

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

**TUESDAY, AUGUST 22, 2023
6:00 P.M.**

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

Present: Mayor Jack Miller; Vice-Mayor Eric Granillo; Councilmember Annie Perkins; Councilmember Tom Armstrong; Councilmember John McCafferty; Councilmember Sherri Phillips; Councilmember Robert Schacherer

Staff Town Manager Cindy Blackmore; Town Attorney Andrew McGuire; Assistant to the Town

Present: Manager Terri Denemy; Human Resources Director Laura Kyriakakis; Officer Todd Hyslip (Sgt at Arms); Lieutenant Randy Chapman; Deputy Police Chief Josh McIntire; Police Chief Chuck Wynn; Public Works Director/Town Engineer Frank Marbury; Senior Planner Jessica Barragan; Assistant Development Services Director Will Dingee; Development Services Director Laurie Lineberry; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

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

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Presentation of certificates of appreciation to members of the General Plan Steering Committee.

Laurie Lineberry, Development Services Director, presented the following:

- Presented certificates of appreciation to members of the 2040 General Plan Steering Committee.

b) Presentation and update from Thomas Stultz, Yavapai Regional Transit Manager.

Thomas Stultz, Yavapai Regional Transit (YRT) Manager, presented the following:

- Introduced Vincent Gallegos and Michael Lamar who were members of Central Yavapai Metropolitan Planning Organization (CYMPO) which had worked with YRT throughout the years.

Vincent Gallegos, Executive Director of CYMPO, presented the following:

- Discussed CYMPO's priorities for the year and working with the State legislature to

bring in \$13 million to improve Highway 89. Mr. Gallegos thanked Supervisor Brown and Councilmember Armstrong for working with Senator Bennet, and Representatives Nguyen and Bliss.

- A major part of CYMPO had been all modes of transportation, including public transit.
- YRT had been around for a decade or more with ridership of around 15,000 in Chino Valley. The area had 30,000 riders between YRT and Prescott Valley's YavaLine.
- Introduced Michael Lamar.

Michael Lamar, Regional Development Manager, presented the following:

- He was there to assist the Executive Board and YRT to help make the case for a regional transit system that would work in conjunction with CYMPO and YavaLine.
- CYMPO hoped to facilitate dialogue between communities to make a regional transit concept work for all of Central Yavapai County.

Thomas Stultz, YRT Manager, presented the following:

- YRT was a 501(c)(3) and was governed by the American Disabilities Act and funded by the Federal Transit Administration and the recipient of a 5311 World Transportation Grant which required them to provide services in a rural area which was defined by a population of less than 50,000.
- 73% of the rides provided began or ended in Chino Valley, although they also serviced Prescott (five days per week) and Prescott Valley (one day per week).
- YRT was 10 years old and the only public transit serving the tri-city area.
- YRT was fully staffed with nine drivers, an Operations Manager and Mr. Stultz. YRT also had a 5-member Board of Directors.
- The company's number of riders was increasing every year. They served seniors, the disabled, and low-income riders, taking them to medical appointments, stores, social activities, the courthouse, workplaces, veterans administration, etc.
- YRT made 11 trips per day and had set routes, but deviations were possible with 24-hour notice within a half mile of one of the stops.
- The Paulden Plunge had record participation this year with 411 rides over a seven week period.
- Mr. Stultz provided maps and schedules to the Council.
- Rides were free until October 1, 2023 as they received additional financing from the CARES act. Veterans would always ride free.
- YRT was on target to have 15,500 riders this year, up from 14,608 riders last year.
- The company's overhead consisted of staff salaries, administrative costs, insurance costs, bus maintenance, and cost of gas.

- c) Announcement of promotion of Josh McIntire from Lieutenant to Deputy Chief with the Chino Valley Police Department.

Chuck Wynn, Police Chief, presented the following:

- The Police Department had completed their testing and promotional process for Deputy Chief and were announcing that Josh McIntire was being promoted.

Josh McIntire, Deputy Police Chief, presented the following:

- He was honored and humbled to be selected and was excited to have the opportunity to continue working with the officers and staff to provide great service to the community. He thanked everyone for the support he had received over the years.

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 at the discretion of the Council and not required by law. Individuals are limited to speak for three (3) minutes, yielding of time will not be permitted. 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. Disrespectful behavior will not be tolerated; this includes loud outbursts, profanity and disruptive discussions among our audience.

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.

Cindy Blackmore, Town Manager, presented the following:

- Territorial Days was coming up from September 1st through September 3rd.
- Thanked the staff that had been working so hard on the event to be Chino Valley's signature event.
- Thanked partners for helping with the event including the 9/11 Foundation, Lions and Lionesses, Women's Community Network, and others.
- Events would start on Friday with the chili cook-off and live music. Saturday would include a pancake breakfast, a 10k and 2-mile walk/run, vendors and music, a parade, and a corn dinner. Sunday would close the event with a car show, free swim at the pool, and fireworks at 7:30 p.m.

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.

Councilmember Schacherer requested to have item 5(a) pulled from the Consent Agenda.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Tom Armstrong to approve Consent Agenda items b, c, d, and e.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to award a Professional Services Agreement to Civiltec Engineering, Inc., for the design of the North Road 1 East Improvements project between Juniper Dr and Perkinsville Rd in the amount of \$58,832.00.

Council and Frank Marbury, Town Engineer, discussed the following:

- One member inquired why the Town was giving Civiltec another \$58,000 for a survey when Council had just approved a contract for \$499,000 for capital improvement.
 - Mr. Marbury stated the \$499,000 was for the Integrated Water Master Plan which was a yearlong process. The contract being presented was for the engineering and design for Road 1 East improvements scheduled for next year. They were separate contracts although both were categorized under capital improvements. The Town had lots of capital improvement projects going on.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Tom Armstrong to approve Consent Agenda item a.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to award a contract to Traffic Safety, Inc. for the Roadway Pavement Marking Project in the amount of \$76,989.80.
- c) Consideration and possible action to approve the June 12, 2023, study session minutes.
- d) Consideration and possible action to approve the June 27, 2023, regular and special meeting minutes.
- e) Consideration and possible action to approve the July 11, 2023, regular meeting minutes.

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 the Intergovernmental Service Agreement with the Chino Valley Unified School District for a School Resource Officer.

Recommended Action: Approve the Intergovernmental Service Agreement with the Chino Valley Unified School District for a School Resource Officer.

Josh McIntire, Deputy Police Chief, and Randy Chapman, Lieutenant, presented the following:

- The school district had obtained a grant for two School Resource Officers (SRO).
- The school district would be paying the salary of the officers while working at the school.
- The grant would cover two police officers from just before the start of the school year through the end of the school year. The Town would be responsible for about 230 hours in the summer.
- One officer would be a reserve officer, the other a full-time officer.

Cindy Daniels, Assistant Superintendent, presented the following:

- The district wrote the SRO grant which was expanded under Governor Ducey. It included opportunities for districts to apply for additional resource officers.
- In the past, the Chino Valley Police Department (CVPD) had provided an officer to the district who was housed at Heritage middle school but was on call for all Chino Valley schools.
- The high school had a retired officer as safety personnel on staff.
- Incidences across the US had increased over the last few decades and the district was moving forward with comprehensive safety plans for all campuses, including additional fencing, single point of entry, training for school staff, etc.
- The district first applied for grants to provide school counselors in two of the schools to help students and prevent criminal activity on campuses. It had been a successful program, but they wanted to do more to provide a greater sense of security for parents and students.
- The grant was written as a three-year award which could be renewed for an additional three years provided all conditions were met.

Council, Staff, and Ms. Daniels discussed the following:

- Council inquired if the contract was similar to prior arrangements.
 - Chief Wynn stated that it was and the Department had applied for such grants numerous times and did not received them. Ms. Daniels was a much better grant writer.
 - Ms. Daniels stated that the difference was this was state money from an appropriation fund that Governor Ducey established, not federal money. The schools had received good commitment from Governor Hobbs that this would continue.
- Council inquired if the agreement provided flexibility should the department need an additional officer for other duties.
 - Officer Torres could come off campus if needed. The officer from the high school would be the last resort.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Annie Perkins to approve the Intergovernmental Service Agreement with the Chino Valley Unified School District for a School Resource Officer.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- b) Consideration and possible action to approve the Cooperative Purchasing Agreement with Modular Solutions, Ltd., to purchase a modular office building for the Public Works Streets Division for an amount not to exceed \$314,495.55.

Recommended Action: Approve the Cooperative Purchasing Agreement with Modular Solutions, Ltd for an amount not to exceed \$314,495.55.

Frank Marbury, Town Engineer, presented the following:

- The streets department had needed to be out of the equestrian building two years ago.
- Staff had been struggling because of the price. It was very expensive, but it was the best solution to go on Cooperative Purchasing Agreement with a state bid.
- Staff had stated in previous meetings that it might not be two units wide, but the building measured 24x50 with two restrooms and office space.

Council and staff discussed the following:

- Council inquired about furniture.
 - Staff stated that the item had been budgeted for \$400,000. The extra would be used for site prep, connecting utilities, and furnishings. They would work on possibly hooking up to existing septic and power hookups.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Tom Armstrong to approve the Cooperative Purchasing Agreement with Modular Solutions, Ltd for an amount not to exceed \$314,495.55.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- c) Public hearing, consideration, and possible action to approve a conditional use permit for Stor-It Arizona, LLC, for a mini-storage with a commercial retail component on a parcel zoned commercial light, located approximately a quarter mile north of the northeast corner of State Route 89 and Road 2 North, Chino Valley, Arizona (306-20-035A).

Recommended Action: i) Hold a Public Hearing ii) Approve CUP-2023-03

Will Dingee, Assistant Development Services Director, presented the following:

- This item went to the Planning & Zoning Commission (P&Z) earlier in the month and received a recommendation of approval.
- The applicant was in attendance.
- The property was located on the east side of Highway 89, north of Road 2 North, west of the Primrose and existing Stor-It facility, and to the south was Chino Rentals.
- This would be new construction and different than what they currently had to the west.
- The property was zoned Commercial Light (CL) and was in the CL zoning district. With a Conditional Use Permit (CUP) they could operate a mini-storage business.
- In the proposed 2040 General Plan the property was in the potential community core. The cores required special things like mixed use or unique architectural styles. To adhere to those standards, the applicant proposed constructing a mini-storage facility in two phases.
 - Phase one would begin on the west side as a commercial flex office space and would be space for other businesses. There would be four units at 500 square feet per unit. Stor-It's offices would be located east of those offices at 900 square feet with 63,000 square feet of storage units beginning beyond that office.
 - Phase 2 would conclude on the eastside with another 52,000 square feet of storage. The development would be completely landscaped around the perimeter of the property which exceeds current requirements. There would also be a concrete masonry wall for security and screening purposes.
 - The General Plan called for unique architectural styles, and this development would be true brick and mortar with different roof pitches similar to the modern style of the police station.
- Staff found that the item complied with the 2014 General Plan.

Council and Staff discussed the following:

- Council inquired as to the demand for additional mini-storage.
 - Staff stated that the Town had not done a study, but several entities had requested records for unit demand, how many projects were in progress, how many proposals they had received, etc. Often, after those companies did their studies, the staff would see an application from them in the next month or two. However, staff suspected that the Town would hit a terminal point shortly as one was currently under construction and there were a couple more in development.
- Council inquired if P&Z had discussed those issues.
 - Staff stated that they had discussed it, but not with hard numbers.
- Council inquired if there had been any neighbor comments or citizen concerns.
 - Staff stated that one letter had been submitted but the writer was mistaken about the location.
- Council inquired about a parking lot for the flex office space.
 - Staff stated that it was small and would require a back out and three-point turn in, but was adequate for low use.
- Council mentioned that the storage facility in front of Olsen's was given five years to complete and asked if that was also the case with this project.
 - Staff stated there was no time limit on the project or the CUP, but Council could add it if they chose. The commercial component for the project in front of Olsen's was in the second phase, not the first phase, which was why the time limit was added. This project had the retail office piece in the first phase.
 - Council stated that this time limit would be regarding getting the project started as there were a lot of projects approved in the early 2000's that still hadn't begun.

Madison Leake, Stor-It representative, and Council discussed the following:

- Ms. Leake asked the Council to consider the 5-year stipulation only being tied to Phase 1 as Phase 2 would only be developed according to market demand. The office/flexspace would be developed within five years.
- Council asked about the plans for Phase 2.
 - Ms. Leake stated that the current location across the street from the proposed project was almost always at 100% occupancy. While there was not a current timeline for Phase 2, they did anticipate the need to develop.

Mayor Miller opened the Public Hearing.

Tim Davis presented the following:

- He was simply seeking clarification on the location of the project.

Robert Switzer presented the following:

- He felt there should be a stipulation ahead of time of what would be done with the land should they find no need to develop Phase 2?

Mayor Miller closed the Public Hearing.

Staff and Council discussed the following:

- Staff stated that should the developer not develop Phase 2, they would still have the Commercial Light zoning as the property currently stood and could do anything that was allowed within that right, including restaurants, offices, etc. The developer would still have to come through the Town processes should their plans change. Granting of the CUP did not require the landowner to develop the property as a mini-storage.
 - Andrew McGuire, Town Attorney, stated that the underlying zoning wouldn't change, rather a CUP added an additional use. The landowner could still build under any of the underlying zoning uses by getting a site plan review and building permit. The landowner could build under the CUP unless it was revoked, or they could build under the underlying zoning.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember John McCafferty to approve Conditional Use Permit 2023-03 * with a 5-year stipulation for Phase One for Stor-It Arizona with the conditions in Attachment A.

*Scrivener's Error correction, Pursuant to Town Code §10.20, scrivener's error on August 22, 2023, meeting minutes was corrected on September 28, 2023, and being reported to Council at the October 24, 2023, regular meeting.

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

NAY: Councilmember Robert Schacherer

6 - 1 PASSED

- d) Public hearing, consideration, and possible action to approve Ordinance No. 2023-933 to rezone approximately 21 acres of real property located at the southeast corner of N Road 1 East and Red Cinder Road (APN 306-18-009Q and APN 306-18-009R) from Agricultural Residential 5-Acre Minimum to Single Family Residential 1-Acre Minimum.

Recommended Action: i) Hold a Public Hearing ii) Approve Ordinance No. 2023-933

Will Dingee, Assistant Development Services Director, presented the following:

- This item was a continuation that had gone before Council previously.
- The request was a rezone from Agricultural Residential 5 acre minimum (AR5) to Single Family Residential 1-acre minimum (SR1) to develop a subdivision up to 18 lots on 21 acres and was located southeast of Red Cinder and North Road 1 East. The surrounding area included AR5, CL, and Single Family Residential 0.16.
- Staff supported the rezone to SR1 as did the P&Z Commission with the conditions of approval. The 2014 and 2040 General Plans designated the area for one-acre parcels.

Mark Holmes, Town Water Consultant, presented the following:

- Staff met with the applicant for Red Cinder Estates where they discussed several items including:
 - Connecting to Town water/sewer
 - Adjustments to the developer's assured water supply
 - What the Town would require for off-site improvements and contributions
 - Ingress and egress
- Mr. Holmes reviewed the water and sewer codes that currently exist, including 51.075(E), 51.075(F), 51.155(A)(1), 51.155(B)(2)
- Reviewed the location of the project in relation to neighboring projects and the location of current Town utilities. The closest water line was north of Perkinsville Road on Road 1 East. The Town would be responsible for the off-site extension of the water line totaling 330 feet. The applicant would be responsible for all water line extensions along the perimeter of the property and within the internal road structure totaling 3,680 feet.

The meeting recessed at 6:57 p.m.

The meeting resumed at 6:59 p.m.

Mark Holmes continued:

- The closest sewer line was on Perkinsville Road and Road 1 East. The Town would be responsible for the off-site extension of 1,020 feet to get it within 300 feet of the subdivision. The applicant would be responsible for 3,683 feet of sewer line extension. The property was on the sewer basin boundary requiring a lift to force main sewage back to Perkinsville.
- Utilizing existing sewer lines at the Perkinsville 44 would require a very expensive sewer engineering study to see if the current system could handle the volume from all the proposed and possible future properties (which would be developer cost according to Town code), no one knew the timing of continuing development on the Perkinsville 44, and the Town would have to purchase property or obtain a public utility easement.
- Staff felt it was not a good idea to pursue the concept at the present time.
- Mr. Holmes moved on to discuss the cost assessment.
 - The Town would have to spend more than \$500,000 to extend water and sewer, but did not include the engineering, which would be 15-20% of the design.

- The concept would also require a traditional water supply certificate, which would require the developer to buy 5,000 acre feet from the Town, which would be a total of \$1.25 million.
- The applicant's cost for water and sewer extensions would be \$2.5 million and \$250,000 for the lift station.
- The per lot cost would be more than \$222,000. The cost per lot with well and septic would be \$23,000 per lot.
- The benefits included generating 1.8 acre feet per year, or \$45,000 when monetizing the water value, buy-ins would generate \$208,000, and the Town would receive a little less than \$20,000 per year, which would go towards enterprise funds for operation and maintenance of the system.
- The developer would have to build 175 lots to make the project financially feasible.
- The cost vs. benefit for water and sewer extension for this development size was financially unfeasible.
- Staff and the applicant also discussed ingress and egress and the applicant would coordinate with Town staff on the desired ingress and egress as part of the plating phase.

Staff and Council discussed the following:

- Council inquired about extending just the sewer lines and not the water lines.
 - Staff stated it would likely be \$400,000 along with the cost of extending the sewer line 1,020 feet, not including engineering costs.
 - Council felt that there was a common trend that there was some reason or excuse for developments not to connect to sewer and something needed to be done about it.
 - Cindy Blackmore, Town Manager, stated that options would be brought to Council at the next Study Session to deal with the issue.
- Council inquired about working with the developer of the Perkinsville 44 subdivision to see what the Town could do to assist with putting in a larger line to accommodate the surrounding homes.
 - Staff stated Town Code 51.058 stated that when considering mains for the purpose of extension, the Town shall consider a main to be within a town road along the boundary of a subdivision. Therefore, staff did not consider going through private property.
- Council expressed concerns about Road 3 North, including a blind turn, and Road 3 North being too narrow and not wide enough for two cars, especially when people parked on the roadside. Road 4 North was in bad shape and the two roads were the natural flow for traffic leaving that neighborhood.
 - Staff stated that they could use the traffic impact analysis to look at the impact of Road 3 North and see what kind of additional traffic it would see.
- Council stated the single point of entry and exit presented safety issues in the event of an emergency. They were also concerned about one going right into a neighboring driveway.
- Council inquired about a package plant.
 - Staff stated it was feasible, but the question was who would operate it. If it was run as an HOA, and the HOA went under, the Town would have to run it. It would be a temporary solution until the master plan was developed and the infrastructure was placed there.
- While the plans were conceptual and not finalized, Council stated that it was important to find any issues and place stipulations on the project now while they had the ability to make such decisions.
 - Andrew McGuire, Town Attorney, stated that any off-site stipulations the Council wanted to require, such as road improvements or entrance restrictions, needed to

be stipulated in the Ordinance that would be adopted.

Jim Holt, project representative, presented the following:

- There was an issue with the Ordinance. Sections two and three referred to the project as a 16-17 1-acre lot subdivision, it needed to read up to 18 1-acre lots.

Allen Nell, property owner, presented the following:

- He felt there was too much attention on the old plan. He wanted the Council to view the revised plan that had been submitted based on the concerns of the Council and Commission. He presented a new sketch showing a different configuration, wherein they had moved away from cul-de-sacs and redesigned it with one road that would allow continued flow through the development.
- He also noted the changes that would need to be made to the Ordinance.
- If Council wished to place a time limit on the project, he requested that they make it ten years to allow for the economic conditions they anticipated were coming.

Council, property owner, and staff discussed the following:

- Other possible configurations to avoid roads exiting into neighboring driveways.
- Council inquired about extending Road 3 North.
 - Staff stated that it was a possibility they could look at, but the right-of-way was not there. Staff would have to verify the ability to get additional right-of-way on Road 3 North in order to make improvements and extend the road.
- Council inquired if there had been any discussion regarding improving Road 3 North between Road 1 East and Highway 89 with the increased traffic.
 - Staff stated that it would be a question about the proportion of new traffic and what the road experienced currently.
- Council mentioned that all the other roads off Red Cinder Road had to come out to Road 1 East as there was no other way out.
 - Staff stated that wouldn't change as the other end of Red Cinder would have to enter a wash.

Mayor Miller opened the Public Hearing.

Erin Deskins, Town Clerk, indicated that there were no requests to speak on this item.

Mayor Miller closed the Public Hearing.

Council discussed what steps to take next, whether it be a motion, table the item and have a study session on the cost of water and sewer and road concerns, or to continue discussing now.

- Andrew McGuire, Town Attorney, stated that Council could continue the matter to a specific date, continue the item indefinitely. Significant changes would have to be sent back to P&Z. The Public Hearing was the time for Council to discuss issues and make decisions on what should be changed.

Council and staff discussed the following:

- Council inquired if the road situation could be better with fewer lots or if there was any design or configuration that would work to meet all the traffic concerns.
 - Staff stated there wasn't.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Tom Armstrong to deny Ordinance 2023-933.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember Sherri Phillips, Councilmember Robert Schacherer

NAY: Councilmember John McCafferty

6 - 1 PASSED

- e) Public hearing, consideration, and possible action to approve Ordinance No. 2023-934 to rezone approximately 1.5 acres of real property located at 443 West Palomino Road (APN 306-06-035A and APN 306-06-036) from Commercial Light to Multiple Family Residential.

Recommended Action: i) Hold a Public Hearing ii) Approve Ordinance No. 2023-934

Will Dingee, Assistant Development Services Director, presented the following:

- This item was regarding a requested rezone for the Palomino Apartments.
- The item received a recommendation of approval from P&Z.
- The applicant was present.
- The lot was 1.5 acres and contained two properties located at the southeast intersection of Horizon and Palomino. The property was vacant and had a primary and secondary address of 443 Palomino Road, and 339 Palomino Road.
- The request was to move from CL to Multi-family Residential (MFR). There was no MFR, however, seven properties were utilized as multi-family, including duplexes, triplexes, and apartments. While the zoning did not reflect multi-family, staff supported the rezone because it fit the character of the surrounding area.
- The 2014 General Plan Land Use Map called for the area to be commercial/multi-family, and the 2040 General Plan also promoted multi-family in the area which was designated as horizontal multi-use (HMU).
- The 2040 General Plan stated that 25% of the land mass in the HMU could be residential. The question came up during the P&Z meeting about how much residential was currently in the HMU. The HMU could support 1,500 units. 800 were currently entitled, and only 250 units were built.
- The conceptual plan included two two-story buildings, one with eight units, one with six, with well and septic. The closest water and septic lines were located on the East side of the Highway at Perkinsville and North 1 East.
- P&Z forwarded a recommendation of approval.

Council and staff discussed the following:

- One councilmember felt there was too much talk of the 2040 General Plan when it was not an approved document.
- Council inquired if the facility would be required to hook into water and sewer when it came into the area.
 - Staff stated that was correct and it would have to happen within 120 days of the main being constructed and approved.
- Council inquired if the property owner would be required to “stub-out.”
 - Staff stated they were not as that connection was not in the capital improvement plan and would likely be 10 years or longer.
- Council inquired about the well.

- Staff stated the property would be served by one well which should pump approximately 35 gallons per minute.
- Council also inquired about the septic.
 - Staff stated the septic area was contained within the two subject parcels.

Mayor Miller opened the Public Hearing.

Scott and Sharon Nance submitted a letter which Erin Deskins, Town Clerk, read for the Council.

Virginia Foster presented the following:

- 15 years ago, the Manneken apartments were built without any zoning notice to the public. The duplexes were built over 15 years ago with no zoning or notice to the neighborhood. The neighborhood was full and she had dire concerns about more growth being that close to the Manneken apartments as their septic overflowed and came very close to her property line. The other end of the street had the library, senior center, and so many other town activities which made the streets busy all the time, including the transit company, garbage trucks, food delivery trucks, etc. The apartments would only add more traffic and people already drove too fast down those roads. The condition of the roads was also a concern. If the Council approved the item she requested that they put speed bumps on the private roads.

Mayor Miller closed the Public Hearing.

Council discussed the following:

- One councilmember acknowledged what had been said and agreed that speed bumps might work for the road issue but stated that there wasn't a better place to put apartments, negating the water issue.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember John McCafferty to approve Ordinance 2023-934.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips

NAY: Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember Robert Schacherer

4 - 3 PASSED

7) **ADJOURNMENT**

MOVED by Councilmember Sherri Phillips, seconded by Vice-Mayor Eric Granillo to adjourn the meeting at 8:06 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Eric Granillo, Councilmember Annie Perkins, Councilmember Tom Armstrong, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

ELM

Jack W. Miller, Mayor

Eric Granillo, Vice-Mayor for Mayor Miller

ATTEST:



Erin N. Deskins

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 22nd day of August, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of September, 2023.

Erin N. Deskins

Erin N. Deskins, Town Clerk