

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

**TUESDAY, FEBRUARY 28, 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 28, 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; Town Attorney Phyllis Smiley (via Skype); Finance Director Joe Duffy; Police Lieutenant Vince Schaan; Public Works Director/Town Engineer Michael Lopez; Development Services Director Ruth Mayday; Library Director Scott Bruner; GIS/CAD/Web Technician Jan Mazy (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 6:01 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

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

Mr. Marley reported on recent water-related meeting topics that could affect the Town:

- A Northern Arizona Municipal Water Users Association meeting addressed Non-Indian Agricultural water becoming available for purchase in 2021 and being rural Arizona's last chance for Central Arizona Project water.
- The Upper Verde River Watershed Protection Coalition (WPC) biomass conference addressed how to restore the watershed to its original condition without economic hardship to the public.
- A Groundwater Users Advisory Committee field trip addressed aquifer recharge in the Little Chino and discussion about monitoring the Granite Creek streambed in Chino Valley.

Councilmember Cuka asked Mr. Marley to bring to the WPC's attention an issue with beavers changing the environment as a result of changed trapping regulations. Mr. Marley asked her to contact him with the information.

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.

Mark Vucich, resident, asked about the status of retail development on the southeast corner of Road 4 South and SR 89. Mayor Croft stated that staff will respond at the next meeting.

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.

Mayor Croft reported that both developments will be discussed on this agenda under items 7b and 7c; and the Town no longer had impact fees to allocate toward the effects of development.

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 on the Economic Development Subcommittee's review of consultants to assist with Old Home Manor Industrial Park development.

Vice-Mayor Best reported on a Central Yavapai Metropolitan Planning Organization conference at which projects and possible funding sources were discussed.

Mayor Croft reported on a new upcoming Citizens' Academy.

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

Ms. Grittmann reported on:

- The proposed motor sports facility presentation before Yavapai Community College Board on April 18.
- Utility bills having a new look as staff was outsourcing their printing.

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 Lon Turner to approve the Consent Agenda items.

Vote: 7 - 0 PASSED - Unanimously

- a) 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)
- 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.

Ms. Mayday presented on this item:

- *Purpose of request:* To divide the property into two lots.
- *Conformance:* The requested rezone conformed with the surrounding properties and the General Plan's medium density land use designation.
- *Public participation:* At the neighborhood meeting, some concern was expressed about duplexes, but no duplexes were intended. There were no public comments at the Planning and Zoning Commission meeting.
- *Commission recommendation:* The Commission recommended approval.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Jack Miller to 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.

Vote: 7 - 0 PASSED - Unanimously

- 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.

Ms. Mayday presented on this item:

- *Background:* The property's current zoning was from a proposed 94-acre development in 2006 that did not culminate due to the recession. The current market demand was for multi-family rental property.
- *Proposal:* The proposed development for 224 apartments would be located behind Walgreens. The landscaping plan was reduced to save on water; proposed parking stalls exceeded requirements; the footprint was smaller than the maximum allowed; and lot coverage was 16.8% under the maximum.
- *Conformance:* The General Plan land use designation was Community/Downtown Core, which included higher density uses.
- *Water:* The development would be designated as a regular municipal water user.
- *Stipulations:* These pertained to a new Traffic Impact Analysis, road improvements standard, underground electrical, sidewalk extension, municipal sewer and water, and right-of-way dedication.
- *Public comments:* Some expressed concern about water, traffic on Road 2 North, and sidewalks for children.
- *Planning and Zoning Commission:* On December 6, 2016, the Commission discussed public concerns, and modifications to density, landscape requirements, and open space amenities. As a result of public and Commission comments, the developer revised the development plan. On February 7, 2017, the Commission voted to forward the revised proposal to Council.

Ms. Mayday then reviewed issues with traffic impacts on the Road 2 North/SR 89 intersection, which would affect both this development and the Village North proposal under agenda item 7c:

- *2006 Traffic Impact Analysis (TIA):* The TIA for the 2006 development projected no significant impacts, but recommended certain improvements on Road 2 North and at access to the site.
- *Current condition:* East of SR 89, the road was built out with regard to lane width; west of SR 89 was a bit better.
- *Census data analysis of 2015 traffic patterns:* Per an analysis of vehicles per unit by tenure, rental properties tended to have fewer cars than single-family residences and vehicles had several alternate routes that could be used.

Public comment:

Donna Armstrong, resident, asked how the development would affect public safety and schools.

Craig Brown, Yavapai County Supervisor, spoke in favor of the project as a needed amenity and asked about handicapped parking.

Mark Vucich, resident, expressed concern about congestion in the area and possible increases in crime; and asked about plans for the remaining acreage in the area.

Bill Watson, developer and Prescott resident, related that he was still researching possible uses for the remainder of the property, but he was not intending more apartments.

Council and staff discussed the following in more detail:

- *Traffic:* This seemed to be the greatest concern for the citizens. The TIA would be available for Council to review before it was approved by staff. Most traffic would go down SR 89, while some would take side streets.
- *Impacts on schools:* The development would probably not have many kids, but it would accommodate buses, and as the schools had a drop in enrollment, there appeared to room for growth.
- *Parking:* One out of five spaces was designated for handicapped users.
- *Economic impacts:* Revenue from the project could offset the costs to improve the intersection as well as attract business. This was the type of development that grocery stores were looking for and a certain manufacturer looking to expand declined the Town due to lack of housing.
- *Fencing:* The developer was not intending to fence the development until he had determined what to do with the remainder of his property.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Annie Lane to 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.

Vote: 7 - 0 PASSED - Unanimously

- 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.

Ms. Mayday presented on this item:

- *Proposal:* The proposed project for 154 apartments was located behind Safeway and included a 50-foot right-of-way dedication for a new street. The developer proposed 2.5 dwelling units over the maximum allowed, 16.4% under the maximum lot coverage, and two additional parking spaces.
- *Conformance:* The property was already zoned for multi-family and conformed to the General Plan land use designation of multi-family residential. The developer was requesting a Planned Area Development overlay, which allowed for more flexibility on a case-by-case basis to meet both the needs of the Town and the developer.
- *Water:* The development would be designated as a regular municipal water user.
- *Traffic:* The same conditions applied as for the Hawksnest project under item 7b.
- *Stipulations:* These pertained to a Traffic Impact Analysis, underground electric,

sidewalk extension, connection to sewer and water, right-of-way dedication, asphalt street standard, and emergency access/egress.

- *Public comments:* Concerns included water, traffic, and sidewalks.
- *Planning and Zoning Commission:* On February 7, the Commission discussed the public's concerns, as well as modifications to density, landscape requirements, open space, and amenities. As a result of public and Commission comments, the developer reduced the landscape plan to conserve water, and added a basketball court and grassy areas between buildings.
- *Outstanding issues:* The developer was still working on identifying a location for emergency access.

Public comment:

Bill Hitt, nearby resident, spoke in favor of: (i) providing access for young people to get to the Community Center; and (ii) careful planning with regard to traffic, emergency access, and a possible wall.

Mark Vucich, resident, expressed concern about maintenance costs to the Town's side streets from additional traffic, possible difficulty for emergency vehicle access, fencing to Safeway, lack of parking, and overall congestion in the Safeway Center.

Don Karcie, developer, spoke about dedicating emergency access, hopeful retail use on the small parcel to the south, and hopefully, more residents heading north to work.

John Meurs, owner of Country West Mobile Home Park across the street, stated he was not opposed to the project, but expressed concern about crime rates in high density areas, and asked Council not to fill the Town with apartments. Councilmember Lane stated that she did not believe Council could legislate issues such as apartment complexes and kids causing more crime.

Council and staff discussed the following in more detail:

- *Impacts to schools:* Buses would be able to drive through the parking area to pick up students.
- *Economic benefits:* Finance Director Duffy explained that he had no analysis on this project, but by way of example, the Hawksnest project would initially bring in construction sales tax revenues, and water and sewer connection fees of about \$1 million; thereafter, rental sales taxes and monthly water and sewer revenues would add about \$100,000 per year. Once these projects were online, and after some evaluation, he anticipated being able to propose a utility rate reduction.
- *Fencing:* Fencing was not required as the property to the north was vacant ag land and there was no room for a wall on the east side.
- *Traffic:* As more residential development occurred, the Town will have to address Road 1 East and Road 1 West to take some burden off SR 89.
- *Sidewalks:* The 50-foot street would have sidewalk. Staff was currently reviewing possible sidewalks to Road 1 East and Safeway. Staff desired to continue the 50-foot street, but it could not require the developer to do so and the Town's current right-of-way budget was zero.
- *Access issues:* Council supported some sort of access to the Community Center. The new street would provide three different entrances, and was the beginning of a street to run from Road 2 North to Perkinsville Road.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Jack Miller to direct staff to place this application on the next available Town Council agenda for consideration and possible approval.

Vote: 7 - 0 PASSED - Unanimously

- 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.

Ms. Mayday reported that:

- This rural economic grant was a joint project between the Arizona Commerce Authority and ADOT for road improvements.
- The grant would fund acquisition of right-of-way for realignment of E. Road 4 North and extension of a portion of Road 4 North eastward, in order to reduce curves for trucks accessing the industrial park and enhancing the access ability for large vehicles.
- Staff hoped to receive enough funding for asphalt.

Public Works Director Lopez spoke about the challenges on Road 4 North for large semi-trucks and staff's preferred improvements.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Lon Turner 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 Grant, and authorize staff to submit an application to the same in the amount of \$500,000 for improvements to East Road 4 North.

Vote: 7 - 0 PASSED - Unanimously

- 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.

Mayor Croft requested to postpone this item to March 14.

MOVED by Vice-Mayor Mike Best, seconded by Councilmember Susie Cuka to postpone item (e) to the March 14 meeting.

Vote: 7 - 0 PASSED - Unanimously

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.

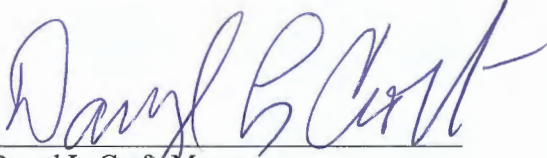
9) ACTION ITEMS RESUMED

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

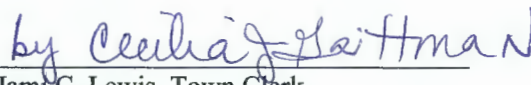
10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Vice-Mayor Mike Best to adjourn the meeting at 7:35 p.m.

Vote: 7 - 0 PASSED - Unanimously


Darryl L. Croft, Mayor

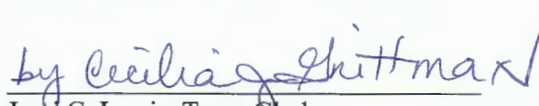
ATTEST:


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 28th day of February, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of March, 2017.


Jami C. Lewis, Town Clerk