



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL AGENDA

**EXECUTIVE SESSION
TUESDAY, MARCH 22, 2022
5:00 P.M.**

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

1. CALL TO ORDER; ROLL CALL

2. 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 Cindy Blackmore, Town Manager. (Laura Kyriakakis, Human Resources Director)

3. ADJOURNMENT

**REGULAR MEETING
TUESDAY, MARCH 22, 2022
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**
- 3. CALL TO THE PUBLIC - Individuals requesting to speak, please complete a Speaker Comment Card and return to the Clerk.**

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. 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. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

- a. Status reports by Mayor and Council regarding current events.
- b. Status report by Town Manager Cindy Blackmore regarding Town accomplishments, and current or upcoming projects.

5. 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. **Pg.5** Consideration and possible action to regarding an Approach Main Repayment Agreement between the Town of Chino Valley and Brook Apartments, LLC. for repayment associated with the construction of water and sewer approach mains. The total estimated amount associated with the agreement is \$633,817.00. (Frank Marbury, Public Works Director/Town Engineer)
- b. **Pg.21** Consideration and possible action regarding the application to re-plat lots 15 and 16, of the Yo He Wah Subdivision, in order to combine the two lots into a single lot. Applicant and property owner Leslie Doyle. APNs 306-05-059B & 058B. (Will Dingee, Senior Planner)
- c. **Pg.25** Consideration and possible action to ratify the Cooperative Purchasing Agreement, creating a Job Order Contract with PCL Construction, and ratify the emergency authorization for Work Order number 1 thereto. (Frank Marbury, Public Works Director/Town Engineer)
- d. **Pg.27** Consideration and possible action regarding the February 15, 2022, study session minutes. (Erin N. Deskins, Town Clerk)
- e. **Pg.33** Consideration and possible action regarding the February 22, 2022, study session minutes. (Erin N. Deskins, Town Clerk)
- f. **Pg.39** Consideration and possible action regarding the February 22, 2022, regular meeting minutes. (Erin N. Deskins, Town Clerk)

6. 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. **Pg.49** Public Hearing and consideration and possible action regarding Ordinance 2022-915 to rezone approximately 30.15 acres of real property from the Agricultural/Residential 5-Acre Minimum (AR-5) to Commercial Heavy with a Planned Area Development Overlay (CH/PAD), for the property located south of 2820 N Road 1 East, Chino Valley, Arizona, APN 306-14-026A. Applicant - Jeremy Bach (Will Dingee, Senior Planner)

Recommended Action:

- (i) Hold public hearing
- (ii) Deny rezone Ordinance 2022-915 per recommendation of Planning and Zoning and as presented.

- b. **Pg.79** Consideration and possible action to approve Ordinance No. 2022-912 to rezone approximately 6.86 acres of real property from Commercial Heavy (with a Planned Area Development Overlay) (CH/PAD) to Commercial Light (CL), for the property located north of 2625 S State Route 89, Chino Valley, Arizona, APN 102-01-219M. (Bethan Heng, Planner)

Recommended Action: Approve Ordinance 2022-912 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

- c. **Pg.107** Consideration and possible action regarding Ordinance 2022-914 to rezone one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district. Applicant Ralph Baker, address 995 E Road 1 North, Parcel 306-23-048A. (Will Dingee, Senior Planner)

Recommended Action: Approve Ordinance No. 2022-914 to rezone ZC-2021-017 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment 2.

7. ADJOURNMENT

Dated this 16th day of March, 2022.

By: *Erin N. Deskins, 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 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.

Council meetings are live-streamed on Town of Chino Valley Facebook page, and Zoom.

Click to join webinar: <https://us02web.zoom.us/j/83455013925>

One tap mobile : US: +12532158782,83455013925# or +13462487799,83455013925#

Telephone: 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 834 5501 3925

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: _____
Erin N. Deskins, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.5

Meeting Date: 03/22/2022
Contact Person: Frank Marbury, Public Works Director/Town Engineer
Phone: 928-636-7140 x-1226
Department: Public Works
Estimated length of staff presentation: 5 minutes
Physical location of item: Rd 2 North and Hawksnest Trl

AGENDA ITEM TITLE:

Consideration and possible action to regarding an Approach Main Repayment Agreement between the Town of Chino Valley and Brook Apartments, LLC. for repayment associated with the construction of water and sewer approach mains. The total estimated amount associated with the agreement is \$633,817.00. (Frank Marbury, Public Works Director/Town Engineer)

RECOMMENDED ACTION:

Approve the attached Approach Main Repayment Agreement between the Town of Chino Valley and Brook Apartments, LLC.

SITUATION AND ANALYSIS:

The Brook Apartments developer has designed construction plans to construct 12" sewer and water mains along West Rd 2 North and Hawknest Trail and is requesting to be reimbursed apportionment construction costs by adjacent properties benefiting from the approach main extensions. Apportionment costs were based on lot frontage lengths and the design engineer's estimate of probable cost. The length of the mains is approximately 3205 feet of water main and 3675 feet of sewer main. The total estimated cost is \$633,817.00. A detailed estimate showing the amount owed by each benefiting parcel is attached in Exhibit B of the agreement. Final costs for the repayments will be brought back to Council for approval after the bid award and prior to construction. Following construction and acceptance by the Town, the developer or owner of an adjacent property shall be required to pay that property's portion of repayable costs before connecting to the approach mains. The Town will administer this agreement and collect the monies for the owner at the time of building permit application. This agreement shall remain for twenty (20) years or until the obligations of the parties are satisfied, whichever is earlier. Notices of the repayment agreement will be recorded at the office of the Yavapai County Recorder.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

The Town will act only as the pass through agency

Attachments

Brook Apts Agreement

When Recorded Return to:

Town Clerk
Town of Chino Valley
202 N. State Route 89
Chino Valley, Arizona 86323

**APPROACH MAIN REPAYMENT AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BROOK APARTMENTS, LLC**

THIS APPROACH MAIN REPAYMENT AGREEMENT (this “Agreement”) is made March ____, 2022 (the “Effective Date”), by and between the Town of Chino Valley, an Arizona municipal corporation (the “Town”) and Brook Apartments, LLC, an Arizona corporation (the “Owner”). The Town and the Owner are the only Parties to this Agreement, and may be referred to individually as a “Party” or collectively as the “Parties.”

RECITALS

A. Pursuant to Town Code § 51.058, it is the Town’s policy to encourage the development of undeveloped areas through the repayment of extra costs incurred in construction of “off-site” mains that are necessary to serve new developments, and to bring service to existing developments, in order to distribute the costs of extending such mains between two or more developers.

B. Town Code § 51.055 requires that water and sewer extension plans must be approved by the Town Engineer and Public Works Director, and designed and constructed in accordance with Arizona Department of Environmental Quality (“ADEQ”) Bulletin 10, ADEQ Bulletin 11, American Water Works Association (“AWWA”) Standards, Yavapai Association of Governments (“YAG”) Standards, and Maricopa Association of Governments (“MAG”) Standards, as appropriate.

C. Pursuant to Town Code § 51.057, upon completion and acceptance of construction, water and sewer extensions, having been designed and constructed at a developer’s expense and in accordance with plans and specifications approved by the Public Works Director, shall be relinquished to the Town, which shall own, control, and maintain completed extensions as part of the public distribution and collection systems.

D. Owner desires to develop an apartment complex, including all related on-site and off-site infrastructure (the “Project”), in the corporate limits of the Town on real property identified as Parcel 306-23-024C (the “Property”), which is depicted on Exhibit A, attached hereto and incorporated herein by reference. Water and sewer extensions, such as would be necessary to connect the Property with the Town’s existing water and sewer systems, are generally depicted on Exhibit A.

E. Town and Owner desire to set forth the conditions under which Owner may connect the Project with Town's existing water and sewer systems, including Owner's responsibility to construct water and sewer extensions, and Owner's right to repayment from future developers of certain costs incurred in the construction of such extensions.

F. The Parties understand and acknowledge that this Agreement is a "Development Agreement" within the meaning of and entered into pursuant to the terms of A.R.S. § 9-500.05, in order to facilitate development of the Property. The terms of this Agreement shall constitute covenants running with the Property as more fully described in this Agreement.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and Owner hereby agree as follows:

1. Incorporation of Introduction and Recitals. The introduction and all of the foregoing Recitals are incorporated by reference as though set forth fully herein.

2. Off-Site Improvements: Water. Owner shall design, construct, and install:

- (a) A 12" water main extension within the Right-of-Way along West Road 2 North, from approximately 690' west of the State Route 89 south-west lip of gutter extended, to the western property line of parcel #800-13-030R; and
- (b) A 12" water main extension within the Right-of-Way along Hawksnest Trail from the main extension described above to the northern property line of parcel #306-23-024C.

3. Off-Site Improvements: Sewer. Owner shall design, construct, and install:

- (a) A 12" sewer main extension within the Right-of-Way along West Road 2 North, from approximately 440' west of the State Route 89 south-west lip of gutter extended, to the western property line of parcel #800-13-030R; and
- (b) An 8" sewer main extension within the Right-of-Way along Hawksnest Trail from the main extension described above to the northern property line of parcel #306-23-024C.

4. Prior Approval and Applicable Standards. Owner, and its successors or assigns, shall develop the off-site improvements described in Sections 2 and 3 of this Agreement (the "Approach Mains") in accordance with plans and specifications approved by the Town Engineer and Public Works Director. Owner shall design and construct the Approach Mains in accordance with all Town ordinances and regulations, and in accordance with ADEQ Bulletin 10, ADEQ

Bulletin 11, AWWA Standards, YAG Standards, and MAG Standards, as appropriate, unless Owner has received a written variance authorization from the Public Works Director.

5. Cost and Expense of Construction. Owner shall design, construct, and install the Approach Mains at its own expense. Owner shall bear all costs associated with designing, constructing, and installing the Approach Mains, including but not limited to:

- (a) The cost of the design and construction of all infrastructure in general conformance with the master plan, or any revisions thereto;
- (b) The cost of any fees or permits required by ADEQ, Yavapai County, or any other agency, authority, board, commission, or government;
- (c) The costs for the preparation of the plans and specifications;
- (d) The cost of the staking of the location of the lines;
- (e) The cost of inspection and testing;
- (f) The cost of preparing as-built plans; and
- (g) All established fees and charges for connection to the existing distribution and collection systems.

6. Procurement. Owner shall procure all goods and services related to design, construction, or installation of the Approach Mains in accordance with the provisions of A.R.S. § 34-201 *et seq.* The plans and bid line items for the Approach Mains shall be clearly and distinctly separated from any and all other plan sheets and bid items, including all on-site plan sheets and bid items.

7. Repayment: Repayable Costs. Owner shall be entitled to repayment of certain construction costs ("Repayable Costs"), which shall be determined as follows:

- (a) Repayable Costs have been estimated by the Owner's design engineer and this estimate has been approved by the Town Engineer. This estimate shall be used for the sole purpose of determining the applicable method of procurement to be utilized, and is attached to this Agreement as Exhibit B.
- (b) After the completion of the bidding process and before commencement of construction, Repayable Costs shall be calculated using the detailed, written breakdown provided by the lowest responsible and responsive bidder (as determined by the Owner), and approved by the Public Works Director, whose

approval shall not be unreasonably withheld. The Town Council shall have final authority to approve Repayable Costs.

- (c) Repayable Costs may include all construction and improvement costs incurred in construction of the Approach Mains, including the engineering cost for the preparation of plans, specifications, ADEQ and/or Yavapai County Review fees, and permit fees, and construction staking costs.
- (d) Repayable Costs shall not include any cost associated with the design, construction, or installation of any improvement within the boundaries of Owner's property.
- (e) Interest will not be applicable or applied to Repayable Costs.

8. Repayment: Apportionment of Repayable Costs. Repayable Costs shall be apportioned among the properties adjacent to the Approach Mains (the "Benefitted Properties"). Benefitted properties are identified in Exhibit C to this Agreement. Repayable Costs shall be apportioned based on parcel frontage. Parcel frontage shall be measured from property line to property line, in compliance with the requirements of Town Code § 51.060. Estimated Repayable Costs have been apportioned among the Benefitted Properties in Exhibit B to this Agreement, and Repayable Costs will be apportioned in a similar manner once Repayable Costs have been calculated and approved pursuant to Section 7 of this Agreement. Future lot splits will not alter or discharge Repayable Cost obligations, except that such costs shall be reapportioned among any newly-created lots based on parcel frontage.

9. Repayment: Method of Repayment. The developer or owner of a Benefitted Property shall be required to pay that property's portion of Repayable Costs before connecting to an Approach Main, provided that such obligation shall expire after 20 years. Repayable Costs shall be enforced through line charges applied to each Benefitted Property, provided that such line charges shall expire after 20 years.

10. Town Participation. Repayable Costs collected by the Town pursuant to Section 9 shall be provided to the Owner. The Town shall not repay any portion of the Repayable Costs from Town funds.

11. Completed Improvements. Upon final approval and acceptance by the Town of construction of the Approach Mains, Owner shall relinquish all right to, or interest in, the ownership of the Approach Mains, and the Town shall exercise complete control over the Approach Mains and relevant appurtenances from such time forward. Upon said final approval and acceptance of construction, the Town shall maintain and operate the Approach Mains and relevant appurtenances, as set forth in Town Code § 51.057.

13. Default. If Owner fails to perform any obligation pursuant to this Agreement, and Owner fails to cure its nonperformance within 30 days after notice of non-performance from the Town, Owner will be in default. If the nature of Owner's nonperformance is such that it cannot reasonably be cured within 30 days, then Owner will have such additional periods of time as may be reasonably necessary under the circumstances (the "Cure Period"), provided Owner immediately commences to cure its nonperformance and thereafter diligently continues to completion the cure of its nonperformance. In no event shall any such Cure Period exceed 120 days. In the event of such Owner default, the Town may terminate this Agreement and will have all remedies which are available to it at law or in equity, including, without limitation, the remedy of specific performance.

If to the Town: Town of Chino Valley
202 N. State Route 89
Chino Valley, AZ 86323
Attn: Cindy Blackmore, Town Manager

If to Owner: Brook Apartments, LLC
1620 Willow Creek Road
Prescott, AZ 86301

With copy to: _____

5

a copy of a notice is also given to a Party's counsel or other recipient, the provisions above governing the date on which a notice is deemed to have been received by a Party shall mean and refer to the date on which the Party, and not its counsel or other recipient to which a copy of the notice may be sent, is deemed to have received the notice.

15. Verification of Employment Eligibility; E-Verify Program. Not later than 30 days after the Effective Date, Owner shall register with and participate in the employment verification program as jointly administered by the United States Department of Homeland Security and the Social Security Administration or any successors to such program (the "E-Verify Program"). Thereafter, Owner shall provide proof to the Town that Owner is registered with and is participating in the E-Verify Program, as set forth above. If the Town determines that Owner is not complying with the requirements of A.R.S. § 23-214, the Town shall notify Owner by certified mail of the Town's determination of noncompliance and Owner's right to appeal such determination, which appeal process shall be determined by the Town in its sole discretion.

16. Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by the Town or Owner of the breach of any covenant of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

17. Attorneys' Fees. In the event either Party finds it necessary to bring any action at law or other proceeding against the other Party to enforce any of the terms, covenants or conditions hereof, or by reason of any breach or default hereunder, the Party prevailing in such action or other proceeding shall be paid all reasonable costs and reasonable attorneys' fees by the other Party and, in the event any judgment is secured by said prevailing Party, all such costs and attorneys' fees shall be included therein, such fees to be set by the court and not by jury.

18. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signature of all Parties may be physically attached to a single document.

19. Headings. The descriptive headings of the sections of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

20. Further Acts. Each of the Parties hereto shall execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Agreement.

21. Time of the Essence. Time is of the essence in this Agreement.

22. Assignment. This Agreement may be assigned, in whole or in part, by Owner only upon the prior, written approval of the Town, as evidenced by the Town Manager's signature thereon, which approval may not be unreasonably withheld by the Town; provided, however, that

Owner may assign this Agreement without the Town's consent, but with not less than 30 days prior, written notice to the Town, to (i) any parent, subsidiary or affiliate of Owner, (ii) any person or entity that acquires all or substantially all of the assets of Owner or (iii) any lender to Owner as collateral security for the obligations of Owner under any credit facility or financing arrangement with respect to the Project.

23. Entire Agreement. This Agreement constitutes the entire agreement between the Parties hereto pertaining to the subject matter hereof. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are hereby superseded and merged herein.

24. Amendment. No amendment or waiver of any provision in this Agreement will be binding (i) on the Town unless and until it has been approved by the Town Council and has become effective or (ii) on Owner unless and until it has been executed by an authorized representative.

25. Applicable Law; Venue. This Agreement shall be governed by the laws of the State of Arizona and a suit pertaining to this Agreement may be brought only in courts in Yavapai County, Arizona.

26. Severability. Every provision of this Agreement is and will be construed to be a separate and independent covenant. If any provision in this Agreement or the application of the same is, to any extent, found to be invalid or unenforceable, the remainder of this Agreement or the application of that provision to circumstances other than those to which it is invalid or unenforceable will not be affected by that invalidity or unenforceability. Each provision in this Agreement will be valid and will be enforced to the extent permitted by law and the Parties will negotiate in good faith for such amendments of this Agreement as may be necessary to achieve its intent, notwithstanding such invalidity or unenforceability.

27. Covenant of Good Faith. In exercising their rights and in performing their obligations pursuant to this Agreement, the Parties will cooperate with one another in good faith to ensure the intent of this Agreement can be attained.

28. Conflict of Interest. This Agreement may be cancelled by the Town pursuant to ARIZ. REV. STAT. § 38-511.

29. Israel. Owner certifies that it is not currently engaged in, and agrees for the duration of this Agreement that it will not engage in a "boycott," as that term is defined in ARIZ. REV. STAT. § 35-393, of Israel.

30. Computation of Time. In computing any period of time under this Agreement, the date of the act or event from which the designated period of time begins to run shall not be included. The last date of the period so completed shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period shall run until the end of the next day which is not a Saturday, Sunday or legal holiday. The time for performance of any obligation or taking any action under this Agreement shall be deemed to expire at 5:00 p.m. (local time, Phoenix, Arizona) on the last day of the applicable time period provided herein.

31. Fair Interpretation. The Parties have been represented by counsel in the negotiation and drafting of this Agreement and this Agreement shall be construed according to the fair meaning of its language. The rule of construction that ambiguities shall be resolved against the Party who drafted a provision shall not be employed in interpreting this Agreement.

32. Recording. This Agreement shall be recorded by the Town within 10 days of its execution, as required by ARIZ. REV. STAT. § 9-500.05(D).

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date and year first set forth above.

TOWN OF CHINO VALLEY,
an Arizona municipal corporation

Jack W. Miller, Mayor

ATTEST:

Erin Deskins, Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld PLC, Town Attorney
By: Andrew J. McGuire

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

“Owner”

BROOK APARTMENTS, LLC,
an Arizona corporation

By: _____
Name: _____
Title: _____

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF YAVAPAI)

On _____, 2022, before me personally appeared _____, the
_____ of _____, an _____, whose identity was proven to me on the
basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he
signed the above document on behalf of _____, in its capacity as _____.

Notary Public

(Affix notary seal here)

**EXHIBIT A
TO
APPROACH MAIN REPAYMENT AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BROOK APARTMENTS, LLC**

[Depiction of Property and Path of Main Extensions]

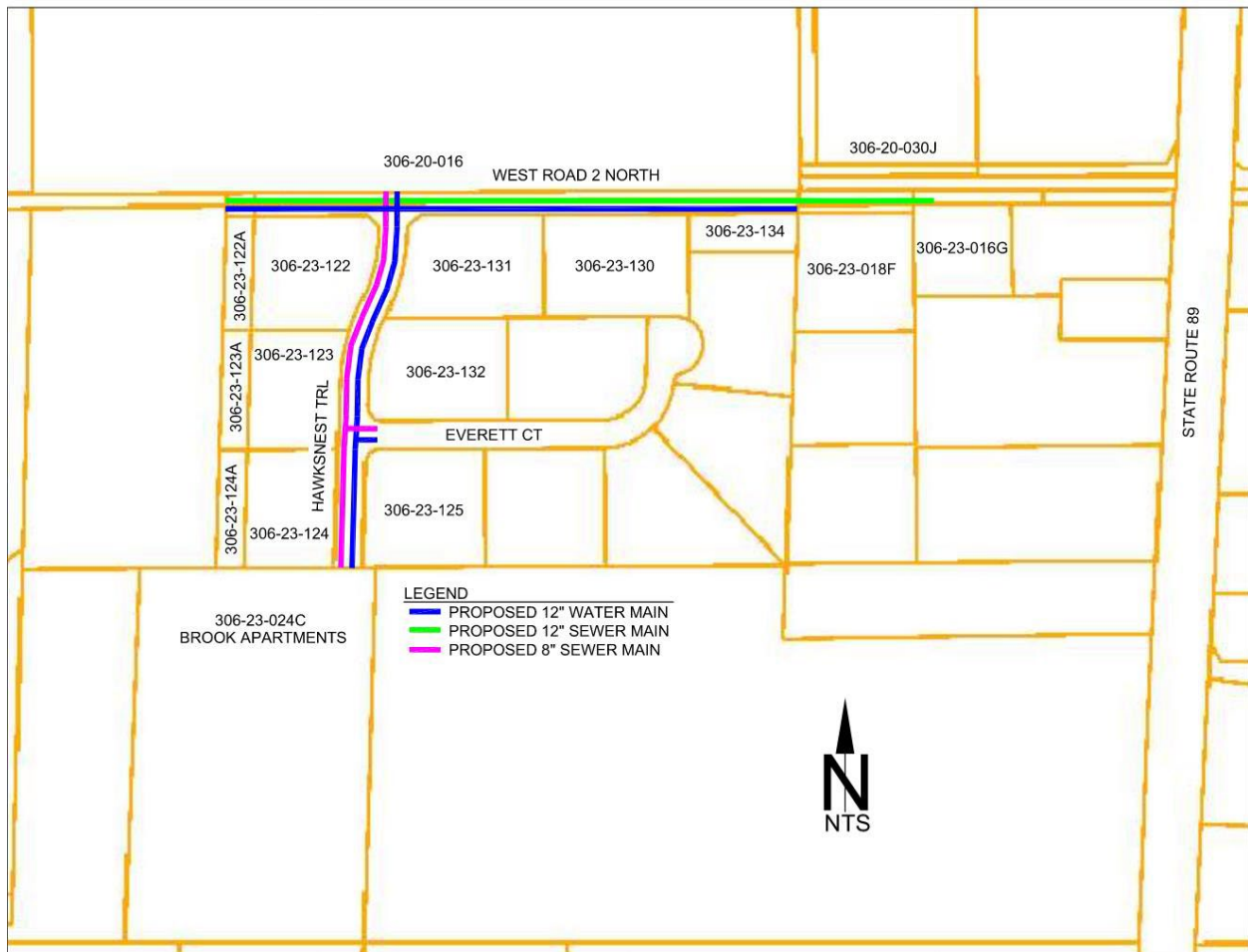


EXHIBIT B
TO
APPROACH MAIN REPAYMENT AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BROOK APARTMENTS, LLC

[Estimate of Repayable Costs and Apportionment]

Brook Apts Water & Sewer Main Extensions
Property Frontage 10/13/21

Offsite Sewer \$ 357,955.00
Offsite Water \$ 275,862.00
Total \$ 633,817.00

Item	Parcel #	Location	Description	Ownership Info	Sewer Frontage Length (ft)	% Sewer	Sewer Cost	Water Frontage Length (ft)	% Water	Water Cost	Total Parcel Cost
1	306-23-124 & 124A	West side of Hawksnest Trl	Lot 3 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	210.26	5.72%	\$ 20,477.22	210.26	6.56%	\$ 18,099.61	\$ 38,576.83
2	306-23-125	East side of Hawksnest Trl	Lot 4 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	224.51	6.11%	\$ 21,865.03	224.51	7.01%	\$ 19,326.28	\$ 41,191.31
3	306-23-123 & 123A	West side of Hawksnest Trl	Lot 2 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	211.95	5.77%	\$ 20,641.81	211.95	6.61%	\$ 18,245.09	\$ 38,886.90
4	306-23-132	East side of Hawksnest Trl	Lot 11 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	200.38	5.45%	\$ 19,515.01	200.38	6.25%	\$ 17,249.12	\$ 36,764.13
5	306-23-122	SW corner of Hawksnest Trl and Road 2 North	Lot 1 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	420.49	11.44%	\$ 40,951.52	420.49	13.12%	\$ 36,196.64	\$ 77,148.17
6	306-23-122A	South side of Road 2 North	Previous portion of Lot 1 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	50	1.36%	\$ 4,869.50	50	1.56%	\$ 4,304.10	\$ 9,173.60
7	306-23-131	SE corner of Hawksnest Trl and Road 2 North	Lot 10 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	418.98	11.40%	\$ 40,804.46	418.98	13.07%	\$ 36,066.66	\$ 76,871.12
8	306-23-130	South side of Road 2 North	Lot 9 Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	255	6.94%	\$ 24,834.45	255	7.96%	\$ 21,950.92	\$ 46,785.37
9	306-23-134	South side of Road 2 North	Tract A Heritage Place	Heritage Place LLC 1535 E Road 3 S Chino Valley, AZ 86323	196.07	5.33%	\$ 19,095.26	196.07	6.12%	\$ 16,878.11	\$ 35,973.37
10	306-23-018F	South side of Road 2 North	477 W Road 2 North	Donalson Craig S 477 W Road 2 N Chino Valley, AZ 86323	210.84	5.74%	\$ 20,533.71	0	0.00%	\$ -	\$ 20,533.71
11	306-23-016G	South side of Road 2 North	Portion of Vacant Lot	990 N State Route 89 LLC 533 Lark Haven Cir Prescott, AZ 86303	40	1.09%	\$ 3,895.60	0	0.00%	\$ -	\$ 3,895.60
12	306-20-030J	North side of Road 2 North	Portion of Vacant Lot	Barnett Jacobs Real Estate LLC 650 N 99th Ave Suite 108 Avondale, AZ 85323	220	5.99%	\$ 21,425.80	0	0.00%	\$ -	\$ 21,425.80
13	306-20-016	North side of Road 2 North	Portion of Hawksnest	Chino Valley Hawknest 90 LLC PO BOX 9356 Phoenix, AZ 85068	1017	27.67%	\$ 99,045.63	1017	31.74%	\$ 87,545.45	\$ 186,591.08
Totals					3675.48		\$ 357,955.00	3204.64		\$ 275,862.00	\$ 633,817.00

**EXHIBIT C
TO
APPROACH MAIN REPAYMENT AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BROOK APARTMENTS, LLC**

[Benefitted Properties]

See following pages.

Item	Parcel #	Location	Description	Legal Description
1	306-23-124 & 124A	West side of Hawksnest Trl	Lot 3 Heritage Place	Lot 3, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
2	306-23-125	East side of Hawksnest Trl	Lot 4 Heritage Place	Lot 4, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
3	306-23-123 & 123A	West side of Hawksnest Trl	Lot 2 Heritage Place	Lot 2, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
4	306-23-132	East side of Hawksnest Trl	Lot 11 Heritage Place	Lot 11, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
5	306-23-122	SW corner of Hawksnest Trl and Road 2 North	Lot 1 Heritage Place	Lot 1, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona, EXCEPTING there from the westerly 50 feet.
6	306-23-122A	South side of Road 2 North	Previous portion of Lot 1 Heritage Place	The west 50 feet of Lot 1, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
7	306-23-131	SE corner of Hawksnest Trl and Road 2 North	Lot 10 Heritage Place	Lot 10, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
8	306-23-130	South side of Road 2 North	Lot 9 Heritage Place	Lot 9, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
9	306-23-134	South side of Road 2 North	Tract A Heritage Place	Tract A, HERITAGE PLACE, according to the plat of record in Book 61 of Maps, page 54, and thereafter Affidavit of Scriveners Error, recorded in Book 4569 of Official Records, page 404, records of Yavapai County, Arizona.
10	306-23-018F	South side of Road 2 North	477 W Road 2 North	All that portion of Section 22, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, as recorded in Book 48 of Surveys, Page 62, records of Yavapai County, Arizona, more particularly described as follows: COMMENCING at the North quarter corner of said Section 22; THENCE South 01 degrees 46 minutes 16 seconds West, a distance of 25.02 feet to a point lying on the South right-of-way of Road 2 North, said point also being the POINT OF BEGINNING; THENCE North 89 degrees 39 minutes 36 seconds East, along said South right-of-way, a distance of 210.84 feet to a point on the West line of that certain property described and recorded in Book 4293 of Official Record, Page 85, records of Yavapai County, Arizona; THENCE South 00 degrees 06 minutes 00 seconds East (basis), along said West line, a distance of 227.03 feet; THENCE South 89 degrees 39 minutes 36 seconds West, a distance of 218.26 feet; THENCE North 01 degrees 46 minutes 16 seconds East, a distance of 227.18 feet to the POINT OF BEGINNING.

Item	Parcel #	Location	Description	Legal Description
11	306-23-016G	South side of Road 2 North	Portion of Vacant Lot	All that portion of the North half of the Northwest quarter of the Northeast quarter of Section 22, Township 16 North, Range 2 west of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows: BEGINNING at the North quarter corner of Section 22; Thence North 89 degrees, 43 minutes, 00 seconds East, 210.00 feet along the North line of Section 22; Thence South 00 degrees, 06 minutes, 00 seconds East, 25.00 feet to a one-half inch rebar and THE TRUE POINT OF BEGINNING; Thence North 89 degrees, 43 minutes, 00 seconds East 172.61 feet to a one-half inch rebar; Thence South 00 degrees, 43 minutes, 10 seconds East, 164.89 to a one-half inch rebar; Thence South 89 degrees, 43 minutes, 00 seconds West, 174.39 feet to a one-half inch rebar; Thence North 00 degrees, 06 minutes, 00 seconds West, 164.89 feet to the TRUE POINT OF BEGINNING.
12	306-20-030J	North side of Road 2 North	Portion of Vacant Lot	COMMENCING at the Southwest corner of the Southwest quarter of the Southeast quarter of Section 15, Township 16 North, Range 2 West of the Gila and Salt River Meridian, Yavapai County, Arizona, said point marked by a Town of Chino Valley brass cap; THENCE North (R), North 00 degrees 17 minutes 09 seconds west (M), a distance of 25.00 feet (R&M) to an existing rebar and THE POINT OF BEGINNING, said point being on the North right-of-way line of Road 2 North; THENCE North, North 00 degrees 17 minutes 09 seconds West a distance of 298.93 feet (M) to an existing rebar, said point locating the Southwest corner of the property described in book 160 of Deeds, page 226, Y.C.R.; THENCE East (R) South 89 Degrees 57 minutes 14 seconds East along the said South line 315.00 feet (M) to an iron pin with cap stamped RLS 13056; THENCE South 00 degrees 17 minutes 09 seconds east a distance of 297.67 feet (M) to an iron pin with cap stamped RLS 13056, said point being on the North right-of-way line of Road 2 North; THENCE West (R), South 89 degrees 49 minutes 00 seconds West a distance of 315.00 feet (M) along the said North right-of-way line of Road 2 North to THE POINT OF BEGINNING. EXCEPTING there from the follow right-of-way dedication described as That portion of the Southeast quarter of Section 15, Township 16 North Range 2 West, of the Gila and Salt River Base and Median, Yavapai County, Arizona, described as follows: Commencing at the South quarter corner of said Southeast quarter of Section 15 from which the Southeast corner of said Section 15 bears North 89 degrees 49 minutes 00 seconds East, a distance of 2638.56 feet; Thence North 00 degrees 17 minutes 09 seconds West along the North-South mid-section line, a distance of 25.00 feet the TRUE POINT OF BEGINNING; Thence continuing along said North-South mid-section line North 00 degrees 17 minutes 09 seconds West, a distance of 481.02 feet; Thence South 89 degrees 45 minutes 33 seconds East, a distance of 30.00 feet; Thence along a line parallel with and 30.00 feet East of said North-South mid-section line, South 00 degrees 17 minutes 09 seconds East, a distance of 480.80 feet; Thence along a line parallel with and 25.00 feet North of the East-West mid-section line, a distance of 30.00 feet to the TRUE POINT OF BEGINNING.
13	306-20-016	North side of Road 2 North	Portion of Hawksnest	The East half of the Southwest quarter and the South half of the South half of the Southeast quarter of the Northwest quarter of Section 15, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.21

Meeting Date: 03/22/2022
Contact Person: Will Dingee, Senior Planner
Phone: 928-636-4427 x-1233
Department: Development Services
Estimated length of staff presentation: None
Physical location of item: 3787 & 3727 North Reed Road

AGENDA ITEM TITLE:

Consideration and possible action regarding the application to re-plat lots 15 and 16, of the Yo He Wah Subdivision, in order to combine the two lots into a single lot. Applicant and property owner Leslie Doyle. APNs 306-05-059B & 058B. (Will Dingee, Senior Planner)

RECOMMENDED ACTION:

Approve the re-plat lots 15 and 16, of the Yo He Wah Subdivision, subject to the staff report and information provided during this hearing.

SITUATION AND ANALYSIS:

The Yo-He-Wah subdivision was originally platted in 1986 as a 32 lot subdivision, and the subject properties are identified as lots 15 and 16 within this development. There has been one previous combination of lots within this subdivision that occurred in 1995. There are no structures on lot 15; there is a house and a stable on lot 16. The applicant is requesting to combine both of these lots in order to construct an addition to the existing stable, which would not be possible if the applicant is unable to combine their lots. The Development Services and Public Works Departments have identified no issues with the proposed lot combination.

Other Pertinent Documents Available Upon Request:

Lot Combo Plat Map

Fiscal Impact

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

Attachments

Plat Map

DECLARATION

KNOW ALL MEN BY THESE PRESENT.

THAT LESLIE DOYLE AS SOLE OWNER OF THE PROPERTY HAS SUBDIVIDED UNDER THE NAME OF "THE REVISION OF PLAT OF PARCEL 15, & 16, YO HE WAH BEING A PORTION OF SECTION 4, TOWNSHIP 16 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, AS SHOWN HEREON, AND HEREBY DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS CONSTITUTING THE SAME; AND THAT EACH LOT SHALL BE KNOWN BY THE LETTER GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

THE PURPOSE OF THIS PLAT IS TO COMBINE PARCELS 15, & 16, OF "YO HE WAH", 48/19 MAPS, INTO 1 LOT AS SHOWN HEREON, IN WITNESS WHEREOF:

THAT THE OWNERS OF SAID LOTS HAS EXECUTED THIS REPLAT, BEING DULY AUTHORIZED TO DO SO ON THIS DAY OF

LESLIE DOYLE

ACKNOWLEDGEMENT

STATE OF COUNTY OF

ON THIS DAY OF , BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, DID PERSONALLY APPEAR WHO ACKNOWLEDGED THEMSELVES TO BE THE PERSONS WHOS NAMES APPEARS ABOVE AND BEING DULY AUTHORIZED TO DO SO HAVE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS THEREOF I SET MY HAND AND SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVALS

APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE TOWN OF CHINO VALLEY ON THIS DAY OF

COMMUNITY DEVELOPMENT DIRECTOR

APPROVED BY THE TOWN OF CHINO VALLEY PUBLIC WORKS DEPARTMENT ON THIS DAY OF

TOWN ENGINEER

APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CHINO VALLEY ON THIS DAY OF

MAYOR

CITY CLERK

REVISION OF PLAT
OF PARCEL 15, & 16 YO HE WAH 23/68 MAPS

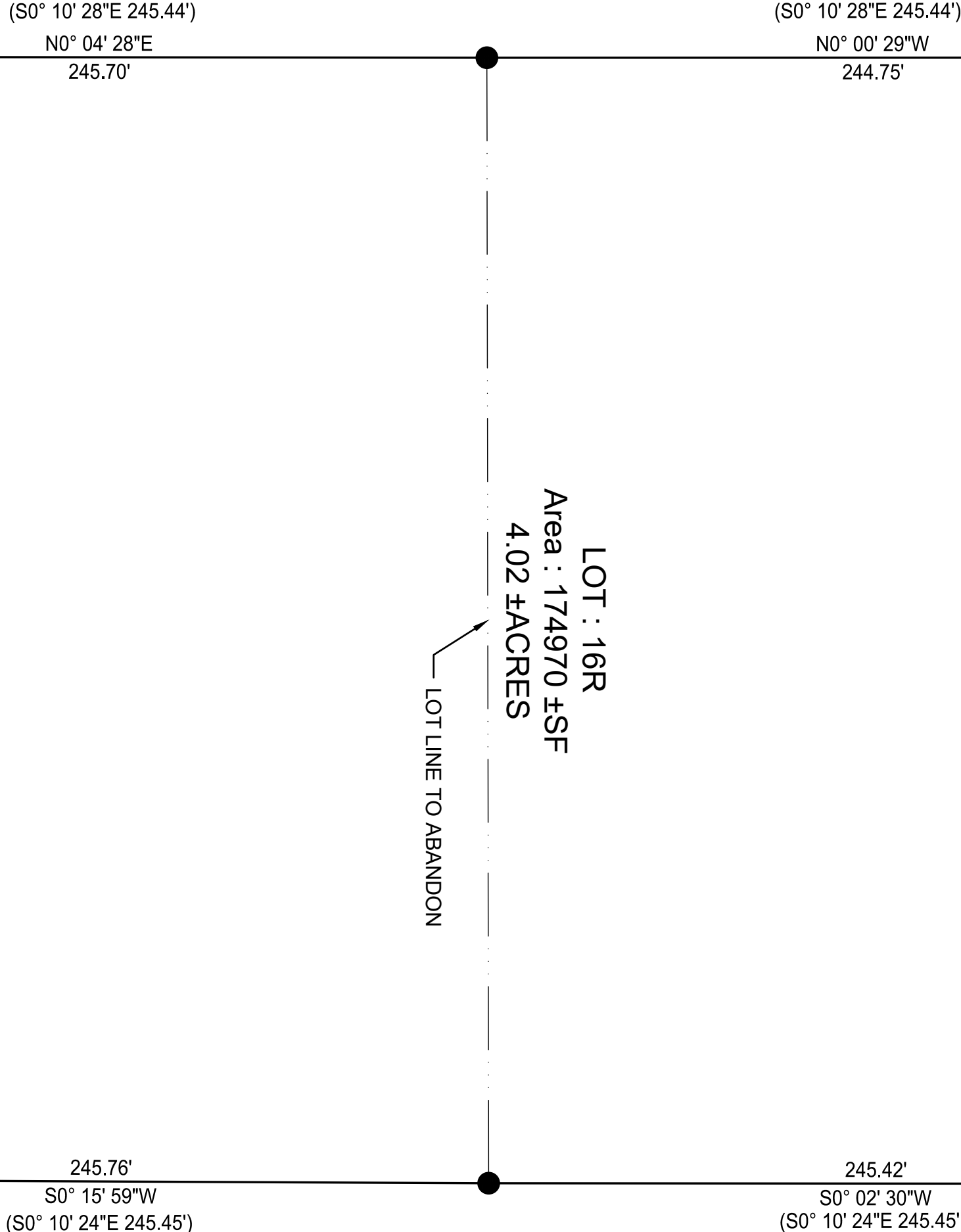
SECTION 4, TOWNSHIP 16 NORTH, RANGE 2 WEST
GILA & SALT RIVER BASE & MERIDIAN
TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA

YO HE WAH 23/68 MAPS

LOT 10

(N89° 40' 52"E 356.57')
N89° 48' 14"E
356.85'

N REED ROAD
50' R/W 7/33 MAPS



YO HE WAH 23/68 MAPS
LOT 14 & 17

YO HE WAH 23/68 MAPS
LOT 21

S89° 55' 15"W
(S89° 41' 04"W 356.56')

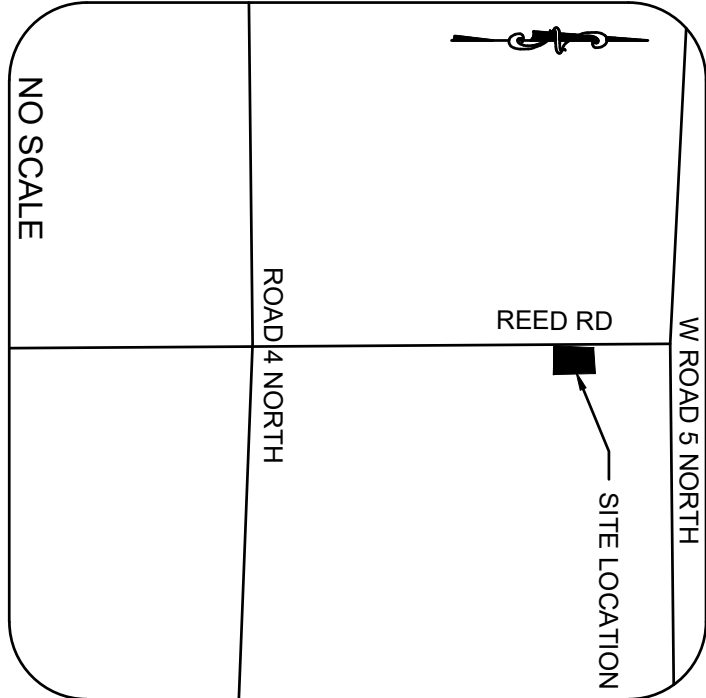
LOT 21

BASIS OF BEARING

THE PROJECT COORDINATE SYSTEM AND THE BASIS OF BEARINGS ARE RELATIVE TO THE ARIZONA STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL 0202 ZONE, LINEAR DIMENSIONS AND COORDINATE VALUES ARE IN INTERNATIONAL FEET.

PRIMARY HORIZONTAL SURVEY CONTROL WAS ESTABLISHED USING REAL TIME KINEMATIC METHODS FROM THE CITY OF PRESCOTT "MINGO" BASE. COORDINATES WERE SCALED FROM THE STATE PLANE GRID TO GROUND USING (1983143.987, 529891.203) AS THE PROJECT LOCATION. A GROUND SCALE FACTOR OF 1.0002814049 (GRID TO GROUND).

VICINITY MAP



LEGEND

- SURVEYED PARCEL LINES
- EXISTING FENCE
- PROPERTY LINE
- ABANDONED LOT LINE
- FOUND 1/2" REBAR WITH CAP LS 27738
- FOUND 1/2" REBAR AFFIXED CAP LS 53890 (R1) RECORD BEARING AND DISTANCE PER R1 OR AS NOTED SEE NOTES
- PUE PUBLIC UTILITY EASEMENT

NOTES

- EXISTING BUILDINGS WERE PRESENT AT TIME OF SURVEY AS SHOWN
- A TITLE REPORT WAS NOT PROVIDED NOT ALL EASEMENTS OF RECORD MAY BE SHOWN HEREON
- DOCUMENTS OF RECORD REFERENCE FOR SURVEY YORO R1 : YO HE WAH 23/68 MAPS

OWNER INFORMATION

LESLIE DOYLE
CHINO VALLEY, AZ

SITE INFORMATION

LOT : 15
APN : 306-05-0588
ADDRESS : 3787 N REED RD
LOT : 16
APN : 306-05-0598
ADDRESS : 3727 N REED RD

COMPLIANCE

THIS PLAT IS IN COMPLIANCE WITH THE CURRENT SUBDIVISION REGULATIONS AND CODES ESTABLISHED AND ADOPTED BY THE TOWN OF CHINO VALLEY

FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY. THIS PROPERTY IS LOCATED IN ZONE UNSHADED 'X', AND SHADED 'X' OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 04025C1315G, REVISED DATE SEPTEMBER 3, 2010 NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ZONE UNSHADED 'X' DENOTES AREAS OUTSIDE THE 500 YEAR FLOOD PLAIN

ZONE SHADED 'X' DENOTES AREAS INSIDE THE 500 YEAR FLOOD PLAIN

VH LAND SURVEY, INC.
7385 E PHARLAP LANE
PRESCOTT VALLEY, AZ 86315

928-710-9700
VH@VHLSURVEY.COM
WWW.VHLSURVEY.COM

SURVEYED BY: Brandon Van Horn

HOR SCALE: 1" = 40'

PROJECT NO.: 22013

DATE: 2/10/22

SURVEY PREPARED FOR:
LESLIE DOYLE

SHEET NO.

OF 1 SHEETS



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.25

Meeting Date: 03/22/2022
Contact Person: Frank Marbury, Public Works Director/Town Engineer
Phone: 928-636-7140 x-1226
Department: Public Works
Estimated length of staff presentation: None
Physical location of item: Chino Valley Wastewater Treatment Facility

AGENDA ITEM TITLE:

Consideration and possible action to ratify the Cooperative Purchasing Agreement, creating a Job Order Contract with PCL Construction, and ratify the emergency authorization for Work Order number 1 thereto. (Frank Marbury, Public Works Director/Town Engineer)

RECOMMENDED ACTION:

Move, pursuant to Section 32.11 of the Town Code, to:

- 1) Approve the Cooperative Purchasing Agreement with PCL Construction, Inc.,
- 2) Approve Work Order No. 1 thereto,
- 3) Ratify the Mayor's execution of the Cooperative Purchasing Agreement, and
- 4) Ratify the Mayor's execution of Work Order No. 1.

SITUATION AND ANALYSIS:

Town Staff has been working with PCL Construction and their Engineer, Kimley Horn and Associates, to facilitate a plan needed for repair and replacement of the air system for the Chino Valley Wastewater Treatment Facility. During the design phase the air system has continued to degrade while flows at the plant continue to increase. Air blower motor failures, coupled with the lack of replacement parts due to supply chain issues have forced staff to combine air systems at the plant so as to continue to meet regulations and quality standards.

PCL and Kimley Horn recently completed the design and submitted a proposal to use the cooperative Job Order Contract from Buckeye to complete the work. Some of the materials, particularly stainless steel piping are in short supply and the market is extremely volatile. PCL needed authorization immediately to order parts because prices were rising significantly on a daily basis. That, coupled with the fact that the plant is using temporary measures to obtain sufficient process air, led the Town Manager and Mayor to authorize an emergency purchase order to order materials and begin work as soon as possible.

The work entails replacing failing underground air lines and installing new pipes, blowers, and other fittings and equipment. The recommended action would approve the use of the Job Order Contract with PCL and authorize work order number 1 for the air line repair and replacement. Staff plans to present work order number 2 to Council in the near future. Work order number 2 would utilize the same Job Order

Contract to facilitate the construction of an equalization basin that would also aid plant operations by leveling the flow through the plant allowing the air system and other systems to treat the water on a more consistent basis.

Other Pertinent Documents Available Upon Request:

Appendix 5c-1. A printed copy of the report is available upon request. The report is available on the Town's website at <http://www.chinoaz.net/AgendaCenter> with the March 22, 2022, Council Meeting documents.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code: 23-83-5404

Available: 365,399.74

Funding Source:

The Town Budgeted \$200,000 in FY 2021/2022 using WIFA Repair and Replacement Funds. The Town currently has \$794,585 of WIFA Repair and Replacement Funds available for this project.

Attachments

No file(s) attached.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.27

Meeting Date: 03/22/2022

Contact Person: Erin Deskins, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type:

AGENDA ITEM TITLE:

Consideration and possible action regarding the February 15, 2022, study session minutes. (Erin N. Deskins, Town Clerk)

RECOMMENDED ACTION:

Approve the February 15, 2022, study session minutes.

Attachments

2/15/22 Draft Minutes

DRAFT

MINUTES OF THE STUDY SESSION MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

TUESDAY, FEBRUARY 15, 2022
6:00 P.M.

CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ

1) CALL TO ORDER; ROLL CALL

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong; Councilmember Eric Granillo; Councilmember Cloyce Kelly; Councilmember John McCafferty; Councilmember Lon Turner (remotely at 6:16 p.m.)

Staff Present: Town Manager Cindy Blackmore; Town Attorney John Austin Gaylord (remotely); Assistant to the Town Manager Terri Denemy; Development Services Director Laurie Lineberry; Administrative Services Director Joe Duffy; Public Works Director/Town Engineer Frank Marbury; Senior Planner Will Dingee; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

2) Discussion regarding the proposed amendments to Title V: Public Works, Chapters 50 and 51 of the Chino Valley Town Code. (Terri Denemy, Assistant to the Town Manager)

Frank Marbury presented the following:

- They would be covering changes to Chapter 50 and 51 of the Town Code utility code.
- Staff and the Town legal team began working on the changes back in 2015.
- The utility committee had reviewed the changes and provided input.
- The proposed changes were completed in collaboration with the Town Manager's Office, the Finance Department, Public Works Engineering, Development Services, and the Town Attorney's office.
- The goal of the amendments was to align the Town Code with the Council philosophy to better manage the development activities until the new General Plan and Utility Master Plan were in place.
- The changes were divided between administrative updates and policy and development issues.
- Administrative Changes included:
 - Authority of the Director: It would amend the text to take any financial, billing, or fee authority currently held by the Director of Public Works and give the authority to the Finance Director. The billing practices would also be under the authority of the Finance Director with the approval of the Town Manager.
 - Applications for Service: It was removed with specific applications and left at the policy direction of the Finance Director as approved by the Town Manager. Specifics were replaced with references to current standards or local limits.

- Appeals Process: The specific appeals process was removed and instead referred to the General Code and the International Plumbing Code Process.
- Buy-In Fees and Water Rates: These were set by Council Resolution. Instead of restating them in the code, the code would instead refer to the current Council Resolution for rates.
- Sewer Disconnection: Clarification was added that gave the Town the option to plug inactive services. It was necessary because it required new customers to apply for new services, so they did not get free service.
- Definitions: Definitions were added for cleanup and clarification purposes. The definition for Sanitary Sewer System had been called four different things throughout the Code. All other references were changed to Sanitary Sewer System.
- Connection and Tap Installation Process: It clarified that the Town connected the taps and was limited to water taps two inches or less and sewer taps six inches or less because the Town did not have the equipment to make the larger taps. Larger services rarely happened.
- Policy Changes included:
 - Guiding Concepts: The guiding concepts were that it promoted and managed thoughtful growth and discouraged small lot subdivisions that may come up due to zoning changes, from being located in remote areas or areas in Town where there were no utilities. It encouraged high density growth in areas where Town had the utility and facility infrastructure to support the developments. It was a bridge until the General Plan was completed and defined the areas of growth.
 - Upsizing: It preserved the Town's right to upsize utility lines so a new development could be upsized to fit the masterplans, it removed potential subsidy for large developments, and limited the Town contribution for the cost of materials for the upsizing. The current code stated that the Town would need to pay for any size water line over 12-inches or any sewer line over 18-inches that was upsized. That meant the Town would only pay for the material of the sized line that the Town required, but not pay for a larger line only required by the developer. The amendment put the financial responsibility on the developer if they needed to upsize a line that was not needed by the Town.
 - Repayment Agreement: A repayment agreement was when a developer needed to extend utilities across other people's property to get to their development. The repayment agreement would require the other properties to pay their portion of the extension once they connected to Town utilities. The amendments clarified the procedures and eligibility. The code currently had a 10-year limitation, which was changed to reflect the staff and utility recommendation of a 20-year limitation. 30 years was considered too long due to business closures and property owner deaths. The repayment agreements would also be recorded by the County and would appear in title searches. The Council would continue to see every agreement. The procurement code requirements, which required developers to follow the Town procurement code, were removed because it could be cumbersome and expensive for developers. They would only need to submit a cost estimate to the Town Engineer. If the Town was involved in the repayment agreement, State construction requirements would be followed since they were less strict than Town requirements.

Recess at 6:14 p.m. Meeting resumed at 6:17 p.m.

- Water Connection Requirements: The recent UDO changes required any property within 300 feet of the parent parcel of a subdivision, to connect to Town water. Staff and the Utility Committee recommended that an existing single lot residential not in a subdivision would only need to connect for new construction if water lines were at

the property line. A subdivision with lots one acre or more, needed to extend and connect if lines were within 300 feet from the development. With the new zoning changes, a subdivision of less than one acre needed to connect. The current code was only at half an acre.

- Sewer Connection Requirements: It was similar to the water connection requirements. It was mandatory for new and existing non-residential, including commercial, industrial, and multifamily developments, to connect to sewer if sewer was within 300 feet. For a single lot, it was still optional for existing construction. For a single lot one acre or larger, it was required if it were at the property line. New subdivisions one acre or larger had the same requirements as the water connections. Subdivisions less than one acre needed to connect to sewer or if not available, they had the option of designing a neighborhood treatment facility until such time as sewer went by. The terms of that would be in the development agreement. If there was a lot split that created lots less than one-acre, they still needed to connect to sewer regardless of the distance. The utility committee recommended allowing the owners of an existing failed septic system the option of connecting to sewer if it was available unless it was deemed a public health safety issue.
- UDO: There were changes needed to the UDO for the small lot splits and subdivisions if the changes were made to Chapter 50 and 51.
- General Plan: The Town would be hiring a consultant, with the comprehensive approach to future growth and development, with a better handle on small lot placements.

Council and staff discussed the following:

- Lot splits with lots over an acre were required to connect to utilities for new construction if the lines were at the property line.
- Regardless of the size of a single lot, water connection was not required for new construction unless it was at the lot line. A lot smaller than an acre had to connect to sewer even if it were not at the property line.
- Failed septic systems were left to the owner's discretion whether they stay on their septic or hook to Town sewer, unless there were health safety issues. An option that had been discussed by the Utility Committee was to let the property owner replace the septic system if the cost of hooking to Town sewer was two to three times the cost of repairing the existing septic system. Since failure rarely happened, the new language left it at the owner's discretion. Members discussed what was considered a septic failure.
- Members agreed that staff should present the changes to Council for consideration as written.

3) ADJOURNMENT

Mayor Miller adjourned the meeting at 6:38 p.m.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, 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 _____ day of _____, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2022.

Erin N. Deskins, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.33

Meeting Date: 03/22/2022

Contact Person: Erin Deskins, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type:

AGENDA ITEM TITLE:

Consideration and possible action regarding the February 22, 2022, study session minutes. (Erin N. Deskins, Town Clerk)

RECOMMENDED ACTION:

Approve the February 22, 2022, study session minutes.

Attachments

2/22/2022 Study Session Draft Minutes

DRAFT

MINUTES OF THE STUDY SESSION MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, FEBRUARY 22, 2022
5:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

1) CALL TO ORDER; ROLL CALL

Mayor Miller called the meeting to order at 5:06 p.m.

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong;
Councilmember Eric Granillo (arrived at 5:09 p.m.); Councilmember Cloyce Kelly;
Councilmember John McCafferty; Councilmember Lon Turner

Staff Present: Town Manager Cindy Blackmore (remotely); Town Attorney Andrew McGuire (arrived
remotely at 5:14 p.m.); Town Attorney Michael Goodman; Development Services Director
Laurie Lineberry; Public Works Director/Town Engineer Frank Marbury (arrived at 5:20
p.m.); Planner Bethan Heng; Audio Visual Technician Lawrence Digges; Deputy Town
Clerk Sara Burchill; Town Clerk Erin N. Deskins

**2) Consideration and discussion regarding two new proposed single-family zoning districts within
the Town of Chino Valley. (Will Dingee, Senior Planner)**

Development Services Director Laurie Lineberry presented the following:

- The quarter and half acre zoning districts would be presented to the Council at the March 22, 2022 meeting.
- Staff was concerned about the number of land splits that had a road easement taken off from the front of the parcel. There were also several minor subdivisions with a line of lots with a 50-foot-wide road easement off the front of the parcels.
- After analyzing lot sizes without considering the road as part of the total number, it was realized that instead of having a 12,000 square foot lot, they were actually getting an 8,500 square foot lot. The front 50-feet was not useable because it was part of the roadway. Visually the lot looked like a 0.16-acre lot, and that was not where they wanted to go.
- Through discussions of both Gross and Effective Lot Sizes, the Commission determined they wanted the Effective Lot Size.
- When someone came in and wanted a 12,000 square foot lot, it was without the road easement added into it.
- There were several discussions with Commissioners and staff about concepts, designs, and roadway designations.
- The Effective Lot Size was the minimum number required in the proposed districts.

- A variety of lot sizes were considered by the Planning Commission. They also discussed if it was the Town's job to plan so that every acre could be split into four parcels, or if the goal was to get good land planning for the community.
- During the last Planning and Zoning meeting, the Commission discussed the appropriate lot width, because a narrow frontage could make a lot look smaller due to the homes being close together. The perfect lot would be square.
- There was discussion regarding length versus width. The code already had a three to one ratio, meaning a lot could not be three times longer than the width because it created pencil lots.
- The Commission, at their last meeting, chose a wider lot width. They also discussed the visual look, feel, and perception of the smaller lots. Based on images, the Commission decided they did not want narrow lots because the lots appeared to look like 0.16 acre lots from the road.

Council and Staff discussed the following:

- Staff could not recall what the setback requirements were for the smaller lots. The front setback was standard in the code and was either 50-feet from the centerline or 20-feet from the right of way line.
- There was a 50-foot dedicated easement width requirement for all subdivisions that was not counted as part of the total lot square footage.
- One of the reasons the UDO had been established was to create districts smaller than one acre. Staff was using that direction to create smaller lot districts. Since the Town recently removed the 0.16 acre lots, the quarter and half acre lots were tools available to use until the General Plan was complete. The General Plan would help determine higher density pockets. This was considered best meeting the public interest. The smallest lot currently available in the code was one acre lots.
- There was public demand for the smaller lots. Since the Commission had chosen the 12,000 square foot lots, an acre lot could be split into three lots. These lots would be required to have water and sewer.
- If the Council chose to adopt the Commission's recommendation, with the effective lot size of a minimum quarter acre at 12,000 square feet and half acre minimum at 24,000 square feet, a one acre lot could not be split into two half acre lots but could be split into one quarter acre and one half acre.
- Lot sizes would be counted from the other side of the easement to the back property line. The front 4,000 square feet was not part of the effective lot size (12,000 or 24,000 square feet) that could be used for private purposes. The actual lot size had to be 12,000 or 24,000 square feet.
- Each case would be examined individually, and existing easements would be researched to ensure all requirements were met.
- These requirements could be used on any property within the Town limits as long as sewer and water were available, and they were rezoned into the half acre or quarter acre zoning district. The property also needed to comply with the General Plan designations once it was completed.
- Members discussed whether it was the Town's job to dictate the appearance of lot frontage. If the lot fit the three to one rule, there should be no specific width required. Staff explained that every district had a minimum lot width and minimum lot size. The ratio ensured lots were functional and accessible.
- The lot sizes were the minimums. If a lot was smaller than half an acre, then it would be zoned as a quarter acre lot.
- A Member discussed that the community seemed to prefer larger lots that were more spacious, and if it were not spelled out, people would make each lot fit their own personal needs.

- Members discussed some current homes with 15-foot setbacks and they wanted to avoid repeating that.
- Staff confirmed that one acre, half acre, and quarter acre had the same front, side, and rear setbacks. Members thought the side yards for the smaller lots should be reduced.
- Staff explained that the Commission could not enforce a minimum lot width unless it were in the code.

3) Consideration and discussion regarding changes to Temporary Use Permits. (Will Dingee, Senior Planner)

Development Services Director Laurie Lineberry presented the following:

- In the current UDO, the Temporary Use Permits was a subset under the Commercial Light section.
- This meant there could be no other temporary uses in any other district.
- Staff would be moving that to a stand-alone section of the code.
- Staff wanted to add model home complex so that it would not need to come to the Council as a conditional use permit. It would be handled administratively. Appeals would still go to the Council.
- Staff wanted to add temporary trailers during construction to temporary use permits so that a permit could be issued instead of just a note on the building permit.
- Temporary use permits were for six-months at a time. The trailer during construction could be tied to the life of the building permit, with a year long cap.

Council and Staff discussed the following:

- Developments would not be handled administratively, just the model home complex.
- Other items the Council may want could be added to the temporary use permit list.
- 4H needed temporary use permits to raise an animal. It applied to all properties, but Members did not understand why it was part of the code. Staff thought it was meant for smaller lots and could be used as a teaching lesson for community involvement and being a good dignitary.

4) ADJOURNMENT

Mayor Miller adjourned the meeting at 5:45 p.m.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, 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 _____ day of _____, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2022.

Erin N. Deskins, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.39

Meeting Date: 03/22/2022

Contact Person: Erin Deskins, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type:

AGENDA ITEM TITLE:

Consideration and possible action regarding the February 22, 2022, regular meeting minutes. (Erin N. Deskins, Town Clerk)

RECOMMENDED ACTION:

Approve the February 22, 2022, regular meeting minutes.

Attachments

2/22/2022 Regular Meeting Draft Minutes

DRAFT

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

**TUESDAY, FEBRUARY 22, 2022
6:00 P.M.**

CHINO VALLEY COUNCIL CHAMBERS 202 N. STATE ROUTE 89, CHINO VALLEY, AZ

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong; Councilmember Eric Granillo; Councilmember Cloyce Kelly; Councilmember John McCafferty; Councilmember Lon Turner

Staff Town Manager Cindy Blackmore (remotely); Town Attorney Andrew McGuire (remotely);
Present: Development Services Director Laurie Lineberry; Administrative Services Director Joe Duffy; Police Chief Chuck Wynn; Public Works Director/Town Engineer Frank Marbury; Senior Planner Will Dingee; Planner Bethan Heng; Sgt at Arms Clint Shafer; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Presentation by Chino Valley School District Superintendent, John Scholl, regarding the impact the Aggregate Expenditure Limit (AEL) can have on students, staff, and the community at large.

An email was submitted by Superintendent John Scholl to remove Item 2(a) from the agenda.

- b)** Presentation of life saving awards to Sergeant Amy Chamberlain, Sergeant, Clint Shafer, Field Training Officer Fernando Silva, and Detective Brent Giuliani. (Chuck Wynn, Police Chief)

Police Chief Chuck Wynn presented the following:

- Four staff members would be awarded the life saving award for an incident that occurred in August. The officers were able to revive a baby that had drowned.
- The officers receiving the award were: Detective Giuliani, Sergeant Chamberlain, Field Training Officer Silva, and Sergeant Shafer.
- The baby, who was present at the meeting, and the officers took a group photo.

- c)** Administer Oath of Office to Deputy Town Clerk, Sara Burchill. (Erin N. Deskins, Town Clerk)

Deputy Town Clerk Burchill was introduced and given the Oath of Office by Town Clerk Deskins.

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.

- Beth Allsup – She and her neighbors were having issues with trespassing water which was causing damage. The water was coming from Town owned roads and hard packing of nearby properties. The roads and properties had been approved by employees of the Town. The damage had occurred after they bought their property and had been brought to the attention of numerous Town employees and the Town Council. The Town published their six core values on their website and she questioned if the Town stood by them. Core values were the basic elements by which an organization conducted their business, which she compared to the Ten Commandments. The core values included: Integrity - honest and moral principles by which duties were performed, and she questioned if it were honest integrity and moral principles to be lied to by an individual or Town employee; Teamwork – the effective and efficient combined actions of a group of people, and she questioned if the Town were providing effective and efficient teamwork when unable to provide answers for requested information; Respectful Communication – the acknowledgement of others, their concerns, their ideas, and their beliefs, and she questioned if it were respectful communication for Town employees to ignore emails, phone calls, and letters from citizens of the Town; Service – the action of helping and assisting others, those of which they represent, and she questioned if the Town was providing service to their citizens when a request for help and assistance was ignored; Leadership – the action of one or more people responsible for leading an organization, and she questioned who the Town leaders were and wondered how to get them to listen, respond, and hold them accountable without hiring legal counsel; Innovation – creative ideas and services that provided a different approach to solving problems, and she questioned if it was innovation for an employee to state numerous times that the issue at hand was before their time and had provided no innovative ideas or approaches in solving the issues.
- Randy Stuflick – In the four years he had lived on his property, the water had more than doubled. After more than an inch of rain in August 2021, it was brought to the attention of Town employees. Two employees that visited their home explained it was the hard packing of two home builds to the South of their home. The truth was not told at the December 7, 2021, Planning Commission meeting, even though good questions were asked by the Planning Commission. Prior to that meeting, videos of their property flooding were shown to the Assistant Town Engineer and then on December 12, 2021, the same video was offered for viewing to most the people present at the current meeting. They had no takers on their offer. Respectful communication and services were not being met by the leaders of Town. At the Planning Commission meeting, the Town Engineer explained the water flowed from the south to the north, so there would not be water flowing south. He thought it was a red herring tactic used to distract attention from questions asked by Commissioners. Employees knew their concern was the trespassing of water off the public road onto their property. His questions about the culvert on west Road 1 North was never addressed. The culvert was over 50-years old, and the road was a manmade dam that allowed the efficiency and natural flow of water off of their property. After the January 25, 2022, Council meeting, the Town Engineer stated that he had been unable to find an engineer to come and look at the issue,

even though the issue had been ongoing for two years. He thought the Town leaders were ignoring the issue and hoping it went away while continuing to hard pack and build on land to the south of their home. He was hoping they could work together on a solution.

4) **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. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

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

Mayor Miller reported that the February 23, 2022, budget meeting had been cancelled. Vice-Mayor Perkins asked that the community pray for the people involved in an accident on Perkinsville Road on Valentine's Day.

- b) Status report by Town Manager Cindy Blackmore regarding Town accomplishments, and current or upcoming projects.

Town Manager Cindy Blackmore reported on the following:

- Congratulated Deputy Town Clerk Burchill on her new position.
- Katy Smith was being promoted from the Facilities Division and would be taking Ms. Burchill's previous position.

5) **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 Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Consent Agenda Items 5 (a, b, c, d, e, and f) as written.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the Financial Report for the three-month period ending December 31, 2021. (Joe Duffy, Administrative Services Director)
- b) Consideration and possible action to approve the renewal term on the real property lease with Yavapai County Community Health Services for the trailer located at the North Campus, 1951 Voss Drive, beginning February 1, 2022, for \$1.00 / year and appropriate utilities. (Terry Denemy, Assistant to the Town Manager)

- c) Consideration and possible action to approve Ordinance No. 2022-913, amending Title V: Public Works, Chapters 50 and 51 of the Chino Valley Town Code. (Frank Marbury, Public Works Director)
- d) Consideration and possible action to accept the Town of Chino Valley as the Official Destination Marketing Organization for the Arizona Office of Tourism. (Maggie Tidaback, Economic Development Project Manager)
- e) Consideration and possible action to approve Resolution No. 2022-1199 regarding the Intergovernmental Agreement for Election Services between Yavapai County and the Town of Chino Valley for utilizing County election services, effective April 6, 2022, and remaining in effect until terminated. (Erin Deskins, Town Clerk)
- f) Consideration and possible action to approve the January 25, 2022, regular meeting minutes. (Erin N. Deskins, Town Clerk)

6) 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 No. 2022-912 to rezone approximately 6.86 acres of real property from Commercial Heavy (with a Planned Area Development Overlay) (CH/PAD) to Commercial Light (CL), for the property located north of 2625 S State Route 89, Chino Valley, Arizona, APN 102-01-219M. (Bethan Heng, Planner)

Recommended Action: Approve Ordinance 2022-912 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Planner Bethan Heng explained that the applicant O Jogo Bonito was unable to attend the meeting and requested the item be rescheduled to the next meeting on March 22, 2022.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to continue Item 6(a) to March 22, 2022 per the request of the applicant.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to direct staff to post and publish the notice of intent to increase admission fees for the Town of Chino Valley Aquatic Facility and the written report and data in support, pursuant to A.R.S. Section 9-499.15. (Cyndi Thomas, Community Services Manager)

Recommended Action: Direct staff to post and publish the Notice of Intent to Increase Admission Fees for the Town of Chino Valley Aquatic Facility and the written report and data in support, pursuant to A.R.S. Section 9-499.15.

Community Services Manager Cyndi Thomas presented the following:

- The last aquatic fee increase was April 24, 2018, through Resolution 18-1115.
- Since the aquatic center opened, the Town's General Fund had subsidized the annual operation of the facility.
- The annual operating cost subsidy averaged \$150,000 annually.
- Labor cost increased each year and had gone from \$10 per hour at the last increase to \$12.80 per hour.
- The proposed increase would be a gradual increase over the next three years. The increase would be .25 cents for individual daily entrances of all age groups. There would not be increases for the swim lessons because they were already higher than neighboring communities. All other fees would have a minimal increase.
- The fee schedule of neighboring communities was provided.
- Staff was recommending an increase in aquatic center user fees until 2024.
- The main users of the facility were in the age group of 3-17. They were proposing a fee of \$3.75, which would go up an additional .25 cents annually until 2024.

Council and staff discussed the following:

- There were daily passes and seasonal passes. The daily pass increases for a family of up to five was \$1 for a total of \$17 per day. A family seasonal pass for a family up to five would increase from \$250 to \$267. Each individual thereafter was an increase of \$35.
- The season was ten-weeks long.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Eric Granillo to direct staff to post and publish the Notice of Intent to Increase Admission Fees for the Town of Chino Valley Aquatic Facility and the written report and data in support, pursuant to A.R.S. Section 9-499.15

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Lon Turner

NAY: Councilmember Cloyce Kelly

6 - 1 PASSED

- c) Public Hearing and consideration and possible action to regarding Ordinance No. 2022-911 to amend the Town of Chino Valley Unified Development Ordinance Chapter 154, by amending Chapter 2 Definitions, Chapter 3 Zoning Districts, and Chapter 4 General Regulations, as they relate to Recreational and Medical Marijuana. (Will Dingee, Senior Planner)

Recommended Action: (i) Hold Public Hearing
*(ii) The Planning Commission had no recommendation and preferred to keep the separation distance at 500'. The ordinance is presented for Council review and Action. Ordinance No. 2022-911

as attached.

Town Attorney Andrew McGuire presented the following:

- The Council had adopted provisions in the Town Code for recreational marijuana after the voter initiative passed.
- It triggered a requirement that the zoning ordinance address the recreational marijuana provisions along with the medical marijuana provisions.
- Dual licensee was someone who held both a medical and recreational marijuana license.
- The code provisions the Town adopted were nearly identical to Prescott and the surrounding communities.
- The zoning ordinance in place by default applied to the recreational marijuana because a person running the business would need to have both licenses.
- Last year there was a request for a recreational facility that was going to be located in an area that did not meet the Town separation requirements and it caused questions to come up in terms of separation requirements and how to measure things like the Peavine Trail. They needed to consider what constituted a Town park and what measures the Town wanted to use in regards to recreational marijuana licenses.
- Staff met with the applicants to discuss the items to be presented to the Council and the reconciliation they would do to the UDO and Town Code.
- The first draft given to the Planning Commission changed the separation requirements in the UDO to match the Town Code. The UDO's separation requirements were 500 feet from the listed uses and the Town code stated 300 feet.
- The other amendment item was to ensure that the Peavine Trail was not considered a Town Park in regard to the distance measurement because there was so much frontage against the Industrial District where medical and recreational marijuana were permitted.
- The third amendment was not recommended by the Planning Commission because it was confusing. There were pieces of property in Town that were zoned Residential but were used for utility purposes. There was an APS residential lot that was used for a power substation north of a property that was being proposed for the recreational marijuana use. It was brought to the Town's attention that there were those uses around Town, and it was not the intent to have nonresidential uses cause separation requirements just because they were on residential lots. With a conditional use permit, it could happen on large residential lots anywhere in Town.
- The applicant had a different view. They wanted an amendment to the UDO and Town Code that would essentially say recreational would not be required to have a dual licensee as the only person allowed to have recreational marijuana.
- The Planning Commission's recommendation was that they would not give a recommendation because they did not want to change the separation requirements from 500 to 300 feet. They understood they had no power over the Town Code, and they instead wanted to send the Council a message that they preferred to have 500 feet be the separation. The request was to have the Town Code changed to 500 feet.
- Staff recommended approval because they believed the changes were reconciling the UDO to match up to what the Town Code already said.

Mayor Miller opened the Public Hearing.

- Bob Chilton – His company Rain Strategies, was a development and management company that worked with municipalities and the legal community to help run compliant operations. They were in support of the Ordinance because it cleared up much of the confusion. He was there to point out a deficiency in the proposed Ordinance, identify it, and recommend a way to change the language and avoid the confusion. Since 2012 Arizona Department of Health Services had issued 130 medical marijuana licenses. The licenses allowed the holder to have

a retail location to sell to patients, as well as an off-site location to grow. There were not any retail locations in Town, but they did have grow sites. A dual license holder could sell both medical and recreational marijuana, but it had to be under one roof. There were two other licenses the State issued: The Social Equity Group and The Rural County Group. Those groups did not get a dual license that had medical, so they were recreational only. The Ordinance had a definition for recreational license that only dealt with retail and not the offsite facilities. This created a hole and confusion in both the cannabis and planning communities about how a non-dual license holder could have a grow facility within the Town. The hole was created because the Ordinance redefines what a marijuana establishment license was. It used a different definition than the State used. He recommended supporting the ordinance with the addition of a clarifying sentence: Medical marijuana facilities and marijuana facilities owned and operated by dual licensee and offsite cultivation and manufacturing facilities, subject to the regulations of 4.31.

Mayor Miller closed the Public Hearing.

Council, Town Attorney, and staff discussed the following:

- Members discussed Mr. Chilton's suggested changes.
- The applicant wanted the dual license requirement in order to grow in Town, to be removed
- That requirement had been put in place to limit the number of grow facilities within the Town.
- The current grow facilities were under protected development rights. Prior to the current code provisions that only allowed medical and recreational marijuana in Industrial Zones, the UDO allowed marijuana to be grown in many more areas of Town. Once the Code was changed to limit those areas, the facilities that were operating or already had the authority to operate were given a protected development right designation.
- Members discussed that it was the desire of the community to limit the number of facilities.
- Without changing the ordinance to allow for recreational grow facilities to licensees without a dual license, there would not be an opportunity for the applicant to have a grow facility within the Town. By approving the Ordinance with the additional language suggested, the Town would be expanding the opportunity for grow facilities. A dual licensee could open a grow facility in the same location.
- There was no tax benefit for the Town from the grow facilities. The only real benefit was the jobs provided by the facilities.
- The Town Attorney's recommendation was in support of the staff position to adopt the ordinance as presented because it made the UDO and Town Code consistent. The process to expand the separation requirements as recommended by the Planning Commission, was explained.
- The Town did their best to stay consistent and equal with other area communities, so as not to create an incentive or disincentive.
- Members discussed the separation distances of 300 and 500 feet. If the Town chose to increase the separation to 500-feet, staff would need to come back with that change to the Town Code. The staff recommended Ordinance changed the separation from 500 to 300 feet. Members favored keeping the separation at 500-feet.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Ordinance No. 2022-911 as presented by staff, with the modification deleting the change from 500-feet to 300-feet.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong,
Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John
McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

*Approved amending Ordinance 2022-911 to reflect the change of 300' to 500' for the separation
distance.

7) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the
meeting at 6:51 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong,
Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John
McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, 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 _____ day
of _____, 2022. I further certify that the meeting was duly called and held and that a quorum
was present.

Dated this _____ day of _____, 2022.

Erin N. Deskins, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.49

Meeting Date: 03/22/2022

Contact Person: Bethan Heng, Planner
Phone: 9286364427 x-1295

Department: Development Services

Estimated length 5 minutes

of staff presentation:

Physical location of item: Southwest corner of the intersection of North Road 1 East and West Road 4 North.

AGENDA ITEM TITLE:

Public Hearing and consideration and possible action regarding Ordinance 2022-915 to rezone approximately 30.15 acres of real property from AR-5 (Agricultural Residential 5-Acre Minimum) to CH/PAD (Commercial Heavy with a Planned Area Development Overlay), for the property located south of 2820 N Road 1 East, Chino Valley, Arizona, APN 306-14-026A. Applicant - Jeremy Bach (Will Dingee, Senior Planner).

RECOMMENDED ACTION:

- (i) Hold public hearing
- (ii) Deny rezone Ordinance 2022-915 per recommendation of Planning and Zoning and as presented.

SITUATION AND ANALYSIS:

The subject property is located at the Northeast corner of E Road 4 North and N Road 1 East. The applicant is proposing a 190-space RV Park. The RV Park will consist of additional amenities for its visitors, which include a club house, pickle ball courts, swimming pool and hot tubs, and Dog walks around the park and specific areas for dog bathrooms. The applicant describes the site maintaining a park-like setting, which will include outdoor living areas and open space. The applicant believes that the RV Park and its included amenities will contribute and enhance the quality of life for the surrounding area.

The applicant anticipates that the visitors of the park will consist of night, weekly, and monthly patrons. The design theme and décor for the RV Park will be "Contemporary Western".

The road E Road 4 North, which is directly North of the property, is misaligned where it continues past N Road 1 East. Because of the anticipated increase in traffic, Public Works has advised the realignment of E Road 4 North, which the applicant has agreed to do.

During the review period for this project, staff had received 11 letters of opposition from the public regarding the RV Park. The letters voiced concern over the density that would result from the 190-lots proposed for the project. The letters also expressed opposition to the visual impact that the RV Park could bring to the surrounding area. Staff relayed these concerns to the applicant. The applicant heard the concerns voiced in the opposition letters and revised his project to include a concrete block wall along the

east property line instead of the chain-link fencing. The block wall design will be consistent with the theme of the RV Park. The applicant has also reduced the number of RV spaces from 190 to 150, to reduce the intensity impact of the new use.

Fiscal Impact

Fiscal Impact?: N/A

If Yes, Budget Code:

Available:

Funding Source:

Attachments

ORD 2022-915

Updated P&Z minutes excerpt

Staff research rezone

Letters filed from citizens

Attachment 2 - Staff Report from Planning and Zoning

When Recorded, Return to:

Town Clerk
Town of Chino Valley
202 N. State Route 89
Chino Valley, Arizona 8632

ORDINANCE NO. 2022-915

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 30.15 ACRES OF REAL PROPERTY LOCATED SOUTH OF 2820 N ROAD 1 EAST, FROM AR-5 (AGRICULTURAL RESIDENTIAL 5-ACRE MINIMUM) TO CH/PAD (COMMERCIAL HEAVY WITH A PLANNED AREA DEVELOPMENT OVERLAY).

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley (the "Town") Official Zoning Map for approximately 30.15 acres of real property located south of 2820 N Road 1 East, (APN 306-14-026A), from AR-5 (Agricultural Residential 5-Acre Minimum) to CH/PAD (Commercial Heavy with a Planned Area Development Overlay) (the "Zoning Map Amendment"); and

WHEREAS, the Town Council has determined that this Zoning Map Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan or other plan, any overlay zoning district, and the standards and design requirements contained in the Unified Development Ordinance of the Town of Chino Valley (the "UDO"); 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 did not recommend approval of the Zoning Map Amendment; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, and ARIZ. REV. STAT. § 9-462.01, the Town Council has, before adopting this Ordinance, considered the individual property rights and personal liberties of the residents of the Town, along with the probable impact of this Ordinance on the cost to construct housing for sale or rent in the Town;

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

Section 1: The recitals above are hereby incorporated as if fully set forth herein.

Section 2: The Zoning Map Amendment is hereby approved and the Official Zoning Map is hereby amended for property consisting of approximately 30.15 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone the property from AR-5 (Agricultural Residential 5-Acre Minimum) to CH/PAD (Commercial Heavy with a Planned Area Development Overlay) to develop a recreational vehicle (“RV”) park, subject to the requirements of the Chino Valley Town Code (“Town Code”), the UDO, and the following stipulations:

1. That the Commercial Heavy uses on the property be limited to only the following uses while retaining the Commercial Light provisions set forth in UDO § 3.16(B)(1); any subsequent modifications to the uses will require an amendment to the CH/PAD overlay following the public hearing process and Council approval:
 - a. A 150-lot or less RV park at which no guest will be permitted to stay longer than 180 days, with related amenities, including a clubhouse, pickleball courts, swimming pool and hot tubs, dog walks, and specific areas for dog bathrooms, conforming substantially to the revised conceptual plan provided by the applicant at the March 1, 2022, Planning and Zoning Commission Meeting.
2. Pursuant to UDO § 5.3.2, Table 5-1, the minimum required right-of-way dedications are as follows:
 - a. 40’ minimum right-of-way dedication south of the new East Road 4 North road alignment centerline.
 - b. 40’ minimum right-of-way dedication west of the North Road 1 East section line.
3. Pursuant to UDO § 5.3.2, Table 5-1, East Road 4 North shall be improved as follows:
 - a. 24’ full-width pavement between the west property line and North Road 1 East.
 - b. 5’ paved shoulder on each side with thickened edges.
4. Curb, gutter, and sidewalk improvements are not recommended along East Road 4 North and North Road 1 East.
5. Affected existing driveways north of East Road 4 North shall be extended to tie into the new road alignment.

6. All existing and new utility and telephone lines, electric utility distribution lines, cable television lines, and all other communication and utility lines along East Road 4 North and North Road 1 East along the property boundary shall be undergrounded and located appropriately to the new road alignment per UDO § 150.082.
7. If Town water and sewer becomes available to the property, connection to said utilities may be required.
8. Internal design details will be determined through the site plan review process.

Section 3: Pursuant to ARIZ. REV. STAT. § 9-462.01(E), if the property is not developed with a recreational vehicle park and related amenities, as reflected in an approved site plan, within two years of the effective date of this Ordinance, the Town Council may revert the zoning of the property to the prior zoning classification, AR-5 (Agricultural Residential 5-Acre Minimum).

Section 4: The Town Manager is directed, upon the effective date of this Ordinance, to cause the Official Zoning Map to reflect the Zoning Map Amendment as applicable to the property, indicating the zoning is subject to compliance with the stipulations provided herein.

Section 5: If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6: The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

SIGNATURES ON THE FOLLOWING PAGE

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of March, 2022.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2022-915 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on March 22, 2022, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and abstentions. ____ Council members were absent or excused.

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2022-915

[Legal Description]

A tract of land in the Northeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northeast corner of said Section 10;

Thence South 0°20'56" East 1328.74 feet along the East line of said Section 10;

Thence South 89°51'09" West, 1354.62 feet to the East right of way line of Arizona State Highway 89;

Thence North 2°35'45" East, 248.57 feet along said right of way line to a point of curvature;

Thence Northerly along the arc of a curve concave to the East having a radius of 17,088.74 feet, a central angle of 3°17', and a length of 979.27 feet to a point of tangency;

Thence North 5°52'45" East, 105.23 feet to a point on the North line of said Section 10;

Thence North 89°52'26" East, 1252.13 feet along said North line of Section 10 to the POINT OF BEGINNING.

EXCEPTING the following described property:

All that portion of the Northeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Northeast corner of Section 10 marked with a one and one-half inch iron pipe;

Thence South 89°52'26" West (Basis of bearing) 950.47 feet along the North line of Section 10 to the TRUE POINT OF BEGINNING;

Thence South 89°52'26" West 301.66 feet to the Easterly right of way of U.S. Highway 89;

Thence South 05°52'45" West 105.23 feet to a highway right of way monument;

Thence Southwesterly 979.27 feet along a curve concave to the East with a radius of 17088.74 feet and a delta of 3°17' to a highway right of way monument;

Thence South 02°35'45" West, 248.57 feet to a one-half inch rebar;

Thence North 89°51'09" East 300.40 feet to one-half inch rebar;

Thence North 02°35'45" East, 234.19 feet to a one-half inch rebar;

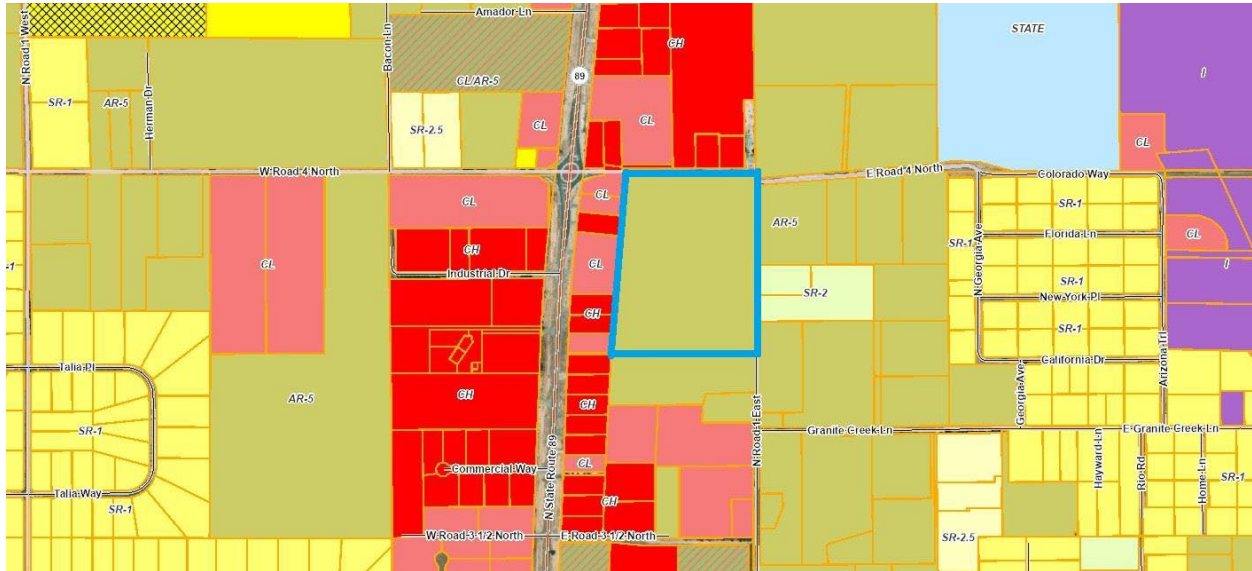
Thence Northeasterly 962.08 feet along a curve concave to the East with a radius of 16,788.74 feet and a delta of 3°17' to a one half inch rebar;

Thence North 05°52'45" East 136.79 feet to the POINT OF BEGINNING

EXCEPTING THEREFROM the South 10 feet of the above described parcel.

EXHIBIT 2
TO
ORDINANCE 2022-915

[Zoning Map]



CASE# ZC-2022-01: - This is a request by Jeremy Bach for a rezone of approximately 30.15 acres of real property from the Agricultural/Residential 5-Acre Minimum (AR-5) to Commercial Heavy with a Planned Area Development Overlay (CH/PAD), for the property located south of 2820 N Road 1 East, APN 306-14-026A.

Bethan Heng, Planner, presented the staff report and shared that the Applicant was in attendance for this meeting. **Heng** added that after the concerns raised during the neighborhood meeting, at which 5 of the 24 citizens in attendance were within the 300 foot radius notification area, the applicant redesigned his site plan to address those concerns. The applicant reduced the number of spaces by over 20%, from 190 spaces to 150 spaces and committed to build a decorative block wall on the east property boundary with a landscaped area.

Commissioner Meadors asked that the applicant elaborate on the changes and **Commissioner Somerville** questioned the maximum height of the wall. **Heng** stated the wall height would be 6 feet, and **Senior Planner Will Dingee** added that the wall could be as high as 8 feet.

There were no further questions for Staff.

Applicant, Jeremy Bach, addressed the Commission and shared that this project would be designed with future utility connections, when available, with an 8" sewer and a water main future connection. He added that all water provisions would be approved by Arizona Department of Water Resources (ADWR) and that the sewer package plant system would have to be approved by Yavapai County Environmental Services. He added that their company is currently building other projects similar to this within the state. This proposed project would provide for 30-night stays with options to renew for 30 additional nights. He confirmed that a wall and approximately 20 feet of soft scape landscaping are proposed along the east property line.

Switzer asked if the Arizona Department of Environmental Quality (ADEQ) has specified that this sewer system must meet their A-Plus standard. **Bach** stated that yes, it meets the same requirements as a public utility system would.

Merritt asked if it would be monitored by ADEQ and **Somerville** asked about on-site office space. **Bach** stated that this project would be modeled like the project currently being built in Camp Verde.

Switzer questioned whether or not the applicant would be willing to provide a block wall to the west adjacent to the commercial properties, if there would be 24-7 on-site management, and if a traffic study was done regarding the realignment of Road 4 North and 30-day timeframe. **Bach** stated that he is not completely opposed to additional walls, but feels that it is specifically a concern to the eastside residential neighbors. He also stated that there would be management on-site 24-7 and that a traffic study was not completed. He added that the 30-day stay time period could be less if problems with the tenant happened. **Commissioner Penn** asked what the maximum length of RV would be. **Bach** stated some units are 65 feet.

The commission had no further questions for the applicant.

Merritt opened the meeting for public comment.

Robert Campbell of 1220 E Road 4 North stated he lived 700' from this property, and addressed the commission, provided a handout about what he felt a 5-Star RV Park contained. He felt that in order to be a 5-Star park, there would need to be amenities, such as golfing, office facilities, recreational areas, laundry, etc. Also, some parks provide wider and deeper spaces with pull-through parking, paved roads and private patios. **Campbell** shared that other amenities should include wi-fi, pet areas, trash collection and or course hook-ups (electric, water, sewer and cable-tv). Chino Valley is not a destination for RV's since there are no rivers, golf course, or national parks in the area. He stated that this parcel is too small for this development and it would be better suited at Old Home Manor.

Sharon Reilly & Arwynn Taylor of 2826 N Arizona Trail stated they were opposed to this project. They spoke about concerns for their horses and the need for a quiet neighborhood, like it is now, and also concerned about having enough water from their well. They were worried that it would just become a cheap place for people to live that can't afford to buy a home.

April Durnez of 1519 Florida Lane stated she is opposed to this project. She also had concerns about the water and where it would be coming from. She felt that there would be difficulty with infrastructure such as Fire, Police and Medical emergencies. She identified that the roads are currently without sub-grade and should be repaired. She wondered why there was a need for an RV park here, since Chino Valley is not a destination. She believed that the people staying at this park would spend their money in Prescott, Williams and Flagstaff, not here in Chino Valley. Durnez said they would pump water current residents depend on. She also shared that the existing stores in town are over-capacity.

Kathy Middlested of 380 Lauren Lane was opposed to this project and felt that this park was being design for long-term stays. She felt that more and more developers were asking to rezone residential to higher density and she would like to see more development, but with a project that fits the current zoning of the property. She felt higher density projects were impacting peoples' homes and more and more of the residents were getting frustrated when the Town approves rezones. She stated that all the rezoning was impacting the roads, water, infrastructure and property taxes.

Gary Denny of 2879 Arizona Trail shared that he was the owner of El Norte Restaurant and that his business was surrounded by commercial projects, including a future 100-acre solar farm. He added that early on, in 1958 Del Rio Springs had animals that were shipped from this area. The property adjacent to his business was, he believed, the only property zoned for a junk yard. He wanted to remind everybody in attendance that there was a commercial aspect to this area. He stated that the commercial area is what it is, and that the town needs to build, in order to be a strong city. The Town needs the revenue that new projects bring to be able to improve the roads, police, etc.

He felt that all the strain on roads, police and fire was not a good thing. His family has been in this area since the 1860's. He believed that Chino Valley dollars are being spent in Prescott. He stated that Chino Valley is just "work-force" housing for Prescott. He added that this town needed to "Build Strong".

Rachelle Fernow of 2949 N Road 1 East presented the following information in a PowerPoint presentation, stating that she was represent number of people:

Rachelle reflected on the large lot/agriculture nature of the area and stated she felt that the proposed project was not in-line with the characteristic of the neighborhood. She shared a slide that included the following concerns related to the project at this location: highway entrance, rental prices, water, population density, road improvements, traffic signs, road decay, traffic increase, perimeter fencing, length of stay, business operation, closeness to Perkinsville 44, Heavy Commercial zoning, landscaping, lighting, space sizing, impact on city services, and benefit to the town and residences. She addressed the developer's proposed reduction in units from 190 to 150 (after hearing neighbor concerns at the Neighborhood Meeting) and stated that she felt the reduction in units was due to right-of-way dedications and not the applicants desire to reduce intensity. She stated that she and other citizens visited several RV parks in Yavapai County and their investigation concluded that this project location had no mature vegetation, no natural attractions or views, and that the access points to the proposal were not on an interstate or highway like the other parks. (She shared photos of these parks in her presentation). She stated that she felt that the impact to the community was huge with a density ratio increase of 800%, increase in traffic, decrease in property values, increased safety concerns and no zoning transition. She shared that the neighbors were in opposition to this project and added that she has an online petition with over 350 signatures in opposition. Rachelle provided excerpts from various sources including the Town General Plan and Chamber of Commerce documents that state Chino Valley is a "laid-back, open space community with agricultural and farming heritage". She stated that she believed this project would cost the Town more money than it adds. Rachelle declared that she had reviewed the UDO and the General Plan and had concluded that this proposal did not fit this area based on her analysis. She asked the following questions: What was the point of zoning if not to put land uses in their proper place? Why were rezones approved prior to all the technical studies

being done? Couldn't we wait to rezone until the Town's new general plan was completed? She concluded by stating that the Town should send the RV Park out to Old Home Manor.

Juliann Baker of 2869 N Road 1 East yielded her time to Rachelle Fernow.

Gary & Molly Beverly of 1219 Granite Creek stated they are opposed to this project. They thanked the commission and staff for putting in the time to help manage the town. This RV park does not fit at this location. He felt that there have been all kinds of projects approved but they never get built. Beverly expressed concerns about public safety with the emergency vehicles using Road 4 North. He stated that there are currently more than 175 lots that use that road daily. He felt that the 300-foot radius notification was a joke, that a traffic study should be completed, the road upgraded for RV use and the developer should pay for it. He felt that this RV park would become low-cost housing and should have a 30-day maximum stay within a 6-month timeframe. He added that any water usage should be recharged and that since 1940 the water table has dropped 100 feet.

John Garden IV of 849 Sycamore Lane spoke in opposition to this project. He added that in Prescott and Prescott Valley, development was happening everyday and he felt that those towns will be touching Chino Valley borders soon. Several of his neighbors' well water levels had been dropping, yet there are three water companies in Chino Valley. He thanked the citizens for being concerned about this project.

Toni Graybill of 1022 E Granite Creek Lane, also in opposition agreed with those that spoke before him and added that he felt this project would not generate the revenue the town needs and the neighbors would end up paying for it.

Diane Audette of 1322 Florida Lane agreed with previous speakers and asked the commission to make the right decision for the people, not for the revenue.

Kara Brennon of 2610 Georgia shared that she had lived here all her life and believed that this property could be used in a better way. She expressed concern about security, police and water usage. She suggested that the developer complete his other project in Verde Valley so the public could see what it would look like if he built in Chino Valley.

Ann Kennedy of 1875 N Rancho Santa Maria Drive stated she was a local business manager and was speaking for the Cat Sanctuary located at Granite Creek Vineyard. She felt that the Town needed to keep up the streets and she stated she opposed the project.

J. J. Walz was opposed and felt the Town should be kept the way it is. He stated that the applicant has not proven himself in regards to an RV park before building here. He felt that developers take advantage of the price of land in Chino Valley as opposed to Chino Valley being a desirable location.

Clay Camero of 1305 Taft Avenue stated his opposition to this project. He stated he moved here about a year ago because of the rural look, the quiet and the visibility of the night stars, Chino Valley is the exact opposite of Los Angeles. He supported 12,000 square foot lots.

There were no others that filled out the "Request to Speak" cards to speak.

Merritt asked if anyone else wished to speak. Rachelle Fernow encouraged all in attendance to speak up.

The following persons got up to speak and agreed with Rachelle Fernows presentation voicing opposition to the project:

Sonya Connelly, Dan Fernow, Linda Barnes, Justin Brereton, Susan Cruise, Tom Durnez, Barbara Celaya, Sasha Rodriguez, Mary Seal, Lila Pierce, Alisha Sutton, Michael O'Connor-Masse, Bob Schacker, Gary Steinmetz, Lori Redfern, Celia VanderMolen, Juliann Baker.

Merritt closed the Public Comment portion of the Public Hearing.

Merritt answered some of the questions brought up by the public. He stated that the fire department response is from Central Arizona Fire and Medical Authority (CAFMA) and is not a part of the Town of Chino Valley. He directed police security issues and road questions to the Public Works Director.

Public Works Director, Frank Marbury, shared that the closest water and sewer were over a mile away. If water was not considered available, then they were allowed to use a well. The wells were regulated by the State and fall under the jurisdiction and regulations set by the ADWR. The State regulates all wells, not the Town.

In regards to roads, **Marbury** stated that typically the Traffic Impact Analysis (TIA) would be required later in the project timeline. ADOT had requested a study prior to work beginning and had expressed concerns related to additional traffic in the roundabout. **Marbury** continued stating that Road 4 North was somewhat degraded and was planned to be a commercial road to feed into Old Home Manor. A roadway tax was presented to the voters a few years ago and the public voted roadway funding down. Without other significant funding sources, road repairs would be minimal, within the Town.

Marbury, in response to a question from **Merritt**, explained that CAFMA has certain roadway requirements inside the park, weight and radius requirements, and that if the project moves forward all parts of the plans, ADEQ, Sewer, Site Design, traffic, landscaping and various other items would need detailed review.

Bach returned to the podium to answer further questions from the commission.

Commissioner Meadors asked if **Bach** currently owned the property or if it was in escrow. **Bach** replied that the property was currently in escrow.

Merritt talked about the public concerns about this becoming a long-term, low-income RV park. He asked about CC&R's for the park and the use of the 30-day stay extension. **Bach** stated that there would be amenities and he would like to be able to extend stays in increments of 30-days. Fire concerns would be addressed with fire risers and storage tanks.

Merritt asked about the sewer infrastructure. **Bach** shared that Yavapai County had the final approval for any system that was used. This system must meet ADEQ requirements regarding maintenance and potential odors. The owners would be liable for fines if the standards were not met. Additionally, he shared this park would be by subscription and that most spaces were proposed to be 20' x 65' and have trees and shrubbery to give separation and privacy.

Somerville asked about the subscription detail. **Bach** stated that a subscription park allowed people to reserve space and dates, similar to KOA.

Merritt discussed the increase of traffic on Road 4 North and Road 1 East and the proximity of future growth east on this road towards Old Home Manor. **Marbury** stated that Road 4 North was planned to be the main commercial access to the Old Home Manor Commercial Park. But not all traffic would be on Road 4 North from the highway, as local citizens may use a different route to get to the Yavapai College, the shooting range, the dirt road access for off-roading and El Norte Restaurant.

Merritt asked **Heng** about this zoning not matching the surrounding area. **Heng** showed the General Plan map, which showed this parcel designated as Commercial or Multi-Family, and how that conformed with the current plan. **Merritt** asked why this rezone was for Commercial Heavy (CH) and what the cut-off point was for RV Parks. **Heng** stated that 25 spaces or less were allowed in Commercial Light (CL) and 26 spaces or more required the CH zoning. That the Planned Area Development (PAD) specifically ties the proposed RV Park use as the only development on the property, unless it came back through the Planning & Zoning Commission for another review.

Dingee added that the County West Mobile Home Park density was 14 spaces per acre, with the reduction by the applicant from 190 to 150 spaces, the density for this project was 5 spaces per acre.

There were no further questions from the Commission.

A motion was made by Vice-Chair Pasciak and seconded by Commissioner Welker to approve ZC-2022-01 as presented, with revisions dated 3-1-22 for Attachment A, and adding the stipulation that the project must be built within 2 years of the approval effective date or the zoning would revert to AR-5, and that residency can not be longer than 6 months. This motion failed with a 3-4 vote with Commissioner Somerville abstaining/then voting no. The Nay votes are explained as follows:

Somerville: It's the location as well as the condition of the roads. If the roads were improved, perhaps I'd be in favor later on. I'd like to see this project out at Old Home Manor rather than right on the highway.

Switzer: I'd like to see an RV Park in Chino just not at this location. I think Old Home Manor would be a good location. I would like to see the General Plan re-written first before a project of this density gets approved in this area. Be forewarned though that this property is in the commercial heavy corridor right now, and unless the general plan changes, the property could very easily end up being commercial heavy in the future. The other nice RV parks in Yavapai County are not this close to residential, I've stayed at them and it is nice that they are not near a residential district. I also think that a PAD with this density in this location does not work.

Meadors: This project is too dense for the area and I don't like that it's too close to residential. I too believe that it needs to go to Old Home Manor

Penn: I am troubled that there will be no traffic, noise or environmental study done before we make a decision. I do not like the fact that somebody can keep re-up every 30 days and stay there forever, that's a trailer park, not an RV park. I think that the people that live in the surrounding area should be given some consideration, they bought what they bought.



STAFF RESEARCH – REZONE

CASE #: Z-22-01

CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	2820 N Road 1 East				
Parcel Number(s):	306-14-026A				
Parcel Size(s):	30.15 acres				
Total Acreage:	30.15 acres				
Proposed Dwelling Units:	N/A				
Address:	661 E Howards Rd #17, Camp Verde, AZ, 86322				
Applicant:	Jeremy Bach				
Applicant's Agent:	Jeremy Bach				
Land Use Conformity Matrix:	Conforms:	Yes	X	No	
Zoning Overlay	PAD	X			
	Existing Zoning	Use(s) on-site			General Plan Designation
Site	Agricultural/Residential 5-Acre Minimum (AR-5)	Vacant			Commercial/Multi-family Residential
North	Commercial Light (CL) & Commercial Heavy (CH)	Commercial			Commercial/Multi-family Residential
South	Agricultural/Residential 5-Acre Minimum (AR-5)	Residential			Commercial/Multi-family Residential
East	Agricultural/Residential 5-Acre Minimum (AR-5)	Agricultural/Residential			Commercial/Multi-family Residential
West	Commercial Light (CL) & Commercial Heavy (CH)	Commercial			Commercial/Multi-family Residential
Prior Cases or Related Actions:					
<u>Type</u>	<u>Conforms</u>				<u>Cases, Actions or Agreements</u>
Pre-Annexation Agreement	Yes		No		
Annexation	Yes	X	No		Original Town – Annexed 09/21/70
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes		No	X	
Subdivision	Yes		No	X	
Conditional Use Permit	Yes		No	X	
Pre-Application Meeting	Yes	X	No		November 10, 2021 & December 28, 2021
Enforcement Actions	Yes		No	X	
Land Division Status:					
Irrigation District:	None.				

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:		
Land Use Designation:	Commercial/Multi-family Residential	
Issues:	None.	
Public Services Element:		
Water Facility Plan:	Source:	None.
Sewer Facility Plan:	Treatment:	None.
Issues:	-	
Transportation Element:		
Road Classification	Collector Street	
Issues:	Right of Way dedication – In Pre-application meeting, Public Works requested for right of way to align E Road 4 North, and right-of-way along N Road 1 East.	
Parks and Rec Element:		
Closest Park:	Memory Park, Chino Valley Aquatic Center.	
Within 1 mile of the Peavine Trail?	Yes	

NOTIFICATION

- Legal Ad Published: The Sun (01/31/2022)
- 300' Vicinity Mailing: (12/13/2021)
- 21 Commenting/Reviewing Agencies noticed: (01/13/2022)
- Neighborhood Meeting: (01/26/2022)
- Hearing Dates: (03/01/2022)
- Comments Due: (01/24/2022)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	Y	1/13/2022		Y	Y
Monica Holiday – APS					
Richard Perez - A.D.O.T.					
Ralph Baker – C.V.I.D.	Y	1/6/2022		Y	Y
Suzann E. – YC ENV	Y	1/18/2022			Y
Jon Groulx – YC Health	Y	1/13/2022		Y	Y
SparkLite Cable					
Century Link Cable					
Unisource Gas					
CVUSD					
United States Postal Service					
Town of Chino Valley Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)					
Will Dingee – Senior Planner (DS)					
Laurie Lineberry – DS Director					
Frank Marbury – PW Director					
Steve Sullivan – Assistant Engineer (PW)					
Jim Shinost – Plans Examiner (DS)					
Dan Trout – CBO (DS)					
David Jamie – Code Enforcement					
Damon Stanley – Code Enforcement					
Chuck Winn – Chief of Police (Police)					

February 14, 2022

To: Bethan Heng, Planner
Town of Chino Valley
Development Services
1982 Voss Drive, Dept. 203
Chino Valley, AZ 86323

Date: February 14, 2022

Re: Comments on proposed RV park on East Rd 4 North.

Submitted: via email to: bheng@chinoaz.net

Thank you for your attention and the ability to comment on this rezoning issue. Please carefully consider the following comments.

We have strong concerns about the rezoning associated with a proposed RV park on parcel 306-14-026A at the southwest corner of East Rd 4 North and North Rd 1 East. I urge P&Z to maintain the parcel zoning as AR5. Rezoning to Heavy Commercial (CH) is inconsistent with the General Plan. Rezoning to CH is an inappropriate intrusion into an area now zoned AR5 and SR2. The current AR5 zoning provides a buffer between the CL and CH zoning along Hwy 89 and the AR5/SR2 residential parcels surrounding the subject parcel, especially on the east side of Rd1E. To change the current AR5 zoning to CH will destroy that buffer and expose residents to substantially increased noise, night lighting, and traffic due to the extremely high density in the proposal. This proposal does not respect the peace and quiet of the neighborhood or our property values. It is inconsistent with the existing uses. CH zoning should be restricted to the highway corridor or the Business Park.

We note that there are several approved RV parks in Chino that have not been completed. We should not add another incomplete project to that list.

Additionally, a General Plan revision process will begin in the next few months. New developments of this scale should be paused until the plan process completes a new vision for Chino's future.

Finally, note that approving an RV park at this location is not only unacceptable to the neighborhood, but that it is contrary to the Town's goal of developing the Old Home

Manor Business Park. An RV park is a perfectly acceptable use of the Business Park and is a much preferable location. Further, permitting the use of a septic tank for the park when the Town's fine wastewater treatment system is nearby effectively contravenes the purpose of that plant investment and denies the Town the ability to capture more wastewater for recharge credits.

Rezoning to CH should be denied.

If rezoning is approved, a development agreement with conditions must be attached:

- **Rezoning** must be contingent on an approved development agreement. Rezoning will revert to AR5 if development is not completed within 24 months.
- **Public Safety:** Access streets within the RV park must be designed to accommodate fire trucks, police, and ambulance. Fire hydrants are required and all city codes must be met.
- **Traffic:** A traffic study should be completed to evaluate the need to upgrade width (or to 4 lane?) of Rd4N between Hwy 89 and Rd1E to accommodate large vehicle traffic. Turn lanes for entering and exiting the RV park may be necessary. Note that East Rd4N is a primary access for all the homes east of Rd1E between Rd4N and Perkinsville Rd . Do not allow entry or exit from RV park onto Rd1E. Note that the property has access to Hwy 89 at the southwest corner that could be used for an emergency exit. Road improvement expenses should be substantially shared by the developer.
- **Residency and Rental Structures:** No permanent structures, manufactured homes, or mobile homes for long-term or short-term rental are permitted. RV residency should be limited, not to exceed 30 days in a 6 month period. The RV park must not degenerate into a substandard housing development!
- **Vehicular surfaces:** All parking and driving surfaces should be paved.
- **Rentals:** We are concerned that developers will present pretty sketches to gain approval and but fail to implement those plans. No rentals should be allowed until the site plan is fully constructed and approved, including the streets, the pool, landscaping, trees, perimeter fencing, and buildings for administrative and common use that are included on the development agreement.
- **Quality:** The RV park should be a quality facility consistent with the aspirations of the Town of Chino Valley, not a low-quality, cheaply built park with long-term residents in cramped substandard housing with potential law enforcement issues.
- **Lighting:** The park must provide low-level downward-facing safety lighting that meets dark sky requirements.

February 14, 2022

- **Waste disposal:** Septic tank waste disposal is grossly unacceptable with this density: 6.4 units/acre overall and 9 units/acre for the 21 acres allotted to RV spaces. If this were a residential housing development, septic tanks would not be permitted. The RV Park must be required to connect to the Chino wastewater treatment plant. Note that 51.075E of the Town Code requires new subdivisions with lots <1 acre to connect, and 51.138 requires new commercial to buy in. Although this is technically not a subdivision, the density and commercial uses are absolutely consistent with the Town intent to require sewer connections.
 - The sewer system can be easily accessed by running a waste line down Rd4N or Granite Creek Lane to connect to the lift station in the wash opposite the end of Granite Creek Lane. The sewer connection must be funded by the developer. An additional benefit of the sewer connection is that the Town will receive increased recharge credits.
- **Neighborhood Protection:** All perimeters of the RV Park that connect to AR5 or SR2 zoned parcels must include a shield to protect neighbors from light, noise, dust, dogs, etc. The shield must be a solid block wall at least 6' high, lined with drought-tolerant trees on the inside of the park.

Gary Beverly, PhD and Molly Beverly
PO Box 176 - 1219 Granite Creek Lane
Chino Valley, AZ 86323
928-308-1003 (c)
gbverde99@gmail.com

Nina Perlmutter and Tom Brodersen
1327 Granite Creek Lane
Chino Valley, AZ 86323
(928) 925-9207
tbrodersen1892@gmail.com

Town of Chino Valley
Attn: Planning and Zoning Commission
Attn: Bethan Berg- Planner
1982 Voss Drive
Chino Valley, AZ 86323

Resident Opposition: Three Reasons to Stop Rezoning and Save Our Neighborhood

Introduction

As the four principle residents and landholders notified within 300ft of parcel (APN306-14-026A), we are writing in **united opposition** to proposed rezoning of 2820 N. RD 1, E. from AR-5 Agricultural /Residential to Commercial Heavy, in prelude to a potential “overlay” development of a 190 unit plus RV Park. The front page of the current Chino Valley General Plan states the Town’s vision is “...maintaining its valued farming heritage, recreation and environmental assets and its small town heritage (Chino Valley GP, 2014, pg1). The rezoning of (APN306-14-026A- Approx. 30Acres) from AR-5 Agricultural- Residential to Heavy Commercial (no condition use) is not in the best interest of the town because it is not consistent the Town’s stated vision in the current General Plan and will completely alter the character of the winery neighborhood lauded as the “Jewel of Chino Valley.” The location is currently zoned as AR -5 allowing 1 house per acre, consistent with properties in the surrounding neighborhood, and its barely adequate infrastructure including emergency services, roads and sanitation. An unprecedented density increase of population within the square mile of this proposed rezoning and development will negatively impact the Town’s public safety services, roadways, and is an inappropriate use according to the current town plan.

Cost: Externalization of town services to existing residents

When pressed in the initial neighborhood meeting, the proposed RV Park developer Mr. Bach could not offer any information on how he would provide compensation for the additional public services such as police, fire, ambulance, and school or road services required to maintain the population of his 190+ plus RV units (roughly 400 people). Additionally, he stated there is no time limit on occupancy in his park, except a 30-day renewal clause, which would theoretically qualify for a kind of quasi-permanent residency. He explained the Park will help alleviate the shortage of low -cost housing, failing to mention that occupants would not be paying any property tax (Bach, Chino Valley Neighborhood Meeting, 2022). Further, Mr. Bach stated in an open conversation with the community members in the Council Chambers parking lot after that he specifically pursued these types of “LOW- CAP-X opportunities” because they require no or low infrastructure investment on his part. This statement appears to be diametrically opposed to the statement in the Town Plan, which calls for the developer “to pay its fair share for additional public service” (Chino Valley GP, 2014). The insignificant three-percent occupancy the town will enjoy from the potential 400 “quasi-residents” at the park will have an insignificant impact on paying

for the additional cost of public services including emergency services, road repairs and possibly school costs if any long-term occupants have school-age children. Recent articles in the Courier condemning slow or no ambulance service response are just one example of how our emergency services are already overextended in resources with the current population. In addition, the Chino Valley Review recently reported on the shortage of teachers in the Chino Valley Unified School District. The fact that the Town's last two special-ballot road funding initiatives both failed to pass should also clearly demonstrate that our town does not currently possess the funding required to maintain the existing road base, much less initialize, and further capitalize major infrastructure changes to the roads this project requires. Once again, those costs are externalized to the community through increase in taxes, and disruption in existing Town services for current taxpaying residents.

State of the Roads

We can expect an explosive volume of traffic on the area roadways due to trucks and RV's possibly numbering in the hundreds daily, and other peripheral transport vehicles from the RV Park alone. Although in conjunction with this project, and through donation of easements on the adjacent roadways of RD 4N and RD1 E, DPW has confirmed anticipated widening of RD4 N from roundabout to Old Home Manor and plans to realign and widen RD1 N, which will change the functional classification of the road allowing heavy commercial traffic directly through the existing residential community. We residents also take issue with rezoning this property as a seemingly clandestine town road initiative (through easement donation) to open both adjacent roads to exponentially increased commercial traffic volume, speeds and weight loads, with no established funding to bring the project to full completion. We demand an official traffic study be conducted in consideration of these impacts **before** the rezoning of the property is approved, particularly because rezoning this parcel will remap the existing roadway and character of the neighborhood. Currently most of the Town's roads are already in marginal shape at best, with multiple pot-hole fields already existing on RD4 N. The additional heavy commercial vehicles and weight of RV traffic soon allowed to traverse both RD4 N. and RD1 E will have a major negative impact on road surfacing because the road thickness is not currently designed to support this weight or volume of traffic (DWP, 2022). The peripheral vehicles associated with each RV in the park, the RV's themselves and additional heavy commercial traffic are a complete formula for disastrous consequences concerning the Round-about on RD4, where several accidents have already occurred. The traffic backup and congestion on the RD4 N adjacent to the proposed RV Park will become unmanageable because of the sheer size and often 60-100 ft. plus lengths of the trailers and the lack of maneuverability that length implies, not to mention the increase in lengthy commercial trucks. Together, we must emphasize these zoning and road changes clearly constitute a major amendment to the existing town plan (Chino Valley GP, 2014, pg. 10). This level of change will directly impact the Town's long term growth plan and should be tabled to ensure

full community participation in this major amendment to the Town Plan until the Town's new plan is reviewed and revised early next year.

Inappropriate Use of the Land

In the introduction to the General Plan, some of the top bullet point priorities for the Vision of Chino Valley are: "Small town Image, Rural farm, Ranch, Historic, Rural lifestyle, Farming character, Large amount of open space, Historic, and Heritage preservation" (Chino Valley GP, 2014, pg. 2). This proposed re-zoning will unfavorably impact the surrounding residential and rural neighborhood that is **already** low-density zoned and established in character of the visionary goals set forth in the General Plan. This lifestyle promoted in the Town GP is precisely why several of us have recently chosen to relocate and invest in this neighborhood in recent years. The high population density proposed with this 197-plus RV Park is unprecedented in Chino Valley and requires Commercial heavy zoning specifically due to the high occupancy, thus the need for exceptional leapfrog zoning straight to Commercial Heavy, over the following sequential zoning category Commercial Light. Commercial Light zoning is corresponding and appropriate according to the current Town GP, and we wish this designation would be considered as a zoning alternative in this case. Rezoning to Commercial Heavy, with extreme population density will ~~a~~-produce noise, visual and possibly ground water and environmental pollution. One of the developer's proposed solutions to concealing the visual change of the neighborhood is a 30-Acre chain link fence to separate the Park from the surrounding community (Bach, Chino Valley Neighborhood Meeting, 2022), which will do nothing to reduce the noise, light, and air pollution from both the gasoline and diesel vehicles that will be able to enter the park 24/7. The facility will also be operating with a packaged, below-ground, black-water treatment plant, which will be a first-time use or ground installation of this type of wastewater treatment facility in Chino Valley to date. Further, the site will not contribute to groundwater recharge of the aquifer it will be residing on (DWP, 2022). As this project is certainly conflicting with the current Town GP, do we really want the neighborhood that contains the "Jewel of Chino Valley" to be displaced by a high-speed corridor for commercial trucks, storage, and RV Parks? Surely there is a more appropriate location for an RV Park, and clearly there is because the Town has already approved construction of a 20-acre RV Park in the Old Manor Area only a couple of miles from this proposed RV Park (DWP, 2022).

Conclusion

Rezoning to allow the construction of the proposed RV Park and complete remapping of the roadways of the neighborhood is not in the best interest of the community. Certainly, as directly adjacent landholders, we feel our voice should be heard with great consideration, as all our property values have already been impacted with the just mere proposal of this project being on Public Record. We join the hundreds of residents in the surrounding community who have signed our petition to oppose this ill-planned, cost-externalizing, development nightmare. Such a major amendment to the Town's General

Plan should be taken up when the entire Plan is reviewed early next year, allowing a careful review of its community-wide impact including costs, traffic congestion, and dramatic change of the “valued farming culture”.

Respectfully,

Notified Residents and Property Owners:

Terry Ireton

2614 N Road 1 E

Chino Valley, AZ

Darrin & Sheri Rodgers

1002 E Road 4 N

Chino Valley, AZ

Grant & Rachelle Fernow,

2949 N Road 1 East

Chino Valley, AZ

Robert & Juliann Baker

2869 N Road 1 East

Chino Valley, AZ

Feb 11, 2022

Bethan Heng, Planner
Town of Chino Valley Development Services
1982 Voss Dr, Ste 203
Chino Valley, AZ 86323-7604

Re: Rezone request – Parcel #306-14-026A
@ SW corner of Rd 4N and Rd 1E

Dear Ms. Heng:

We want to voice our concern about the proposal to rezone the above-mentioned 30-acre parcel from AR-5 to CH, thereby allowing the owner to move forward with a plan to install a 195-unit RV park. We are aware that this parcel exists within the corridor designated a commercial zone within the General Plan. More than 20 years ago when it was originally developed, Mike served on the citizen committee that helped develop the Plan.

In the years since the commercial corridor concept was developed, the center of town shifted southward from the Hwy 89 and Rd 3 North area (originally Safeway, Taco Bell, McDonalds, etc.) to the now Hwy 89 and Rd 2 North area (Safeway shopping center, Walgreens, Taco Bell, Post Office, Burger King, Sonic, Chino Skillet, etc.).

In the past 20 years, it was also the Town's desire to create a new town center involving its 800+-acre Old Home manor acreage. Much has changed over time, but Old Home Manor remains undeveloped and the area in consideration has remained low-density.

The 4 North area near the highway on the "designated commercial" edges of Rd 1 West and Rd 1 East has become more residential and less commercial. In fact, from Rd 4 North all the way down to Rd 4 South/Outer Loop Rd, existing zones bordering Rd 1 West and Rd 1 East consist principally of SR-1 or -2 and AR-5 zones. There are very few CL-zoned parcels, no CH zones bordering the two roads, and the CL entities are very low-density. This shows the Town's commercial zone plan has not developed in the way it originally was conceived. Rather, there are mostly residences along both Roads 1 East and 1 West.

We understand the importance of property rights. We also understand the value of zoning regulations to ensure that residential, industrial and commercial zones are properly separated and buffered from each other, a point noted in the General Plan (page 10, Land Use).

The proposed project has no such transition or buffer zoning. A rezone from AR-5 to Commercial Heavy would allow for a high-density RV park to reside next to mostly very low-

density, AR-5 and SR-2 parcels. We find this project *at this location* to be unacceptable and incongruent with the Town's goals, its General Plan and the existing neighborhood.

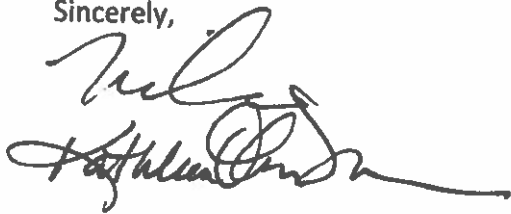
If it is the Town's desire to attract an RV park, there are other locations already designated CH as well as an area at Old Home Manor specifically planned for RV parks. That location would allow the park to easily connect to the Town's sewage treatment plant – providing the Town and its citizens valuable water credits. The developer has other, more appropriate choices than the property at 4N and 1E; and if the project were located near Old Home Manor, it would be compatible with the Land Use section of the current General Plan (page 14).

In any case, we also believe that the next General Plan update (due in less than two years) can and will appropriately address the changes that have occurred since its adoption in 2014 – and we believe the Town is too close to a new Plan to make such a dramatic zoning change in this neighborhood.

Finally, the people who are most affected by this proposal are a community. We know each other, look after each other and most of us do not believe this development is compatible with our neighborhood or its long-term future.

We believe Town Staff should recommend against this proposal.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature is a cursive 'Mike' with a long horizontal stroke extending to the right. The second signature is a cursive 'Kate' with a long horizontal stroke extending to the right, positioned below the first signature.

Mike and Kate O'Connor-Masse
2572 N Rd 1 East, Chino Valley 86323
26-year Chino Valley residents
Owners of two properties within 600 feet of parcel 306-14-026A

Town of Chino Valley
Attn: Mr. Will Dingee-Senior Planner
202 Voss Drive
Chino Valley, AZ 86323

July 9, 2022

Dear Mr. Dingee:

I oppose the proposed rezoning of 2820 N. RD 1, E. (APN306-14-026A) from AG-5 to Heavy Commercial with no restrictions as a prelude to development of a 190 plus RV Park on the site. I am the co-owner of the property located at 2869 North Road 1 E, Zoned AG-5, located adjacent to the property proposed to be rezoned. This proposed rezoning and development will negatively impact the value of my land and that of other residents in the immediate area.

The rezoning of 2820 N. RD 1, E (approximately 30 acres) from AG-5 to Heavy Commercial is not in the best interest of the town or those landowners/residents within the immediate vicinity. The location is currently zoned as AG -5 allowing 1 house per 5 acres, consistent with properties in the surrounding neighborhood and its infrastructure including roads and sanitation. The current Town General Plan recognizes this area as largely agriculture area and commensurate with the town's goal to maintain its "valuable farming heritage."

The Town's General Plan calls for the developer "to pay its fair share for additional public service." When pressed, the RV Park developer could not offer any information on how he would pay for the additional public services such as police, fire or ambulance services needed for his 197 plus RV units (roughly 400 people). Recent articles in the local newspaper decrying the slow or no ambulance response are just one example of how these public services are already stretched. Additionally, he stated that there is not time limit on occupancy except a 30-day renewal clause. He explained the Park will help alleviate the shortage of low -cost housing failing to mention that occupants would not be paying any property tax. The 3% bed tax the Town will get will not come anywhere near covering the cost of public services including emergency services, road repairs and possibly school costs if any long -term occupants have school-age children.

Next, the proposed RV Park is far too small for the proposed 197 units and will unfavorably impact the surrounding residential neighborhood. The 197 plus RV spaces proposed is unreasonably dense for the space available not including the Razors and other smaller RV vehicles. Such a land use will produce both noise and visual pollution. The developer proposed a chain link fence to separate the Park from the surrounding community. Such a fence will do nothing to reduce the noise from both the gasoline and diesel vehicles that will be able to enter the park 24/7 or be of any aesthetic value.

The wear and tear on the Town's roadways would increase greatly due the increased traffic volume and the weight of the RVs. Currently, many of the Town's roads are in marginal shape. Often, there is traffic congestion at the traffic circle adjacent to the proposed RV Park and that will only increase with the length and size of RVs. At the very least, a traffic study should be conducted before rezoning this property for RV Park use. Doing it after it is rezoned, is putting the cart before the horse. Likewise, the plan to realign and widen RD1 N will change the functional classification of the road allowing heavy commercial traffic directly through the existing residential community. Together, these zoning and road changes clearly constitute a major amendment to the existing town plan. This level of change will directly impact the City's long term growth plan and should wait until the Town's Plan is reviewed early next year to ensure full community participation in this zoning and road change.

In addition, the Town has already approved construction of its own RV Park in the Old Manor Area only a few miles from the proposed RV Park. Once operational, the proposed RV Park would be in direct competition with Town-owned RV Park. Do we want this side of town to become one big RV Park?

In conclusion, rezoning to allow the construction of the proposed RV Park is not in the best interest of the community. I join the rest of the residents in the surrounding community in opposing this ill-planned development effort. Such a major amendment to the Town's General Plan should be taken up when the entire Plan is reviewed early next year, allowing a careful review its community-wide impact including costs, traffic congestion, and dramatic change of the "valued farming culture" .

A handwritten signature in black ink, appearing to read "Robert W. Baker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert W. Baker

Town Council

Planning and Zoning Commission

ATTN: Bethen Heng

Dear Ladies and Gentlemen of Commission,

February 11, 2022

My letter to you is in regard to Zoning Changes Case No# 2-01-22. AG/5 acre residential – to- Heavy Comm./w. planned development overlay project 190 RV unit park. All to often plans fall through and lay vacant for an entirely different accepted done deal. The growth on Road 1 East has exceeded its limits for traffic, noise, lights, cameras, action etc. Is this and the 150 new homes at Perkinsville a precursor to run water, utilities, and sewer all the way down? The 150 new home investors would fight an RV park next to them I'd bet money on that!

The property values of all stick-built homes will plummet into a deficit. Affordable housing has always been an issue in Chino Valley for so many many years. As badly needed as a 2nd competitive grocer. No one is denying a developers dream, or City revenue, growth, and progress, etc. Responsible managed growth should be and used to be the goal.

Years ago, Chino Valley annexed from 2South to roundabout for industrial, it didn't happen as planned. I also think the new request for Soccer complex investors would not like such a project next to them, but hey, what has ever happened to promote the Old Home Manner Area that has been sitting Idle.

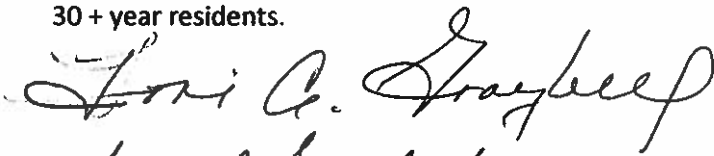
Old Home Manner is zoned for such a project. A much more copesetic location for such a project and to all that Chino has going on.

Rural defines Chino Valley to an extent. To the West is like the Wild West. Wide open spaces, To the East all stick-built homes from South to North all the way through R. 1 east. Please Ladies and Gentlemen consider leaving the Zoning of this Case # as is. To view 5 or 6 Stick built homes – vs- 190 jammed RV park from my dining window most desired. Please take into consideration the long-time residents -vs-A "Hit N Run" project happen here.

Sincerely,

Lee and Toni Graybill

30 + year residents.




February 12, 2022

Bethen Heng, Planner
Town of Chino Valley
Development Services
1982 Voss Drive, Dept 203
Chino Valley, AZ 86323

Project: Case #-Z-1-22 Proposed rezone of 2820 N. Road 1 East, Chino Valley, AZ 86323 from agricultural/residential 5 acre minimum (AR 5) to Commercial Heavy with a planned area development (CH/PAD)

Dear Ms. Heng:

I'm writing this letter to formally oppose the above proposed rezoning and planned area development project. From what I understand the proposed project is a large RV park with 190+ spaces. This project doesn't seem to fit in this area and would have an adverse effect on property values. This is a rural agricultural community, most of the houses are on 1 to 5 acres lots with horses and farm animals. This project would bring increased traffic to an already congested intersection (89 & 4N) and would also add to the numerous potholes already on 4N and adjacent streets. In addition, our beautiful views and quiet nights will be filled with an RV Park lit up at all hours and our views will be of fences and RV's. I don't doubt that there is a need in Chino Valley for this type of housing but there must be other places in town that is more suitable for this project. Why not consider Old Home Manner that the town has talked about developing for years and has easy and safe access off Perkinsville Rd? There must be numerous other places in town that would also be a better fit for this type of housing project. I ask that you consider rejecting this proposed rezone for the neighbors that have lived here for many years (14 to 30 years for many of the neighbors) and for all the residents in Chino Valley.

I will be attending the upcoming Planning & Zoning Meeting and the Town Council Meeting and plan on bringing as many neighbors as possible. Thank you in advance for your consideration.

Sincerely,

Diane Audette
1322 Florida Ln
Chino Valley, AZ 86323

February 10, 2022

Town of Chino Valley Planning & Zoning Commission
Attn: Bethan Heng
202 Voss Drive
Chino Valley, AZ 86323

Subject: Proposed Zone Change and RV Park at 2820 N. Road 1 East

Ms. Heng,

We are writing this letter to voice our opposition to the proposed zone change and RV park at the corner of 4 North and 1 East. We own a newer site-built residence (completed in 2017) and vineyard on AR-5 zoned property at 2845 N. Road 1 East. It is our feeling that the proposed project would bring with it a density and use that is too abrupt relative to the agricultural nature of our property and other AR-5 zoned properties that are immediately adjacent to the proposed RV park. Additional concerns that bolster our opposition are the traffic patterns that this higher density use would bring with it, potential groundwater contamination resulting from sewage overload, the inherent itinerant nature of RV Park residents, and noise/light pollution to a currently pastoral setting.

Regards,



Richard and Susan Peterson
Chino Valley

TO: Town Council, Planning & Zoning Commission, Attn: Bethen Heng.

We would like to register our opposition to the proposed rezoning of 2820 N. Road 1 East, Chino Valley, AZ. 86323 from agricultural/residential to Commercial Heavy.

We have lived on New York Place for 45 years. Our house was one of the first houses to be built in this area. We chose this area for the low density, rural nature that comes with the houses being spaced a comfortable distance apart. We object to any project that changes that concept. With the proposed 190+ space RV Park less than a half mile up-wind from us, we would be subjected to greatly increased noise levels and additional dust blowing toward us. Additionally, we are concerned about the potential for an increase in crime due to the quasi-transient element inherent with recreational vehicles.

Our biggest concern is the increased demand on our already overburdened water resources. Just with the current influx of single-family homes, (and numerous marijuana greenhouses) the longevity of our water supply is already being threatened. With the addition of high-density occupancy such as is being proposed, this would place an unacceptable strain on our water resources.

Gordon & Nancy Diffendaffer
1485 New York Place
Chino Valley, AZ. 86323

**JUSTIN
AND
LINDSAY
BRERETON**

2/10/22

City Of Chino Valley Planning and Zoning
1982 Voss Dr.
Chino Valley, AZ 86323

Dear Planning and Zoning,

We believe the planned RV Park at the 4North and 1East property would be inconsistent with the current makeup of the area. The area suggested is in a residential and rural area, and not compatible with an RV Park. The influx of people would not be suitable, and the surrounding community would be inundated with a quantity of people roaming around on foot and by vehicle. Our roads are not set up for this traffic, and the size of RV's would be a detriment to our quality of life. We feel strongly that a different area should be chosen.

Sincerely,

Justin and Lindsay Brereton

My husband and I live at 3105 W Oso Prescott Az.

It is out Williamson Valley. My husband and I do our weekly shopping in Chino. Part of our desire to

shop in Chino is the small atmosphere that it emits. Why put in more mobile homes? It doesn't add to the charm and monetary value of Chino. I

hope this plan comes under review and is overturned.

Sincerely,

Cherie & Rob Dodds

PETITION TO THE TOWN OF CHINO VALLEY

We, the undersigned, are opposed to the proposed rezoning at 2820 North Road One East. The proposal is to re-zone from AR-5 (ag/residential) to CH (commercial heavy).

This rezone is being sought to put in a high-density RV park, which has numerous negative impacts on the surrounding community and is an incompatible land use.

We respectfully request that Town Staff and the Planning & Zoning Commission reject this rezoning application.

NAME	STREET ADDRESS	Registered to vote in CV town limits? (Y/N)
Gale Collins	2880 Georgia	Y
Lyn Power	1385 E Calit	Y
Amanda Wilson	1422 Calaveras Ave.	Y
Paul Bongkuey	1435 California Dr.	Y
Christine Reynolds	1611 Granite Creek Ln	Y
Willam D. Ough	1422 Calaveras Dr.	Y
Tamara Beerra	1315 New York St.	Y

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<u>Name</u>	<u>Street Address</u>	<u>Qualified to vote in Chino Valley? (Y/N)</u>
Pauline	1881 Pisto Ln.	Yes
Joshyva Ambra		Yes
Anthony	1846 Anthony Ln.	I am a registered voter to vote
Dick	2078 Bending Turn Ln.	Yes
Frank	2078 Bending Turn Ln.	Yes
Michael		Yes
Richard	5055	Yes
William	2033 Bending Turn Ln.	Yes
Mark	11000	Yes
Wendy	1127	Yes

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Name	Street Address	Qualified to vote in Chino Valley? (Y/N)
MARK PANDON	1848 PINTO LN, CHINO VALLEY, AZ	Y
STACY LOTT	1879 SINTON, CHINO VALLEY, AZ	Y
Brett DeLeon	1879 Pinto Ln Chino Valley AZ	Y
Betsy Bravies	1796 Pinto Lane Chino Valley, AZ	Y
Joe Brail	1796 Pinto Ln Chino Valley AZ	Y
Mike Stranik	1575 Del Rio Street 86323	Y
DONNA SANDS	1380 RED CLOUD RD CHINO VALLEY, AZ	Y

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Name

Street Address

Qualified to vote in Chino Valley? (Y/N)

Johann Dorfing 1485 Red Cinder Rd Y

Christin Dorfing 1485 Red Cinder Rd yes

Levi T 2060 Deer Drive Y

Doug L. Tackett 2000 Drive 1985

	A	B	C	D	E	F
1	Name	City	State	Postal Code	Country	Signed On
2	Rachelle Fernow	Chino Valley	AZ		US	2/6/2022
3	Lindsay Roskopf	Chino valley	AZ	86323	US	2/6/2022
4	LindaLin Jensen	Paulden	AZ	86334	US	2/6/2022
5	Mitzi Conn	Chino Valley	AZ	86323	US	2/6/2022
6	Janet Fernow	Prescott	AZ	86301	US	2/6/2022
7	Sheri Rogers	Chino Valley	AZ	86323	US	2/6/2022
8	Larry Holt	Chino Valley	AZ	86323	US	2/6/2022
9	Paula Pizinger	Chino Valley	AZ	86323	US	2/7/2022
10	ROBERT NELISSEN	CHINO VALLEY	AZ	86323	US	2/7/2022
11	Adam Kaluba	Burleson	TX	76028	US	2/7/2022
12	John Kirkpatrick	Chino Valley	AZ	86323	US	2/7/2022
13	Middlested Cathy	Chino Valley	AZ	86323	US	2/7/2022
14	Kimberlee Olson	Chino Valley	AZ	86323	US	2/8/2022
15	Dianna Voegelé	Phoenix	AZ	85009	US	2/8/2022
16	Samantha Kapele	Chino Valley	AZ	86323	US	2/8/2022
17	Carrie Bass	Chino Valley	AZ	86323	US	2/8/2022
18	Sharon Jackson	Chino Valley	AZ	86323	US	2/9/2022
19	Charlotte Marriott	Chino Valley	AZ	86323	US	2/9/2022
20	Dustin Rigg	Phoenix	AZ	85031	US	2/9/2022
21	korniat stephen	Chino Valley	AZ	86323	US	2/10/2022
22	Debbie Finley	Chino Valley	AZ	86323	US	2/10/2022
23	Mary Blackmon	Chino Valley	AZ	86323	US	2/10/2022
24	Leticia Ausbern	Chino Valley	AZ	86323	US	2/10/2022
25	Darrin Rogers	Chino Valley	AZ	86323	US	2/10/2022
26	Paul Miller	Prescott	AZ	86303	US	2/10/2022
27	Karen Rascon	Prescott Valley	AZ	86315	US	2/10/2022
28	debra Mulcahy	Los Angeles	CA	90060	US	2/10/2022
29	Daid Hicks	Chino Valley	AZ	86323	US	2/10/2022
30	Courtney Edel	Prescott Valley	AZ	86315	US	2/10/2022
31	Sheri Matlock	Chino Valley		86323	US	2/10/2022
32	Juliann Baker	chino valley	AZ	86323	US	2/10/2022
33	April Frank	Paulden	AZ	86334	US	2/10/2022
34	Beth Ironside	Chino Valley	AZ	86323	US	2/10/2022
35	Kate O'Connor-Masse	Chino Valley	AZ	86323	US	2/10/2022
36	jaye tackett	chino valley	AZ	86323	US	2/10/2022
37	Casey Jones	CHINO VALLEY	AZ	86323	US	2/10/2022
38	Betty Canedy	Chino Valley	AZ	86323	US	2/10/2022
39	Jessica Owen	Chino Valley	AZ	86323	US	2/10/2022
40	Terrie Leahy	Prescott	AZ	86303	US	2/10/2022
41	Cathy Crader	Phoenix	AZ	85033	US	2/10/2022
42	Krystal Rappe	Kingman	AZ	86401	US	2/10/2022
43	Robert Baker	Chino Valley	AZ	86323	US	2/10/2022
44	Sandra Deahn	Prescott Valley	AZ	86314	US	2/10/2022
45	John Warrington	Lisle	IL	60532	US	2/10/2022
46	Jodie Steele	Prescott	AZ	86305	US	2/10/2022

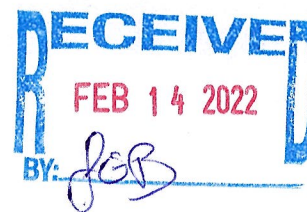
	A	B	C	D	E	F
47	Richard Peterson	Chino Valley	AZ	86323	US	2/10/2022
48	Susan Peterson	Chino Valley	AZ	86323	US	2/10/2022
49	Sharon Nance	Chino Valley	AZ	86323	US	2/10/2022
50	Brandy Simone	Prescott	AZ	86302	US	2/10/2022
51	Audrianna Atkinson	Chino Valley	AZ	86323	US	2/10/2022
52	Rebecca Ferreira	Nashua		3062	US	2/11/2022
53	Spencer Coffin	Chino Valley	AZ	86323	US	2/11/2022
54	Alie Amato	Mayer	AZ	86333	US	2/11/2022
55	Justin Brereton	Chino valley	AZ	86323	US	2/11/2022
56	Junior Mier	Chino Valley	AZ	86323	US	2/11/2022
57	Lydia Alvarez	Chino Valley	AZ	86323	US	2/11/2022
58	Jessie Turner	Prescott	AZ	86301	US	2/11/2022
59	Gary Beverly	Chino Valley	AZ	86323	US	2/11/2022
60	Molly Beverly	Chino Valley	AZ	86323	US	2/11/2022
61	Danielle Baker	Chino Valley	AZ	86323	US	2/11/2022
62	Kara Brennion	Chino Valley	AZ	86323	US	2/11/2022
63	Susan Caruso	Chino Valley	AZ	86323	US	2/11/2022
64	Lenora Kerr	Chino Valley	AZ	86323	US	2/11/2022
65	Nina Perlmutter	Chino Valley	AZ	86323	US	2/11/2022
66	Gayle McIntosh	Chino valley	AZ	86323	US	2/11/2022
67	Tom Brodersen	Chino Valley	AZ	86323	US	2/11/2022
68	Judy Fuller	Chino Valley	AZ	86323	US	2/11/2022
69	Ralf Paddock	Chino Valley	AZ	86323	US	2/11/2022
70	charlyn burchard	Chino Valley	AZ	86323	US	2/11/2022
71	Athena Davis	Chino Valley	AZ	86323	US	2/11/2022
72	Helen Hanes	Chino Valley	AZ	86323	US	2/11/2022
73	Elise King	Chino Valley	AZ	86323	US	2/11/2022
74	Diane Audette	Chino Valley	AZ	86323	US	2/12/2022
75	Kathy Shephard	Chino Valley	AZ	86323	US	2/12/2022
76	James Olsen	Chino Valley	AZ	86323	US	2/12/2022
77	Toni Graybill	Chino valley	AZ	86323	US	2/12/2022
78	Kathie Niekowal	Chino Valley	AZ	86314	US	2/12/2022
79	Destin Jackson	Chino Valley	AZ	86323	US	2/12/2022
80	Shelli Kinkade	Chino Valley	AZ	86323	US	2/12/2022
81	Robert kinkade	Prescott Valley	AZ	86315	US	2/12/2022
82	Michelle Belverud	Chino Valley	AZ	86323	US	2/12/2022
83	Shelley Crookes	Chino Valley	AZ	86323	US	2/12/2022
84	Cecilia Savage	Chino Valley	AZ	86323	US	2/12/2022
85	Deborah Jamieson	Chino Valley	AZ	86323	US	2/12/2022
86	Tammy Shephard	Chino Valley	AZ	86323	US	2/12/2022
87	Dominic Ruggiero	Chino Valley	AZ	86323	US	2/12/2022
88	Colleen Acheson	Chino Valley	AZ	86323	US	2/12/2022
89	Cristine Montaine-Cooke	Chino Valley	AZ	86323	US	2/12/2022
90	John Piecuch	Paulden	AZ	86334	US	2/12/2022
91	Shaunde Rolmaine	Chino Valley	AZ	86323	US	2/12/2022
92	Coleen Robbennolt	Chino Valley	AZ	86323	US	2/12/2022

	A	B	C	D	E	F
93	Cynthia Owens	Chino Valley	AZ	86323	US	2/12/2022
94	Linda Schacherer	Chino Valley	AZ	86323	US	2/12/2022
95	David Jamieson	Chino Valley	AZ	86323	US	2/12/2022
96	John Hamilton	Prescott	AZ	86302	US	2/12/2022
97	Dan Hines	Prescott	AZ	86304	US	2/12/2022
98	Gary Burns	Chino Valley	AZ	86323	US	2/12/2022
99	Martha Masterman	Prescott	AZ	86305	US	2/12/2022
100	Edward Brown	Chino Valley	AZ	86323	US	2/12/2022
101	Diane Gentry	Chino Valley	AZ	86323	US	2/12/2022
102	Rick Bass	Chino Valley	AZ	86323	US	2/12/2022
103	Antoinette Villalobos	Chino Valley	AZ	86323	US	2/12/2022
104	Gage Hochstine	Fort Worth		76134	US	2/12/2022
105	Lynn Taylor	Paulden	AZ	86334	US	2/12/2022
106	Dave Conn	Chino Valley	AZ	86323	US	2/12/2022
107	Thomas Short	Chino Valley	AZ	86323	US	2/12/2022
108	Dave Hoffman	Chino Valley	AZ	86323	US	2/12/2022
109	Marion Rinaldi	Chino Valley	AZ	86323	US	2/12/2022
110	Kevin Bowling	Chino Valley	AZ	86323	US	2/12/2022
111	Kristine Wilder	Scottsdale	AZ	85254	US	2/12/2022
112	Sandra Holdren	Chino Valley	AZ	86323	US	2/12/2022
113	Diane Nagle	Chino Valley	AZ	86323	US	2/12/2022
114	Chloe Portalatin	Fort Myers		33913	US	2/12/2022
115	Teresa Vallejo	Phoenix	AZ	85033	US	2/12/2022
116	Alize Macias	Sanger		93657	US	2/12/2022
117	Monique Borruso	Chino Valley	AZ	86323	US	2/12/2022
118	Debbie Lupkey	Phoenix	AZ	85041	US	2/12/2022
119	Patrick Wyeth	Chino Valley	AZ	86323	US	2/12/2022
120	Jodi Maas	Prescott	AZ	86305	US	2/12/2022
121	Daniel Osborn	Chino valley	AZ	86323	US	2/12/2022
122	brenda Steinberg	Snowflake	AZ	85937	US	2/12/2022
123	Carol Webber	Chino Valley	AZ	86323	US	2/12/2022
124	Laurel Howell	Chino Valley	AZ	86323	US	2/12/2022
125	Joyce Cooper	Chino Valley	AZ	86323	US	2/12/2022
126	Cynthia Tamillo	Chino Valley	AZ	86323	US	2/12/2022
127	Robert Johan	Chino Valley	AZ	86323	US	2/12/2022
128	Jo Savage	Chino Valley	AZ	86323	US	2/12/2022
129	Adys Mirabal	Coldspring	TX	77331	US	2/12/2022
130	Lois Underwood	Chino Valley	AZ	86323	US	2/12/2022
131	Cindy Chambers	Surprise	AZ	85374	US	2/12/2022
132	Linda Thompson	Paulden	AZ	86334	US	2/12/2022
133	Tina Harmon	Prescott Valley	AZ	86363	US	2/12/2022
134	David Miller	Long Beach	CA	90802	US	2/12/2022
135	Carolyn Strickroth	Chino Valley	AZ	86323	US	2/12/2022
136	Janice Baron	Phoenix	AZ	85032	US	2/12/2022
137	Timothy Leahy	Chino Valley	AZ	86323	US	2/12/2022
138	Barbara Merriman	Chino Valley	AZ	86323	US	2/12/2022

	A	B	C	D	E	F
139	Christopher Baca	Chino Valley	AZ	86323	US	2/12/2022
140	Kimberly Dolmer	Chino Valey	AZ	86323	US	2/12/2022
141	Tim Lewis	Chandler	AZ	85248	US	2/12/2022
142	Terry Scheer	Prescott	AZ	86323	US	2/12/2022
143	Inger Johnson	Phoenix	AZ	85018	US	2/12/2022
144	Robert Ladd	Chino Valley	AZ	86323	US	2/12/2022
145	Kim Douglas	Chino Valley	AZ	86323	US	2/12/2022
146	Renita Steinmann	Chino Valley	AZ	86323	US	2/13/2022
147	Bryan Whipp	Paulden	AZ	86334	US	2/13/2022
148	Jeffrey Larriue	Chino Valley	AZ	86323	US	2/13/2022
149	Grant Fernow	Chino Valley	AZ	86323	US	2/13/2022
150	Paula Smith	chino valley	AZ	86323	US	2/13/2022
151	Gates Michael	Chino Valley	AZ	86323	US	2/13/2022
152	Jonathan Walker	Tempe	AZ	85282	US	2/13/2022
153	Janet Arroyo	Chino Valley	AZ	86323	US	2/13/2022
154	Amy Sisul	Prescott Valley	AZ	86315	US	2/13/2022
155	Michol Rodriguez	Phoenix	AZ	85001	US	2/13/2022
156	Mark Harvey	Paulden	AZ	86334	US	2/13/2022
157	JoAnne Rudolph	Chino Valley	AZ	86323	US	2/13/2022
158	Lynda K Steirger Barnes	Chino Valley	AZ	86323	US	2/13/2022
159	Toni Connolly	Phoenix	AZ	85042	US	2/13/2022
160	Sabrina Hubbard	Los Angeles	CA	86323	US	2/13/2022
161	Robin Post	Chino Valley	AZ	86323	US	2/13/2022
162	Crystal Douglas-Croft	Prescott	AZ	86302	US	2/13/2022
163	Cheryl Moore	Prescott Valley	AZ	86314	US	2/13/2022
164	kevin christensen	kingman	AZ	86409	US	2/13/2022
165	Robert Fiorentino	Chino Valley	AZ	86323	US	2/13/2022
166	Michael Schwartz	Prescott Valley	AZ	86315	US	2/13/2022
167	Ann Richey	Paulden	AZ	86334	US	2/13/2022
168	James Affinito	Prescott Valley	AZ	86315	US	2/13/2022
169	michelle paredes	Chino	CA	91710	US	2/13/2022
170	Melissa Christensen	Chino Valley	AZ	86323	US	2/13/2022
171	Shad Murphy	Kingman	AZ	86401	US	2/13/2022
172	April Rieger	Everett	WA	86323	US	2/13/2022
173	Shirley Culliney	Prescott	AZ	86305	US	2/13/2022
174	John Mallon	Chino Valley	AZ	86323	US	2/13/2022
175	Page Hammond	Chino valley	AZ	86323	US	2/13/2022
176	Peyton N Burnett	Prescott	AZ	86301	US	2/13/2022
177	Judith Hunt	Prescott	AZ	86301	US	2/13/2022
178	Carla Lois	Prescott Valley	AZ	86315	US	2/13/2022
179	Patty Hefner	Chino Valley	AZ	86323	US	2/13/2022
180	Fred Buckhalter	Chino Valley	AZ	86323	US	2/13/2022
181	Marilyn Sieckmann	Chino Valley	AZ	86323	US	2/13/2022
182	Gail Carrey	Chino Valley	AZ	86323	US	2/13/2022
183	Tristin Zlobec	Sag harbor		11963	US	2/13/2022
184	Robert Fleischman	Nampa		83687	US	2/13/2022

	A	B	C	D	E	F
185	Daniel Stoddard	Paulden	AZ	86334	US	2/13/2022
186	Alice Herod	Phoenix	AZ	85008	US	2/13/2022
187	Joanne Smith	Chino Valley	AZ	86323	US	2/13/2022
188	Patricia Ferguson	Chino Valley	AZ	86323	US	2/13/2022
189	Jeannie Morse	Phoenix	AZ	85032	US	2/13/2022
190	Shel Johnson	Prescott	AZ	86305	US	2/13/2022
191	Charlene Clark	Chino Valley	AZ	86323	US	2/13/2022
192	Sherry KLEIN	CHINO VALLEY	AZ	86323	US	2/14/2022
193	Patricia Haranczak	CHINO VALLEY	AZ	86323	US	2/14/2022
194	April Durnez	Chino Valley	AZ	86323	US	2/14/2022
195	Yolanda Peralta	Las Vegas		89108	US	2/14/2022
196	Mindy Harper	Chino valley	AZ	86323	US	2/14/2022
197	Paul Sinkovits	Chino Valley	AZ	86323	US	2/14/2022

February 13, 2022



Cathy Middlested
380 Lauren Ln
Chino Valley, AZ 86323

Planning Commissioners
202 N. State Route 89
Chino Valley, AZ 86323

RE: Item to be heard and voted on for the proposed re-zone of a 30.15-acre partial located at 2820 N. Road 1 East in Chino Valley, from Agricultural/Residential 5 acre minimum (AR-5) to HEAVY COMMERCIAL with a Planned Area Development.

Dear Commissioners:

I am opposed to this project for the following reasons:

1. It seems developers lately have wanted to RE-ZONE properties to a higher density, higher use, and no regard for neighboring properties as to how the re-zone will impact property values and their manner of living.
2. It also seems that the Planning and Zoning staff are quick to recommend approval on these projects and the impacts on neighboring properties.
3. Why must we always be approving re-zoning properties to a higher density and impact. Why can't developers propose projects that FIT within the zone as it is designated?
4. I am for keeping rural areas of Chino Valley rural. I do not believe this is an appropriate use for AR-5 to be rezoned to Heavy Commercial.
5. Other concerns as it relates to this project:
 - a. The high density and possibly lot coverage.
 - b. An RV park for no time limits on stay. NO STAY RESTRICTIONS.
 - c. No Traffic Study....Until the rezone is approved!!! Are you serious????? I've worked in the Planning field, and this is irresponsible at the least.

- d. No Environmental Report. And the applicant does not have to pay for impact fees or property tax to the town of Chino Valley. Again, are you serious?????
- e. No noise study (to my knowledge). How about the impacts to residential neighborhoods.
- f. No Conditional Use.
- g. No additional plans to service the traffic increase. REALLY?
- h. What about the existing roads and the impact this will have on them?
- i. What about costs for ambulance, fire, police, and schools?
- j. I heard from a neighbor who was at a previous meeting on this project and he said the developer indicated that this project could be the answer to low income families. That tells me this is a long term setup for trailers with no time limits. I feel this project has a lot of issues, community opposition, and I don't believe this is the answer to a development for low income families. If the Town really wants to develop a project for low income families, then do it right.
- k. And, my biggest fear is that this project will end up looking like the trailer park on Road 1 West. That park is a dump and is not maintained in any way.
- l. Unfortunately, I was not able to attend the previous meeting(s), but I hope the Planning and Zoning Commissioners will recommend denial of this project. It's the wrong project at this location, has a lot of community opposition, and not requiring the applicant to provide the studies for this re-zone is wrong.
- m. I would not be opposed to a trailer park for travelers for short term stays, like up to 1-2 weeks. Chino Valley could probably use that. The closest one in in Prescott.

Sincerely,

A handwritten signature in cursive script that reads "Cathy Middlested". The signature is fluid and written in dark ink.

Cathy Middlested



A G E N D A

Letters received after
February 17, 2022

ZC-2022-01

March 1, 2022

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To:

Matthew Hirschberg
Address: 1730 Elk dr. City Chino Valley Zip 86323

Phone:

(310) 291-0622

Email:

Matthew.Hirschberg@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to highlight some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

The park will consist of night, weekly and monthly patrons with the consistency and quality of a 5 star resort with a contemporary western décor.

As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach - 928.300.4440

Norman Paddy - 602.418.8777

Craig Baker

Signature of Support

Date

2/15/22

February 24, 2022

Town Council
Planning & Zoning Commission
Bethen Heng
202 Voss Drive
Chino Valley, AZ 86323

Dear Town Council, Planning & Zoning Commission & Bethen Heng

REF: Project Case #-Z-1-22

I'm writing in opposition to the proposed rezoning of 2820 N Road 1 East from 'Agricultural/Residential 5 acre minimum (AR-5) to 'Commercial Heavy with a planned area development (CH/PAD)'. I do not believe this is appropriate or in the best interest of the residents of Chino Valley, especially those close to this proposed high-use PAD.

The increase in traffic of 220-400 vehicles and 400+ non-residents adjacent to traditional residential housing and local streets is not to the benefit of Chino Valley. This proposed 'High Density' RV park will create a significant change for the local residents.

I have been a Chino Valley resident for 33 years and enjoy our traditional neighborhood which has been zoned to maintain a rural atmosphere. The increased traffic and people from the nearby 'RV Park' will negatively impact our neighborhood and peace of mind. I moved to Chino Valley for the rural environment, not the proposed Big City cluster of people.

This radical rezoning change will only degrade the quality of life for Chino Residents, both by increased population density and traffic while diverting town resources, especially police, away from existing long-term projects

For these reasons, please deny the rezoning request.

Sincerely,

A handwritten signature in black ink, appearing to read 'William D. Ough', written in a cursive style.

William D. Ough
1422 California Dr. #2727
Chino Valley, AZ 86323
928-830-0170

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: mariah clements

Address: 155 Posey Ln City Chino Valley Zip 86323

Phone: 928.642.3710

Email: hall.mariah@live.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

The park will consist of night, weekly and monthly patrons with the consistency and quality of a 5 star resort with a contemporary western décor.

As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Mariah Clements 2-15-22

Signature of Support

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Jerry Clements

Address: 268 S. TURNER LN. City Chino Valley Zip 86323

Phone: 928-237-8665 Email: _____

From: Zane Grey Investments II LLC

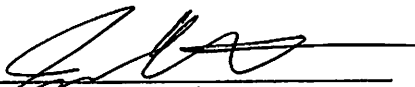
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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker



Signature of Support

2-15-2022

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Bryce Clements

Address: 1305 cottontail Dr City Chino Valley Zip 86323

Phone: 719-244-5430 Email: bryce.clements@live.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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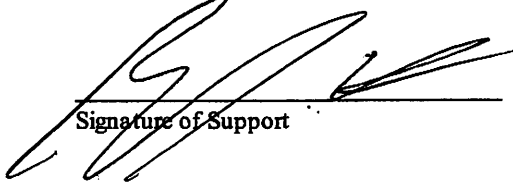
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2/15/22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To:

Address:

Phone:

Email:

From: Zane Grey Investments II LLC

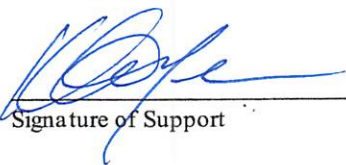
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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker


Signature of Support

02.15
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To:

Address: 380 W Road 2 South City Chino Valley Zip 86323

Phone: 928 308 4479 Email: _____

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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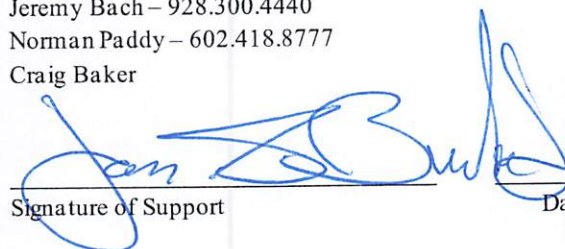
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

 2-15-22
Signature of Support Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Robert S. LAYTON

Address: 1080 S HWY 89 City CHINO Zip 91710

Phone: 928 830 1061 Email: bob@bobsca.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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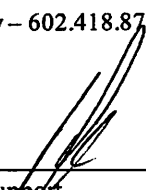
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2/15/22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To:

Address: 1735 BOTTLEBRUSH DR City CHINO VALLEY Zip 86323

Phone: 928-642-8797 Email: donadonsinmccoy@yahoo.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

The park will consist of night, weekly and monthly patrons with the consistency and quality of a 5 star resort with a contemporary western décor.

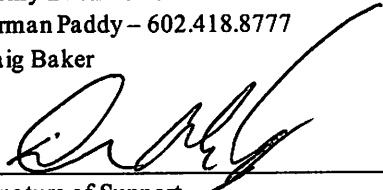
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Daniel L Brunclage

Address: 920 Adams Dr. City Chino Valley Zip 86323

Phone: 928-420-2074

Email: Garner Dan 48 @ Hotelairl. Com.

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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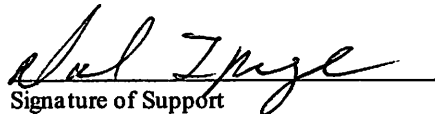
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Gary Charlton

Address: 330 Lobo Ln City Chino Valley Zip 86323

Phone: 602-573-5891 Email: Charlton.gary41@yahoo.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

Feb-15-2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Tom Cutlip

Address: 1222 S Hwy 89 City Chino Valley Zip 86323

Phone: 928-636-2636 Email: info@towningproscoff.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2/15/21
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Puanani Wilson

Address: 1375 S. Lakeshore Dr City Chino Valley Zip 86323

Phone: 480 242 9907 Email: nani-pohaku@yahoo.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Puanani Wilson
Signature of Support

2/15/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: KRISTEN SCHULZ

Address: 275 Mackenzie City Chino Valley Zip 86323
Rose Dr.

Phone: 408-354-8981 Email: k25527@sbcglobal.net

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker


Signature of Support

2/15/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Fernando Beltran

Address: 1620 S State Route 89 City Chino Valley Zip 86323

Phone: 928 636 9943 Email: Ana.ugm @ outlook . com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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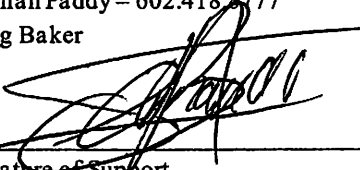
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2-15-22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Rhonda Koski

Address: 1975 S. Yellowbrook Rd City Chino Valley Zip 86323

Phone: 928 636 0846

Email: rkoskitd@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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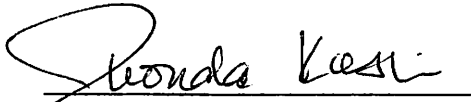
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2/15/2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Robin Steinmetz

Address: 543 N Road 1 EAST City Chino Valley Zip 86323

Phone: 928-~~636-0~~ 713-3226 Email: RSteinmetz@GMAIL.COM
070

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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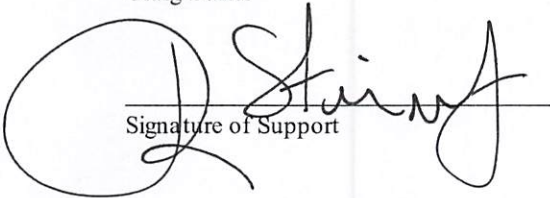
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Wendy Russell

Address: 3325 N. PANAMINT LANE City Chino Valley Zip 86323

Phone: 928-910-9071 Email: Swept1911@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Wendy Russell
Signature of Support

2-15-2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Garrett Warren

Address: 2295 South State Route 89 City Chino Valley Zip 86323

Phone: 928-830-9610 Email: garrett@live.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Garrett Warren
Signature of Support

2-15-2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: RICK GUSTAVE

Address: 1408 W. Rd 28 City CHINO VALLEY Zip 86323

Phone: 928 636-9876 Email: RICKJOE@YAHOO.COM

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Rick Gustave
Signature of Support

2/15/20
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Robert M Forshey

Address: 785 E Damien Loop City Chino Valley, Az Zip 86323

Phone: 928-925-8192 Email: rforshey@a2hss.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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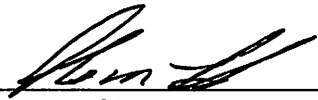
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2-15-22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Collin D. McKee

Address: 990 S. St. Rt. 89 City Chino Valley Zip 86323

Phone: 928-636-7701 Email: firedoctorsaz@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Collin D. McKee
Signature of Support

2/15/2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Chris Treguboff

Address: 2625 N Maricopa St City Chino Valley Zip 86323

Phone: 928-273-7873 Email: ~~Chris Treguboff~~ ChrisTreguboff@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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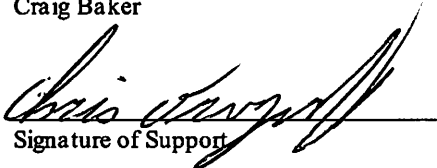
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To:

Address: 390 Rail Road ave City Chino Valley Zip 86323

Phone: 567-217-3872 Email: chaseforer1@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker


Signature of Support

02/15/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: TOM KUNTZE

Address: 1273 BRENTWOOD ^{WY.} City CHINO VALLEY Zip 86323

Phone: 928-830-9572 Email: BIKEKLUTZ@GMAIL.COM

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Mark Vcich

Address: 853 N. ST. RT. 89 City Chino Valley Zip 86323

Phone: 928-925-1828 Email: _____

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Kylie Reid

Address: 605 Porcupine Pass City Chino Valley Zip 86303

Phone: 928-968-3401 Email: KylieReid2009@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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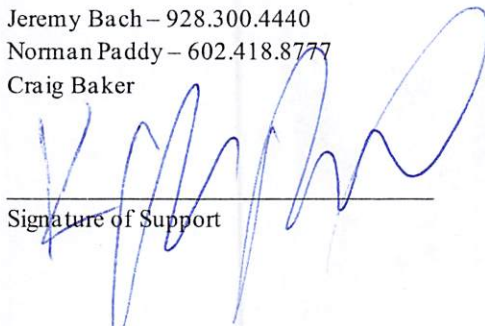
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Michael Underwood

Address: 395 GRAFTON CT City Chino Valley Zip 86323

Phone: (602) 777-0399 Email: azmiskeg51@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

Signature of Support

Date

2-15-22

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Jim Brewster

Address: PO Box 4604 City Chino Valley Zip 86323

Phone: _____ Email: JimBrew@live.com

From: Zane Grey Investments II LLC

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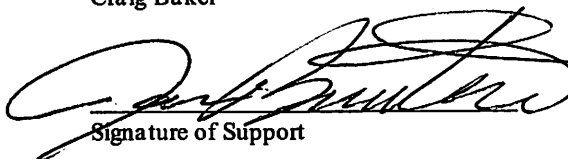
As for the offsite utilities and permits in support of this development, this being for APS Electric Services, Water and sewer services onsite support well and leach, and Propane services from Yavapai Gas.

Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

 _____
Signature of Support Date 2-15-22

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Aspen Girkin

Address: 605 Porcupine Pass City Chino Valley Zip 86323

Phone: 480-799-3305

Email: country_girl3512@yahoo.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2/15/22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Tom Payne

Address: 98 N. STATE RT 89 City CHINO VALLEY Zip 86323

Phone: 928-636-4266 Email: TOM@TOMSRENTSHOP

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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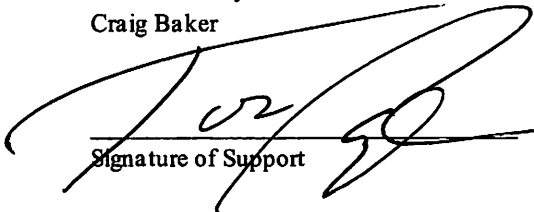
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

 2-15-22
Signature of Support Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Wendy McManigal

Address: 98 N. St. Rte 89 City Chino Valley Zip 86323

Phone: 928-713-0524 Email: wendyleemcmanigal@cpdho.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

W. McManigal 2/15/22

Signature of Support

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Penny Hubble

Address: 360 N Street 89 B City Chino Valley Zip AZ 86323

Phone: 928 830-7007 Email: Genny @ Pennyhubble.COM

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2-15-22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Lucy Verduzco

Address: 2792 Karry Lane City Chino Valley Zip 86323

Phone: 323 327-2362 Email: LucyV777@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

02/25/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Brady Little

Address: 550 N. Hwy 89 City Chino Valley Zip 86323

Phone: 928-713-7498 Email: brady@chinoheating.com

From: Zane Grey Investments II LLC

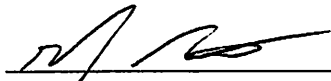
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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker



Signature of Support

2/15/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Rachel Little

Address: 550 N Hwy 89 City: CV Zip: 86323

Phone: 928-636-2955 Email: fourlittles@yahoo.com

From: Zane Grey Investments III LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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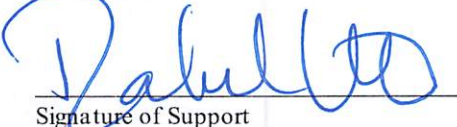
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support


Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Christine M. Amaro Yellowshirt

Address: 477 Butterfield Dr. City Chino Valley Zip 86325

Phone: 928 666 0003 Email: Yellowshirt2009@live.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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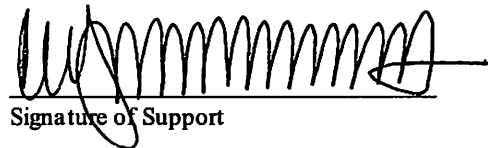
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

 2/15/22
Signature of Support Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Austin Houck

Address: 550 N Hwy 89 City Chino Valley Zip 86323

Phone: 928-636-2955 Email: Service@chinoheating.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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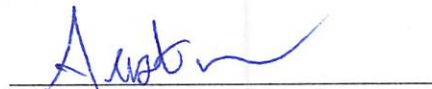
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2-15-22

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Thomas Garbade

Address: 426 Hayes ct City C.V Zip 86323

Phone: 928 925 1991 Email: tgarbade@yahoo

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2/15/22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Tanner Stazenski

Address: 908 W Rd 1 North City Chino Valley Zip 86323

Phone: 928-925-6966 Email: Tanner@stazbuilder.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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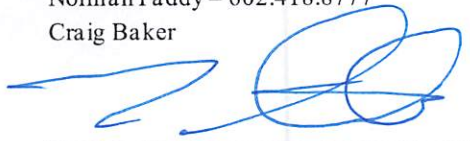
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2/15/2022

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Adam Ten Berge

Address: 1181 N Hwy 89 City Chino Valley Zip 86323

Phone: 928 636 2026 Email: _____

From: Zane Grey Investments II LLC

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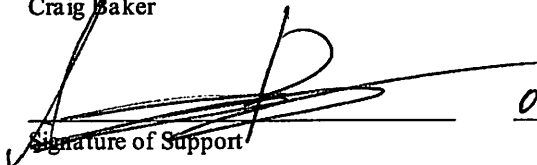
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

02/15/2022
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Miles F. Swain

Address: 980 A Dair City Chino Valley Zip 86323

Phone: 507-951-5585 Email: Mstoo/ICLive.com

From: Zane Grey Investments II LLC

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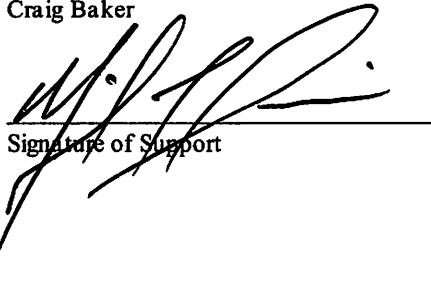
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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker



Signature of Support

2-15-2022

Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Jeff Mascarenas

Address: 1980 N Sunrise Ct City Chino Valley Zip 86323

Phone: 928-713-9044 Email: jeff42mascarenas@gmail.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Richard Ulrich

Address: 425 Industrial Dr City Chino Valley AZ Zip 86323

Phone: 928-713-4421 Email: richu@VAGREYINC.COM

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: DANNY HEMPELMAN JR

Address: 2805. N HWY 89 City CHINO VALLEY Zip 86323

Phone: 928-830-6216 Email: MRDESERTGUY@gmail.com

From: Zane Grey Investments II LLC

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker

 2-15-22
Signature of Support Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Tawna Audis

Address: 3225 N HWY 89 City Chino Valley Zip 86323

Phone: 928-968-3254 Email: tawna@outlawupholstery.com

From: Zane Grey Investments II LLC

The purpose of this Letter is to high light some of the amazing attributes slated for the upcoming development of the Zane Grey RV Land Company in Chino Valley Arizona. I am pleased, with this letter, to make mention of the fine components that will make up this master development being listed as follows: The 30 Ac. 190 unit is designed and dedicated for living outdoors, open spaces, amenities of which are included (club house, pickle ball courts, swimming pool and hot tubs, Dog walks around the park and specific areas for dog bathroom. All of which are combined within a parklike setting contributing to and enhancing the quality of life throughout.

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Sincerely,

Jeremy Bach – 928.300.4440

Norman Paddy – 602.418.8777

Craig Baker


Signature of Support

2-15-22
Date

ZANE GREY INVESTMENTS III LLC

1.11.21

Re: The Development of Zane Grey RV land company in Chino Valley Arizona

To: Ivan Ruiz

Address: 3320 N Hwy 89 City Chino Valley Zip 86323

Phone: 928-864-7140 Email: ivan.ruiz@jgihco.com

From: Zane Grey Investments II LLC

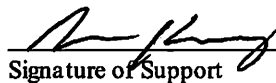
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Sincerely,

Jeremy Bach – 928.300.4440
Norman Paddy – 602.418.8777
Craig Baker


Signature of Support

2-15-22
Date

Attachment 2

Staff Report from Planning and Zoning Commission



TOWN OF CHINO VALLEY
Planning Commission Staff Report
March 1, 2022
File Number Z-2022-01
Rezone

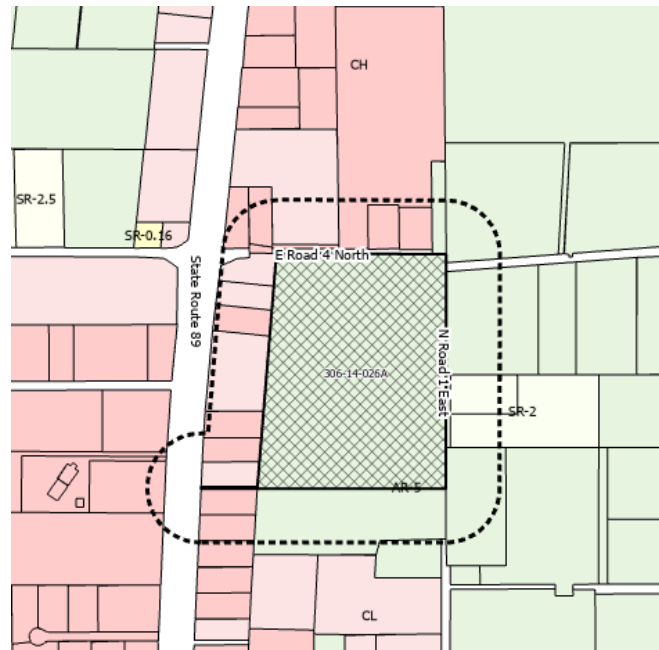
PROJECT DESCRIPTION

Request by Jeremy Bach for a rezone of approximately 30.15 acres of real property from the Agricultural/Residential 5-Acre Minimum (AR-5) to Commercial Heavy with a Planned Area Development Overlay (CH/PAD), for the property located south of 2820 N Road 1 East, Chino Valley, Arizona, APN 306-14-026A.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agricultural/Residential 5-Acre Minimum (AR-5)	Vacant	Commercial/Multi-family Residential
North	Commercial Light (CL) & Commercial Heavy (CH)	Commercial	Commercial/Multi-family Residential
South	Agricultural/Residential 5-Acre Minimum (AR-5)	Residential	Commercial/Multi-family Residential
East	Agricultural/Residential 5-Acre Minimum (AR-5)	Agricultural/Residential	Medium Density Residential (2 Acres or less)
West	Commercial Light (CL) & Commercial Heavy (CH)	Commercial	Commercial/Multi-family Residential

LOCATION MAP



PRIOR SITE ACTIONS:	January 12, 1989 – This property was submitted for a rezone from AR (Agricultural Residential) to C-1 (Commercial District).
STAFF RECOMMENDATION:	Staff recommends APPROVAL of the rezoning from the Agricultural/Residential 5-Acre Minimum (AR-5) to Commercial Heavy with a Planned Area Development Overlay (CH/PAD), subject to the conditions shown in Attachment A.
SUGGESTED MOTION:	Move to APPROVE Rezone Z-2022-01 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A, with the addition of the 2 year time limit.

EFFECT OF THE APPROVAL:	By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone of approximately 30.15 acres of real property from the Agricultural/Residential 5-Acre Minimum (AR-5) to Commercial Heavy with a Planned Area Development Overlay (CH/PAD) for the property located south of 2820 N Road 1 East, Chino Valley, Arizona, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the Town of Chino Valley General Plan.
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Background:

In January 12, 1989, this property was brought to Planning and Zoning Commission with the intent to rezone from AR (Agricultural Residential) to C-1 (Commercial District). The intent was to use a portion of the property for the combined use of retail garden products and a plant nursery. The Planning and Zoning Commission forwarded a recommendation of approval to Town Council, but missing minutes for the Town Council meeting and the existing zoning district of AR-5 indicates an unsuccessful rezoning case.

Staff Analysis:

The subject property is located at the Northeast corner of E Road 4 North and N Road 1 East. The applicant is proposing a 190-space RV Park. The RV Park will consist of additional amenities for its visitors, which include a club house, pickle ball courts, swimming pool and hot tubs, and Dog walks around the park and specific areas for dog bathrooms. The applicant describes the site maintaining a park-like setting, which will include outdoor living areas and open space. The applicant believes that the RV Park and it's included amenities will contribute and enhance the quality of life for the surrounding area.

The applicant anticipates that the visitors of the park will consist of night, weekly, and monthly patrons. The design theme and décor for the RV Park will be "Contemporary Western".

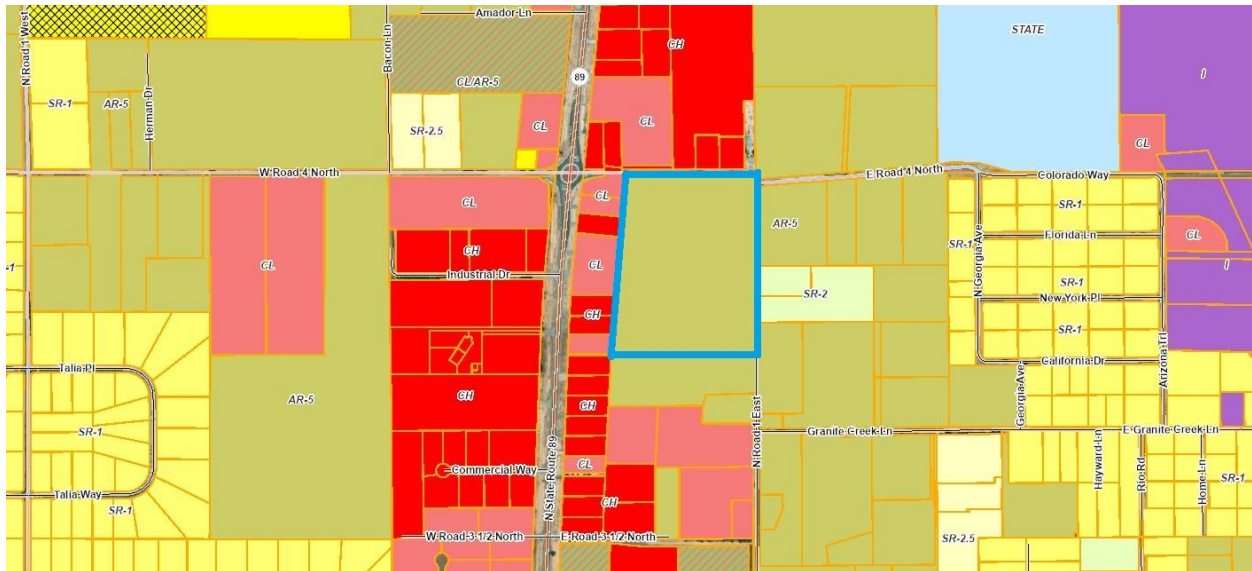
The road E Road 4 North, which is directly North of the property, is misaligned where it continues past N Road 1 East. Because of the anticipated increase in traffic, Public Works has advised the realignment of E Road 4 North, which the applicant has agreed to do.



During the review period for this project, staff had received 11 letters of opposition from the public regarding the RV Park. The letters voiced concern over the density that would result from the 190-lots proposed for the project. The letters also expressed opposition to the visual impact that the RV Park could bring to the surrounding area. Staff relayed these concerns to the applicant. The applicant heard the concerns voiced in the opposition letters and revised his project to include a concrete block wall along the east property line instead of the chain-link fencing. The block wall design will be consistent with the theme of the RV Park. The applicant has also reduced the number of RV spaces from 190 to 150, to reduce the intensity impact of the new use.

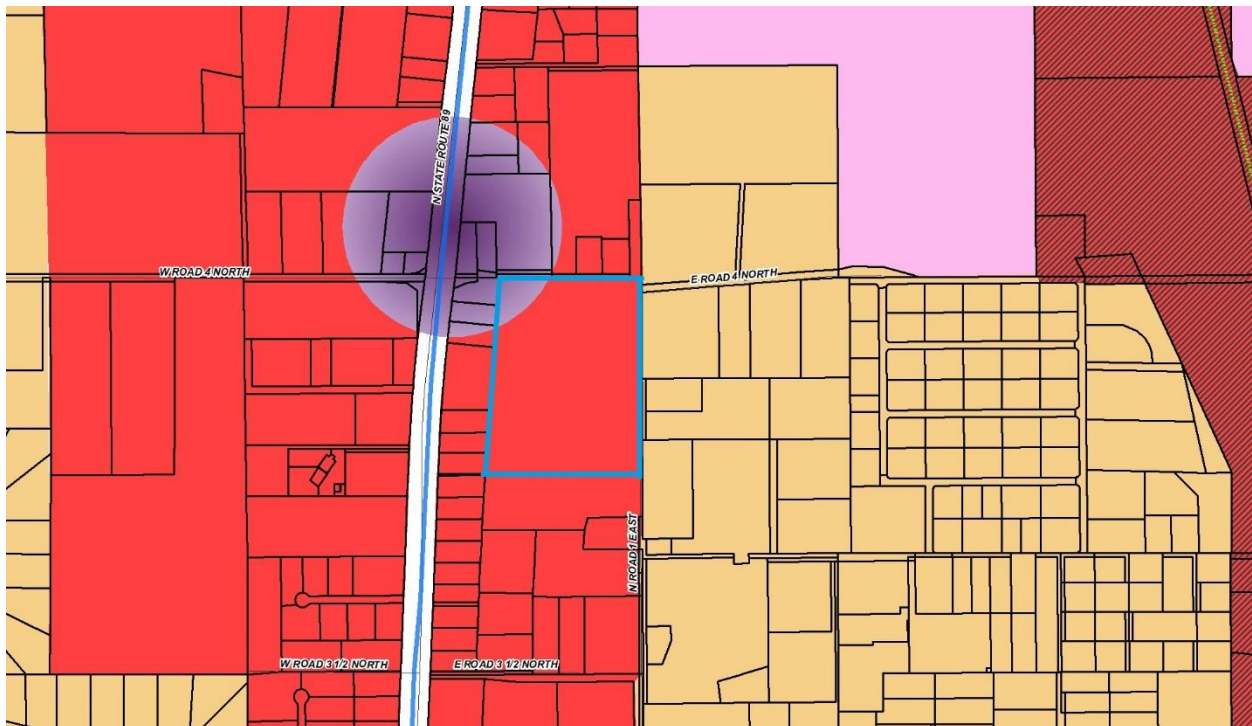
Zoning

Section 3.15.B.13 of the Unified Development Ordinance lists "Campgrounds and recreational vehicle parks with twenty-six (26) or more units" as a permitted use in the Commercial Heavy zoning district. The tied PAD (Planned Area Development) to the rezoning will ensure that any development occurring on property following the approval of this rezoning will be restricted only to this particular use permitted within CH (Commercial Heavy) district. The resulting rezone will be the same zoning designation as several properties to the West.



Does the proposed zoning district conform to the Land Use Element?

The zoning request of CH/PAD (Commercial Heavy with a Planned Area Development) will be in conforms with the property's Commercial/ Multi- Family Residential General Plan land use designation. The Commercial/ Multi- Family Residential designation will continue to focus on the Land Use Goals and Strategies promoting local commercial businesses.



Does the proposed rezoning of the property conform to the remaining elements of the general plan?

The proposed rezoning of the property conforms to the Economic Development Element of the General Plan. Rezoning the property to facilitate a RV Park and its proposed amenities will invite tourists into the Town of Chino Valley, and increasing the customer activity of local and current businesses located within the Town.

Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

The applicant's proposal to rezone to Commercial Heavy with a Planned Area Development (CH/PAD) is a similar request to a prior rezoning request in January 1989, for a rezone from AR to C-1.

PUBLIC COMMENTS RECEIVED: See Attachment F

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: Staff notified the surrounding property owners of the date and location of the Planning and Zoning Commission Meeting and Town Council Meeting by postcard on December 13, 2022.
See Attachment C

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: January 31, 2022

FINAL STAFF REPORT DELIVERED TO APPLICANT ON: FEBRUARY 17, 2022

☒	Applicant agreed with all of the conditions of approval on (February 8, 2022)
☐	Applicant did not agree with the following conditions of approval: (list #'s)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Aerial Photo	Staff Research	Public Comments

PREPARED BY:

DATE:

BETHAN HENG, PLANNER

FEBRUARY 16, 2022

(BHENG@CHINOAZ.NET)

928 636-4427 - x1295

APPROVED BY:

LAURIE LINEBERRY, AICP

DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

Planning: Bethan Heng, Planner (928) 636-4427 - x1295

3. Pursuant to ARS 9-462.01(E), if the property is not developed with an RV Park as reflected in the approved site plan, within two (2) years of the effective date of the rezone, the Town Council may revert the zoning of the property to the prior zoning classification, AR-5 (Agricultural/Residential 5-Acre Minimum).

Public Works/Engineering: Frank Marbury, Director, (928) 636-7140 - x1226

4. East Road 4 North shall be improved per Rural Arterial Standards as shown in UDO § 5.3.2, Table 5-1, as follows:
 - a. 40' minimum right-of-way dedication south of the new road alignment centerline
 - b. 24' full width pavement between the west property line and North Road 1 East
 - c. 5' paved shoulder on each side with thickened edges
5. North Road 1 East right-of-way dedication shall be per Rural Arterial Standards as shown in UDO § 5.3.2, Table 5-1, as follows:
 - a. 40' minimum right-of-way dedication west of the section line
6. Curb, gutter, and sidewalk improvements are not recommended along East Road 4 North and North Road 1 East.
7. Affected existing driveways north of East Road 4 North shall be extended to tie into the new road alignment.
8. All existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines along East Road 4 North and North Road 1 East along the property boundary shall be undergrounded and located appropriate to the new road alignment per UDO § 150.082.
9. If Town water and sewer becomes available to the property, connection to said utilities may be required.
10. Internal design details will be determined through the site plan review process.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

DATE:	1/25/2022	NAME:	Richard Perez	TITLE:	Northwest District Permits Supervisor
AGENCY:	Arizona Department of Transportation			EMAIL:	PrescottPermits@azdot.gov
Comments:					
1. For a potential development of this size so close to SR-89, ADOT would need to review a copy of the TIA to determine if any impacts to SR-89 at the Road 4 North roundabout intersection would be generated by this proposed development. 2. This list may not be all inclusive. ADOT reserves the right to comment further upon receipt of the TIA. Please contact the Northwest District Prescott Permits department if you have questions or concerns. 3. ADOT respectfully request that the Town of Chino Valley keep ADOT included of all reviews and any other future meetings moving forward with this development.					

DATE:	10/20/2021	NAME:	Chuck Dowdy	TITLE:	Assistant Fire Marshall
AGENCY:	Central Arizona Fire and Medical Authority			PHONE:	(928) 772-7711
Comments:					
Comments for this project include the following based on the 2018 International Fire Code: 1. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. This requirement shall be met by fire hydrants, fire sprinkler system or water tanks where municipal water supply is not available. IFC Chapter 5 and Appendix B, location to be approved by CAFMA 2. Fire alarm and fire sprinkler systems required. IFC Chapter 9 3. Fire alarm and fire sprinkler systems shall be deferred submittals directly to CAFMA. Refer to our website cazfire.org/prevention/inspections, fees and permits for our Fire Protection Standards and details regarding permits and fees. IFC Chapter 9 4. A Fire Hydrant shall be within 100' of an FDC 5. Knox key box, padlock, key switch and/or locking FDC caps required. IFC Ch. 5 and section 912.4.1 6. Fire extinguishers required. IFC Section 906 7. The business address shall be posted on the structure and/or sign visible from the street on which the structure is addressed, including individual suite, unit, or apartment numbers. These numbers shall be proportionate to the building with a minimum of six inches (6") in height and a contrasting color on the background to which they are attached. Central Arizona Fire shall approve the size of the address numbers. IFC Section 505 8. Street widths shall be a minimum of 20 feet wide with 26 feet wide required at hydrants. No parking signs shall be required on both sides of streets less than 26 feet wide and on one side of the street if less than 32 feet wide. IFC Appendix D 9. Fire apparatus access roads shall support the weight of a 90,000-pound apparatus and shall be of an all-weather surface. IFC Appendix D 10. The minimum turning radius shall be 28 feet inside and 50 feet outside diameter for all fire department access roads and parking lots. IFC Appendix D 11. Fire apparatus access roads shall have an unobstructed vertical clearance of 13' 6". IFC 503.2.1 12. Two separate and approved fire apparatus access roads shall be provided. IFC D107					

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

DATE:	1/18/2022	NAME:	Suzanne Erlich	TITLE:	Environmental Unit Manager
AGENCY:	Yavapai County Environmental Services			PHONE:	(928) 442-5423

Comments:

Thank you for the application submitted for the above work. The Environmental Unit has completed the review and has identified the following deficiencies:

- AAC R18-9-A309A7a. Flows to the facility shall consist of typical sewage and not include any motor oil, gasoline, paint, varnish, solvent, pesticide, fertilizer, or other material not generally associated with toilet flushing, food preparation, laundry, or personal hygiene;
- Any new structures with water fixtures will be required to connect to an onsite wastewater system or accepted sewage collection/treatment system. The wastewater system will be required to obtain a Construction Authorization and Discharge Authorization in accordance with rules adopted by the Arizona Department of Environmental Quality and delegated to Yavapai County Development Services.
- AAC R18-9-A309B5. Bioinhibitors commonly used in RV holding tanks are not consistent with typical sewage and cannot be discharged into the onsite wastewater treatment facility. A copy of park rules that require all vehicles with holding tanks to empty their contents into an offsite commercial RV Dump Station or development of a Sewage Vault for the purpose of receiving holding tank contents before connecting to the park wastewater treatment facility must be submitted.
- Swimming pools/spas: Public or semipublic swimming pools and spas will need to be reviewed and a licensing decision made by the Arizona Department of Environmental Quality. YCDS-Building safety, and YC Community Health-Environmental Health.
- Water Distribution system: The engineered construction plans will need to be submitted to the Arizona Department of Environmental Quality for review.
- New Water Source and storage tanks: will need to be reviewed and a licensing decision made by the Arizona Department of Environmental Quality.
- Wastewater collection: Yavapai County Development Services has delegation from the Arizona Department of Environmental Quality for licensing decisions for sewage collection systems. The engineered construction plans will need to be submitted to the Environmental Unit for review.
- Wastewater treatment: The project proposes a phase 1 that exceeds 24,000 gallons per day. The wastewater treatment facility will need to be reviewed and a licensing decision made by the Arizona Department of Environmental Quality.

In accordance with Arizona Revised Statutes ("A.R.S.") § 41-1072 through § 41-1079 and the licensing time frames rules under Arizona Administrative Code ("A.A.C.") R18-1-501 through R18-1-525. If the resubmitted documents do not correct the deficiencies identified above, the application may be denied, and a new application will need to be submitted and the appropriate fees paid.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

DATE:	1/13/2022	NAME:	Jose Galvez	TITLE:	Environmental Health Specialist	
AGENCY:	Yavapai County Community Health Services				PHONE:	602-542-3126
Comments:						
Yavapai County Health Department will require licensing for the pool(s) and spa(s) stated in the narrative. An ADEQ certificate for final construction approval is required before licensing.						

DATE:	1/13/2022	NAME:	Mark Holmes	TITLE:	Water Advisor
AGENCY:	Mark Holmes LLC		PHONE:	928-277-5253	
Comments:					
I see a treatment facility indicated on the proposal and a pond. Is the purpose of the treatment facility to treat wastewater generated onsite and to be discharged into the pond and used for outdoor irrigation purposes? If so, this would require permits issued by ADEQ and reclaimed water use signage where reclaimed water could come in contact with humans.					

ATTACHMENT C
NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: **JANUARY 26, 2022**

LOCATION: **TOWN HALL**

ATTENDEES:

AGENT/DEVELOPER: JEREMY BACH, NORMAN PADDY, AND VICTORIA PADDY

TOWN STAFF: WILL DINGEE, SENIOR PLANNER; BETHAN HENG, PLANNER

NEIGHBORS IN ATTENDANCE (24)

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- NEIGHBORS WERE CONCERNED ABOUT THE LENGTH OF STAY PERMITTED WITHIN THE RV PARK, THE LENGTH OF THE RV SPACES PROPOSED WITHIN THE DEVELOPMENT, THE AESTHETIC DESIGN AND UPKEEP OF THE PARK, MAINTENANCE AND SECURITY, HOURS OF OPERATION, SCREENING AND FENCING OF THE PROJECT, AND LIGHTING.
- THE NEIGHBORS WERE CONCERNED ABOUT INCREASE IN TRAFFIC WITH THE REALIGNMENT OF E ROAD 4 NORTH, LEVEL OF WATER CONSUMPTION RESULTING FROM THE PROJECT, SEPTIC AND WASTEWATER TREATMENT, AND THE OVERALL INCREASE IN DENSITY THAT THE PROJECT WILL BRING TO THE SURROUNDING AREA.

ATTACHMENT D
SITE PLAN AND EXHIBITS

APN# 306-14-026A

ADDRESS: 2820 N ROAD 1 EAST



ATTACHMENT E
STAFF RESEARCH

SEE NEXT PAGE.

ATTACHMENT F
PUBLIC COMMENT

SEE FOLLOWING PAGES.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.79

Meeting Date: 03/22/2022
Contact Person: Bethan Heng, Planner
Phone: 9286364427 x-1295
Department: Development Services
Estimated length of staff presentation: 5 minutes
Physical location of item: APN 102-01-219M

AGENDA ITEM TITLE:

Consideration and possible action regarding Ordinance No. 2022-912 to rezone approximately 6.86 acres of real property from Commercial Heavy (with a Planned Area Development Overlay) (CH/PAD) to Commercial Light (CL), for the property located north of 2625 S State Route 89, Chino Valley, Arizona, APN 102-01-219M. (Bethan Heng, Planner)

RECOMMENDED ACTION:

Approve Ordinance 2022-912 as presented, subject to the staff report, information provided during this hearing, and the stipulations in Ordinance 2022-912.

SITUATION AND ANALYSIS:

The applicant is requesting a rezone to meet appropriate zoning for a proposed outdoor soccer complex, gym, clubhouse, and several fields. They propose using the facility to train student athletes and provide a facility for college preparation. This item went before the Planning and Zoning Commission in February 2022. The Applicant's request is in-line with the zoning of the surrounding area and conforms with the General Plan's Land Use Designation of this area.

Excerpt from the minutes of the February 1, 2022, Planning and Zoning Commission:

“CASE# Z-21-18: - This is a request by Glenn Daiutolo on behalf of O Jogo Bonito FF1, LLC, for a rezone of approximately 6.86 acres of real property from Commercial Heavy with a Planned Area Development Overlay (CH/PAD) to Commercial Light (CL), for the property located north of 2625 S State Route 89, Chino Valley, Arizona, APN 102-01-219M

“Bethan Heng, Planner, presented the staff report and shared that the Applicant was in attendance for this meeting. Heng added that after the concerns raised during the neighborhood meeting, the applicant redesigned his site plan to address those concerns and has shifted the parking further to the south. Staff is recommending APPROVAL with stipulations as stated in Attachment A.

“Applicant Glenn Daiutolo addressed the commission and stated that they believe that this project will be beneficial to the kids. Commissioner Somerville asked for clarification about the “beach”. Daiutolo stated that the sand area will provide a different type of surface for soccer training and that the separate areas are

geared in size to the correspond to the various age groups playing field sizes. Commissioner Switzer asked about perimeter landscaping. Daiutolo shared that their architect is working with the town on the landscaping plan.

“There were no comments from the public and no further questions for staff.

“Vice-Chair Pasciak had concerns about ADOT’s comments in the staff report regarding the access on S State Route 89. Public Works Director Frank Marbury answered that there will be no direct complex access from State Route 89 and that the existing driveway is for legal access to the Cell Towers. All complex entrances will be off of S Road 1 East.

“A motion was made by Commissioner Pasciak and seconded by Commissioner Somerville to approve Z-21-18, as presented. The motion carried 6-0, with Welker absent.

“Merritt made a comment regarding the commission having previously voted and approved the rezoning of this same parcel, and commented that perhaps there can be a sunset clause for properties that do not follow through with the intended project within that zoning district. He also asked about the CL to CH/PAD differences for the previous rezone. Dingee shared that the prior zoning of CL – limits RV parks to 25 or less spaces. If 26 or more spaces, the zoning district needs to be CH. The PAD was attached to that rezone so that the approved project type would be the only use placed on that property. Lineberry shared that a discussion regarding RV space numbers in both Commercial zones could be discussed at the next meeting.”

Fiscal Impact

Fiscal Impact?: N/A

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Planning and Zoning Staff Report

ORD - 2022-912 - Soccer Complex Rezone CH/PAD to CL

Conditions of Approval



TOWN OF CHINO VALLEY
Planning Commission Staff Report
February 1, 2022
File Number Z-21-18
Rezone

PROJECT DESCRIPTION Request by Glenn Daiutolo on behalf of O Jogo Bonito FF1, LLC, for a rezone of approximately 6.86 acres of real property from Commercial Heavy with a Planned Area Development Overlay (CH/PAD) to Commercial Light (CL), for the property located north of 2625 S State Route 89, Chino Valley, Arizona, APN 102-01-219M.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Commercial Heavy w/ PAD	Vacant	Commercial/Multi-Family Residential
North	Commercial Light	Vacant	Commercial/Multi-Family Residential
South	Commercial Light	Non-functioning golf driving range.	Commercial/Multi-Family Residential
East	State – Public Land	Public Land	Future Growth Areas: Industrial/Agri-business, contained, planned community
West	Commercial Light	Vacant	Commercial/Multi-Family Residential

LOCATION MAP

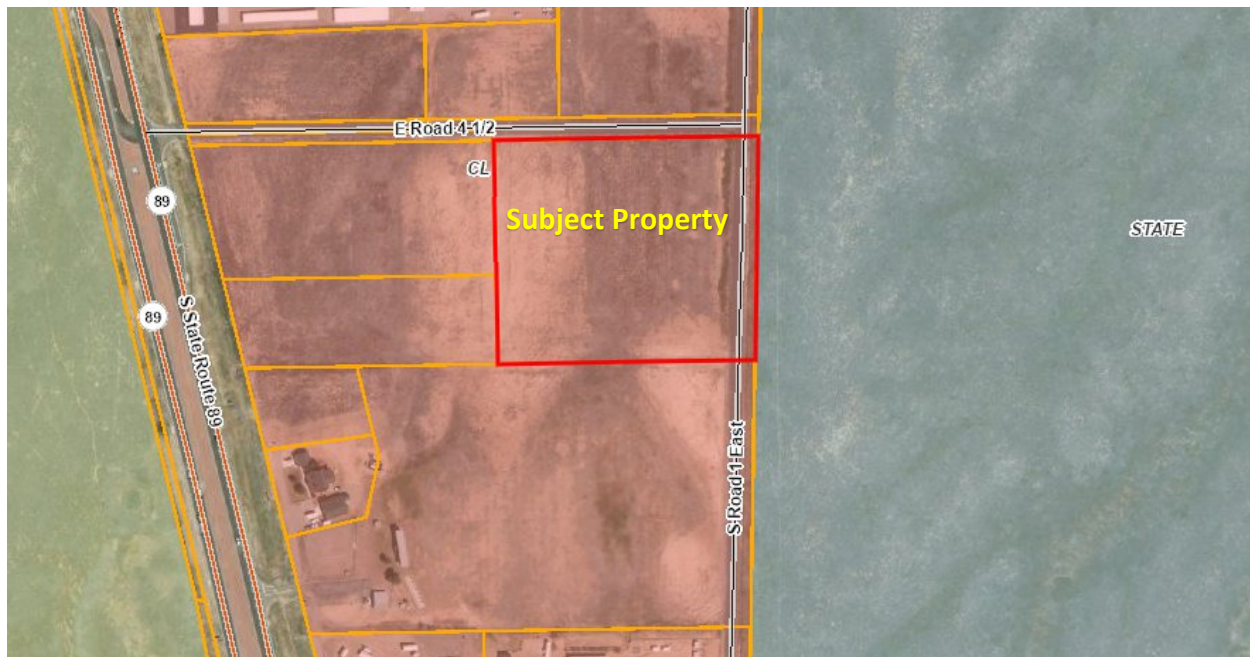


IMAGE 1. LOCATION MAP

Prior site actions: June 29, 2021 – This property was previously rezoned from CL (Commercial Light) to CH/PAD (Commercial Heavy with a Planned Area Development). The applicant had proposed to develop the property as an upscale RV Park with RV Storage, and required a rezone to accommodate this use. The tie to a PAD was to restrict future uses under this rezone as per Ordinance No. 2021-902.

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Commercial Heavy with a Planned Area Development Overlay (CH/PAD) District to the Commercial Light (CL) District, subject to the conditions shown in Attachment A.

SUGGESTED MOTION: Move to **APPROVE** Rezone Z-21-18 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommended approval to City Council for the request to rezone of approximately 6.86 acres of real property from Commercial Heavy with a Planned Area Development Overlay (CH/PAD) to Commercial Light (CL) for the property located north of 2625 S State Route 89, Chino Valley, Arizona, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the Town of Chino Valley General Plan.

Background:

The subject property was previously rezoned (along with APN 102-01-219K) from Commercial Light (CL) to Commercial Heavy with a Planned Area Development (CH/PAD). The applicant of the previous rezoning intended to develop the property as an upscale RV Park with RV Storage, with associated RV services such as maintenance and an RV wash. The rezone was tied to a Planned Area Development because Town Council did not want to have the more intense uses of Commercial Heavy, such as petroleum storage, bottling plants, outdoor commercial kennels, etc. in this area. Although receiving approval for rezoning, this development did not process because the applicant was not able to meet water and sewer requirements.

Staff Analysis:

The subject property is located at the Southwest corner of E Road 4 ½ South and S Road 1 East. O Jogo Bonito is a soccer facility proposed to be developed on the subject property and the property directly to

the south (APN 102-01-223E). The applicant is proposing an outdoor soccer complex, gym, clubhouse, and several fields. Several of the fields will be using artificial turf to conserve water consumption. The applicant believes that having a recreational facility in the Town of Chino Valley will be a positive environment for current and future generations of students. They propose using the facility to train student athletes and provide a facility for college preparation. The applicant also believes, the recreational facility will garner increased economic opportunity and revenue for the Town, with games and tournaments potentially inviting visitors into the Town.

Anticipated hours of operation for the soccer facility will be after school hours during the weekdays to 8pm, and mornings to evenings over the weekend. The applicant anticipates that the facility will serve student athletes from Prescott, Prescott Valley, Chino Valley, Dewey Humboldt, and Paulden. Down lighting will be specific to each field, and will only be used when the field is in use. Netting will be placed on the receiving ends of the fields to catch stray balls. The netting will be black, with hole diameters of 4.5 inches. The applicant believes that because the netting will be pulled taut, the visual impact on the surrounding environment will be reduced. The fields will use FIFA-grade artificial turf, and will not require irrigation to maintain natural turf.

Current access to the property from SR-89 (the access is to APN 102-01-223E, which will be used with the subject property for the soccer facility) will be closed. The project proposes two access points from North Road 1 East, one which is located on the eastern property line of APN 102-01-219M and the other located on the eastern property line of APN 102-01-223E.

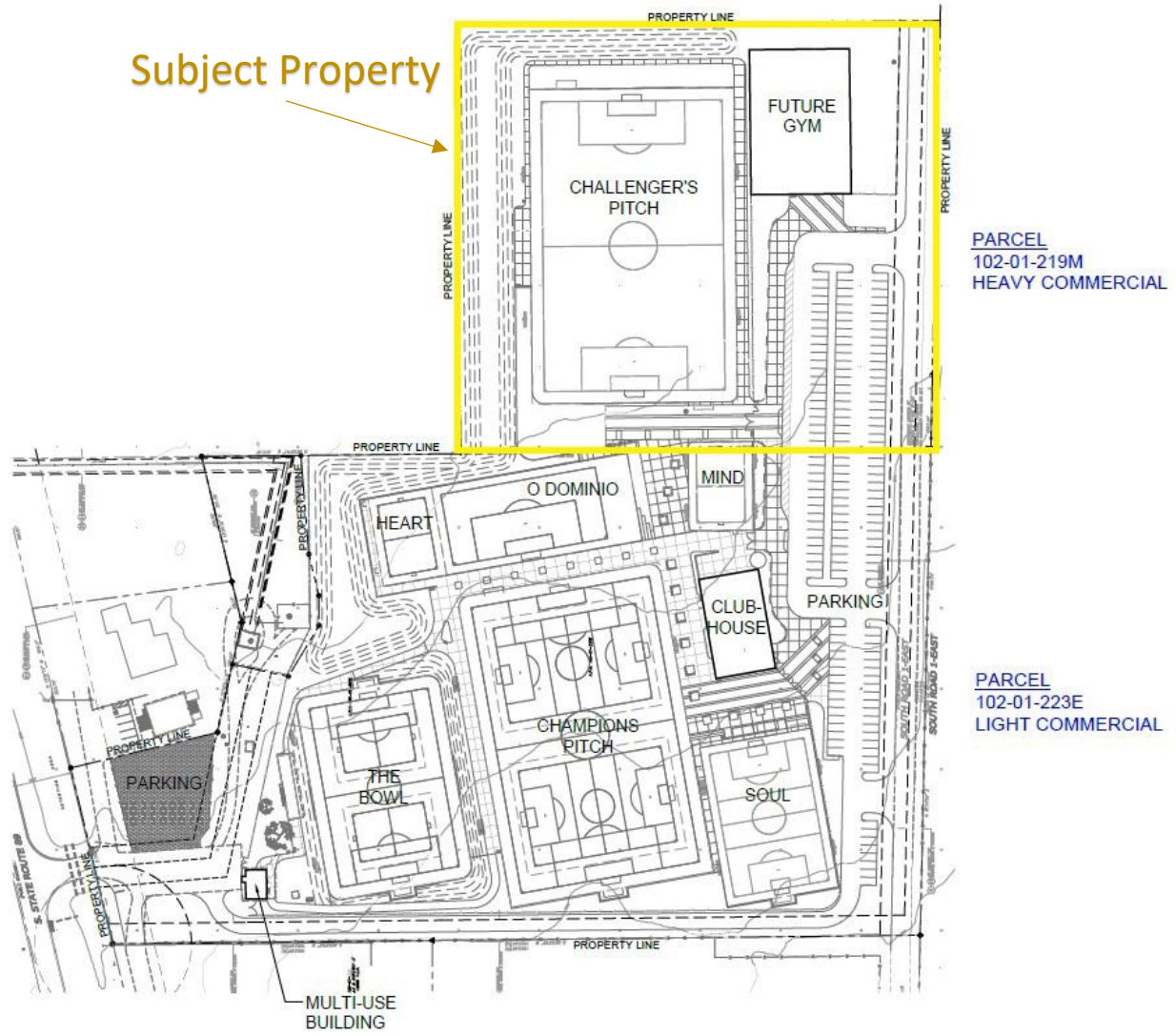


IMAGE 2. PROPOSED SITE PLAN

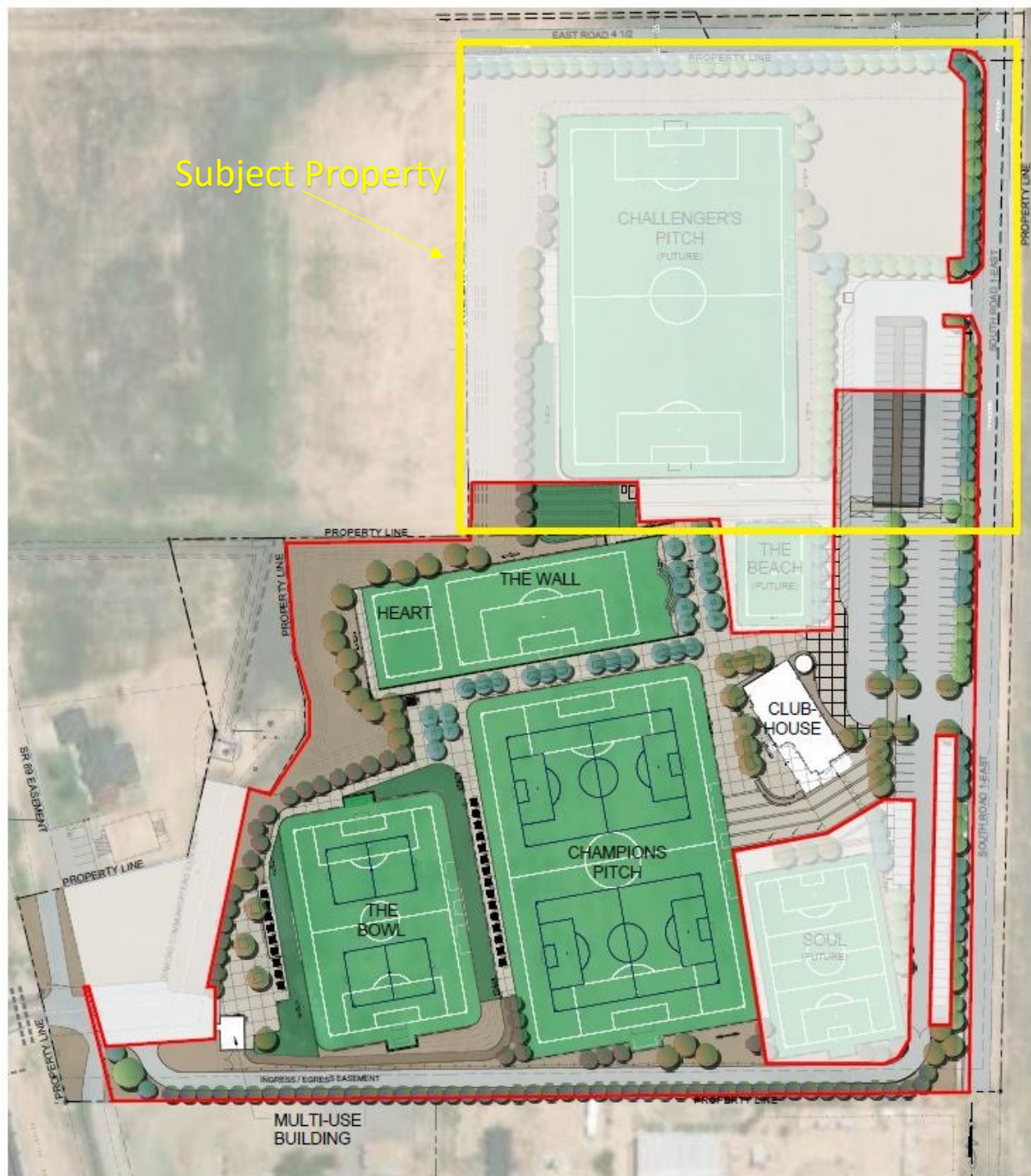


IMAGE 4. PROPOSED PHASE 1 OF PROJECT

Zoning - Section 3.15.B.27 of the Unified Development Ordinance lists outdoor commercial recreation establishments as a permitted use in the Commercial Light zoning district. The resulting rezone will be the same zoning designation as the property to the south (APN 102-01-223E).

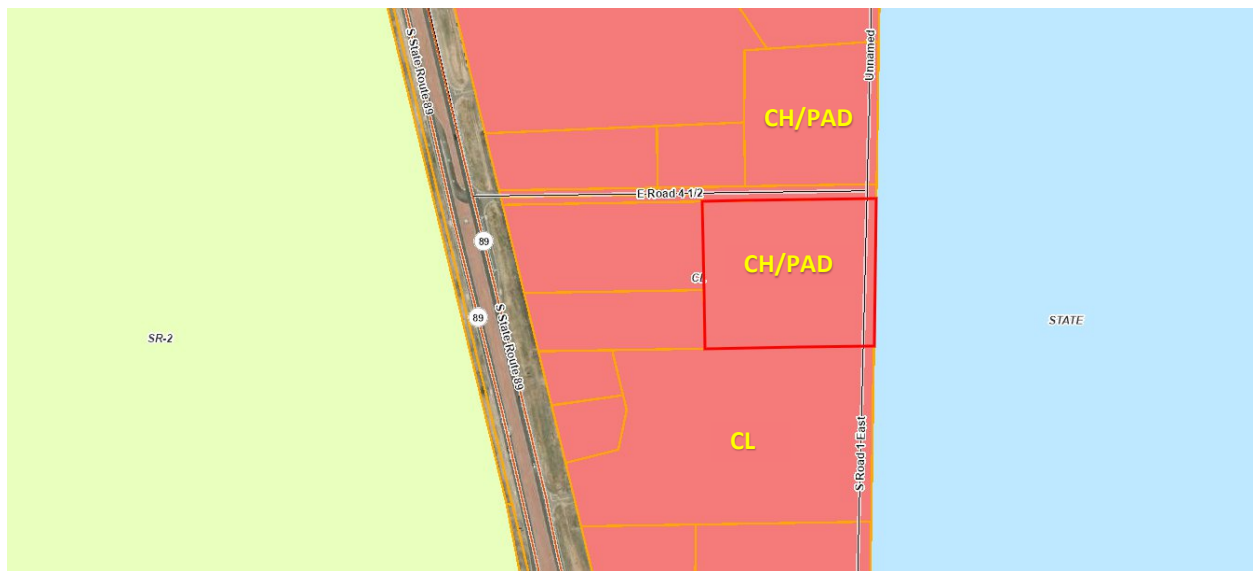


IMAGE 5. CURRENT ZONING

Does the proposed zoning district conform to the Land Use Element?

The zoning request of CL (Commercial Light) will be in conformance with the property's Commercial/ Multi- Family Residential General Plan land use designation. The Commercial/ Multi- Family Residential designation will continue to focus on the Land Use Goals and Strategies promoting local commercial businesses.



IMAGE 6. GENERAL PLAN LAND USE

Does the proposed rezoning of the property conform to the remaining elements of the general plan?

The proposed rezoning of the property will conform to the Economic Development Element of the General Plan. Rezoning the property to facilitate a soccer complex and outdoor recreation facility will invite tourists into the Town of Chino Valley, and increasing the customer activity of local and current businesses located within the Town.

Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

The applicant's proposal to rezone to Commercial Light (CL) reverts the subject property to its previous zoning.

Public Comments Received: None Received.

External Agency Comments: See Attachment E

Neighborhood Meeting See Attachment B

Comments:

Proposed conditions delivered to applicant on: January 10, 2022

Final staff report delivered to applicant on: January 1, 2022

X	Applicant agreed with all of the conditions of approval on: January 10, 2022
	Applicant did not agree with the following conditions of approval:
	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E
Conditions of Approval	Neighborhood Meeting Comments	Aerial Photo	Staff Research	External Agency Comments

Prepared By:

Bethan Heng
Planner

bheng@chinoaz.net

Date:

(928)636-4427,
x1295

Approved By:

Laurie Lineberry
Development Services
Director

ATTACHMENT A

CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Development Services Director, (928) 636-4427 x1217.

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

Planning, Bethan Heng, Planner, (928) 636-4427 x1295.

3. If the property is developed as proposed by the applicant, the improvements as required by Town of Chino Valley Public Works shall apply. Please see their comments in Attachment E.
4. If the property is developed other than what is currently proposed, these conditions will be subject to change.

Public Works and Engineering, Steve Sullivan, Assistant Engineer, 928-636-7140 x1308

5. Coordinate with Arizona Department of Transportation (ADOT) for any necessary driveway / SR89 improvements / requirements.
6. Coordinate with Central Arizona Fire and Medical Authority (CAFMA) for fire protection, access and maneuvering requirements.
7. The Town does not have nearby water or sewer service. The developer shall satisfy Yavapai County for sewer and ADWR for water.
8. UDO 4.22.4 (B)(2) All required parking and loading spaces, maneuvering areas, driveways, and fire lanes shall be paved with asphaltic concrete over A.B. base, concrete or masonry to a thickness and structure that will support the type and intensity of vehicular traffic generated by the proposed use. As the requirements may vary the paving cross section will require approval by the Town Engineer.
9. The applicant shall provide grading plans and a drainage report by an Arizona Registered Civil Engineer in accordance with Town code and all other applicable rules and regulations. The project shall detain to historic rates and discharge at the same location. Off-site flows on-site need to be accommodated. Ultimate buildout to be considered.
10. UDO 4.22.3(A) Commercial and industrial driveways shall have a minimum separation of two hundred (200) feet centerline to centerline (shared driveways and cross access are encouraged).
11. UDO 4.29 (B)(1)(d) Strive to minimize driveway cuts on State Route 89 and arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
12. UDO 4.22.5(C) Off-street parking space shall be connected with a public street by a paved driveway that affords safe and reasonably convenient ingress and egress. The minimum width of

driveways shall be forty (40) feet if ingress and egress are the same. If ingress and egress are by separate drives, then the minimum width of each drive shall be twenty (20) feet.

13. UDO 4.22.2(A) For all uses except single-family residential uses, vehicular parking for a standard vehicle shall be in the form of a rectangle not less than ten (10) feet by twenty (20) feet, excluding driveways or aisles, with access to a public thoroughfare. Drive aisles/backup areas shall be a minimum of twenty-four (24) feet. All such spaces shall be connected with a public or private street by an improved driveway not less than twenty (20) feet in length.
14. UDO 4.22.8 (M) Handicapped Parking Space(s) dimensions: 11' x 20' with a 5' aisle. Necessary quantity per town code. Stall improvements shall conform to federal ADA standards which includes, but is not limited to, striping and signage.
15. UDO 5.3.2 Road 1 East shall be improved per modified combination Urban Arterial / Commercial standards as shown in Table 5-1 as follows:
 - a. 50' minimum dedication West of East property line.
 - b. 14' minimum roadway half-width
 - c. 6" vertical curb and gutter
 - d. 5' minimum attached sidewalk
16. UDO 5.3.2 Road 4 ½ South shall be improved per Commercial standards as shown in Table 5-1 as follows:
 - a. 30' minimum dedication from centerline
 - b. 14' minimum roadway half-width
 - c. 6" vertical curb and gutter
 - d. 6' minimum detached sidewalk
17. Street improvements to include a concrete accessibility corner ramp(s) at the intersection of Road 1 East and Road 4 ½ South.
18. UDO 5.3.2 (D)(8) At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet for collector and arterial streets and twenty-five (25) feet for local streets.
19. A Traffic Impact Analysis / Statement incorporating plans for the entire development will be required.
20. UDO 150.081 Except as exempted in § [150.082](#), all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential, commercial or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
NEIGHBORHOOD MEETING COMMENTS

Date Held: (01/03/2022)

Location: Town Hall

Attendees:

Glenn Daiutolo, John McCafferty, Scott Daiutolo, and Jane Theobald – Applicants, Will Dingee – Senior Planner, Bethan Heng – Planner, and 4 neighbors were in attendance.

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- Representatives from Horses with Heart, the neighbor south of the subject property, voiced concerns regarding the project's water consumption level. Glenn Daiutolo informed the neighbor that the project planned to use FIFA-quality football turf that would not require irrigation for maintenance.
- Neighbors also raised concern over potential noise disturbance impacting their horses, particularly sound intensity from games and practices.
- There raised concerns over potential visual impact, specifically field lighting and the visual impact of the netting that would be placed around the fields. The applicant responded that the lighting will be specific to each field, and would be on only when a field is operational. Lighting will also be downcast and turned off after operational hours, which are anticipated to be no later than 10pm. The netting used to catch stray balls will be black, premium grade material with hole diameters of 4.5 inch. The applicant stated that the netting will be pulled taut and will not be a visual disturbance to the neighboring Horses with Heart. The applicant further stated that the soccer facility will be situated at a lower elevation from Horses with Heart, and with ample landscaping, minimized potential visual impact.
- The applicant addressed concerns about potential unattended children, stating that the elevation difference and constant supervision from coaches will prevent this.
- Concerns resulting by increased traffic were addressed by a discussion of Horses with Heart and the soccer facility's proposed operational hours, which overlapped for a few hours during the late afternoon hours of the weekday.
- Questions about security and access to the property were discussed. There will be no overnight security, but the facility will be locked. Access from State Route 89 will be closed, and the soccer complex will be accessed from South Road 1 East.

ATTACHMENT C
AERIAL PHOTO



ATTACHMENT D

STAFF RESEARCH

SEE FOLLOWING PAGES.



STAFF RESEARCH – REZONE

CASE #: Z-21-18

CASE PLANNER: BETHAN HENG

I. PROJECT DATA

Project Location:	2625 S State Route 89				
Parcel Number(s):	102-01-219M				
Parcel Size(s):	6.86 Acres				
Total Acreage:	6.86 Acres				
Proposed Dwelling Units:	N/A				
Address:	2625 S State Route 89				
Applicant:	Glenn Daiutolo, (602-819-3006), gdaiutolo@bascomaz.com				
Applicant's Agent:	Glenn Daiutolo, (602-819-3006), gdaiutolo@bascomaz.com				
Land Use Conformity Matrix:	Conforms:	Yes	X	No	
Zoning Overlay	PAD	X			

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Commercial Heavy w/ PAD	Vacant	Commercial/Multi-Family Residential
North	Commercial Light	Vacant	Commercial/Multi-Family Residential
South	Commercial Light	Non-functioning golf driving range.	Commercial/Multi-Family Residential
East	State – Public Land	Public Land	Future Growth Areas: Industrial/Agri-business, contained, planned community
West	Commercial Light	Vacant	Commercial/Multi-Family Residential

Prior Cases or Related Actions:				
<u>Type</u>	<u>Conforms</u>			<u>Cases, Actions or Agreements</u>
Pre-Annexation Agreement	Yes		No	
Annexation	Yes	X	No	March 30, 2000; Annexation of Windy Valley Area
General Plan Amendment	Yes		No	X
Development Agreement	Yes		No	X
Rezone	Yes		No	
Subdivision	Yes	X	No	Previously split January 5, 2021 from parent parcel APN# 800-13-033B.
Conditional Use Permit	Yes		No	X
Pre-Application Meeting	Yes	X	No	December 8 th , 2021; In conjunction to Lot Split of APN# 102-01-223E (LC- 21-15).
Enforcement Actions	Yes		No	X
Land Division Status:	Yes		No	X This project is in conjunction to Project (LC-021-15), which is undergoing a Lot Split.
Irrigation District:	Not in CVID.			

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:		
Land Use Designation:	Commercial/Multi-Family Residential	
Issues:	None.	
Public Services Element:		
Water Facility Plan:	Source :	
Sewer Facility Plan:	Treatment :	
Issues:		
Safety Element:		
Flood Plain Designation:		
Issues:		
Transportation Element:		
Road Classification		
Issues:	ADOT included comments concerning right-of-way dedication and road improvements. Please refer to the attached document.	
Parks and Rec Element:		
Closest Park:	Peavine Trail Trailhead.	
Within 1 mile of the Peavine Trail?	No.	

NOTIFICATION

- **Legal Ad Published: The Sun** (01/02/2022)
- **300' Vicinity Mailing:** (12/13/2021)
- **34 Commenting/Reviewing Agencies noticed:** (12/16/2021)
- **Neighborhood Meeting:** (01/03/2022)
- **Hearing Dates:** (02/01/2022)
- **Comments Due:** (12/27/2021)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Chuck Dowdy – CAFMA	N/A	N/A			Not in Fire District
Monica Holiday – APS	N/A				
Richard Perez - A.D.O.T.	Yes	12/6/2021		Yes	Yes
Ralph Baker – C.V.I.D.	N/A	N/A			Not in CVID.
Suzann E. – YC ENV	N/A				
Jon Groulx – YC Health	N/A				
SparkLite Cable	N/A				
Century Link Cable	NR				
Unisource Gas	NR				
CVUSD	NR				
United States Postal Service	NR				

<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	“No Conditions ”	Written Conditions	Comments Attached
Bethan Heng – Planner (DS)	Yes	12/8/2021		Yes	Yes
Will Dingee – Senior Planner (DS)	Yes	12/8/2021		Yes	Yes
Laurie Lineberry – DS Director	N/A				
Frank Marbury – PW Director	N/A				
Steve Sullivan – Assistant Engineer (PW)	Yes	12/8/2021		Yes	Yes
Jim Shinost – Plans Examiner (DS)	Yes	12/8/2021		Yes	Yes
Dan Trout – CBO (DS)	N/A				
David Jamie – Code Enforcement	N/A				
Damon Stanley – Code Enforcement	N/A				
Chuck Winn – Chief of Police (Police)	N/A				

ATTACHMENT E
EXTERNAL AGENCY COMMENTS

DATE:	12/21/2021	NAME:	Mark Holmes	TITLE:	Water Advisor
AGENCY:	Mark Holmes LLC		PHONE:	928-277-5253	
<i>Comments:</i>					
The developer for this project has indicated that artificial turf will be utilized for the proposed fields thus minimizing any water usage. There was a future proposed field that may have turf grass of which would potentially have State water use restrictions and reporting requirements. Also, if the total overall landscaping area and water budget for this project i.e. along the State Route and within and between the fields exceed 2 acres there could be some restrictions and requirements required by the State of Arizona Department of Water Resources for the use of an exempt well. Recommend that the developer meet and confer with the State of Arizona Department of Water Resources with the proposed plans and total overall landscaped area(s) future field with live turf, and other water domestic needs be determined in a water budget for the project and include any requirements and/or regulations proposed or required by the Arizona Department of Water Resources. While anything proposed or required by ADWR are not required to be implemented at the Rezone process, the developer should be aware of any potential requirements or restrictions imposed by the State before the project starts construction should anything further be needed.					

DATE:	12/23/2021	NAME:	Rhonda Inamine	TITLE:	Planner III
AGENCY:	Arizona State Land Department		PHONE:	602-542-3126	
<i>Comments:</i>					
ASLD is commenting as there is a section of State Trust Land located along the Eastern boundary of S Road 1 East and it appears that the road exists entirely on the neighboring fee land in Section 2. Should approval of this rezoning and/or subsequent development application be conditional upon the acquisition of ROW from ASLD, it is suggested that the applicant consult with our Right-of-Way Section at RWS@azland.gov to verify that the anticipated alignment is acceptable, understand the process, timeline, and cost.					

DATE:	12/06/2021	NAME:	Richard Perez	TITLE:	Northwest District Permits Supervisor
AGENCY:	ADOT – Northwest District Permits		EMAIL:	PrescottPermits@azdot.gov	
<i>Comments:</i>					
ADOT has no concerns with the rezoning but the developer will have to provide a TIS for review. This will help to determine the anticipated traffic that will be generated by this proposed development. ADOT will need Saturday counts as well. A NR right turn lane will be required. ADOT would like to see the main frontage road adjusted to have SR-89 as the main access with the elimination of the first access that is just north of the Kalinich roundabout thus all the properties along SR-89 in this area should have a joint use agreement and should use the soccer field access with the right turn lane. The access just north of Kalinich is a permitted driveway so the property owner would have to agree to this.					

2. A more detailed site plan would be helpful in determining the overall plan of the project and the access issues off of SR-89. The site plan should show the correct layout along SR-89 from the Kalinich roundabout to Road 4 ½ South and include circulation of the site.
3. An encroachment permit would be required for the change of ownership of the existing access off of SR-89 with a shared use agreement of the existing access with all other property owners that will be sharing this access. An encroachment permit would be required for any improvements within the ADOT right-of-way. All work within ADOP right-of-way shall be constructed according to ADOT standards and specifications. All construction plans shall be signed, sealed, and dated by a professional engineer licensed in the State of Arizona. This can be discussed further if this project moves forward.
4. Any and all work within the ADOT Right of Way shall be constructed according to ADOT Standards and Specifications. The current owner shall submit an encroachment permit with all supporting documentation to ADOT Northwest District Prescott Permits to Prescottpermits@azdot.gov for processing, review, and approval. The encroachment permit would also be for the change of ownership and bring the existing access into the current owner's name according to Arizona Administrative Code R17-3-502(D).
5. No advertising of any kind are permitted in the ADOT Right of Way. Signs, banners, sandwich boards etc. are prohibited in the ADOT Right of Way.
6. ADOT respectfully requests that the Town of Chino Valley not grant approval of the rezoning unless the applicant provides the TIS for review or issue a building permit until an encroachment permit has been submitted to ADOT and approved for the change of ownership that shows legal egress and ingress to State Route 89 and for any improvements for the driveway along SR-89 to bring the access into current ADOT standards and specifications for the intended use.
7. This list may not be all inclusive. ADOT reserves the right to comment further upon receipt the encroachment permit application with all supporting documents or further review meetings are required. Please contact the Northwest District Prescott Permits department at PrescottPermits@azdot.gov if you have any questions or concerns.

ORDINANCE NO. 2022-912

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 6.86 ACRES OF REAL PROPERTY LOCATED NORTH OF 2625 SOUTH STATE ROUTE 89, FROM CH/PAD (COMMERCIAL HEAVY WITH A PLANNED AREA DEVELOPMENT OVERLAY) TO CL (COMMERCIAL LIGHT).

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley (the "Town") Official Zoning Map for approximately 6.86 acres of real property located north of 2625 South State Route 89, (APN 102-01-219M), from CH/PAD (Commercial Heavy with a Planned Area Development Overlay) to CL (Commercial Light) (the "Zoning Map Amendment"); and

WHEREAS, the Town Council has determined that this Zoning Map Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan or other plan, any overlay zoning district, and the standards and design requirements contained in the Unified Development Ordinance of the Town of Chino Valley (the "UDO"); 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 recommended approval of the Zoning Map Amendment; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, and ARIZ. REV. STAT. § 9-462.01, the Town Council has, before adopting this Ordinance, considered the individual property rights and personal liberties of the residents of the Town, along with the probable impact of this Ordinance on the cost to construct housing for sale or rent in the Town;

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

Section 1: The recitals above are hereby incorporated as if fully set forth herein.

Section 2: The Zoning Map Amendment is hereby approved and the Official Zoning Map is hereby amended for property consisting of approximately 6.86 acres, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone the property from CH/PAD (Commercial Heavy with a Planned Area Development Overlay) to CL (Commercial Light), to develop an outdoor soccer complex and recreation facilities, subject to the requirements of the Chino Valley Town Code ("Town Code"), the UDO, and the following stipulations:

1. The applicant shall coordinate with the Arizona Department of Transportation for any necessary driveway or State Route 89 improvements or requirements.
2. The applicant shall coordinate with the Central Arizona Fire and Medical Authority for fire protection, access, and maneuvering requirements.
3. The applicant shall satisfy Yavapai County sewer requirements and Arizona Department of Water Resources (ADWR) water requirements.
4. The applicant shall provide grading plans and a drainage report by a civil engineer registered in Arizona, in accordance with the Town Code and all other applicable rules and regulations. The project shall detain on-site flows so that they discharge at historic rates and locations. Off-site flows on-site need to be accommodated. Ultimate buildout to be considered.
5. The applicant shall improve Road 1 East per the following standards, which are a modified combination of the Urban Arterial and Commercial standards shown in UDO 5.3.2 Table 5-1:
 - a. 50' minimum dedication West of East property line.
 - b. 14' minimum roadway half-width.
 - c. 6" vertical curb and gutter.
 - d. 5' minimum attached sidewalk.
6. The applicant shall improve Road 4 ½ South per the following Commercial standards shown in UDO 5.3.2 Table 5-1:
 - a. 30' minimum dedication from centerline.
 - b. 14' minimum roadway half-width.
 - c. 6" vertical curb and gutter.
 - d. 6' minimum detached sidewalk.
7. The applicant's street improvements must include concrete accessibility corner ramp(s) at the intersection of Road 1 East and Road 4 ½ South.
8. The applicant shall cause to be performed, and provide to the Town, a traffic impact analysis incorporating plans for the entire development prior to developing the property.

Section 3: Pursuant to ARIZ. REV. STAT. § 9-462.01(E), if the property is not developed with an outdoor soccer complex and recreation facilities within two (2) years of the effective date of this Ordinance, the Town Council may revert the zoning of the property to the prior zoning classification, CH/PAD (Commercial Heavy with a Planned Area Development Overlay).

Section 4: The Town Manager is directed, upon the effective date of this Ordinance, to cause the Official Zoning Map to reflect the Zoning Map Amendment as applicable to the property, indicating the zoning is subject to compliance with the stipulations provided herein.

Section 5: If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6: The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of March, 2022.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2022-912 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on March 22, 2022, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and abstentions. ____ Council members were absent or excused.

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2022-912

[Legal Description]

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF YAVAPAI, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

A parcel of land lying within the East half of Section 3, Township 15 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 3;

Thence South 01°14'54" West, along the East line of said Section 3, a distance of 2336.39 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 01°14'54" West, 531.05 feet;

Thence South 89°23'00" West, 584.39 feet;

Thence North 00°37'00" West, 201.31 feet;

Thence continuing North 00°37'00" West, 329.46 feet;

Thence North 89°23'00" East, 601.67 feet to the TRUE POINT OF BEGINNING.

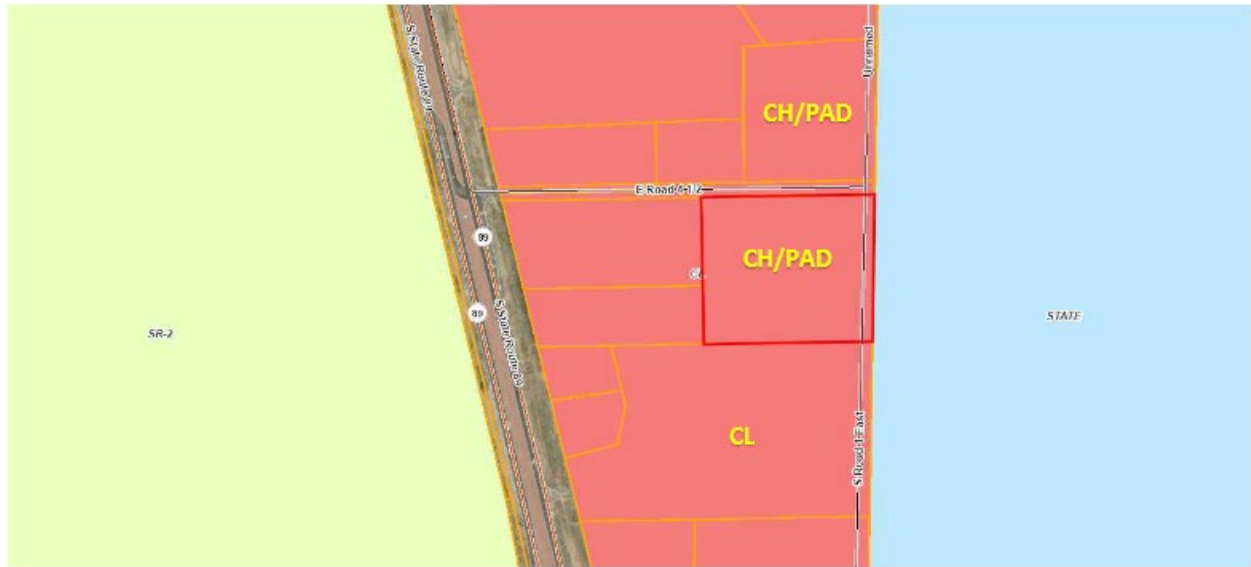
EXCEPT all minerals, except coal and iron, as reserved in the Patent to said land recorded in Book 104 of Deeds, page 81, records of Yavapai County, Arizona.

EXCEPTING therefrom the Northerly 25 feet as conveyed to the Town of Chino Valley by deed in Recording No. 2014-0057993, records of Yavapai County, Arizona.

APN: 102-01-219M

EXHIBIT 2
TO
ORDINANCE 2022-912

[Zoning Map]



ATTACHMENT A

CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Development Services Director, (928) 636-4427 x1217.

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

Planning, Bethan Heng, Planner, (928) 636-4427 x1295.

3. If the property is developed as proposed by the applicant, the improvements as required by Town of Chino Valley Public Works shall apply. Please see their comments in Attachment E.
4. If the property is developed other than what is currently proposed, these conditions will be subject to change.

Public Works and Engineering, Steve Sullivan, Assistant Engineer, 928-636-7140 x1308

5. Coordinate with Arizona Department of Transportation (ADOT) for any necessary driveway / SR89 improvements / requirements.
6. Coordinate with Central Arizona Fire and Medical Authority (CAFMA) for fire protection, access and maneuvering requirements.
7. The Town does not have nearby water or sewer service. The developer shall satisfy Yavapai County for sewer and ADWR for water.
8. UDO 4.22.4 (B)(2) All required parking and loading spaces, maneuvering areas, driveways, and fire lanes shall be paved with asphaltic concrete over A.B. base, concrete or masonry to a thickness and structure that will support the type and intensity of vehicular traffic generated by the proposed use. As the requirements may vary the paving cross section will require approval by the Town Engineer.
9. The applicant shall provide grading plans and a drainage report by an Arizona Registered Civil Engineer in accordance with Town code and all other applicable rules and regulations. The project shall detain to historic rates and discharge at the same location. Off-site flows on-site need to be accommodated. Ultimate buildout to be considered.
10. UDO 4.22.3(A) Commercial and industrial driveways shall have a minimum separation of two hundred (200) feet centerline to centerline (shared driveways and cross access are encouraged).
11. UDO 4.29 (B)(1)(d) Strive to minimize driveway cuts on State Route 89 and arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
12. UDO 4.22.5(C) Off-street parking space shall be connected with a public street by a paved driveway that affords safe and reasonably convenient ingress and egress. The minimum width of

driveways shall be forty (40) feet if ingress and egress are the same. If ingress and egress are by separate drives, then the minimum width of each drive shall be twenty (20) feet.

13. UDO 4.22.2(A) For all uses except single-family residential uses, vehicular parking for a standard vehicle shall be in the form of a rectangle not less than ten (10) feet by twenty (20) feet, excluding driveways or aisles, with access to a public thoroughfare. Drive aisles/backup areas shall be a minimum of twenty-four (24) feet. All such spaces shall be connected with a public or private street by an improved driveway not less than twenty (20) feet in length.
14. UDO 4.22.8 (M) Handicapped Parking Space(s) dimensions: 11' x 20' with a 5' aisle. Necessary quantity per town code. Stall improvements shall conform to federal ADA standards which includes, but is not limited to, striping and signage.
15. UDO 5.3.2 Road 1 East shall be improved per modified combination Urban Arterial / Commercial standards as shown in Table 5-1 as follows:
 - a. 50' minimum dedication West of East property line.
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16. UDO 5.3.2 Road 4 ½ South shall be improved per Commercial standards as shown in Table 5-1 as follows:
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18. UDO 5.3.2 (D)(8) At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet for collector and arterial streets and twenty-five (25) feet for local streets.
19. A Traffic Impact Analysis / Statement incorporating plans for the entire development will be required.
20. UDO 150.081 Except as exempted in § [150.082](#), all existing and new utility and telephone lines, electric utility distribution lines, cable television lines and all other communication and utility lines adjacent to or within new residential, commercial or industrial subdivisions or other areas to be developed within the town shall be installed underground at the time of development of the property as part of the required off-site and on-site improvements. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Pg.107

Meeting Date: 03/22/2022
Contact Person: Will Dingee, Senior Planner
Phone: 928-636-4427 x-1233
Department: Development Services
Estimated length of staff presentation: 5 minutes
Physical location of item: 995 East Road 1 North

AGENDA ITEM TITLE:

Consideration and possible action regarding Ordinance 2022-914 to rezone one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district. Applicant Ralph Baker, address 995 E Road 1 North, Parcel 306-23-048A. (Will Dingee, Senior Planner)

RECOMMENDED ACTION:

Approve Ordinance No. 2022-914 to rezone a one-acre portion of approximately 14.79 acres of real property from Agricultural Residential 5-Acre Minimum to Commercial Light, subject to the stipulations contained therein.

SITUATION AND ANALYSIS:

The applicant is applying for a partial rezoning on this property in order to divide off a portion of the land. This subject property is currently zoned AR-5 and is largely unused except the office building that the Chino Valley Irrigation District is occupying. This office building was constructed back in 1985 and has been used as one since its construction. The existing use on this property is non-conforming but is considered grandfathered due to being in operation for almost 40 years. The proposed rezoning will not only allow for the property owner to divide their property, but it will also bring the property into conformance with the General Plan.

Throughout the review of this proposal, staff encountered a timing issue with the applicant's request of rezoning in order to divide the property. It is best practice to rezone a property in its entirety rather than just a portion of it. However, with the underlying zoning of the subject property being AR-5, the property owner is prohibited from splitting their parcel in any configuration smaller than five acres. To solve this, staff has proposed a stipulation that, if approved, the rezoning will not take effect until the land division is recorded with the County.

Fiscal Impact

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

Available:

Funding Source:

Attachments

ORD - 2022-914 - Rezone for CVID AR5 to CL

Attachment 1 - Minutes from Planning and Zoning

Attachement 2 - Conditions of Approval

Attachment 3 - P&Z Staff Report

When Recorded, Return to:

Town Clerk
Town of Chino Valley
202 N. State Route 89
Chino Valley, Arizona 86323

ORDINANCE NO. 2022-914

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR AN APPROXIMATELY ONE-ACRE PORTION OF APPROXIMATELY 14.79 ACRES OF REAL PROPERTY LOCATED AT 995 E ROAD 1 NORTH, FROM AR-5 (AGRICULTURAL RESIDENTIAL 5-ACRE MINIMUM) TO CL (COMMERCIAL LIGHT).

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley (the "Town") Official Zoning Map for an approximately one-acre portion of approximately 14.79 acres of real property located at 995 E Road 1 North, (APN 306-23-048A), from AR-5 (Agricultural Residential 5-Acre Minimum) to CL (Commercial Light) (the "Zoning Map Amendment"); and

WHEREAS, the applicant submitted a land division application to divide the approximately one-acre portion at issue in this Ordinance from the approximately 14.79 acres of real property in which it is currently included, and the property's current zoning classification prohibits such division; and

WHEREAS, the Town Council has determined that this Zoning Map Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan or other plan, any overlay zoning district, and the standards and design requirements contained in the Unified Development Ordinance of the Town of Chino Valley (the "UDO"); 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 recommended approval of the Zoning Map Amendment; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, and ARIZ. REV. STAT. § 9-462.01, the Town Council has, before adopting this Ordinance, considered the individual property rights and personal liberties of the residents of the Town, along with the probable impact of this Ordinance on the cost to construct housing for sale or rent in the Town;

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

Section 1: The recitals above are hereby incorporated as if fully set forth herein.

Section 2: The Zoning Map Amendment is hereby approved and the Official Zoning Map is hereby amended for property consisting of approximately one acre, as described in Exhibit 1 and shown on the Zoning Map in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone the property from AR-5 (Agricultural Residential 5-Acre Minimum) to CL (Commercial Light) to divide the land, subject to the requirements of the Chino Valley Town Code ("Town Code"), the UDO, and the following stipulations:

1. Applicant shall record a land division of the subject property in the Office of the Yavapai County Recorder within one year of the effective date of this ordinance.
2. Applicant shall dedicate 15' of additional right of way (for a total of 40' from Centerline) along East Road 1 North.
3. Applicant shall dedicate 20' of additional right of way (for a total of 40' from Centerline) along North Road 1 East.
4. At the time of a change of use or when required by a road improvement project, the landowner shall, at no cost to the Town, either relocate the irrigation ditch, install underground pipes, or otherwise construct the ditch, in a manner approved by the Town, to not interfere with the right of way uses of the Town.

Section 3: The Town Manager is directed, upon the effective date of this Ordinance, to cause the Official Zoning Map to reflect the Zoning Map Amendment as applicable to the property, indicating the zoning is subject to compliance with the stipulations provided herein.

Section 4: Pursuant to ARIZ. REV. STAT. § 9-462.01(E), if a land division is not recorded with the Office of the Yavapai County Recorder within one year of the effective date of this Ordinance, the Town Council may revert the zoning of the property to the prior zoning classification, AR-5 (Agricultural Residential 5-Acre Minimum).

Section 5: If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6: The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 22nd day of March, 2022.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2022-914 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on March 22, 2022, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and abstentions. ____ Council members were absent or excused.

Erin N. Deskins, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2022-914

[Legal Description]

EXHIBIT A

LOT A

A portion of Section 22, Township 16 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

COMMENCING at the East quarter corner of said Section 22, a Town of Chino Valley Brass cap stamped T16N R2W S22/23 2001 RLS 13011.

Thence along the centerline of East Road 1 North, being the mid-section line of Section 22, North 89° 57' 06" West, 258.70 feet to the POINT OF BEGINNING;

Thence, South 01° 38' 15" West, 197.09 feet to a ½ inch rebar with cap LS 53890;

Thence, South 89° 57' 06" East, 258.70 feet;

Thence along the East line of said Section 22, South 01° 38' 15" West, 268.10 feet to a ½ inch rebar with cap LS 26405;

Thence, North 89° 58' 20" West, 1399.16 feet to a ½ inch rebar with cap LS 26405;

Thence, North 01° 38' 13" East, 465.69 feet;

Thence, South 89° 57' 06" East, 1140.45 feet to the POINT OF BEGINNING;

Said described parcel contains 600004 square feet (13.77 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

TOGETHER WITH

An easement 40 feet in width, for ingress, egress and public utilities.

A portion of Section 22, Township 16 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

BEGINNING at the East quarter corner of said Section 22, a Town of Chino Valley Brass cap stamped T16N R2W S22/23 2001 RLS 13011.

Thence along the East line of said Section 22, South 01° 38' 15" West, 465.19 feet;

Thence, North 89° 58' 20" West, 40.02 feet;

Thence, North 01° 38' 15" East, 268.11 feet;

Thence, North 01° 38' 12" East, 131.97 feet;

Thence, North 44° 09' 26" West, 35.01 feet;

Thence, North 89° 57' 06" West, 193.57 feet;

Thence North 89° 57' 06" West, 1140.45 feet

Thence, North 01° 38' 13" East, 40.02 feet;

Thence, South 89° 57' 06" East, 1399.15 feet to the POINT OF BEGINNING;

Said described easement contains 73289 square feet (1.68 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.



LOT B

A portion of Section 22, Township 16 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

BEGINNING at the East quarter corner of said Section 22, a Town of Chino Valley Brass cap stamped T16N R2W S22/23 2001 RLS 13011.

Thence along the East line of said Section 22, South 01° 38' 15" West, 197.09 feet;

Thence North 89° 57' 06" West, 258.70 feet to a ½ inch rebar with cap LS 53890;

Thence, North 01° 38' 15" East, 197.09 feet;

Thence along the centerline of East Road 1 North, being the mid-section line of Section 22, South 89° 57' 06" East, 258.70 feet to the POINT OF BEGINNING;

Said described parcel contains 600004 square feet (13.77 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

TOGETHER WITH

An easement 40 feet in width, for ingress, egress and public utilities.

A portion of Section 22, Township 16 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

BEGINNING at the East quarter corner of said Section 22, a Town of Chino Valley Brass cap stamped T16N R2W S22/23 2001 RLS 13011.

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Thence, North 89° 57' 06" West, 193.57 feet;

Thence North 89° 57' 06" West, 1140.45 feet

Thence, North 01° 38' 13" East, 40.02 feet;

Thence, South 89° 57' 06" East, 1399.15 feet to the POINT OF BEGINNING;

Said described easement contains 73289 square feet (1.68 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.



EASEMENT DESCRIPTION

An easement 40 feet in width, for ingress, egress and public utilities.

A portion of Section 22, Township 16 North, Range 2 West, of the Gila and Salt River Meridian, Yavapai County, Arizona described as follows:

BEGINNING at the East quarter corner of said Section 22, a Town of Chino Valley Brass cap stamped T16N R2W S22/23 2001 RLS 13011.

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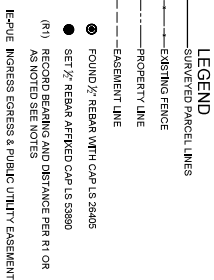
Thence, North 01° 38' 13" East, 40.02 feet;

Thence, South 89° 57' 06" East, 1399.15 feet to the POINT OF BEGINNING;

Said described easement contains 73289 square feet (1.68 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.



OF APN 306-23-048A AS DESCRIBED IN 350/599 OR & 365/49 OR
SECTION 22, TOWNSHIP 16 NORTH, RANGE 2 WEST
GILA & SALT RIVER BASE & MERIDIAN
YAVAPAI COUNTY, ARIZONA



- ## NOTES
1. EXISTING BUILDINGS WERE PRESENT AT TIME OF

2. THE MAP WAS PREPARED WITH THE BENEFIT OF A REVIEW BY THE TOWN ENGINEER PROVIDED BY THE VAP/APPRAISAL AGENCY ON 03/02/1997.
3. AT THE TIME OF A CHANGE OF USE OR WHEN REQUIRED BY A ROAD IMPROVEMENT PROJECT, THE LANDOWNER SHALL EITHER RELOCATE THE EXISTING DITCH OR CONSTRUCT A NEW DITCH. OTHERWISE CONSTRUCT THE DITCH, TO BE APPROVED BY AND AT NO COST TO THE TOWN, SO AS NOT INTERFERE WITH THE ROAD USES OF THE TOWN.
4. RECORD OF RECORD REFERENCE FOR SURVEY:
R.O. DEED 359/9589
R2. DEED 356/48
R3. DEED 154/94 LS

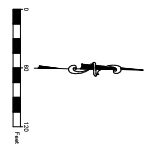
SITE INFORMATION
APN: 306-22-048A
ADDRESS: 995 E ROAD 1 NORTH
921 E ROAD 1 NORTH

OWNER INFORMATION
CHINO VALLEY IRRIGATION DISTRICT
CHINO VALLEY, AZ

BASIS OF BEARING
THE PROJECT COORDINATE SYSTEM AND THE BASIS OF BEARINGS ARE RELATIVE TO THE ARIZONA STATE PLANE COORDINATE SYSTEM OF 1983. CENTRAL 0202 ZONE. LINEAR DIMENSIONS AND COORDINATE VALUES ARE IN INTERNATIONAL FEET.

CERTIFICATION

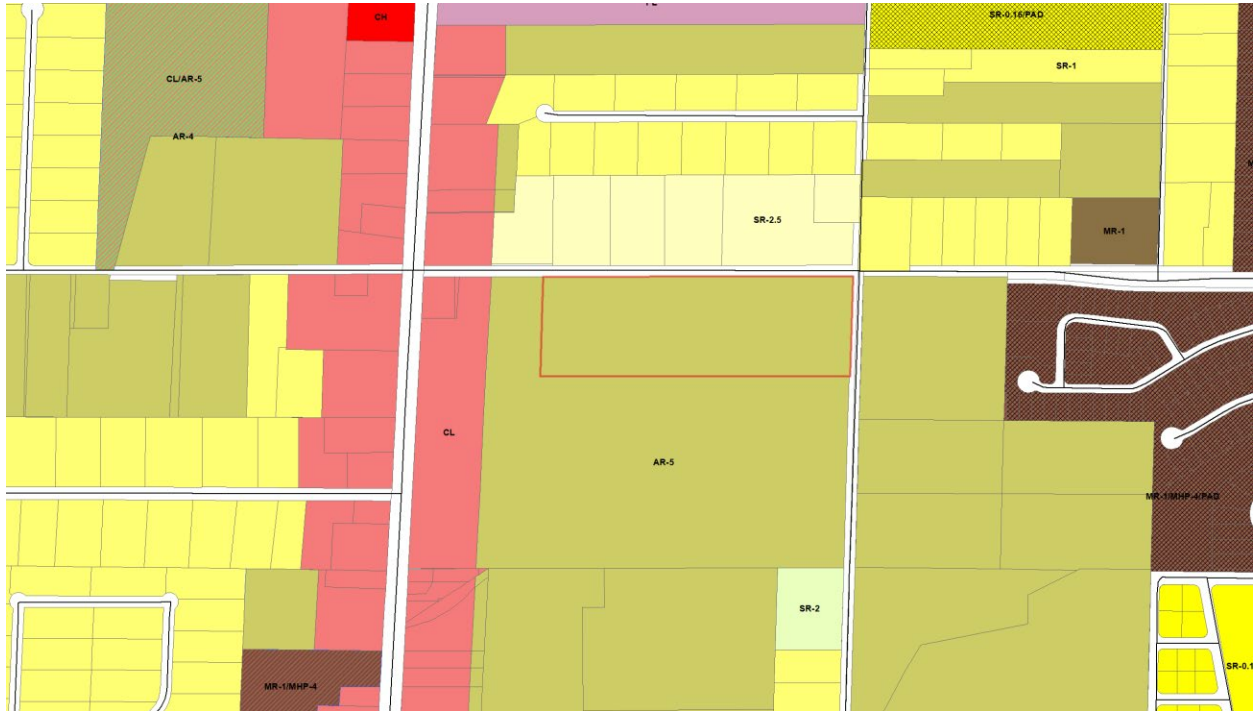
I, BRANDO M. VAN HORN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA, THAT THE SURVEY DESCRIBED AND SHOWN HEREON WAS MADE BY ME DURING THE MONTH OF JANUARY 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED



SURVEY PREPARED FOR CHINO VALLEY IRRIGATION DISTRICT	
VALLEY SURVEY 789 E. PHOENIX AVENUE PRESCOTT VALLEY, AZ 86315 928-710-9700 WWW.VALSURVEY.COM	
SURVEYED BY: Brock Walton	SHEET NO. 1
HOR SCALE: 1" = 60' PROJECT NO: 21037 DATE: 3/18/2012	OF 1 SHEETS

EXHIBIT 2
TO
ORDINANCE 2022-914

[Zoning Map]



Attachment 1

Minutes from the Planning and Zoning Commission

CASE# Z-17-21: *A request by Ralph Baker on behalf of Chino Valley Irrigation District (CVID) to rezone one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district in order to divide the property. Address 995 E Road 1 North, Parcel 306-23-048A.*

Will Dingee, Senior Planner, presented the staff report and shared that the Applicant was in attendance for this meeting. Staff is recommending **APPROVAL**.

Penn questioned what use that CVID was planning for the split. **Dingee** stated that the Chino Valley Irrigation District (CVID) has been in this location for 40 years and the only area being rezoned is the 1-acre area that is currently being used as the office and equipment yard.

Ralph Baker, CVID shared that originally CVID had planned to rezone the whole parcel, but after meeting with staff and concerns from the neighbors, it was determined the best route was to leave 13.75 acres as currently zoned, and break off 1-acre as commercial, which is what the current use actually is.

Switzer asked if the CVID owned that property and if they are planning to move elsewhere. **Baker** stated it is not an option to relocate the business and the equipment yard.

Merritt shared that if the whole parcel was rezoned, there could be any number of different types of businesses located there, but felt that with only 1-acre being rezoned the remaining portion of the parcel would retain its current zoning. There would be no change on that portion.

Merritt shared that this is what the General Plan shows and why we are only looking at 1-acre to be rezoned. **Penn** questioned if this proposal was approved it could set precedent, because it could be sold next month and then could be rezoned too. **Merritt** reiterated that yes, the opportunity is there if CVID sold that remaining property, anyone who purchases that property would have the same opportunity to apply for a rezone and that it would again come before the commission. There is nothing to keep anybody from requesting a zone change, even CVID.

Merritt opened the meeting for public comment.

Susan Cornman stated that she is happy with the changes to include only the 1-acre corner office property, she feels this is a solution to the zoning concerns.

Linda Ekdahl of 778 E Road 1 North shared that she felt that this area should stay residential and that the commercial buildings should be located on the highway corridor, not move down the street into the residential neighborhoods.

There were no further comments from the public and no further questions for staff.

Merritt commended the citizens for their participation in this process.

A motion was made by Commissioner Meadors and seconded by Vice-Chair Pasciak to approve Z-17-21, as presented by staff. The motion carried 5-2. The Nay votes are explained as follows:

Switzer: I don't want to sound like the bad guy. I know they have been there for 40 years, which is an incredibly long time, but I blame that on Chino being this potpourri of zoning. With SR-2.5 right across the street with established homes that have been there for 30 years, I think it does set a precedent for the rest of the lot. Who knows what is going to happen in the future, it's surrounded by agricultural land. I think we need to start doing things right instead of accommodating a bad decision from the past.

Penn: I agree with what Commission Switzer said. There is no guarantee that CVID won't sell the remainder of the property in three months, six months, a year from now.

The surrounding properties are residential and agricultural and I don't want to see the property developed as a factory. I think this needs to be considered.

Attachment 2
Conditions of Approval

ATTACHMENT 2
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

Planning: Will Dingee, Senior Planner (928) 636-4427 - x1295

3. If approved, the rezoning of this property will not take effect until the land division is recorded.
4. The applicant will have 12 months from the date of approval to record the land division. If it is not recorded, the applicant will have to come back through the public process.

Public Works/Engineering: Frank Marbury, Director, (928) 636-7140 - x1226

5. Applicant shall dedicate 15' of additional ROW (for 40' from Centerline) along East Road 1 North.
6. Applicant shall dedicate 20' of additional ROW (for 40' from Centerline) along North Road 1 East
7. At the time of a change of use or when required by a road improvement project, the land owner shall either relocate the irrigation ditch, install underground pipes, or otherwise construct the ditch, to be approved by and at no cost to the Town, so as not interfere with the ROW uses of the Town.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

Attachment 3

Staff Report from Planning and Zoning Commission



TOWN OF CHINO VALLEY
Planning Commission Staff Report
March 1, 2022
File Number ZC-2021-017
Rezoning

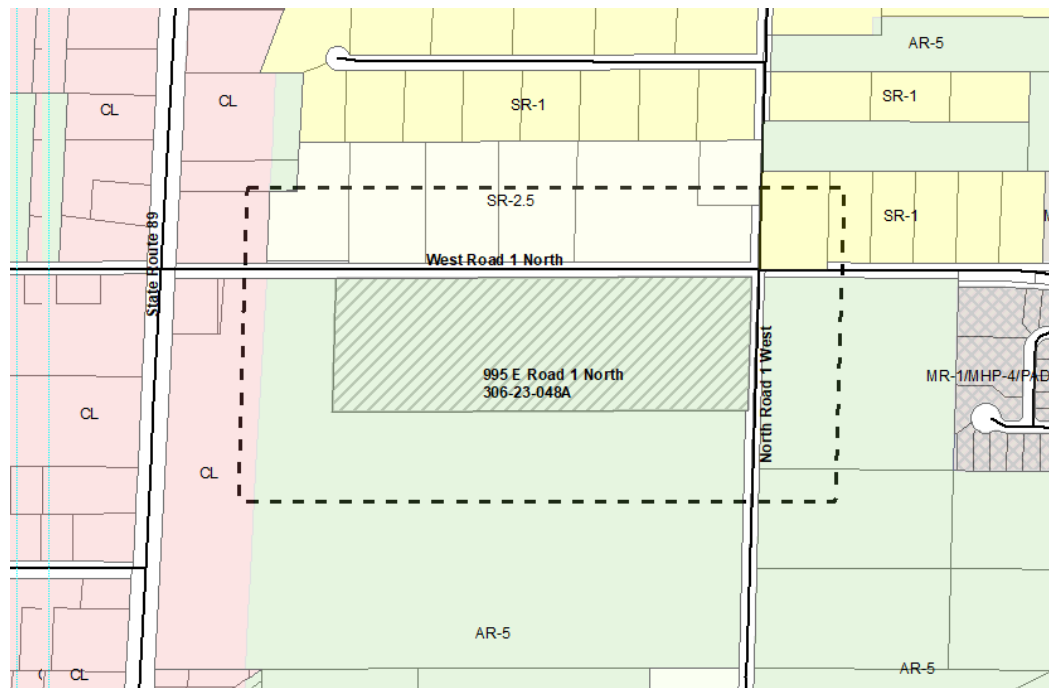
PROJECT DESCRIPTION

Request by Ralph Baker on behalf of Chino Valley Irrigation District (CVID) to rezone approximately one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district. Address 995 E Road 1 North, Parcel 306-23-048A.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	AR-5	Office for CVID (non-conforming)	Commercial Multifamily
North	SR-2.5	Single Family Residential	Commercial Multifamily
South	CL/AR-5	City of Prescott Water Distribution	Commercial Multifamily
East	AR-5	Single Family Residential	Medium Density Residential
West	CL/AR-5 & CL	City of Prescott Water Distribution & Commercial/Retail Center	Commercial Multifamily

LOCATION MAP



PRIOR SITE ACTIONS:	To date there has been no council action taken at on this property.
STAFF RECOMMENDATION:	Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of APPROVAL to rezone approximately one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district. Address 995 E Road 1 North, Parcel 306-23-048A.
SUGGESTED MOTION:	Move to APPROVE Rezone ZC-2021-017 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A
EFFECT OF THE APPROVAL:	By approving this Conditional Use Permits, the Planning and Zoning Commission is recommending approval to Town Council to approve the rezoning of approximately one (1) acre of approximately 14.79 acres of real property from AR-5 (Agricultural Residential 5-acre minimum) zoning district to CL (Commercial Light) zoning district. Address 995 E Road 1 North, Parcel 306-23-048A.

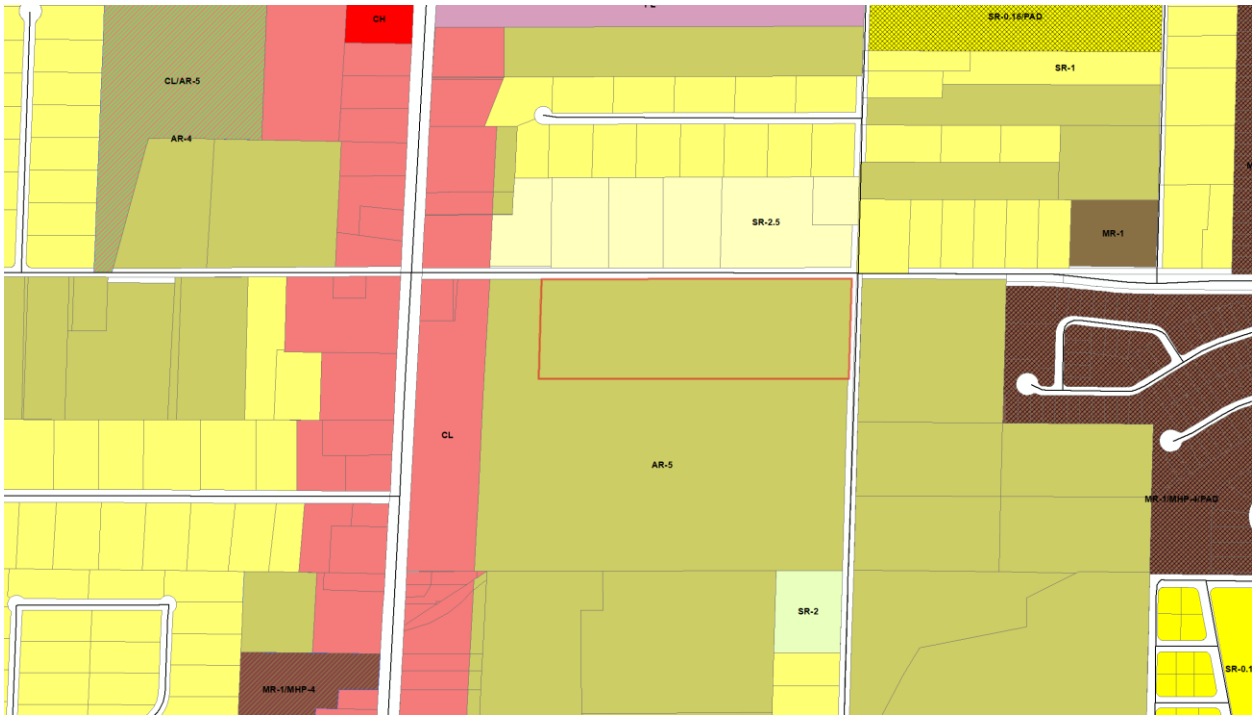
Staff Analysis:

The applicant is applying for a partial rezoning on this property in order to divide off a portion of the land. This subject properties is currently zoned AR-5 and is largely unused with the exception of the office building that the Chino Valley Irrigation District is occupying. This office building was constructed back in 1985 and has been used as one since its construction. The existing use on this property is non-conforming but is considered grandfathered due to being in operation for almost 40 years. The proposed rezoning will not only allow for the property owner to divide their property but it will also bring the property into conformance.

Throughout the review of this proposal, staff encountered a timing issue with the applicant's request of rezoning in order to divide the property. It is best practice that you rezone a property in its entirety opposed just a portion of it. However, with the underlying zoning of the subject property being AR-5, the property owner is prohibited to split their parcel in any configuration that of less than five acres. To solve this, staff has proposed a stipulation that, if approved, the rezoning will not take effect until the land division is recorded with the County.

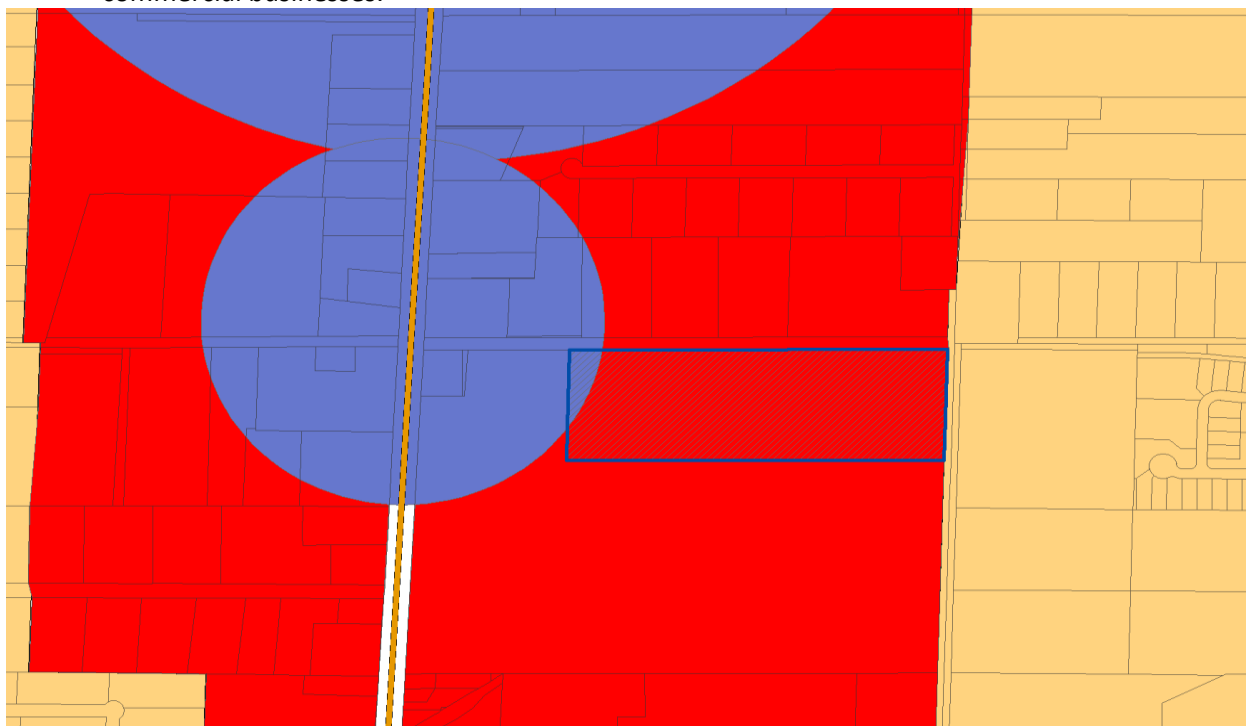
Zoning

Section 3.15 of the Unified Development Ordinance list "business and professional offices" as an allowed use within the Commercial Light zoning district. Commercial Light can be found adjacent to this property along the boundary of State Route 89. If approved, the rezoning will bring the historic use on the property into conformance.



Does the proposed zoning district conform to the Land Use Element of the General Plan?

The rezoning request of Commercial Light (CL) conforms to the property's Commercial/ Multi-Family Residential General Plan land use designation. The Commercial/ Multi-Family Residential designation will continue to focus on the Land Use Goals and Strategies promoting local commercial businesses.



PUBLIC COMMENTS RECEIVED: Staff has received no public comment outside of the Neighborhood Meeting.

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: Two Neighborhood Meetings were held on this project. Staff notified the surrounding property owners both times of the date and location of the meeting along with the dates and location of the Planning and Zoning Commission Meeting and Town Council Meeting by postcard in September of 2021 and most recently on January 10, 2022
See Attachment C for notes on both meetings

PROPOSED FINAL CONDITIONS DELIVERED TO APPLICANT ON: February 10, 2022

FINAL STAFF REPORT DELIVERED TO APPLICANT ON: February 17, 2022

☒	Applicant agreed with all of the conditions of approval on February 17, 2022
☐	Applicant did not agree with the following conditions of approval: (list #'s)
☐	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	Staff Research

PREPARED BY:

DATE:

WILL DINGEE, SENIOR PLANNER
WDINGEE@CHINOAZ.NET
928 636-4427 – x1233

2/15/2022

APPROVED BY:

LAURIE LINEBERRY, AICP
DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Development Services Comments: Laurie Lineberry, Director, 928 636-4427- x1217

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

Planning: Will Dingee, Senior Planner (928) 636-4427 - x1295

3. If approved, the rezoning of this property will not take effect until the land division is recorded.
4. The applicant will have 12 months from the date of approval to record the land division. If it is not recorded, the applicant will have to come back through the public process.

Public Works/Engineering: Frank Marbury, Director, (928) 636-7140 - x1226

5. Applicant shall dedicate 15' of additional ROW (for 40' from Centerline) along East Road 1 North.
6. Applicant shall dedicate 20' of additional ROW (for 40' from Centerline) along North Road 1 East
7. At the time of a change of use or when required by a road improvement project, the land owner shall either relocate the irrigation ditch, install underground pipes, or otherwise construct the ditch, to be approved by and at no cost to the Town, so as not interfere with the ROW uses of the Town.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B
EXTERNAL AGENCY COMMENTS

NO EXTERNAL AGENCY COMMENTS RECEIVED

ATTACHMENT D
SITE PLAN AND EXHIBITS

DATE MEETING HELD: 9/29/21

LOCATION: TOWN HALL

ATTENDEES:

AGENT/DEVELOPER: RALPH BAKER

TOWN STAFF: WILL DINGEE & BETHAN HENG

NEIGHBORS IN ATTENDANCE: 14

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT, THE PROPOSAL AT THE TIME WAS REZONING THE ENTIRE PARCEL AS COMMERCIAL LIGHT:

- QUESTIONS REGARDING FUTURE PLANS FOR THE PROPERTY AND IF CVID WAS RELOCATING
- QUESTIONS ABOUT ROAD IMPROVEMENTS
- QUESTIONS ABOUT WHY THE PROPERTY NEEDED TO BE ALL COMMERCIAL ZONING
- QUESTIONS ABOUT WHY THEY COULD NOT JUST REZONE A PORTION OF THE PROPERTY INSTEAD
- CONCERNS ABOUT IMPACTS TO THE NEIGHBORING PROPERTY OWNERS
- CONCERNS ABOUT THE AREA BEING RESIDENTIAL

****FOLLOWING THE CONCLUSION OF THE SEPTEMBER NEIGHBORHOOD MEETING, THE APPLICANT AND STAFF DISCUSSED A DIFFERENT DIRECTION FORWARD IN ORDER TO BE MORE ACCOMMODATING TO THE NEIGHBORS****

DATE MEETING HELD: 1/19/22

LOCATION: TOWN HALL

ATTENDEES:

AGENT/DEVELOPER: RALPH BAKER

TOWN STAFF: WILL DINGEE & BETHAN HENG

NEIGHBORS IN ATTENDANCE: 4

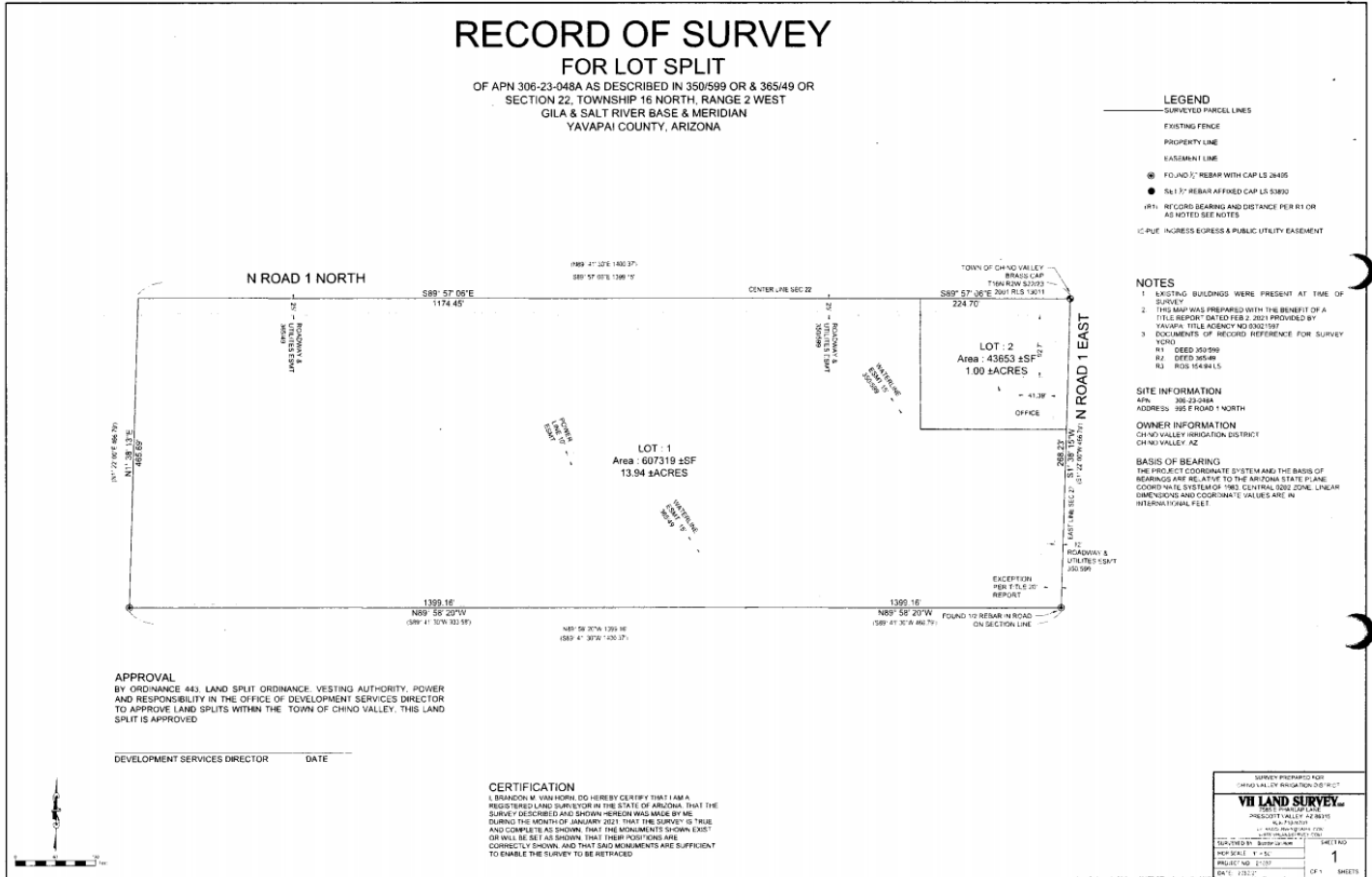
SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- QUESTIONS REGARDING FUTURE PLANS FOR THE PROPERTY
- THE GENERAL CONSENSUS OF THE ATTENDING PROPERTY OWNERS WAS THAT CVID HAD HEARD THEIR CONCERNS AND ADDRESSED THEM. ALL FOUR ATTENDEES WERE IN SUPPORT OF THE PROPOSAL.

ATTACHMENT D SITE PLAN AND EXHIBITS

APN# 306-23-048A

ADDRESS: 995 EAST ROAD 1 NORTH



ATTACHMENT E
STAFF RESEARCH

SEE NEXT PAGE