



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

REGULAR MEETING
Tuesday, August 13, 2013
6:00 P.M.

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

AGENDA

ADDENDUM 8/12/13

Item 7e	ADDs letters for and against the land use request received after packet publication
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- 1) **CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL**
- 2) **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
 - a) Proclamation declaring August 2013 as "Child Support Awareness Month," sponsored by the Arizona Department of Economic Security Division of Child Support Services.
 - b) Presentation regarding the Prescott Active Management Area Groundwater Users Advisory Council's Fourth Management Plan, by GUAC Member Carl Tenney.
 - c) Recognize staff member Roger Strader for his U.S. Army service and recent deployment and the Water and Sewer Crews that stepped up to fill in the resulting gaps. (Ron Gritman, Town Engineer)
 - d) Overview of Community Services by General Services Director Cecilia Watts.
- 3) **CALL TO THE PUBLIC**

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

4) RESPONSE TO THE PUBLIC

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

- a)** Waiver of park facility use fees for sponsoring organizations of the Territorial Days celebration.
- b)** Discrepancies with enforcement of the Town's sign ordinance, particularly relating to the Days Inn motel.

5) CURRENT EVENT SUMMARIES AND REPORTS

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

6) CONSENT AGENDA

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

- a)** Consideration and possible action to approve the June 24, 2013 study session minutes. (Jami Lewis, Town Clerk)
- b)** Consideration and possible action to approve the June 25, 2013 regular meeting minutes. (Jami Lewis, Town Clerk)
- c)** Consideration and possible action to approve the July 9, 2013 regular meeting minutes. (Jami Lewis, Town Clerk)
- d)** Consideration and possible action to accept resignation of Marti Klein from the Board of Adjustment, effective July 15, 2013. (Jami Lewis, Town Clerk)
- e)** Consideration and possible action to accept the resignations of Stephen Whisenhunt, Karen Rockhold, Marti Klein, and Vanessa Herb from the General Plan Committee, and ratify the appointments of Celia Vander Molen and Trisha Lamb as of May 2012, and Robert McCaullay as of July 2013 to the same. (Jami Lewis, Town Clerk)
- f)** Consideration and possible action to adopt Resolution No. 13-1017, amending Resolution No. 11-973, which established the Mayor's Ad Hoc Flood Control Committee. (Jami Lewis, Town Clerk)

- g) Consideration and possible action to adopt Resolution No. 13-1016, disbanding and dissolving the Town of Chino Valley Council Utilities Committee, the Council Public Safety and Traffic Control Committee, Mayor's Ad Hoc Water Stewardship Committee, and Mayor's Ad Hoc Alternative Energy Committee. (Jami Lewis, Town Clerk)
- h) Consideration and possible action to waive Park Rental Fees and Special Event Vendor fees for Territorial Days, Saturday, August 31, 2013 at Memory Park, up to \$456.00. (Cecilia Watts, General Services Director)
- i) Consideration and possible action to approve Amendment to Intergovernmental Agreement (IGA) Regarding Gang and Immigration Intelligence Team Enforcement Mission State Gang Task Force between the Town of Chino Valley Police Department and the State of Arizona through the Department of Public Safety. Funds to come from reimbursements will be accounted for in the Grant Fund. (Chuck Wynn, Police Chief)

7) ACTION ITEMS

- a) (i) Public Hearing regarding application from Clare Hollie Abel for a new Series 10 (Beer and Wine Store) Liquor License for DG Retail, LLC (dba Dollar General Store #9943), located at 945 N. Highway 89, Chino Valley.

(ii) Consideration and possible action to recommend approval for new Series 10 Liquor License application for the Dollar General Store. (Jami Lewis, Town Clerk)

Recommended Action: (i) Hold Public Hearing; (ii) Recommend approval for a new Series 10 Liquor License application for the Dollar General Store.

- b) Consideration and possible action to approve Agreement to Transfer Responsibility for Transit Operations and Management between the Town of Chino Valley and Yavapai Regional Transit, Inc. (Councilmembers Hatch and McKee)

Recommended Action: Approve Agreement to Transfer Responsibility for Transit Operations and Management between the Town and Yavapai Regional Transit, Inc.

- c) ZC 13-004. Consideration and possible action to adopt Ordinance No. 13-773 approving a zone change from Commercial Light "CL" to Commercial Heavy "CH" for an approximately 1 acre parcel located at 694 N. State Route 89, further described as Assessor's Parcel No. 306-23-021X. Owner/Applicant: Resource Holdings II, LP/Timothy J. Coury/Kottke Law Firm. (Ruth Mayday, Planner)

Recommended Action: Adopt Ordinance No. 13-773 approving the zone change from Commercial light "CL" to Commercial Heavy "CH" for Assessor's Parcel Number 306-23-021X.

- d) ZC 13-005. Consideration and possible action to adopt Ordinance No. 13-772 approving a zone change from Agricultural Residential 4 acre minimum "AR-4" to Single Family Residential 1 acre minimum "SR-1" on a parcel consisting of approximately 14+ acres, located at 851 W. Road 1 North, and further described as Assessor's Parcel Numbers 306-23-041W, 306-23-041X, and 306-23-041Z. Owner/Applicant: M.D. Builders/Martin D. Messenger. (Ruth Mayday, Planner)

Recommended Action: Adopt Ordinance No. 13-772 approving the zone change from Agricultural Residential 4 acre minimum "AR-4" to Single Family Residential 1 acre minimum "SR-1" for Assessor's Parcel Numbers 306-23-041W, 306-23-041X, and 306-23-041Z.

- e) ZC 13-003. Consideration and possible action on request for a zone change from "AR-5" Agriculture/Residential 5 Acre Minimum to "MHP-4" Manufactured Home Park 4-Acre Minimum for an approximately 60-acre parcel located between Road 4 North and Road 4½ North, at 1429 W. Road 4½ North, approximately ¼ mile west of Road 1 West and identified as Assessor's Parcel Number 306-05-030X. Applicant/Property Owner: La Vacara Trust (Ruth Mayday, Planner)

Recommended Action: Deny the requested zone change from "AR-5" to "MHP-4" for Assessor's Parcel Number 306-05-030X, based on non-conformance with the 2003 General Plan Land Use Element Goal LU-1 and Policy LU-1.4, and as recommended by the Planning Commission.

- f) Discussion and possible action to honor the 19 fallen Granite Mountain Hot Shots by installing a plaque or other type of memorial. Funding source to be determined; this is not a budgeted item. (Mayor Marley and Councilmember McKee)

Recommended Action: Direction to staff.

- g) *Timed Item [at or near 7:30 p.m.]:* Council will recess to observe Councilmember Linda Hatch's birthday.

- h) Consideration and possible action to approve the priority list for the 2013 Chip Seal Program. Funds to come from Public Works roadway maintenance line. (Ron Grittman, Public Works Director)

Recommended Action: Approve the priority list for the 2013 Chip Seal Program as presented.

- i) Consideration and possible action to ratify the declaration of an emergency by the Mayor pursuant to Town Code Section 32.04, and award the gas line replacement project at the North Campus of Town Facilities to Hot AZ Hell Welding in an amount not to exceed \$84,830 plus tax estimated at \$8,800 for a total project cost of \$93,630.00 and to approve a contract with Hot AZ Hell Welding to repair the gas leaks. Funds to come from Contingency. (Ron Grittman, Town Engineer)

Recommended Action: (i) Ratify the Mayor's declaration of an emergency and the award of the gas line replacement project at the Town's North Campus to Hot AZ Hell Welding, and

declare an emergency. (ii) Approve contract with Hot AZ Hell Welding to repair the gas leaks, in an amount not to exceed \$84, 830 plus tax estimated at \$8,800 for a total project cost of \$93,630.00

- j) Consideration and possible action to approve the Intergovernmental Agreement with the Yavapai County Flood District for design of the stormwater improvements at Chino Meadows Unit 5, in an amount not to exceed \$120,000.00. Funds to come from Capital Improvements line. (Ron Gritman, Public Works Director)

Recommended Action: Approve the Intergovernmental Agreement with the Yavapai County Flood District for design of the stormwater improvements at Chino Meadows Unit 5 in an amount not to exceed \$120,000.00.

- k) Consideration and possible action to approve the Professional Services Agreement with Lyon Engineering for design of the stormwater improvements at Chino Meadows Unit 5 in an amount not to exceed \$119,980.00. Funds to come from Capital Improvement Program fund. (Ron Gritman, Public Works Director)

Recommended Action: Approve the Professional Services Agreement with Lyon Engineering for design of the stormwater improvements at Chino Meadows Unit 5 in an amount not to exceed \$119,980.00.

- l) Consideration and possible action to designate terms for Councilmember appointments to the Roads and Streets Committee. (Jami Lewis, Town Clerk)

Recommended Action: Assign term endings of June 30, 2014 and June 30, 2015 to appointments of Mayor Marley and Councilmember Wojcik to the Roads and Streets Committee.

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

Discussion and possible action to recess the regular meeting and reconvene in executive session for the following purposes:

- a) Pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding pending or contemplated litigation or settlement discussions conducted in order to avoid or resolve litigation in the matter of Town of Chino Valley v. City of Prescott. (Robert Smith, Town Manager)
- b) Pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a contract (intergovernmental agreement) with the City of Prescott related to converting the Transaction Privilege Tax on water transportation to water transportation fees that is the subject of negotiations. (Robert Smith, Town Manager)

- c) Pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in the matter of Cortez v. Town of Chino Valley. (Robert Smith, Town Manager)
- d) (i) Pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the terms of the Town Manager's contract with the Town; and (ii) Pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of Town Manager Robert Smith. (Councilmembers Hatch and McKee)
- e) Discussion and possible action to approve the Settlement and Mutual Release Agreement with the City of Prescott in settlement of the claims in the matter of Town of Chino Valley v. City of Prescott. (Robert Smith, Town Manager)

9) **ADJOURNMENT**

Dated this 8th day of August, 2013.

By: ***Liz Hart, Town Clerk Assistant***

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 636-1787 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

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

Date: _____

Time: _____

By: _____
Jami C. Lewis, Town Clerk

Town of Chino Valley

Memo

To: Mayor and Council
From: Jami Lewis, Town Clerk
Date: 8/12/2013
Re: Additional letters regarding Item 7e

Attached are letters received by Development Services (3) and the Town Clerk's office (40) after the packet was published.

As Consultant Dava Hoffman was unaware of the letters delivered to the Clerk's office until Monday, August 12, she will be verifying the letters for distance from the subject property before the 6:00 p.m. meeting.

Claude V. Baker, P.E.



August 2, 2013

BY:

Development Services Department
1982 N Voss Dr. #203
Chino Valley, AZ 86323

Reference: LA VACCRA TRUST rezoning application.

Gentlemen,

I have received several communications from you, a Mister Ronald Maines and Mister Joe Cordovana regarding the rezoning of this property.

I have ignored the request thinking it would be handled professionally taking the best interests of the community and proper use of the property in consideration.

It seems that it has degenerated into a political cat fight. This is unfortunate since it can reflect badly on the entire community and frighten away potential real-estate investors fearing that they would be unable to make the best use of their property.

As a retired Civil Engineer with many years of land planning behind me I see nothing intrinsically wrong with the proposed cluster home development. Care must be taken in the design of the clusters to see that the size, placement and density develop the social neighborhood desired. The design of the "Park" or unused property must be carefully done to enhance the neighborhood and protect the surrounding property.

The description of the development as a "Mobile Home Park" is inaccurate and unkind. Manufactured homes today are a far cry from a trailer park. With a proper HOA and architectural review committee the area can and probably will look much better than the surrounding property. Maines refers to a "rural residential area", that is what Chino Valley is. A mixture of vacant land, cattle grazing, trailer parks, churches, large lots and small lots, hobby farms and ranches. It is not likely to change. There are several very lovely Manufactured Home Developments in Prescott; perhaps a tour of those would be helpful.

The property needs to be developed, both the east and west side. Any zoning that allows for proper water runoff control, proper street access and roadside gutters and culverts will help – and will enhance the entire neighborhood. Believe me when I say that **any** development of the property will add to surrounding property values.

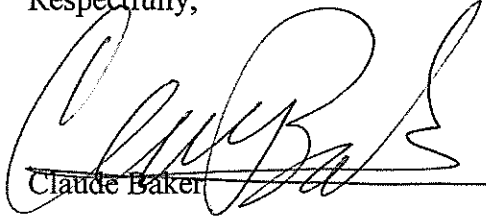
Claude V. Baker, P.E., S.E., R.L.S.
1044 W Rd 4 ½ North
Chino Valley, Arizona 86323
Ph 9284459611 Cell 9287134473

Claude V. Baker, P.E.

My property is directly north and downstream of the trust property. In times of rain the runoff crosses the road and runs directly onto our property. I think I speak for many of us who want to see the property developed responsibly and with proper grading and drainage design.

If I can help in any way, just ask, my interest is what is best for Chino Valley.

Respectfully,



Claude Baker

Cc: Joe Cordovana
Ronald Maines

Claude V. Baker, P.E., S.E., R.L.S.
1044 W Rd 4 ½ North
Chino Valley, Arizona 86323
Ph 9284459611 Cell 9287134473

August 7, 2013 (hand delivered)

BY:.....

From: Judith Simpson, 1325 Willow Lake Road, Prescott, AZ 86301; Tel. (928) 237-5134

Regarding: Requested zone change from AR-5 to MHP-4 of Assessor's Parcel No.: 306-05-030x, approximately 60.2 acre property located at 1429 W. Road 4½ North, Chino Valley.

To: Mayor Chris Marley and Council Members

My ownership of a home on a 5+ acre in the area of the above referenced request of zoning change regards my interest. Although I no longer live in Chino Valley friendships with neighbors there and stewardship of my property concerns the requested zone change. I am indebted to all of you and I thank you for your service to our community.

The owner is applying for a rezone to MHP-4. Keep in mind that they have not applied for MHP-4 with a PAD Overlay. MHP-4 zoning allows a maximum of 6 sites per acre on a minimum lot size of 4 acres. If this zone change were to occur the 60 acre parcel might allow for upwards of 360 mobile home sites if all other conditions were present. The 3 meetings that I attended on this matter put forth several development proposals, none of which met the standards required for approval of the requested zone change. Following are my observations and questions:

A. MHP-4 zoning is too Dense/Intense and is not compatible with the surrounding rural residential neighborhood.

The 60+ acre parcel that is proposed for the rezone adjoins rural residential properties, all of them over one acre in size. Using the formula called out in the UDO Sec. 1.9.2.E. Protests, to calculate some areas seemed like a good place to start. I buffered this area within 150' of the 60.2 acre parcel and found 21 lots (not including the 60+ acre parcel). I calculated the average lot size for the surrounding properties and found the average lot size is 12.5 acres, at 43,560 square feet per acre the average lot size is 544,500 sq. ft. Does it come as a shock that this is 100 times the size of most of the lots that have been proposed for this mobile home park?

B. Confusion exists over the meaning of Medium Density Residential. The question has been asked; "I seems that MHP-4 zoning is high density, where do they call it medium density" in the General Plan? The General Plan seems to be in conflict with itself on what is "medium density" because if you look at the definitions on page 20, medium density is in SR-1 and high density begins with SR-0.16. SR-0.16 is followed by high density MR-1 and then MHP-4 with no mention of defined density besides 6 sites per acre. In the General Plan, Future Land Use section (page 33) the Guidelines for medium density residential zoning includes Mobile Home Parks. Is that what the people understood they voted for?

Common sense says medium is somewhere between low density and high density. The definitions in the General Plan and UDO suggest that MHP-4 is actually high density, unless a PAD Overlay is applied to the underlying zoning and the surrounding zoning thereby creating a development, with a final map, that is compatible with the surrounding neighborhood. The General Plan is very clear that a PAD Overlay also must “have in place a water and waste water treatment system”.

The applicant has not provided evidence of a Town approved water supply or an operating waste water system. They also have not applied for a PAD overlay to the underlying zoning.

C. Access: The proposal does not meet the General Plan and UDO requirement for Mobile Home Parks to have two points of direct access to a public street that is a collector or arterial road.

1.) The proposed access to Road 4 North (an “Arterial Street”): Two of the development proposals presented access over a private road shared with the Windmill complex. The plans showed an easement over the Windmill parcels as a means of providing direct access. Reference to Black’s Law Dictionary: “an easement is an interest in the land owned by another person, consisting in the right to use or control the land It does not give the holder the right to possess, take from, improve, or sell the land.” *An owner cannot grant an easement to yourself over your own land. Think about it: If they could grant an easement they could also abandon the easement.*

2.) The proposed “emergency egress” onto Bumblebee does not meet the UDO requirement for Access which is defined as ingress & egress. Bumblebee is not a “Collector Street” according to definitions in the UDO, Section 2, and as further clarified in Sec. 4.28. It is a “Local Street” intended to serve “direct access to and from abutting property” and in Sec. 2 definitions it is to “be controlled in such a manner as to discourage through traffic”.

I drove out to Bumblebee in order to see for myself. The first thing I noticed as I turned onto Bumblebee was a Town sign that said “NOT A THRU STREET” (see photo enclosed). The road is roughly paved approximately 20+ feet wide in the southerly portion of the right of way to a dirt turnaround at the east end of the subdivision. Currently there are 20 lots relying on Bumblebee for access. Consider that additional users of direct access onto Bumblebee if/when the current adjoining lots are further divided by the lot split process.

Currently the La Vacara Trust parcel does not use Bumblebee as access. The pavement ends before the chain link fence and the hedge that is planted along the easterly side of this fence. The legal issue of “overloading” this right of way should be seriously considered. Proving the “necessity” for La Vacara to access Bumblebee with a mobile home park or

other multiple users may prove difficult since the La Vacara Trust parcel already has access onto two major public streets. Mr. Cordovana has merged and re-divided this land many times in the last 10 years. What if the 60.2 acre parcel and the Windmill complex became merged as one parcel again? Now is the time to think about these possibilities.

3.) The current access to the 60.2 acre property is addressed as 1429 W. Road 4½ North. The UDO Sec 4.28 indicates that Road 4½ North is a “Collector” Street. It collects traffic and takes it to an arterial street. Currently at 1429 W. Road 4½ North there is a mailbox, block wall & gated entrance on the driveway. Why was this access not the proposed access?

D. Some additional considerations.

1.) Safety in the event of fire: The master plans presented at the neighborhood meeting and the Planning Commission meetings show tightly clustered small lots along the westerly property line. In light of the recent Prescott Fire and knowledge of the prevailing Chino Valley winds I would think that closely spaced lots lying in the path of the prevailing wind is a recipe for disaster. Mindful that a fire it could come from the Windmill Clubhouse area or from homes to the southwest. The proposed “emergency only egress” onto Bumblebee is very close to the proposed access to Road 4 North. Overloading Bumblebee in the event of an Emergency might hinder emergency vehicle ingress to the residents as well as frustrating the evacuation of people and livestock for those living on Bumblebee.

2.) Fencing and road widths: Someone at the meeting brought up an additional safety concern regarding the lake that adjoins the Windmill property on the east. Aren’t lakes and pools required to be fenced? The private roads also did not appear to meet the property development standards, including maneuverability requirements for seventy (70) foot long trailers. (UDO Sec 3.14.4 J.4.)

3.) Provision for storm water runoff: There was nothing proposed to address water runoff. A Detention Basin in the northwest corner of the property has become noticeably smaller due to many piles of dirt that have been dumped along the west and south line of the Detention Basin. If the Detention Basin was a requirement of the development permit for construction of the Windmill House then it would seem the Town should enforce the maintenance of the Detention Basin. Additional runoff could cause serious damage to the road, private property and livestock northerly of Road 4½ North.

4.) Town approval for Septic: Who makes the decision to “approve” the system? Currently the Yavapai County Health Department would limit the number of lots in the development by the amount of service connections. Did anyone figure in dump station(s) that are normally included in a RV storage yard? The prevailing breezes dictate that the residents of Road 4½ North are usually “downwind” of this 60 acre parcel. We all have experienced the noise, dust, tumbleweeds, plastic bags, etc. that blow from the Cordovana

property. Who do we call if the proposed shared waste water system doesn't work properly? Mike Cordovana said they are looking forward to a future date when they can hook up to a sewer line. Will the Council approve zoning and developments that create an environment that will force the neighbors to pay for this costly infrastructure? I hope not.

5.) Town approval of the source of water: The ADEQ sent a letter (copy enclosed) stating there was not enough capacity in the system to provide adequate fire protection to the existing customers (Appaloosa # 1 & #2). Who determines that a potable source for water is available? Does the town take responsibility for the approved water system? State laws regulating Mobile Home Park - Long Term Leases also require additional proof of water supply.

If the zone change being applied for is not compatible with the surrounding residential uses there will be objections. Past experiences of uses on this land under the ownership of the Cordovana family in regards to conditional use permits have been detrimental to the peace and enjoyment of the neighboring homeowners. This is proof that attaching a string of stipulations to zoning makes practical enforcement difficult of not impossible. Neighbors have been forced into the position of being the "bad guys" as past violations have been reported and unresolved. Countless hours have been expended objecting to proposals that include commercial and quasi-commercial uses on the land that is in our rural residential neighborhood.

Please send the clear message to all residents of Chino Valley that you will protect our rural residential areas. Please say NO to this application to rezone from AR-5 to MHP-4.

Thank you for your time and consideration.

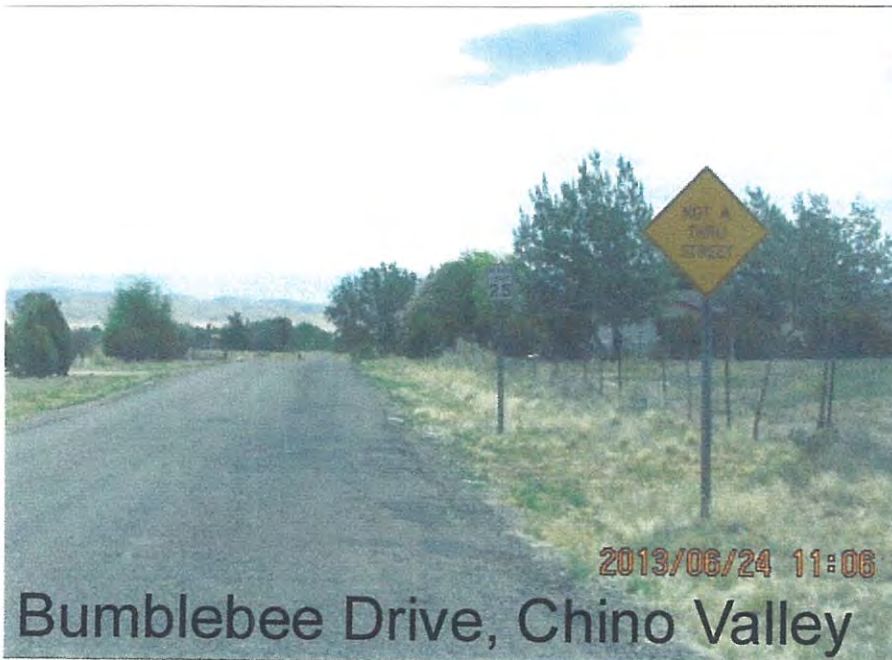
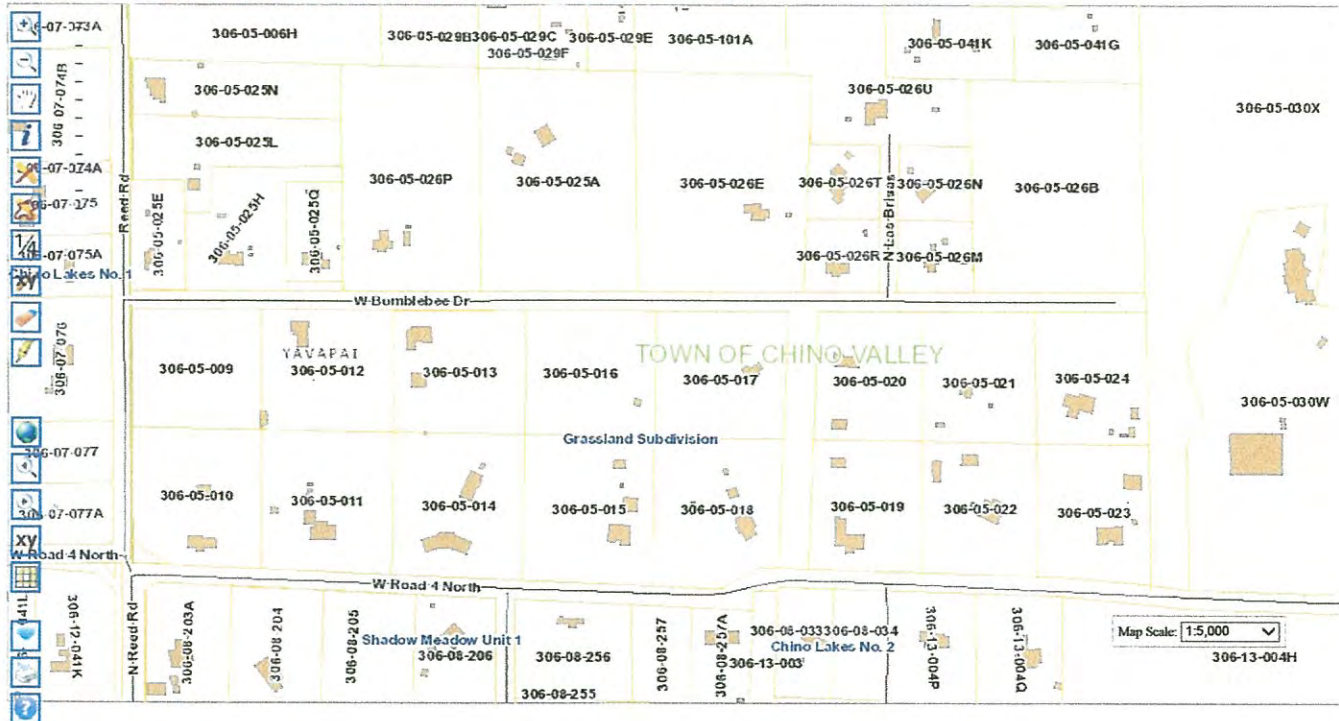


Judith Simpson, Trustee for the Hugh B. and Judith Simpson Revocable Trust
owner of Assessor Parcel No. 306-05-094R

cc: Development Services
Enclosures as stated



Interactive Map NOTICE - This application will be replaced with the new BETA Interactive Map on Friday July 19th, 2013





Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Benjamin H. Grumbles
Director

Appaloosa Water Company
Attn: Joe Cordovana
P.O. Box 3150
Chino Valley, AZ 86323

April 27, 2009

Re: Capacity Improvement Project

Dear Mr. Cordovana,

As per our conversation on November 19 and April 26, 2010, and your letters dated November 24, 2009, and April 27, 2010, Appaloosa Water Company does not have the required capacity to supply its users. The existing 64,000 gallon storage tank has insufficient capacity to supply water to the current customer base in the event of a power failure and drafts from the local fire department. According to your April 27, 2010 letter, the peak demand in 2009 was 97,895 gallons per day during the month of June. Under Arizona Administrative Code (A.A.C.), Title 18-5-502-B, "A potable water distribution system shall be designed to maintain and shall maintain a pressure of at least 20 pounds per square inch at ground level at all points in the distribution system under all conditions of flow". In addition, under A.A.C. Title 18-5-503 (A), "the minimum storage capacity for a community water system...shall be equal to the average daily demand during the peak month of the year". To protect the customer base on the system it is recommended that Appaloosa Water Company increase its storage capacity. Your proposed project includes the installation of an approximately 500,000 gallon storage tank to alleviate this problem. Thank you.

Sincerely,

Adam Klatzker
Environmental Health Specialist II,
Northern Regional Office
Arizona Department of Environmental Quality

Cc: Reading file
E-mailed to Tony Cordovana, tcordov1@gmail.com

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

Printed on recycled paper

Please Check One:

La Vacara Trust
APN # 306-05-030-X

Addendum 1: Page 16 of 56

☐ I approve of this rezoning/conditional use permit.

☒ I oppose this rezoning/conditional use permit.

Comments: _____

Name: _____

Kevin Lowell

Signature: _____

Kevin Lowell

Address: _____

8490 W. LA MADRE WY, LV, NV, 89105

PLEASE RESPOND BY: June 17, 2013

PLEASE NOTE: Comment letters may be submitted to the Development Services Department 24 hours prior to the scheduled Public Hearing.

RECEIVED
AUG 08 2013

BY: _____

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

Subject: Regarding Sec. 1.9.2.E. of the Unified Development Ordinance requiring a super majority vote for approval, let this LETTER OF PROTEST to the proposal to rezone Assessor's Parcel No. 306-05-030X, (60.2 acre parcel) with the physical address of 1429 W. Road 4½ North serve as legal notice.

My signature below affirms that I am in opposition to the request from the La Vacara Trust, Joe Cordovana, Owner, for a rezone of the above referenced parcel from AR-5 to "MHP-4" Mobile/Manufactured Home Park- 4 acre minimum. The proposal was presented at meetings before the Planning and Zoning Commission on June 18, 2013 and July 16, 2013.

Both Staff and the Planning and Zoning Commission have recommended denial of the proposed rezone. This formal objection by neighbors is being presented to protect our citizen's rights.

I object that the town has entertained the rezone proposal when the intensity and density of the zoning described in the Unified Development Ordinance are contrary to and do not conform to the densities or the intensities that are allowed on the surrounding properties. I also object because the infrastructure is not in place to support high density use of the land, the owner has not proposed a plan to mitigate storm water runoff, and the proposed use of Bumblebee for access would interfere with the peace and safety of the rural neighborhood.

Owner(s) Name: Gary Grindstaff Revocable Trust

Assessor's Parcel No. 306 05 023

Address: 1498 W. Rd. 4 N., Chino Valley, AZ 86323

Signature: Gary J. Grindstaff Date: 25 July 2013

Signature: _____ Date: _____

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

Subject: Regarding Sec. 1.9.2.E. of the Unified Development Ordinance requiring a super majority vote for approval, let this LETTER OF PROTEST to the proposal to rezone Assessor's Parcel No. 306-05-030X, (60.2 acre parcel) with the physical address of 1429 W. Road 4½ North serve as legal notice.

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I object that the town has entertained the rezone proposal when the intensity and density of the zoning described in the Unified Development Ordinance are contrary to and do not conform to the densities or the intensities that are allowed on the surrounding properties. I also object because the infrastructure is not in place to support high density use of the land, the owner has not proposed a plan to mitigate storm water runoff, and the proposed use of Bumblebee for access would interfere with the peace and safety of the rural neighborhood.

Owner(s) Name: Richard R. & Barbara L. Van Gysegghem

Assessor's Parcel No. 306 05 030X

Address: 202 Gum St., Green Cove Springs, FL 32043

Signature: Richard R. Van Gysegghem Date: 7-28-13

Signature: Barbara L. Van Gysegghem Date: 7-28-13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

Subject: Regarding Sec. 1.9.2.E. of the Unified Development Ordinance requiring a super majority vote for approval, let this LETTER OF PROTEST to the proposal to rezone Assessor's Parcel No. 306-05-030X, (60.2 acre parcel) with the physical address of 1429 W. Road 4½ North serve as legal notice.

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Owner(s) Name: August Roth + Debra Navelski

Assessor's Parcel No. 306 05 024

Address: 1525 Bumblebee, Chino Valley, AZ 86323

Signature: [Signature] Date: 7/28/2013

Signature: DG Navelski Date: 7/28/2013

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Neely Family Trust

Assessor's Parcel No. 306 05 095E

Address: 1288 W. Rd. 4½ N, Chino Valley, AZ 86323

Signature: Charles E. Neely, TRUSTEE Date: 7-26-13

Signature: Marilyn J. Neely, TRUSTEE Date: 7-26-13

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Robert & Shirley Hutchinson

Assessor's Parcel No. 306 05 0416

Address: P.O. Box 1912, Chino Valley, AZ 86323

Signature: Robert E. Hutchinson Date: 7-26-13

Signature: Shirley Hutchinson Date: 7/26/13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Daniel J + Guadalupe Perez

Assessor's Parcel No. 306 05 030

Address: P.O. Box 13094, Prescott, AZ 86304

Signature: Dan J Perez Date: 7-28-13

Signature: Guadalupe Perez Date: 7-28-13

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Rebekah S. Blakley

Assessor's Parcel No. 306 05 095A

Address: P.O. Box 5160, Chino Valley, AZ 86323

Signature: [Signature] Date: 7-27-13

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Larry McDonald

Assessor's Parcel No. 306 05 034

Address: 4329 E. Union Hills Dr., Phoenix, AZ 85050

Signature: Larry McDonald Date: 07/25/2013

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Jack & Jeanene Spratt

Assessor's Parcel No. 306 05 099D

Address: 1448 W. Rd. 4½ N, Chino Valley, AZ 86323

Signature: Jack C Spratt Date: 7-26-13

Signature: _____ Date: _____

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To: Chino Valley Town Council
Development Services Department
1020 W. Palomino Road
Chino Valley, AZ 86323

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Owner(s) Name: Nelson & Jennifer Parinton

Assessor's Parcel No. 306 05 030X

Address: 1614 W. Rd 4½ N., Chino Valley, AZ 86323

Signature: Jennifer Parinton Date: 8-10-13

Signature: Nelson Parinton Date: 8-10-13

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Gregory Collins

Assessor's Parcel No. 306 05 019

Address: P.O. Box 253, Chino Valley, AZ 86323

Signature: Gregory Collins Date: July 29, 2013

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Thomas T. Oppelt

Assessor's Parcel No. 306 05 038

Address: P.O. Box 551, Chino Valley, AZ 86323

Signature: Thomas T. Oppelt Date: 7-29-2013

Signature: Deborah J. Oppelt Date: 7/29/2013

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Karl & Paula Phillips

Assessor's Parcel No. 306 05 009

Address: P.O. Box 339, Nuevo, CA 92567

Signature: Karl Phillips Date: _____

Signature: Paula Phillips Date: 8-5-13

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Gregory & Julie Carter

Assessor's Parcel No. 306 05 016

Address: 133 Furber Ln., Cloverdale, CA 95425

Signature: [Signature] Date: 8/1/13

Signature: [Signature] Date: 8/1/13

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Kenneth & Kay Meyers

Assessor's Parcel No. 306 05 026T

Address: 3150 Las Brisas, Chino Valley, AZ 86325

Signature: Kenneth Meyers Date: 8-1-13

Signature: N/A Date: _____

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Keith + Jennifer Wenzel

Assessor's Parcel No. 306 05 020

Address: 1629 Rambler, Chino Valley, AZ 86323

Signature: [Signature] Date: 07/29/2013

Signature: [Signature] Date: 07/29/2013

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: James H. Nibley

Assessor's Parcel No. 306 05 017

Address: 3120 Rawhide Dr, Prescott, AZ 86301

Signature: James H Nibley Date: 7-29-13

Signature: _____ Date: _____

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Francis + Katherine Capenito

Assessor's Parcel No. 306 05 030X

Address: 1660 Bumblebee, Chino Valley, AZ 86323

Signature: Katherine Capenito Date: 7/28/13

Signature: _____ Date: _____

Francis - deceased now

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Cloyce A. Kelly

Assessor's Parcel No. 306 05 013

Address: 1881 Bumblebee, Chino Valley, AZ 86323

Signature: C. Kelly Date: 7/29/2013

Signature: Leslie A. Kelly Date: 29 July 2013
Leslie A. Kelly

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Jeh Susan Walley-Berry

Assessor's Parcel No. 306 05 0254

Address: 1740 Bumblebee, Chino Valley, AZ 86323

Signature: Susan Berry Date: 7/26/13

Signature: Jeh Walley Date: 7/26/13

LETTER OF PROTEST

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Owner(s) Name: Carl & Julie Peterson

Assessor's Parcel No. 306 05 0254 (1940 W. Bumblebee Dr)

Address: 1920 Bumblebee, Chino Valley, AZ 86323

Signature: Carl Peterson Date: 7/27/13

Signature: Julie A Peterson Date: 7/27/13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

Subject: Regarding Sec. 1.9.2.E. of the Unified Development Ordinance requiring a super majority vote for approval, let this LETTER OF PROTEST to the proposal to rezone Assessor's Parcel No. 306-05-030X, (60.2 acre parcel) with the physical address of 1429 W. Road 4½ North serve as legal notice.

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Owner(s) Name: Carl & Julie Peterson

Assessor's Parcel No. 306 05 0250 (1920 W. Bumblebee Dr)

Address: 1920 Bumblebee, Chino Valley, AZ 86323

Signature: Carl Peterson Date: 7/27/13

Signature: Julie Peterson Date: 7/27/13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Mark & Karen Moses

Assessor's Parcel No. 306 13 030

Address: 2960 Harrison Dr, Chino Valley, AZ 86323

Signature: [Signature] Date: 8/05/13

Signature: [Signature] Date: 8/05/13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Alfred & Paulette Palladino

Assessor's Parcel No. 306. 13 037

Address: 14253 W. Harvard St., Grandview, AZ 85395

Signature: [Signature] Date: 8/2/2013

Signature: [Signature] Date: 8/2/2013

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Rodney + Carisa Burkhardt

Assessor's Parcel No. 306 05 098A1

Address: 3375 Puma Trail, Chino Valley, AZ 86323

Signature: Rodney Burkhardt Date: 7/28/2013

Signature: Carisa Burkhardt Date: 7/28/2013

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Miramae M. Welch Revocable Trust

Assessor's Parcel No. 306 05 012

Address: P.O. Box 5, Paulden, AZ 86334

Signature: Miramae M Welch Date: 7/28/2013

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: ^{August 13} Edith L. Simpson, Revocable Trust

Assessor's Parcel No. 306 05 094R

Address: 1325 Willow Lake Rd., Prescott, AZ 86301

Signature: Edith Simpson Date: 7/27/13

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Deborah Welch

Assessor's Parcel No. 306 05001A

Address: 1030 W. Rd. 4½ N., Chino Valley, AZ 86323

Signature: Deborah Welch Date: 7-26-2013

Signature: _____ Date: _____

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Gary & Sharon Bryant

Assessor's Parcel No. 306 13 004T

Address: 2917 Maricopa St., Chino Valley, AZ 86323

Signature: [Signature] Date: 7-26-2013

Signature: [Signature] Date: 7-26-2013

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Mike Tobin

Assessor's Parcel No. 306 05 093C

Address: 25409 N. 45th Dr., Phoenix, AZ 85083

Signature: [Signature] Date: 7/29/13

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Donald + Rochelle Lasky

Assessor's Parcel No. 306 13 036

Address: 2990 Harrison Dr, Chino Valley, AZ 86323

Signature: Donald Lasky Date: 7/26/13

Signature: Rochelle Lasky Date: 7/26/13

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Casa Lujan Revocable Trust

Assessor's Parcel No. 306 05 0260

Address: P.O. Box 242, Chino Valley, AZ 86323

Signature: Emilio S. Lujan Trustee Date: 7-26-13

Signature: Mary Pat Lujan Trustee Date: 7-26-13

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To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Woodcock Revocable Trust

Assessor's Parcel No. 306 05 091

Address: 1556 W. Rd. 4½ N., Chino Valley, AZ 86323

Signature: David Woodcock Date: 7/25/2013

Signature: Gregory Woodcock Date: 7/25/2013

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Robert + Susanne Horantino

Assessor's Parcel No. 306 05 030X

Address: 3558 Lucas Ln, Chino Valley, AZ 86323

Signature: [Signature] Date: 7-26-13

Signature: [Signature] Date: 7/26/13

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 Development Services Department
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 Chino Valley, AZ 86323

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Owner(s) Name: Maines Family Trust

Assessor's Parcel No. 306 05 022

Address: 1530 W. Rd 4 N., Chino Valley, AZ 86323

Signature: Ronald Maines Date: 7/22/13

Signature: Marilyn G. Maines Date: 7/22/13

LETTER OF PROTEST

To: Chino Valley Town Council
 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Andrea Edmonds

Assessor's Parcel No. 306 B 004P

Address: 1575 W. Rd 4 N, Chino Valley, AZ 86323

Signature: Andrea Edmonds Date: 30 July 2013

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Shamus & Margo Evans

Assessor's Parcel No. 306 05 0045

Address: 446 S. Oahu St., Kahului, HI 96732

Signature: [Signature] Date: 7/29/13

Signature: Margo E.R. Evans Date: 7/29/2013

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Ludwig + Marlowe Woelfel

Assessor's Parcel No. 306 05 093B

Address: P.O. Box 1318, Chino Valley, AZ 86323

Signature: Marlowe Waller Date: 7/29/2013

Signature: J. W. Allen Date: 7/29/2013

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

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Owner(s) Name: Kevin Lowell

Assessor's Parcel No. 306 05 034

Address: 8490 W. La Madre Way, Las Vegas, NV 89149

Signature: [Signature] Date: 7-26-13

Signature: _____ Date: _____

LETTER OF PROTEST

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 Development Services Department
 1020 W. Palomino Road
 Chino Valley, AZ 86323

Subject: Regarding Sec. 1.9.2.E. of the Unified Development Ordinance requiring a super majority vote for approval, let this LETTER OF PROTEST to the proposal to rezone Assessor's Parcel No. 306-05-030X, (60.2 acre parcel) with the physical address of 1429 W. Road 4½ North serve as legal notice.

My signature below affirms that I am in opposition to the request from the La Vacara Trust, Joe Cordovana, Owner, for a rezone of the above referenced parcel from AR-5 to "MHP-4" Mobile/Manufactured Home Park- 4 acre minimum. The proposal was presented at meetings before the Planning and Zoning Commission on June 18, 2013 and July 16, 2013.

Both Staff and the Planning and Zoning Commission have recommended denial of the proposed rezone. This formal objection by neighbors is being presented to protect our citizen's rights.

I object that the town has entertained the rezone proposal when the intensity and density of the zoning described in the Unified Development Ordinance are contrary to and do not conform to the densities or the intensities that are allowed on the surrounding properties. I also object because the infrastructure is not in place to support high density use of the land, the owner has not proposed a plan to mitigate storm water runoff, and the proposed use of Bumblebee for access would interfere with the peace and safety of the rural neighborhood.

Owner(s) Name: Jones Family Living Trust

Assessor's Parcel No. 306 05 030X

Address: 5133 W. Mauna Loa Ln., Glendale, AZ 85306

Signature: Merle Jones Date: 7-30-2013

Signature: Elizabeth C. Jones Date: 7-30-2013