROVIDED: 148 + 6 H.C. = 151 TOTAL

PHASE 3
2.83 ACRES

UNIT TYPE	AREA	#	REQ'D PARKING SPACES
1 BR UNITS: 637 s.f.		16	1 1/2 PER UNIT = 24
2 BR UNITS: 883 s.f.		24	2 PER UNIT = 48
3 BR UNITS: 1135 s.f.		16	+1 PER 10 UNITS = 8
TOTAL:		56	= 110 REQ'D

SPACES PROVIDED: 101 + 6 H.C. = 107 TOTAL

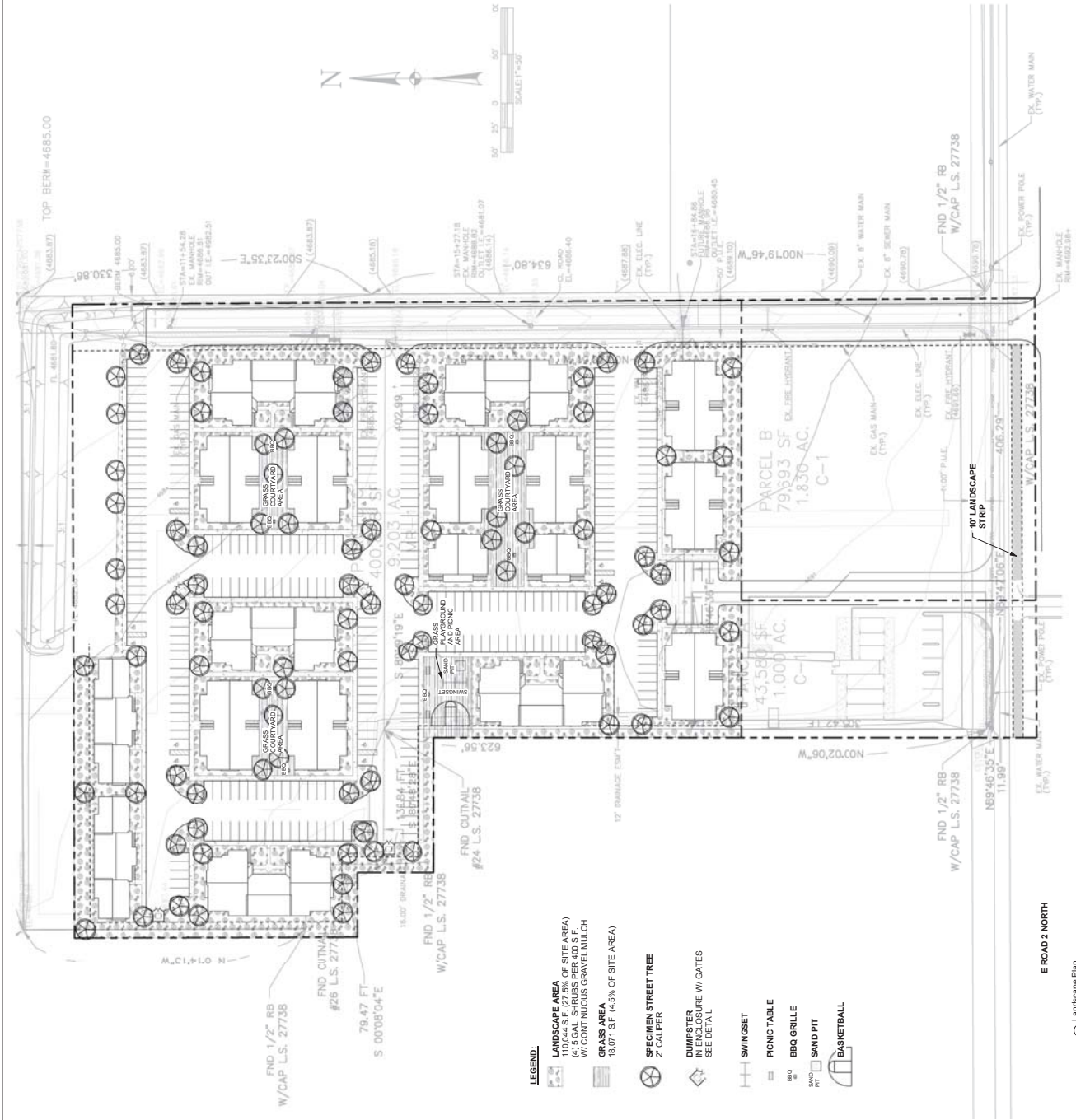
PROJECT DATA:
EXISTING ZONE: MR-1 / MHP-4
SITE AREA: 400,888 s.f. (9.203 ac.)
BUILDING AREA: 94,951 s.f. (ROOFED)
OCCUPANT LOAD: 715 (BASED ON IBC 2012)
LOT COVERAGE: 23.89%
LANDSCAPE AREA: 128,115 s.f.
DENSITY: 31.89%
17 DUAC

UNIT TYPE	AREA	#	REQ'D PARKING SPACES
1 BR UNITS: 637 s.f.		28	1 1/2 PER UNIT = 42
2 BR UNITS: 883 s.f.		100	2 PER UNIT = 200
3 BR UNITS: 1135 s.f.		28	2 PER UNIT = 56
			+1 PER 10 UNITS = 16
TOTAL:		156	= 314 REQ'D

SPACES PROVIDED: 302 + 14 H.C. = 316 TOTAL

PARKING SPACES PROVIDED PER PHASE:
PHASE 1: 148 + 6 H.C. = 151 SPACES
PHASE 2: 56 + 2 H.C. = 58 SPACES
PHASE 3: 101 + 6 H.C. = 107 SPACES
TOTAL: 302 + 14 H.C. = 316 SPACES

UNIT TYPE	AREA	PHASE 1	PHASE 2	PHASE 3	TOTAL
1 BR UNITS: 637 s.f.		8	4	16	28
2 BR UNITS: 883 s.f.		56	20	24	100
3 BR UNITS: 1135 s.f.		8	4	16	28
TOTAL:		72	28	56	156



E ROAD 2 NORTH

① Landscape Plan
1" = 50'-0"



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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. d.

Meeting Date: 02/28/2017
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development Services
Item Type: Action Item - Presentation
Estimated length of staff presentation: 10 minutes
Physical location of item: Old Home Manor/East Road 4 North

AGENDA ITEM TITLE:

Consideration and possible action to authorize staff to apply for the Economic Strength Projects Grant, and authorize the Mayor to sign a letter committing the Town to a \$50,000 match. (Ruth Mayday, Development Services Director)

RECOMMENDED ACTION:

Given the low match rate (10%) and the need to improve roads leading to the Old Home Manor Industrial Park, staff recommends authorizing the Mayor to sign a letter committing \$50,000 in matching funds, and authorizing staff to submit the application.

MOTION: I move to authorize the Mayor to sign a letter to the Arizona Commerce Authority committing the Town to a \$50,000 match for the Economic Strength Projects ("ESP"), and authorize staff to submit an application to the same in the amount of \$500,000 for improvements to East Road 4 North.

SITUATION AND ANALYSIS:

Issue Statement

The Arizona Commerce Authority (ACA) and Arizona Department of Transportation (ADOT) are jointly funding a grant to fund road improvements specifically for rural communities. The maximum award is \$500,000; a 10% match of hard costs is required. To document the match, staff must include a letter from the Mayor stating that the Town will provide \$50,000 as match funding. To be able to submit the application, staff needs authorization from Council.

Fiscal Impact

Fiscal Impact?: Yes
If Yes, Budget Code:
Available: 50,000
Funding Source:

The Town will budget the grant match in the FY 2016/2017 Budget.

Attachments

Mayor support letter

Sandra Watson
President and CEO, Arizona Commerce Authority
118 N. 7th Ave, Suite 400
Phoenix, AZ 85004

February 22, 2017

Dear Ms. Watson:

While the economy continues to rebound, the Chino Valley region continues to struggle. According to the U.S. Census Bureau's American Community Survey, 73% of the populace in this region is underemployed; median per-capita income lags the national rate by 38%. Our citizens travel 25% further to work than others in Yavapai County; 11% more than the average Arizonan, and 28% more than the national average. These transportation costs strain incomes already significantly below state and national averages. Chino Valley issued only 152 commercial permits between 2008-13, with a valuation of \$26 million, which is further evidence of a lack of commercial investment and economic health.

While the Old Home Manor Industrial Park is underway, additional improvements are still needed. Access to the site via Road 4 North needs upgrading from chip seal to asphalt; the extension of that road into the Industrial Park across the north boundary will open up additional land for development.

Also unique to Chino Valley is the presence of two (2) target shooting ranges within Old Home Manor that have garnered the attention of target sports manufacturers across the United States. No other industrial park in the State of Arizona has these facilities available for use by manufacturers of related goods. By investing in the proposed roadway infrastructure project outlined in this proposal, the Arizona Commerce Authority can bolster the presence of a base industry that already exports over \$497 million per year from the Quad City region.

Working together, the Town of Chino Valley, the Chino Valley Chamber of Commerce, and Yavapai College are redoubling efforts to attract and retain economic investments in our community. The Town's application for funding through the Economic Strengths Project (ESP) Grant will further economic growth in the region and help in retaining existing employment.

Should you have any additional questions, please feel free to contact me.

Daryl Croft
Mayor, Town of Chino Valley

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. e.

Meeting Date: 02/28/2017
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: n/a

AGENDA ITEM TITLE:

Consideration and possible action to approve a Notice of Intention to increase Wastewater Rates, Fees, and Service Charges, set a Public Hearing date, and issue a public report. (Joe Duffy, Finance Director)

RECOMMENDED ACTION:

Move to adopt a Notice of Intention to Increase Wastewater Rates, Fees, and Service Charges and set a public hearing on the proposed rates for May 9, 2017.

SITUATION AND ANALYSIS:

Issue Statement

During a review of multi family sewer rates it was determined that Country West Mobile Home Park was paying the incorrect monthly rate for sewer service. Due to the fact a Base Charge Rate for Country West was adopted with Resolution 13-1005 on February 12, 2013, the Town is required to make the rate change in accordance with ARS 9-511.01.

Staff has prepared a report summarizing the information regarding this change.

Fiscal Impact

Fiscal Impact?: N/A
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Notice of Intent
 Rate Increase Report

TOWN OF CHINO VALLEY, ARIZONA PUBLIC NOTICE

NOTICE OF INTENT TO INCREASE WATER AND WASTEWATER RATES AND WASTEWATER CONNECTION FEES PURSUANT TO A.R.S. § 9-511

The Town Council of the Town of Chino Valley, Yavapai County, Arizona, at a public meeting on February 28, 2017, adopted a motion to approve a Notice of Intention that the Town of Chino Valley intends to increase certain water and wastewater rates and amend its municipal wastewater fees eliminating the Country West Base Charge.

The proposed fees and charges are based upon a written report and data prepared by the Town Finance Director.

The following Rates are proposed:

Town of Chino Valley		
Wastewater Monthly Service Fee		
	Current Rate Table January 2017	Proposed Rate Table Revisions
Monthly Service Fee		
Residential		
Base User Charge	\$ 64.14	\$ 64.14
Commercial		
3/4" Meter	\$ 64.14	\$ 64.14
1" Meter	\$ 107.34	\$ 107.34
1 1/2" Meter	\$ 213.35	\$ 215.35
2" Meter	\$ 341.89	\$ 341.89
4" Meter	\$ 1,069.41	\$ 1,069.41
Country West Mobile Home Park Base Charge	\$ 400.00	* See Note
Multi-Family Housing**		
Rate Per Fixture Unit (\$64.14/20 Fixture Units)	\$ 3.21	\$ 3.21
Rate Per EDU (20 Fixture Units)	\$ 64.14	\$ 64.14
*Note: Country West Base Charge will no longer apply and will be eliminated from the Rate Table. Country West new rates will be based on the multi-family rates.		
** Multi-family housing includes apartments, duplexes, mobile home pads, hotels/motels, schools, churches on a master meter.		

The Chino Valley Town Council will consider approving these proposed rates in a Public Hearing to be held May 9, 2017 in the Council Chambers, 202 N. State Route 89, Chino Valley, Arizona, during the Town Council meeting scheduled to begin at 6:00 p.m.

THE PROPOSED RATES WILL BECOME EFFECTIVE THIRTY (30) DAYS AFTER APPROVAL BY THE TOWN COUNCIL.

A copy of the written report and findings supporting these increases and rates may be reviewed during normal office hours, Monday through Thursday from 8:00 a.m. to 5:00 p.m. at the office of the Town Clerk of the Town of Chino Valley, located in Town Hall at 202 North State Route 89, Chino Valley, Arizona. A copy of the written report and findings is also available on the Town of Chino Valley website, www.chinoaz.net.

Notice of Intention Publication Dates: 4/6/17



Town of Chino Valley Water and Wastewater Rate Increase

February 28, 2017

This report is prepared to meet the requirements of ARS 9-511.01

Introduction

“This report only proposes one change to the wastewater monthly service fee for Country West Mobile Home Park. No other rates are affected”

The Town of Chino Valley last reviewed and increased water and wastewater rates on February 12, 2013. Resolution 13-1005 adopted a 5 year rate increase schedule for both water and wastewater rates.

On December 8, 2016 the Town Council approved Resolution No. 15-1005 deferring the effective date of next sewer rate increase and keeping the rate at \$64.14.

The Town is beginning to see interest in multi-family housing projects. The last adopted rate schedule does not adequately document the method used to calculate the user fees and connection fees for multifamily housing.

On January 10, 2017 Council modified the rate schedule to provide additional clarification on how rates are applied to multi-family developments. The rates are based on equivalent dwelling unit/fixture unit calculations. These are the methods historically used by the Town to determine the rates for all multi-family housing. At the time Country West connected to the sewer in 2008, it was the only multi-family sewer user connected to the sewer. Staff believes it was an error and there is no justification for the Town to treat Country West differently from all other multi-family users.

During the review of the historical wastewater rates it was discovered that one multifamily customer, Country West Mobile Home Park, was paying rates on the commercial rate schedule and not on the correct multi-family rate schedule.

Pursuant to Resolution No. 13-1005, the Town Council set Country West's Wastewater Base Charge at \$400 per month. The Utilities department is currently charging Country West \$341.89 per month and has been doing so for some time without explanation.

In order to change the Country West Mobile Home Park wastewater rate, the Town is required to meet the requirements of A.R.S. § 9-511.01 and issue this report.

Water and Wastewater Rates – Monthly User Fees

The water and wastewater monthly user fees remain the same except for the following:

Town of Chino Valley		
Wastewater Monthly Service Fee		
	Current Rate Table January 2017	Proposed Rate Table Revisions
Monthly Service Fee		
Residential		
Base User Charge	\$ 64.14	\$ 64.14
Commercial		
3/4" Meter	\$ 64.14	\$ 64.14
1" Meter	\$ 107.34	\$ 107.34
1 1/2" Meter	\$ 213.35	\$ 215.35
2" Meter	\$ 341.89	\$ 341.89
4" Meter	\$ 1,069.41	\$ 1,069.41
Country West Mobile Home Park Base Charge	\$ 400.00	* See Note
Multi-Family Housing**		
Rate Per Fixture Unit (\$64.14/20 Fixture Units)	\$ 3.21	\$ 3.21
Rate Per EDU (20 Fixture Units)	\$ 64.14	\$ 64.14
*Note: Country West Base Charge will no longer apply and will be eliminated from the Rate Table. Country West new rates will be based on the multi-family rates.		
** Multi-family housing includes apartments, duplexes, mobile home pads, hotels/motels, schools, churches on a master meter.		

The proposed change eliminates the Country West Mobile Home Park Base Charge, and requires Country West's monthly wastewater service fee to be based on the Multi-family housing fee schedule.

History of Multi-family Wastewater Monthly Service Fees

The Town currently has 23 Commercial customers. Note that the only customer in the multi-family classification paying by meter size is Country West Mobile Home Park.

Town of Chino Valley						
Sewer Account Analysis - Customer Breakdown						
Customer Type	Customer Type	# of Accounts	Average Rate	Monthly Revenue	Annual Revenue	Billing Method
Commercial Accounts						
Business 1+ Meter	Commerical	6	107.34	\$ 644	\$ 7,728	Meter Size
Business 2 @ \$64.14	Commerical	2	64.14	\$ 128	\$ 1,539	Meter Size
Business 1 1/2" Meter	Commerical	1	213.35	\$ 213	\$ 2,560	Meter Size
Business 2" Meter	Commerical	9	341.89	\$ 3,077	\$ 36,924	Meter Size
Motel 55 Rooms	Multi-family	1	1069.41	\$ 1,069	\$ 12,833	EDU/FU
School	Multi-family	1	1914.58	\$ 1,915	\$ 22,975	EDU/FU
Multi Family Rental 32 Units	Multi-family	1	683.78	\$ 684	\$ 8,205	EDU/FU
Multi Family Rental 18 Units	Multi-family	1	384.84	\$ 385	\$ 4,618	EDU/FU
Country West 204 Units	Multi-family	1	341.89	\$ 342	\$ 4,103	Meter Size
		23		\$ 8,457	\$ 101,486	

Country West Rate

Town of Chino Valley Country West Fee Calculation				
Development	Country West	Country West	Country West	Country West Total
Buy In Fee Calculation				
Date	1/14/2008	2/13/2008	12/31/2003	
# of Housing Units	152	13	39	204
		RV Units		
Method Used to Determine Sewer Buy In Fee	152*.60%*\$1638	13*.40%*\$1638	39*.60*\$4830	
Average Fixture Units per housing unit using discount percentage (20 * discount)	12	8	12	
Monthly Service Fee				
Current Monthly Fee - based on meter size			\$ 341.89	\$ 341.89
Average Monthly Fee per unit				\$ 1.68
Monthly Sewer Fee based on Fixture Units \$3.21/FU				
Estimated Fixture Units per housing unit	12	8	12	
Estimated Total Fixture Units	1824	104	468	2,396
Estimated Average Monthly Fee per unit				\$ 7,691.16
Estimated Average Monthly Fee per unit				\$ 37.67

Country West paid Sewer Buy In Fees for 204 units. The Buy In Fees were discounted due to the fact it was a multi-family development. Applying the same percentage discount to the standard 20 fixture units per single family home the average fixture unit per housing unit was determined. This equals an average of 12 fixture units per connection, and is comparable to other multi-family developments.

The average fixture units were multiplied by the \$3.21 per fixture unit rate to determine the average monthly fee per unit.

Country West's rate will increase from \$1.68 per unit to an estimated \$37.67 per unit.

The exact rate will be determined after an actual inventory of each existing unit is completed to determine the number of fixture units.

Staff met with the owners of Country West Mobile Home Park on December 15, 2016 and proposed phasing in the new rate over a three year period per the schedule below:

Rate Change Date	Amount of increase per Unit Per Month
February 1, 2017	\$15.00
January 1, 2018	\$15.00
January 1, 2019	\$8.00*
Total Rate	\$38.00

- The final increase on January 1, 2019 will be determined based on the actual fixture unit count, and any rate changes adopted by the Town. The initial rate will now go into effect on July 1, 2017. The cash flow projections are based on this scenario.

Water and Sewer Cash Flow Projections

ARS 9-511-.01 requires the Town to prepare cash flow projections that indicate the anticipated revenues from the proposed rate increases.

The figures used are from the adopted FY 2016/2017 budget.

“This report does not propose changes to the Town’s water rates. Information is included to meet the requirements of ARS 9-511.01.”

Water Enterprise Fund – As planned the last of five scheduled rate increases went into effect on January 1, 2017. Even with some user account growth, the Town’s General Fund continues to subsidize the Water System by a projected \$75,000 each year.

Town of Chino Valley					
Water Enterprise Fund - Projected Annual Cash Flow - Cash Basis					
Acct	Actual FY 15-16	Budget FY 16-17	Budget FY 17-18	Budget FY 18-19	Budget FY 19-20
REVENUE					
WATER SERVICE FEES	457,222	405,000	437,000	450,000	462,000
WATER SYSTEM BUY-IN FEES	76,000	60,000	60,000	60,000	60,000
WATER METER FEES	6,995	5,000	5,000	5,000	5,000
MISCELLANEOUS REVENUE	62,278	61,000	63,000	63,000	34,000
INTEREST INCOME	100				
TRANSFERS FROM CAPITAL IMPROV	150,000	75,000	75,000	75,000	75,000
TOTAL REVENUE	752,594	606,000	640,000	653,000	636,000
EXPENDITURES					
PERSONNEL	118,930	114,657	116,788	119,144	121,535
BENEFITS	52,594	48,443	49,412	50,400	51,408
SERVICES AND SUPPLIES	376,982	217,000	213,700	207,000	211,302
CAPITAL	17,600	57,400	88,400	88,400	27,900
INTERDEPARTMENTAL	82,823	100,000	100,000	100,000	100,000
DEBT SERVICE	69,712	68,500	71,700	69,800	67,800
TOTAL EXPENDITURES	718,641	606,000	640,000	634,744	579,945
TOTAL REVENUE LESS EXPENDITURES	33,953	-	-	18,256	56,055
Beginning Fund Balance	3,777,322	3,811,275	3,811,275	3,811,275	3,829,531
Revenues	752,594	606,000	640,000	653,000	636,000
Expenditures	718,641	606,000	640,000	634,744	579,945
Ending Fund Balance	3,811,275	3,811,275	3,811,275	3,829,531	3,885,586

Sewer Enterprise Fund - As planned the Sewer Enterprise Fund will have a cash flow loss of \$365,500 in fiscal year 2016/2017 due to completion of the plant rehabilitation that was started in fiscal year 2015/2016. It is projected that starting with fiscal year 2017/2018 the Sewer Enterprise Fund will generate positive cash flow. Current and planned system extensions and additional user growth should ensure the system will remain cash flow positive in future fiscal years.

Town of Chino Valley					
Sewer Enterprise Fund - Projected Annual Cash Flow - Cash Basis					
Acct	Actual FY 15-16	Budget FY 16-17	Budget FY 17-18	Budget FY 18-19	Budget FY 19-20
REVENUE					
SEWER SERVICE FEES - RESIDENTIAL	1,310,914	1,348,000	1,370,000	1,397,000	1,425,000
SEWER SERVICE FEES - NON RESIDENTIAL	98,671	101,000	103,000	105,000	107,000
SEWER SYSTEM BUY-IN FEES	81,938	120,000	124,000	126,000	129,000
MISCELLANEOUS REVENUE	48,297	50,000	51,000	52,000	53,000
INTEREST INCOME	1,671	500	500	500	500
BOND PROCEEDS - WIFA	-	500,000			
TOTAL REVENUE	1,541,491	2,119,500	1,648,500	1,680,500	1,714,500
EXPENDITURES					
PERSONNEL	146,497	169,184	172,598	176,055	179,604
BENEFITS	59,970	67,816	69,172	70,555	71,967
SERVICES AND SUPPLIES	493,166	239,100	237,200	235,400	235,500
CAPITAL	-	947,400	46,400	46,400	36,900
INTERDEPARTMENTAL	173,823	190,000	190,000	190,000	190,000
DEBT SERVICE	861,412	871,500	867,450	866,950	866,400
TOTAL EXPENDITURES	1,734,868	2,485,000	1,582,820	1,585,360	1,580,371
TOTAL REVENUE LESS EXPENDITURES	(193,376)	(365,500)	65,680	95,140	134,129
Beginning Fund Balance	8,310,334	8,116,958	7,751,458	7,817,138	7,912,278
Revenues	1,541,491	2,119,500	1,648,500	1,680,500	1,714,500
Expenditures	1,734,868	2,485,000	1,582,820	1,585,360	1,580,371
Ending Fund Balance	8,116,958	7,751,458	7,817,138	7,912,278	8,046,407

It is projected that on June 30, 2017 the Sewer Enterprise Fund will owe the General Fund \$736,000.

Sewer Enterprise Fund – Cash Flow with Country West

The proposed rate increase will have the following cash flow effect over the next three fiscal years.

Town of Chino Valley			
Country West Cash Flow Effect			
	Budget FY 17-18	Budget FY 18-19	Budget FY 19-20
Rate Change Date	July 1, 2017	July 1, 2018	July 1, 2019
# of Units	204	204	204
Rate Per Unit	\$15	\$30	\$38
Additional Annual Cash Flow	\$36,720	\$73,440	\$93,024

The table below summarizes the effect with the additional cash flow from Country West Mobile Home Park.

Town of Chino Valley					
Sewer Enterprise Fund - Projected Annual Cash Flow - Cash Basis					
Acct	Actual FY 15-16	Budget FY 16-17	Budget FY 17-18	Budget FY 18-19	Budget FY 19-20
REVENUE					
SEWER SERVICE FEES - RESIDENTIAL	1,310,914	1,348,000	1,370,000	1,397,000	1,425,000
SEWER SERVICE FEES - NON RESIDENTIAL	98,671	101,000	103,000	105,000	107,000
SEWER SERVICE FEES COUNTRY WEST	-		36,720	73,440	93,024
SEWER SYSTEM BUY-IN FEES	81,938	120,000	124,000	126,000	129,000
MISCELLANEOUS REVENUE	48,297	50,000	51,000	52,000	53,000
INTEREST INCOME	1,671	500	500	500	500
BOND PROCEEDS - WIFA	-	500,000			
TOTAL REVENUE	1,541,491	2,119,500	1,685,220	1,753,940	1,807,524
EXPENDITURES					
PERSONNEL	146,497	169,184	172,598	176,055	179,604
BENEFITS	59,970	67,816	69,172	70,555	71,967
SERVICES AND SUPPLIES	493,166	239,100	237,200	235,400	235,500
CAPITAL	-	947,400	46,400	46,400	36,900
INTERDEPARTMENTAL	173,823	190,000	190,000	190,000	190,000
DEBT SERVICE	861,412	871,500	867,450	866,950	866,400
TOTAL EXPENDITURES	1,734,868	2,485,000	1,582,820	1,585,360	1,580,371
TOTAL REVENUE LESS EXPENDITURES	(193,376)	(365,500)	102,400	168,580	227,153
Beginning Fund Balance	8,310,334	8,116,958	7,751,458	7,853,858	8,022,438
Revenues	1,541,491	2,119,500	1,685,220	1,753,940	1,807,524
Expenditures	1,734,868	2,485,000	1,582,820	1,585,360	1,580,371
Ending Fund Balance	8,116,958	7,751,458	7,853,858	8,022,438	8,249,591

Rate Change Calendar

Town of Chino Valley		
Wastewater Rate Change Calendar		
Date	Item	Requirement
2/28/2017	Finance Department presents written report to Council	
2/28/2017	Council Adopts Notice of intention to increase rates and hold a public hearing	At least 60 days prior to public hearing
4/3/2017	File copy of report with Clerk and post on website	Posted on the website 30 days prior to public hearing
4/6/2017	Publish notice of intention to hold public hearing	Not less than 20 days before public hearing
5/9/2017	Hold Public Hearing / Adopt Resolution	At least 60 days after notice of intent
7/1/2017	New rate becomes effective	30 days after adoption