



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
TUESDAY, OCTOBER 22, 2019
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**

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

4. **RESPONSE TO THE PUBLIC**

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

- a. Comments in opposition to the proposed Brook Apartments planned area development.
- b. Comments regarding proposed amendments to temporary sign regulations in the Unified Development Ordinance.
- c. Request for Council support of citizens' efforts to improve the Town's 9/11 Memorial at the Shooting Range.

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. 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 Cecilia Grittmann regarding Town accomplishments, and current or upcoming projects.
- c. **p.5** Recognition of Outstanding Customer Service by Town employees.
- d. Report regarding building permit and code compliance statistics, and Unified Development Ordinance updates. (Joshua Cook, Development Services Director)

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. **p.7** Consideration and possible action to authorize the project's Design-Build team to proceed with construction documents for the Memory Park Restrooms and Utilities Shop Building. (Frank Marbury, Public Works Director/Town Engineer)
- b. **p.13** Consideration and possible action to adopt Resolution No. 2019-1147, approving the Intergovernmental Agreement (IGA) for Interpreting Services between the Town of Chino Valley and the Yavapai County Superior Court from July 1, 2019 to June 30, 2021, in an amount of \$40/hour and \$0.445 per mile. (Ronda Apolinar, Court Administrator)
- c. **p.23** Consideration and possible action to adopt Resolution No. 2019-1149, authorizing staff to apply for a rural broadband grant from the Arizona Commerce Authority, in the amount of \$50,000 with a 10% match equaling \$5,000. Funds for the match to come from General Fund Contingency. (Maggie Tidaback, Economic Development Project Manager)
- d. **p.27** Consideration and possible action to approve Financial Report for the three months ending September 30, 2019. (Joe Duffy, Finance Director)
- e. **p.37** Consideration and possible action to approve the October 8, 2019, regular meeting minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

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

- a. **p.45** Consideration and possible action to rezone approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential 1-acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential 1-acre minimum) zoning district with a Planned Area Development Overlay. The project proposes 152 units in four (4) stepped 2 to 3 story structures. The property is generally located 1,400 feet west of State Route 89 and 620 feet south with Assessor Parcel Number: 306-23-024C. (Joshua Cook, Development Service Director)

Recommended Action: adopt Ordinance 2019-873 rezoning approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay with its associated development plan with the following conditions:

1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions contained herein.
2. Developer shall provide a 54 inch high CMU block wall along the south property line. Developer shall align and reinforce existing fence along the west property line per prior discussions with Mrs. Kris Foley.
3. Depths of flows over onsite and offsite streets shall not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
4. One five-foot concrete pedestrian sidewalk (onsite and offsite from project going north to Road 2 North within the existing Hawks Nest right-of-way) shall be constructed by Developer prior to issuance of any certificate of occupancy related to the property.
5. Hawks Nest Trail shall be constructed to commercial standards (28' roadway width, with curb and gutter, and a five -foot concrete sidewalk on one side with associated ramps and other devices). The roadway design and associated curb profile may be adjusted as needed to accommodate storm water by utilizing low water crossing; provided, final design shall be approved by the Town Engineer. Town to provide full support for a reimbursement agreement with owners of Heritage Place commercial subdivision relating to reimbursement by owners of lots within the Heritage Place commercial subdivision to Developer for costs incurred to construct Hawks Nest Trail improvements to commercial standards.
6. Intersection improvements at Hawk's Nest Trail and Road 2 North shall be constructed in accordance with the existing traffic study match road construction type and materials existing on similar improved segments (widened road, curb, gutter and sidewalk) of west Road 2 North. Final design of the intersection improvements shall be approved by the Town Engineer.
7. Water and sewer mains on Road 2 North through the Hawks Nest intersection shall be 12 inches in diameter. Town will provide support for a line extension agreement which causes reimbursement to Developer for installation of the 12 inch lines from future hook-ups of property benefiting from the up-sized water and sewer lines.

Alternatively, the Town may directly reimburse Developer for the cost of up-sizing of the lines from 8 inches to 12 inches in diameter.

8. EXECUTIVE SESSION

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

- a. An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with attorneys for the Town regarding a potential development agreement for Chino Meadows Subdivision. (Cecilia Grittman, Town Manager)

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 17th day of October, 2019.

By: *Jami C. Lewis, Town Clerk*

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

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

CERTIFICATION OF POSTING

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

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



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

5. c.

Meeting Date: 10/22/2019
Contact Person: Cecilia Gritman, Town Manager
Department: Town Manager
Estimated length of Staff Presentation: 10 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Recognition of Outstanding Customer Service by Town employees.

SITUATION & ANALYSIS:

Customer Service Week is October 7th-11th, and the Manager's Office asks employees to submit *Outstanding Customer Service* stories / nominations for fellow employees. The theme this year is "Every Experience Counts." The nominations include the reasoning behind why a particular employee was nominated for outstanding service to our citizens. Seven employees took the time to write nominations for their fellow workers, and nominated the following individuals:

From these nominations the Mayor randomly selected a *winner* to receive a gift card in appreciation of their customer service efforts.

We greatly appreciate the employees who, dealing with the public on a day-to-day basis, have received the admiration and respect of their co-workers. We also appreciate those employees who took the time to write up a nomination.

Attachments

Customer Service Nominations

BEST CUSTOMER SERVICE NOMINATIONS**In celebration of Customer Service Week 2019****Employee Winner of Drawing**

Kathy Parker

Employee who nominated

Richard Colley

**In Recognition of
Other Employee Nominations**

Cindy Sandlin

Officer Fernando Silva

Sally Self

Kathy Frohock

Cyndi Thomas

Amanda Borja

Employee who nominated

Kat Lordi

Lt. Randy Chapman

Kathy Frohock

Maggie Tidaback

Dallas Gray

Stacey Johnson

CONGRATULATIONS TO ALL!



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. a.

Meeting Date: 10/22/2019
Contact Person: Frank Marbury, Public Works Director/Town Engineer
 Phone: 928-636-7140 x-1226
Department: Public Works
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: Memory Park & Old Home Manor

AGENDA ITEM TITLE:

Consideration and possible action to authorize the project's Design-Build team to proceed with construction documents for the Memory Park Restrooms and Utilities Shop Building.

RECOMMENDED ACTION:

Authorize the project's Design-Build team to proceed with construction documents for the Memory Park Restrooms and Utilities Shop Building.

SITUATION AND ANALYSIS:

A Design-Build contract was awarded to JEBCO Construction Companies, LLC for the Utility's Shop Building at Old Home Manor and Memory Park Restrooms in the amount of \$103,320 for Pre-Construction Services at the July 9, 2019 regular Town Council Meeting.

Town staff met with the Design-Build team (JEBCO & Arrington-Watkins) on September 25, 2019 to review current anticipated construction cost estimates as follows:

Memory Park Restrooms

The masonry block restroom layout includes

- 1 women's restroom with 3 toilets & 1 sink
- 1 men's restroom with 1 toilet, 2 urinals & 1 sink
- 1 family restroom with 1 toilet & 1 sink

The current construction cost estimate for the restroom building is \$187,888.

Utility's Shop Building

Construct a 40' x 100' steel building with

- 3 finished offices
- 2 maintenance bays
- 1 finished breakroom
- 1 finished restroom with 1 toilet, 1 shower & 1 sink

- 1 finished laboratory with 2 sinks
- Items removed from the original scope: Concrete aprons, cmu decorative block, evaporative cooler, and exhaust fan.

The current construction cost estimate for the Utility's Shop Building is \$566,536.

This project was discussed at the October 15, 2019, Town Council Study Session.

With this approval to proceed with construction documents, the Design-Build team will complete the design for both buildings, as well as provide the Guaranteed Maximum Price (GMP) for construction. The current construction cost estimates are tentative pending the Design-Build team's GMP.

Once the design documents are finalized, the contract will come back to Council for approval of construction.

Fiscal Impact

Fiscal Impact?: 187,888

If Yes, Budget Code: 01-71-5438

Available: 187,888

Funding Source:

Cost estimate for the Memory Park Restrooms is tentative pending guaranteed maximum price. The Town Budgeted \$150,000 for this project. The additional costs will be paid out of the Contingency Fund Line item 01-95-5600.

Fiscal Impact?: 566,536

If Yes, Budget Code: Various

Available: 566,536

Funding Source:

Cost estimate for the Utility's Shop Building is tentative pending guaranteed maximum price . The project will be split between the Water Enterprise Fund and Sewer Enterprise Fund. In total the Town budgeted \$320,000. The Enterprise Funds have adequate reserves to pay for the additional costs.

Attachments

Memory Park Restrooms Estimate

Memory Park Restrooms Layout

Utility Shop Estimate

Utility Shop Layout

JEBCO Construction Companies928.778.7976 Office • 928.445.6977 Fax
140 N Montezuma Ste 108 Prescott, AZ 86301

R.O.C. 256201 • R.O.C. 241613

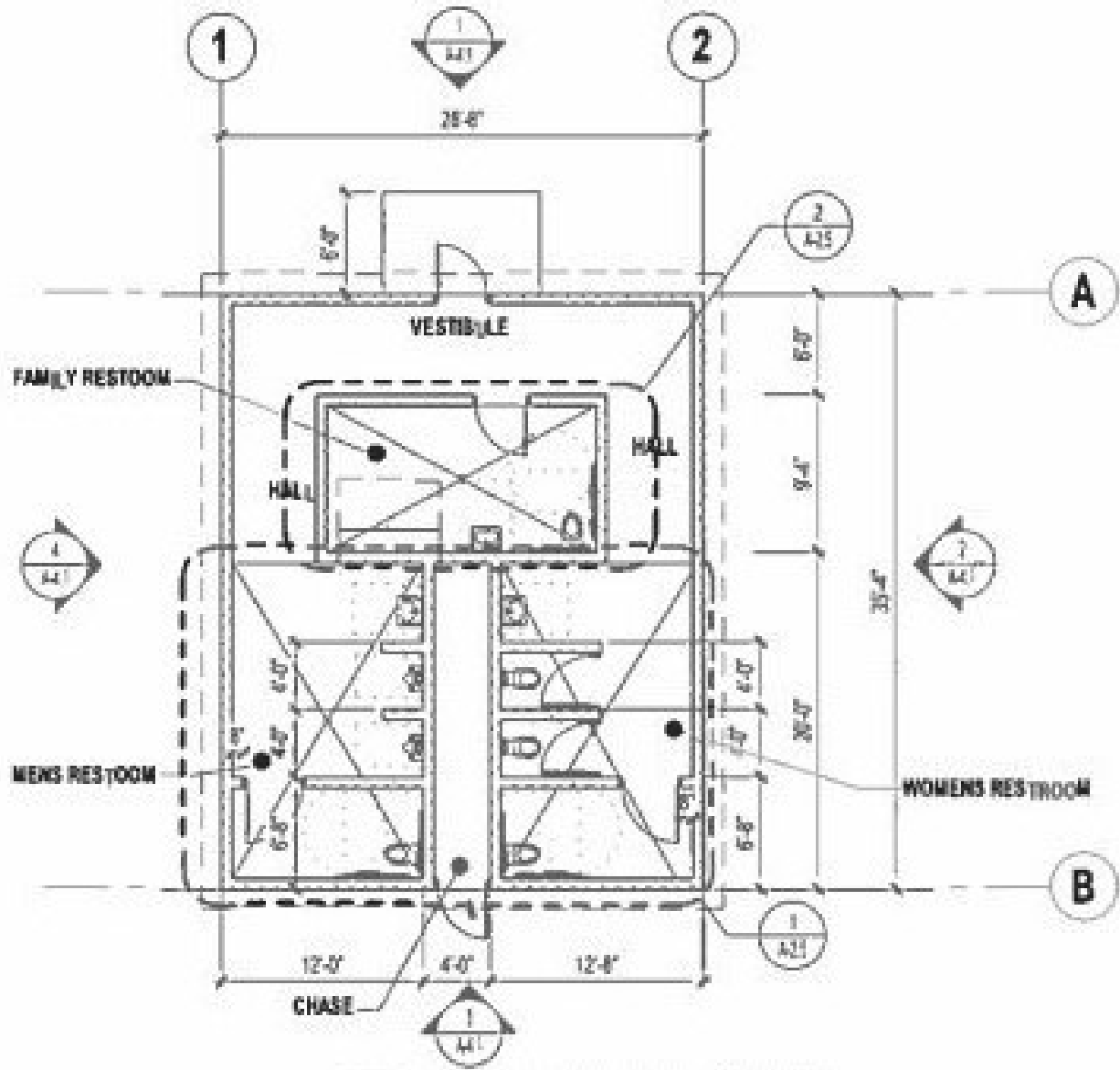
CV RESTROOMS				REVISED 1	9/13/2019	SUBTOTAL
CHINO VALLEY, AZ	SITE	BUILDING				
Division 01 — General Requirements	\$ -	\$ 21,815	\$ -	\$ -	\$ -	\$ 21,815
Division 02 — Site Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 03 — Concrete	\$ -	\$ 13,964	\$ -	\$ -	\$ -	\$ 13,964
Division 04 — Masonry	\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ 10,000
Division 05 — Metals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 06 — Wood and Plastics	\$ -	\$ 7,500	\$ -	\$ -	\$ -	\$ 7,500
Division 07 — Thermal and Moisture Protection	\$ -	\$ 7,425	\$ -	\$ -	\$ -	\$ 7,425
Division 08 — Doors and Windows	\$ -	\$ 3,500	\$ -	\$ -	\$ -	\$ 3,500
Division 09 — Finishes	\$ -	\$ 5,722	\$ -	\$ -	\$ -	\$ 5,722
Division 10 — Specialties	\$ -	\$ 9,700	\$ -	\$ -	\$ -	\$ 9,700
Division 11 — Misc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 12 — Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 13 — Plumbing	\$ -	\$ 44,500	\$ -	\$ -	\$ -	\$ 44,500
Division 14 — Mechanical	\$ -	\$ 9,000	\$ -	\$ -	\$ -	\$ 9,000
Division 15 — Fire Sprinkler & Alarm	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 16 — Electrical	\$ -	\$ 5,500	\$ -	\$ -	\$ -	\$ 5,500
SUBTOTAL	\$ -	\$ 138,626	\$ -	\$ -	\$ -	\$ 138,626
Subcontractor default insurance					1.25%	\$ 1,733
Wrap Coverage (Z-25)					1.50%	\$ 2,079
Commercial General Liability Insurance					1.10%	\$ 1,525
Builders Risk Insurance					0.47%	\$ 652
Performance and Payment Bond					0.85%	\$ 1,178
TOTAL						\$ 145,793
Overhead & Profit					15.00%	\$ 21,869
TOTAL						\$ 167,662
Design Contingency					5.00%	\$ 8,383
TOTAL						\$ 176,045
				SALES TAX	6.73%	\$ 11,843
					TOTAL COST	\$ 187,888

Sincerely,

Robert Morgan

9/16/2019

Memory Park Restrooms



JEBCO Construction Companies928.778.7976 Office • 928.445.6977 Fax
140 N Montezuma Ste 108 Prescott, AZ 86301

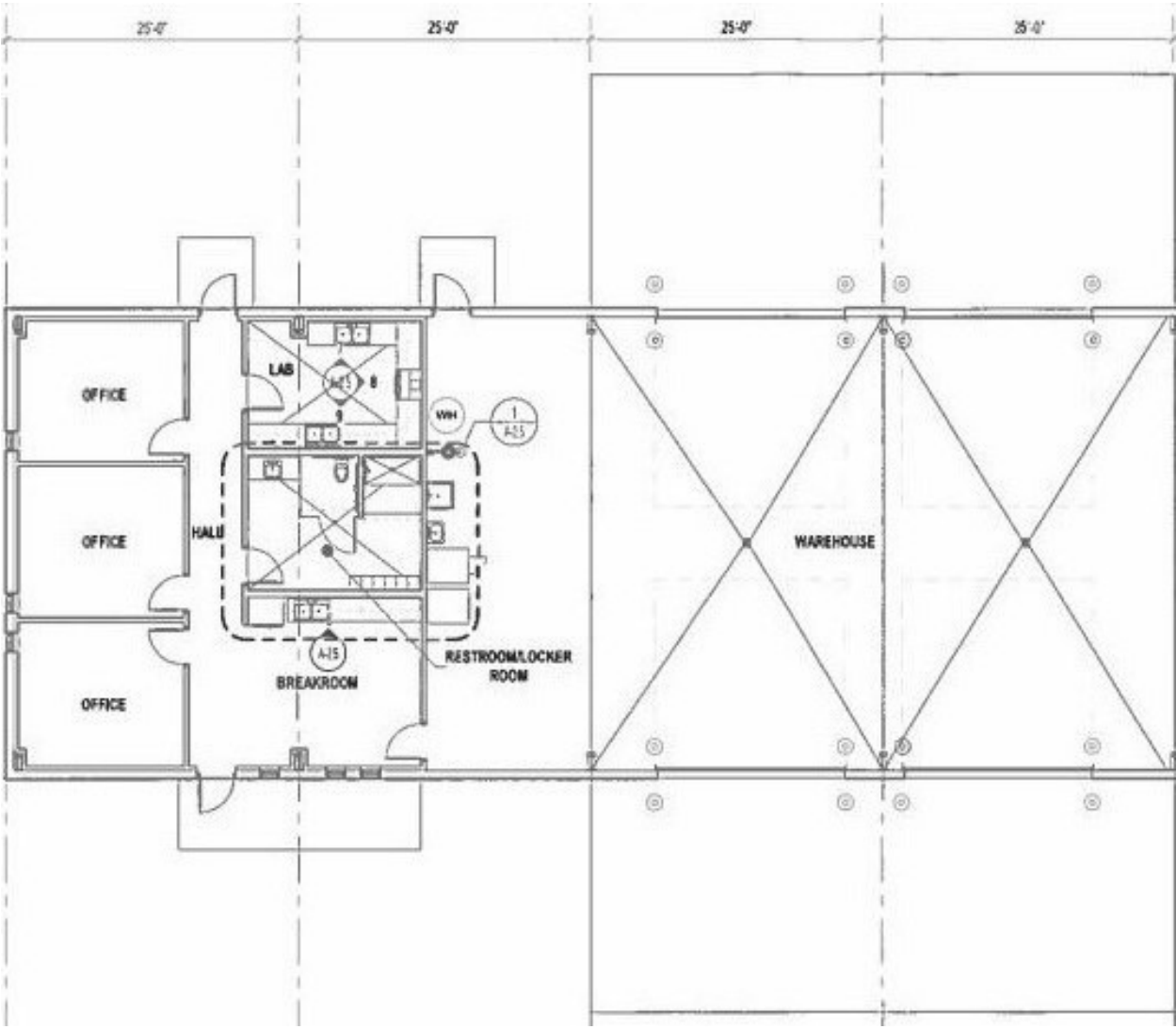
R.O.C. 256201 • R.O.C. 241613

CV UTILITIES BUILDING OPTION 1 CHINO VALLEY, AZ	REMOVE 2 APRONS, CMU, EVAP COOLER AND					9/13/2019	SUBTOTAL
	EXHAUST FAN						
	SITE	BUILDING	VE				
Division 01 — General Requirements	\$ -	\$ 30,360	\$ -	\$ -	\$ -	\$ -	\$ 30,360
Division 02 — Site Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 03 — Concrete	\$ -	\$ 45,810	\$ -	\$ -	\$ -	\$ -	\$ 45,810
Division 04 — Masonry	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 05 — Metals	\$ -	\$ 132,800	\$ -	\$ -	\$ -	\$ -	\$ 132,800
Division 06 — Wood and Plastics	\$ -	\$ 32,500	\$ -	\$ -	\$ -	\$ -	\$ 32,500
Division 07 — Thermal and Moisture Protection	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ 2,500
Division 08 — Doors and Windows	\$ -	\$ 19,500	\$ -	\$ -	\$ -	\$ -	\$ 19,500
Division 09 — Finishes	\$ -	\$ 24,976	\$ -	\$ -	\$ -	\$ -	\$ 24,976
Division 10 — Specialties	\$ -	\$ 6,550	\$ -	\$ -	\$ -	\$ -	\$ 6,550
Division 11 — Misc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 12 — Furnishings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Division 13 — Plumbing	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ -	\$ 35,000
Division 14 —Mechanical	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Division 15 — Fire Sprinkler & Alarm	\$ -	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ 8,000
Division 16 — Electrical	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
SUBTOTAL	\$ -	\$ 417,996	\$ -	\$ -	\$ -	\$ -	\$ 417,996
Subcontractor default insurance						1.25%	\$ 5,225
Wrap Coverage (Z-25)						1.50%	\$ 6,270
Commercial General Liability Insurance						1.10%	\$ 4,598
Builders Risk Insurance						0.47%	\$ 1,965
Performance and Payment Bond						0.85%	\$ 3,553
TOTAL							\$ 439,606
Design Contingency						5.00%	\$ 21,980
TOTAL							\$ 461,587
Overhead & Profit						15.00%	\$ 69,238
TOTAL							\$ 530,825
					SALES TAX	6.73%	\$ 35,711
Sincerely,						TOTAL COST	\$ 566,536

Robert Morgan

9/16/2019

Utility's Shop Building





TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. b.

Meeting Date: 10/22/2019
Contact Person: Ronda Apolinar, Court Administrator
 Phone: 928-636-2646 x-1289
Department: Municipal Court
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: Chino Valley Municipal Court, 1988 N Road 1 West

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution No. 2019-1147, approving the Intergovernmental Agreement (IGA) for Interpreting Services between the Town of Chino Valley and the Yavapai County Superior Court from July 1, 2019 to June 30, 2021, in an amount of \$40/hour and \$0.445 per mile. (Ronda Apolinar, Court Administrator)

RECOMMENDED ACTION:

Consideration and possible action to adopt Resolution No. 2019-1147, approving the IGA for Interpreting Services between the Town and Yavapai County Superior Court, from July 1, 2019 to June 30, 2021, in an amount of \$40/hour and \$0.445 per mile.

Fiscal Impact

Fiscal Impact?: Yes
If Yes, Budget Code: 01-45-5212
Available:
Funding Source:
 The amount is included in the Municipal Court Budget each year.

Attachments

RES-2019-1147

RESOLUTION NO. 2019-1147

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE SUPERIOR COURT OF ARIZONA, IN AND FOR THE COUNTY OF YAVAPAI, FOR INTERPRETER SERVICES.

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

SECTION 1. The Intergovernmental Agreement between the Town of Chino Valley (the "Town") and Superior Court of Arizona, in and for the County of Yavapai, for interpreter services (the "Agreement") is hereby approved substantially in the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of October, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 2019-1147 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 22, 2019, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2019-1147

[Agreement]

See following pages.

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE SUPERIOR COURT OF ARIZONA IN YAVAPAI COUNTY

and

THE MUNICIPAL/MAGISTRATE COURT OF CHINO VALLEY, ARIZONA

This Intergovernmental Agreement (“IGA”), is entered into between the Superior Court of Arizona, in and for the County of Yavapai (“Superior Court”), and the City/Town of Chino Valley, Arizona on behalf of its Municipal/Magistrate court (“Municipal/Magistrate Court”), for interpreter services.

1. RECITALS

WHEREAS, the Superior Court has historically offered certain interpreter services to certain municipal courts in Yavapai County; and

WHEREAS, the Municipal/Magistrate Court desires to use the interpreter services offered by the Superior Court;

THEREFORE, in consideration of the mutual agreement expressed herein, the parties agree as follows:

2. PURPOSE

The purpose of this IGA is to provide interpretation and translation services as specified herein.

3. AUTHORITY

Pursuant to Arizona State Judiciary Administrative Order 2011-96, all courts must have developed a language access plan that documents how the court makes court proceedings and operations available to limited-English-proficient (LEP) parties and witnesses. The court is responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all court-ordered services and programs

Court interpreters will be provided in all courtroom proceedings at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family members of minor witnesses, victims, and/or litigants; as well as any other person whose presence or participation is necessary or appropriate as determined by the judicial officer.

Pursuant to Arizona State Judiciary Administrative Order 2016-02, courts are required to have staff who provide interpreter services credentialed at Tier 3 or higher under the Arizona Court Interpreter Credentialing Program (ACICP) by June 30, 2019. This requirement applies to all regular staff who are classified as interpreters, as well as those staff who are not so classified but who may be engaged by the court to act as interpreters. This requirement does not apply to bilingual staff who may be able to carry out their non-interpreting duties in a language other than English (i.e. public counters, information kiosks, etc.).

The parties are authorized to enter into this IGA pursuant to A.R.S. § 11-952(J).

4. TERM AND RENEWAL; TERMINATION

- A. This IGA shall be effective July 1st, 2019 and shall expire June 30th, 2021. The parties may renew this IGA in writing for four additional two-year terms, to expire no later than June 30th, 2029. If the Municipal/Magistrate Court wishes to renew this IGA, it must notify the Superior Court at least 90 days in advance of its expiration. If City/Town Council approval is required for this IGA, the renewal may be executed by the Municipal/Magistrate Presiding Judge or City/Town Manager. The Municipal/Magistrate Court understands and agrees that the Superior Court may increase the cost of the interpreter services at the time of renewal to reflect an increase in actual costs.
- B. Either party may terminate this IGA for any reason upon 30 days' written notice. Either party may terminate this IGA immediately if the other party materially breaches the IGA. Either party may terminate this IGA due to non-availability of funds, as stated in paragraph 16. Upon termination, all property used in performance of this IGA shall be returned to the party owning the property or entitled to possession.
- C. This IGA supersedes all prior agreements between the parties for interpreter services. Any amendments to this IGA must be in writing and signed by both parties.

5. DUTIES OF SUPERIOR COURT

The Superior Court Administration's Interpreter's Office (Interpreter's Office) shall provide or arrange for interpreting services for the Municipal/Magistrate Court for all hearings, trials, programs and events held within the court in all languages, including ASL.

Court interpreter services will be provided in all courtroom proceedings at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family members of minor witnesses, victims, and/or litigants; as well as any other person whose presence or participation is necessary or appropriate as determined by the judicial officer.

The Interpreter's Office shall have the responsibility of scheduling staffed and freelance interpreters for the Municipal/Magistrate Court. The Interpreter's Office shall make reasonable accommodations to have the interpreters appear in-person, telephonic or via video conference.

The Interpreter's Office shall translate as time permits, all requested translations of Spanish court forms, documents, and signage. Each request will be assessed to determine the appropriate deadline date.

6. DUTIES OF MUNICIPAL/MAGISTRATE COURT

The Municipal/Magistrate Court shall provide the Interpreter's Office with the Court's calendar to schedule interpreters as soon as possible.

The Municipal/Magistrate Court shall contact the Interpreter's Office for any scheduled or non-scheduled interpreter needs.

The Municipal/Magistrate Court shall encourage grouping of interpreter matters to maximize staffing usage and to reduce costs.

The Municipal/Magistrate Court shall submit all translation requests to the Interpreter's Office.

The parties agree that the Municipal/Magistrate Court will become part of the Superior Courts Language Access Plan (LAP). The Superior Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than biennially.

7. FUNDING

The Municipal/Magistrate Court will be charged a flat fee of **\$40 per hour** with a quarter-hour minimum for all interpreter work, including appearances in-person, telephonically, via video conference, and for translation work. Any travel to Municipal/Magistrate Courts will be billed at the current County rate, presently **44.5 cents per mile**. Efforts will be made to consolidate travel to more distant locations to share travel costs between courts. The Interpreter's Office will help coordinate free-lance interpreters, however, the Municipal/Magistrate Court will be responsible for paying the free-lancers directly. Fees or services will be billed by Superior Court Administration to the Municipal/Magistrate Court quarterly.

8. INDEMINIFICATION

Each party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act,

omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers.

In addition, Municipal/Magistrate Court shall cause its contractor(s) and subcontractors, if any, to indemnify, defend, save and hold harmless the State of Arizona, any jurisdiction or agency issuing any permits for any work arising out of this Agreement, and their respective directors, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Municipal/Magistrate Court's contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising from the negligent or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable.

9. INSURANCE

Both parties are insured as governmental entities and therefore no insurance certificates are required by either party pursuant to this IGA.

10. AUDIT OF RECORDS

Pursuant to A.R.S. §§ 35-214 and 35-215, both parties shall retain all data, books and other records ("records") relating to this Agreement for a period of five years after completion of the Agreement. All records shall be subject to inspection and audit by the State of Arizona at reasonable times. Upon request, either party shall produce the original of any or all such records.

11. CANCELLATION FOR CONFLICT OF INTEREST

The requirements of A.R.S. § 38-511 apply to this Agreement.

12. APPLICABLE LAW

This Agreement shall be construed in accordance with the laws of the State of Arizona.

13. LEGAL OBLIGATIONS

This IGA does not relieve either party of any obligation or responsibility imposed upon it by law.

14. ARBITRATION

The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.

15. WAIVER AND MODIFICATION

None of the provisions of the Agreement may be waived, changed or altered except in writing signed by both parties.

16. AVAILABILITY OF FUNDS

Every payment obligation of the parties under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the parties or any other agency of the State of Arizona at the end of the period for which funds are available. No legal liability on the part of the parties or any other agency of the State of Arizona for any payment may arise under this Agreement until and only as long as funds are made available for performance of this Agreement. If the necessary funds are not made available, then that party shall provide written notice to the other party and may cancel this Agreement without further obligation. No liability shall accrue to the parties or any other agency of the State of Arizona in the event this provision is exercised, and neither the parties nor any other agency of the State of Arizona shall be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including payments or damages for purchases or subcontracts entered into in anticipation of funding.

17. NOTICES

All notices, claims, request, and demands under this IGA are to be in writing and served in person or via certified (return receipt requested) United States mail, postage prepaid, addressed as follows:

If to the Superior Court:

AZ Superior Court in Yavapai County
Court Administrator
120 S. Cortez Rm 410
Prescott, AZ. 86303

If to Municipal/Magistrate Court:

Chino Valley Municipal Court
Court Administrator
1988 North Road 1 W.
Chino Valley, AZ 86323

or at such other address as shall be indicated in writing by each party. Service by certified mail will be deemed to occur on the postmark date borne by the return receipt.

In witness whereof, the parties hereto have executed this IGA on the date written below:

Honorable Mary E. Hamm
Chino Valley Municipal Court
Presiding Magistrate

Date

C. Rolf Eckel
Superior Court
Court Administrator

Date

Honorable David L. Mackey
Superior Court
Presiding Judge

Date

IN ACCORDANCE WITH A.R.S. §11-952 THIS CONTRACT HAS BEEN REVIEWED BY THE UNDERSIGNED WHO HAVE DETERMINED THAT THIS CONTRACT IS IN APPROPRIATE FORM AND WITHIN THE POWERS AND AUTHORITY GRANTED TO EACH RESPECTIVE PUBLIC BODY.

ATTEST:

Andrew J. McGuire, Town Attorney

Date

Assistant Attorney General

Date

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. c.

Meeting Date: 10/22/2019
Contact Person: Maggie Tidaback, Economic Development Project Manager
 Phone: 928-636-2646 x-1201
Department: Town Manager
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: n/a

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution No. 2019-1149, authorizing staff to apply for a rural broadband grant from the Arizona Commerce Authority, in the amount of \$50,000 with a 10% match equaling \$5,000. Funds for the match to come from General Fund Contingency.

RECOMMENDED ACTION:

Adopt Resolution No. 2019-1149, authorizing staff to apply for the rural broadband grant from the Arizona Commerce Authority, in the amount of \$50,000 with a 10% match equaling \$5,000.

SITUATION AND ANALYSIS:

Staff recommends applying for the rural broadband grant. The grant would provide the means to hire a broadband planning consultant. This person will conduct all analysis needed to be done in order to prepare the town for development ready broadband funding opportunities. This broadband master plan will include, but not limited to, asset assessment, preliminary design, coverage and site analysis, cost modeling, engineering, feasibility, customer demand and economic impact.

This project is needed in order for our town to attract business to town in order to create jobs, so that citizens have access to high speed internet to work from home and or do homework, bring telemedicine to a largely retired and aging populace and to create economic growth and sustainability in our community. The proposed project will address these needs because we will have the tools needed to prepare the town for development ready funding opportunities.

Fiscal Impact

Fiscal Impact?: Yes
If Yes, Budget Code: 01-95-5600
Available: 5000.
Funding Source:

If the grant is received this fiscal year the \$5,000 will be paid for out of the General Fund Contingency line item.

Attachments

RES 2019-1149 Commerce Authority Grant

RESOLUTION NO. 2019-1149

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AUTHORIZING THE SUBMISSION OF A GRANT TO THE ARIZONA COMMERCE AUTHORITY FOR RURAL BROADBAND DEVELOPMENT.

WHEREAS, in 2019 the Arizona State Legislature adopted Chapter 263, providing \$3,000,000 in onetime funding from the state general fund in fiscal year 2019-20 to the Arizona Commerce Authority for the purpose of providing rural broadband grants; and

WHEREAS, the Arizona Commerce Authority is seeking grant applications from various entities for projects relating to establishing or accelerating enhancement of broadband infrastructure that strengthens the entities' capacity and competitiveness for economic growth, thereby improving economic conditions and quality of life in rural Arizona; and

WHEREAS, the Town of Chino Valley (the "Town") has identified the need to engage experienced consultants to assist the Town with evaluating existing broadband deficiencies and conducting a feasibility study as the starting point for the Town to create a broadband master plan (the "Project"); and

WHEREAS, the grant application requirements include commitment by the Town of at least 10% matching funds for any grant awarded; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desire to authorize (i) the submission of the grant application, (ii) the expenditure of the local match of 10% of the grant amount and (iii) the acceptance and execution of any agreement relating to a resulting grant award.

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

SECTION 1. The recitals above are incorporated as if fully set forth herein.

SECTION 2. The Town Council hereby authorizes the submission of the grant application for the Project to the Arizona Department of Commerce.

SECTION 3. The Town Council hereby authorizes (i) the acceptance of any resulting grant award in an amount not to exceed \$50,000 (the "Grant Funds") and (ii) the expenditure of a local match in an amount not to exceed \$5,000.

SECTION 4. The Town Council hereby authorizes the execution of the grant agreement with the Arizona Department of Commerce relating to the acceptance and administration of the Grant Funds, subject to the Town Attorney's review and approval.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

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 Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 22nd day of October, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, P.L.C.

I hereby certify the above foregoing Resolution No. 2019-1149 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 22, 2019, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. d.

Meeting Date: 10/22/2019
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Financial Report for the three months ending September 30, 2019. (Joe Duffy, Finance Director)

RECOMMENDED ACTION:

Approve Financial Report for the three months ending September 30, 2019.

SITUATION AND ANALYSIS:

The Finance Department prepares Financial Reports for the Mayor, Council, Staff and Community.

Upon Council approval, the reports will be posted on the Town's website.

The report includes the following sections:

Revenue and Expense Summary - This section details the Revenues and Expenditures of each fund. Comparing the year to date figures to the current year's annual budget and the prior year's month to date figures.

Major Revenue Summary - This section details the year to date figures for the Town's eight major revenue sources that account for 75% of the Town's Revenue.

Other Information - This section details other pertinent financial and statistical information including the amount of Contingencies Fund that have been allocated this fiscal year and a debt summary.

The Finance Director will supplement these reports with periodic presentations and other information throughout the fiscal year.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments	
September 2019 Financial Report	

Town of Chino Valley

Arizona

Financial Report



To The Town Council

For the Three Months Ending September 30, 2019 25% of the Fiscal Year*

*** Tentative and Preliminary prior to annual audit**

Town of Chino Valley						
Revenue and Expense Summary						
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*						
			Actual vs Prior Year			
	Actual Year to Date FY 2018-19	Actual Year to Date FY 2019-20	Amount	% FY 2019-20/ FY 2018-19	Annual Budget FY 2019/20	% of Budget YTD
GENERAL FUND						
General Fund Revenues by Category						
Franchise Taxes	\$ 9,245	\$ 9,497	\$ 252	3%	\$ 128,000	7%
Tax Revenues	\$ 1,355,754	\$ 1,362,394	\$ 6,640	0%	\$ 5,148,000	26%
Licenses & Permits	\$ 127,173	\$ 93,275	\$ (33,898)	-27%	\$ 570,500	16%
Intergovernmental	\$ 819,375	\$ 868,740	\$ 49,365	6%	\$ 3,836,700	23%
Charges for Services	\$ 39,715	\$ 51,120	\$ 11,405	29%	\$ 122,500	42%
Fines and Forfeitures	\$ 9,962	\$ 31,976	\$ 22,014	221%	\$ 178,000	18%
Other Revenues	\$ 8,867	\$ 4,060	\$ (4,807)	-54%	\$ 4,500	90%
Contributions and Donations	\$ 381	\$ 335	\$ (46)	-12%	\$ 2,500	13%
Investment Earnings	\$ 26,132	\$ 24,722	\$ (1,410)	-5%	\$ 115,000	21%
Transfers In	\$ 100,000	\$ 100,000	\$ -	0%	\$ 400,000	25%
Total Revenues	\$ 2,496,604	\$ 2,546,119	\$ 49,515	2%	\$ 10,505,700	24%
Total revenues for the General Fund are up \$49,515 or 2% over the previous fiscal year. Total tax revenues are even with the last fiscal year due to a decrease in construction sales tax collections. Licenses and permits are down 27% due to a decrease in building permits and plan check Fees this fiscal year. Intergovernmental revenues are up 6%. Overall revenues ended slightly above our budget projections.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*						
			Actual vs Prior Year			
	Actual Year to Date FY 2018-19	Actual Year to Date FY 2019-20	Amount	% FY 2019-20/ FY 2018-19	Annual Budget FY 2019/20	% of Budget YTD
General Fund Expenditures by Department						
Prosecutor	\$ 28,012	\$ 29,714	\$ 1,702	6%	\$ 126,200	24%
Town Clerk	\$ 51,300	\$ 43,392	\$ (7,908)	-15%	\$ 214,000	20%
Town Manager	\$ 87,604	\$ 102,296	\$ 14,692	17%	\$ 418,100	24%
Human Recourses	\$ 58,150	\$ 54,550	\$ (3,600)	-6%	\$ 258,200	21%
Municipal Court	\$ 56,251	\$ 67,996	\$ 11,745	21%	\$ 287,300	24%
Finance	\$ 96,815	\$ 113,025	\$ 16,210	17%	\$ 455,600	25%
Management Information Systems	\$ 46,785	\$ 62,850	\$ 16,065	34%	\$ 307,300	20%
Mayor and Council	\$ 14,024	\$ 12,783	\$ (1,241)	-9%	\$ 51,200	25%
Planning	\$ 43,913	\$ 51,093	\$ 7,180	16%	\$ 211,300	24%
Building Inspection	\$ 47,454	\$ 48,137	\$ 683	1%	\$ 198,400	24%
Code Enforcement		\$ 33,861	\$ 33,861		\$ 170,300	20%
Police	\$ 905,460	\$ 955,630	\$ 50,170	6%	\$ 3,531,700	27%
Animal Control	\$ 26,934	\$ 34,078	\$ 7,144	27%	\$ 158,100	22%
Recreation	\$ 30,030	\$ 42,831	\$ 12,801	43%	\$ 137,300	31%
Library	\$ 80,400	\$ 78,988	\$ (1,412)	-2%	\$ 375,200	21%
Senior Center	\$ 68,509	\$ 75,771	\$ 7,262	11%	\$ 354,600	21%
Parks Maintenance	\$ 146,743	\$ 148,577	\$ 1,834	1%	\$ 618,800	24%
Aquatic Center	\$ 73,455	\$ 86,190	\$ 12,735	17%	\$ 251,600	34%
Facilities Maintenance	\$ 105,726	\$ 80,699	\$ (25,027)	-24%	\$ 772,400	10%
Fleet Maintenance	\$ 56,644	\$ 59,069	\$ 2,425	4%	\$ 345,700	17%
Engineering	\$ 82,889	\$ 90,519	\$ 7,630	9%	\$ 438,300	21%
Customer Service	\$ 52,721	\$ 68,144	\$ 15,423		\$ 89,800	76%
Non Departmental	\$ 246,116	\$ 246,245	\$ 129	0%	\$ 3,338,000	7%
Total Expenditures	\$ 2,405,935	\$ 2,586,438	\$ 180,503	8%	\$ 13,109,400	20%
Total Revenue Over (Under) Total Expenditures	\$ 90,669	\$ (40,319)	\$ (130,988)		\$ (2,603,700)	
GENERAL FUND (Continued)						
Total General Fund Expenditures are up \$180,503 or 8% compared to last fiscal year. Each department should be under 25% of budget. Code Enforcement was separated out of Customer Service this fiscal year. In total the General Fund Departments are at 20% through September 30, 2019.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*						
			Actual vs Prior Year			
	Actual Year to Date FY 2018-19	Actual Year to Date FY 2019-20	Amount	% FY 2019-20/ FY 2018-19	Annual Budget FY 2019/20	% of Budget YTD
HIGHWAY USER REVENUE FUND						
Total Revenues	\$ 289,132	\$ 469,748	\$ 180,616	62%	\$ 1,117,000	42%
Expenditures						
Road Maintenance	\$ 262,238	\$ 215,739	\$ (46,499)	-18%	\$ 1,417,500	15%
Total Revenue Over (Under) Total Expenditures	\$ 26,894	\$ 254,009	\$ 227,115		\$ (300,500)	
Total Hurf Fund Revenues are up 62% over the prior fiscal year due to a one time HURF distribution of \$197,802. Expenditures are down 18% compared to last fiscal year due to the timing of the this years road improvement program.						
WATER ENTERPRISE FUND						
Water Revenues	\$ 234,172	\$ 285,436	\$ 51,264		\$ 974,000	
Bond & Loan Proceeds			\$ -		\$ 2,000,000	
Total Revenues	\$ 234,172	\$ 285,436	\$ 51,264	22%	\$ 2,974,000	10%
Expenditures						
Water Utility Operations	\$ 144,232	\$ 155,134	\$ 10,902		\$ 846,400	
Debt Service/Reserve	\$ -	\$ -	\$ -		\$ 67,800	
Water System Acquisition					\$ 2,000,000	
Total Expenditures	\$ 144,232	\$ 155,134	\$ 10,902	8%	\$ 2,914,200	5%
Total Revenue Over (Under) Total Expenditures	\$ 89,940	\$ 130,302	\$ 40,362		\$ 59,800	
Total Water Enterprise Fund Revenues are up 22% due to a 20% increase in water service fee revenue. Water Buyin fees are down 11% compared to last fiscal year. Total expenditures are up 8% this fiscal year compared to last fiscal year.						
SEWER ENTERPRISE FUND						
Total Revenue	\$ 608,350	\$ 541,211	\$ (67,139)	-11%	\$ 2,908,000	19%
Expenditures						
Sewer	\$ 176,779	\$ 165,451	\$ (11,328)		\$ 1,486,800	
Debt Service/Reserve/Capital		\$ -	\$ -		\$ 1,399,100	
Total Expenditures	\$ 176,779	\$ 165,451	\$ (11,328)	-6%	\$ 2,885,900	6%
Total Revenue Over (Under) Total Expenditures	\$ 431,571	\$ 375,760	\$ (55,811)		\$ 22,100	
Total Sewer Enterprise Fund Revenues are down 11% due to a 39% decrease in Sewer Buy In fees. Sewer Service fees are up 3% over last fiscal year. Total expenditures are down by 6% compared to last fiscal year.						

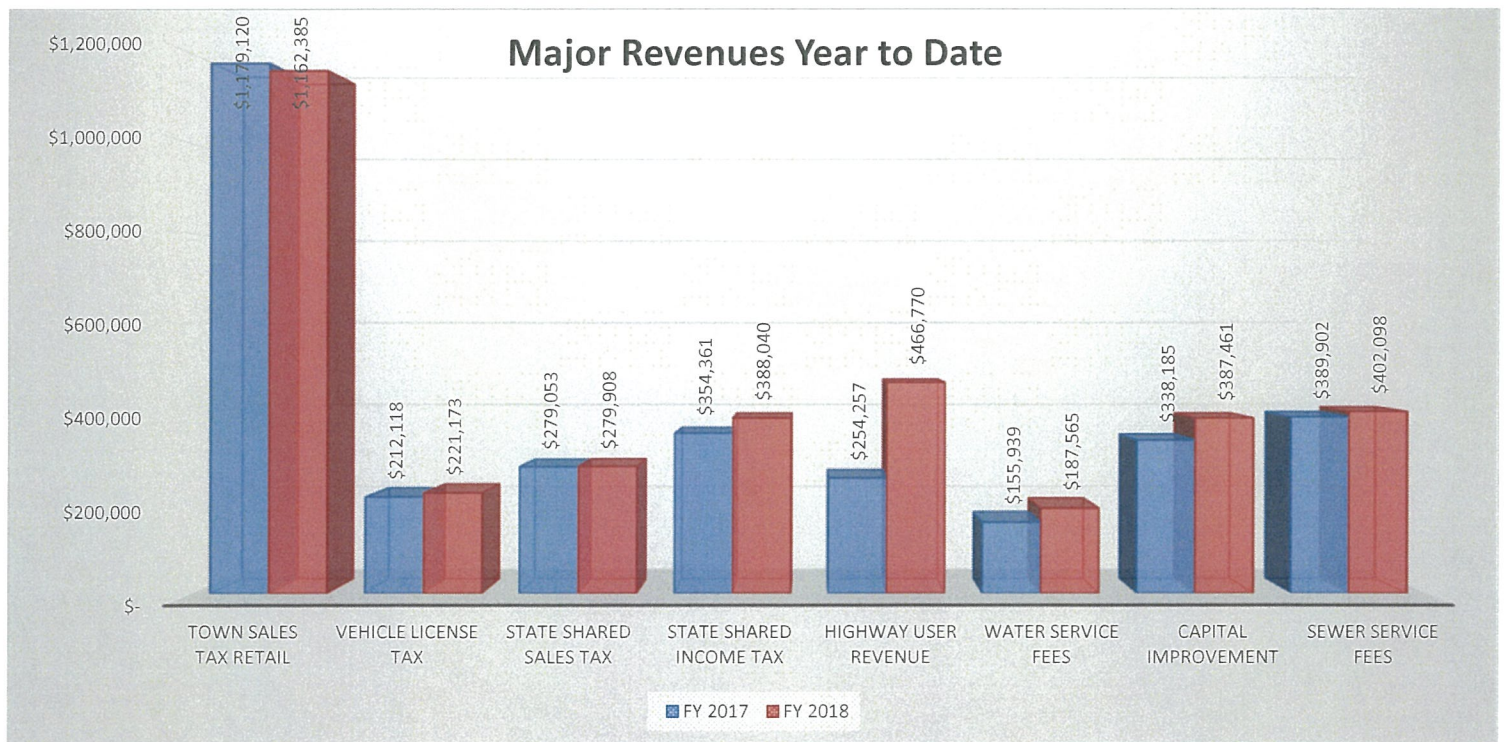
Town of Chino Valley						
Revenue and Expense Summary						
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*						
			Actual vs Prior Year			
	Actual Year to Date FY 2018-19	Actual Year to Date FY 2019-20	Amount	% FY 2019-20/ FY 2018-19	Annual Budget FY 2019/20	% of Budget YTD
CAPITAL IMPROVEMENT FUND						
Sales Tax Revenue	\$ 451,918	\$ 454,132			\$ 1,644,000	
Transfer From General Fund		\$ 323,000			\$ 2,000,000	
Misc Capital Projects					\$ 2,000,000	
Yavapai Drainage District					\$ 120,000	
Total Revenues	\$ 451,918	\$ 777,132	\$ 325,214	72%	\$ 5,764,000	13%
Yavapai Drainage District		\$ 4,735	\$ 4,735		\$ 120,000	
Capital Improvements	\$ 163,283	\$ 324,212	\$ 160,929		\$ 4,811,000	
Transfers	\$ 312,250	\$ 322,750	\$ 10,500		\$ 1,219,000	
Total Expenditures	\$ 475,533	\$ 646,962	\$ 171,429	36%	\$ 6,150,000	11%
Total Revenue Over (Under) Total Expenditures	\$ (23,615)	\$ 130,170	\$ 153,785		\$ (386,000)	
Capital Improvement Fund Tax Revenues are even with last fiscal year due to a 10% reduction in construction sales tax collections. Expenditures are up 36% due to paying off the remaining lease purchase obligation. Transfers are up in line with the amount budgeted this fiscal year.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*						
			Actual vs Prior Year			
	Actual Year to Date FY 2018-19	Actual Year to Date FY 2019-20	Amount	% FY 2019-20/ FY 2018-19	Annual Budget FY 2019/20	% of Budget YTD
OTHER MINOR FUNDS						
Other Minor Funds -Revenues						
CDBG Grant	\$ -	\$ -	\$ -		\$ 325,000	
Grants Fund	\$ 19,559	\$ 38,398	\$ 18,839		\$ 3,500,000	
Special Revenue Fund Court	\$ 1,250	\$ 7,739	\$ 6,489		\$ 28,000	
Capital Asset Replacement	\$ 1,023	\$ 753	\$ (270)		\$ 14,000	
Special Revenue Fund PD	\$ 10,305	\$ 3,515	\$ (6,790)		\$ 55,000	
CVSLID Districts		\$ -	\$ -		\$ 4,000	
Total Revenues	\$ 32,137	\$ 50,405	\$ 18,268	57%	\$ 3,926,000	1%
CDBG Grant		\$ 377,991	\$ 377,991		\$ 325,000	
Grants Funds	\$ 41,679	\$ 31,271	\$ (10,408)		\$ 3,500,000	
Special Revenue Fund - Court	\$ 17,243	\$ 8,860	\$ (8,383)		\$ 58,500	
Capital Replacement Fund			\$ -		\$ 60,000	
Special Revenue Fund PD			\$ -		\$ 55,000	
CVSLID Districts			\$ -		\$ 4,000	
Total Expenditures	\$ 58,922	\$ 418,122	\$ 359,200	610%	\$ 4,002,500	10%
Total Revenue Over (Under) Total Expenditures	\$ (26,785)	\$ (367,717)	\$ (340,932)		\$ (76,500)	
TOTAL ALL FUNDS						
Total Revenue All Funds	\$ 4,112,313	\$ 4,670,051	\$ 557,738	14%	\$ 27,194,700	17%
Total Expenditures All Funds	\$ 3,523,639	\$ 4,187,846	\$ 664,207	19%	\$ 30,479,500	14%
Total Revenue Over (Under) Total Expenditures All Funds	\$ 588,674	\$ 482,205	\$ (106,469)		\$ (3,284,800)	
(1) Budget does not include Carryover Amounts from Prior Fiscal Years						
(2) Year to date amounts include actual expenditures paid to date.						

Town of Chino Valley
Major Revenue Summary
For the Three Months Ending September 30, 2019 25% of the Fiscal Year*

					Actual vs Prior Year	
	Actual Year to Date FY 2018-19	Annual Budget FY 2019-20	Actual Year to Date FY 2019-20	% of Budget YTD	Amount	%
Town Sales Tax Retail	\$ 1,179,120	\$ 4,590,000	\$ 1,162,385	25%	\$ (16,735)	-1%
Vehicle License Tax	\$ 212,118	\$ 862,000	\$ 221,173	26%	\$ 9,055	4%
State Shared Sales Tax	\$ 279,053	\$ 1,230,000	\$ 279,908	23%	\$ 855	0%
State Shared Income Tax	\$ 354,361	\$ 1,549,200	\$ 388,040	25%	\$ 33,679	10%
Highway User Revenue	\$ 254,257	\$ 1,010,000	\$ 466,770	46%	\$ 212,513	84%
Water Service Fees	\$ 155,939	\$ 485,000	\$ 187,565	39%	\$ 31,626	20%
Capital Improvement	\$ 338,185	\$ 1,468,000	\$ 387,461	26%	\$ 49,276	15%
Sewer Service Fees	\$ 389,902	\$ 1,644,000	\$ 402,098	24%	\$ 12,196	3%
Major Revenues Y.T.D.	\$ 3,162,935	\$ 12,838,200	\$ 3,495,400	27%	\$ 332,465	11%
Total Revenue All Funds	\$ 4,112,313	\$ 27,194,700	\$ 4,670,051	17%	\$ 557,738	14%
	77%	47%	75%			

The Major Revenues are up \$332,465 or 11% over the prior fiscal year. Highway User Revenue is up do to a one time payment of 197,802. Town Sales Tax Retail is down 1%. Water Service Fees are up 20% and Sewer Service Fees are up 3%. Total combined revenue for all funds are up 14% or \$557,738 over last fiscal year.



Contingency Funds Budget

For the Three Months Ending September 30, 2019 25% of the Fiscal Year*

	Actual Year to Date FY 2019-20	Annual Budget FY 2019-20			
General Fund Budget	\$ -	\$ 500,000			
Shooting Range	\$ 3,162				
ACO Building	\$ 10,000				
Automated Water System	\$ 10,081				
General Fund Balance	\$ 23,243	\$ 500,000			
HURF Fund Budget	\$ -	\$ 60,000			
Water Fund Budget	\$ -	\$ 40,000			
Sewer Fund Budget	\$ -	\$ 75,000			
Total Contingency Fund	\$ -	\$ 675,000			

Town of Chino Valley

Annual Debt Service Summary By Fund

Fiscal Year Ended June 30, 2020

Debt Issue	Date Issued	Original Amount	Outstanding Amount as of June 30, 2019	FY 2020 Principal	FY 2020 Interest
General Government					
National Bank GADA Refi	7/1/2016	\$ 3,346,000	\$ 2,717,000	\$ 320,000	\$ 46,354
US Bank Series 2010	12/15/2010	\$ 7,280,000	\$ 7,130,000	\$ 205,000	\$ 317,438
		\$ 10,626,000	\$ 9,847,000	\$ 525,000	\$ 363,792
Water Enterprise Fund					
US Bank Series 2010	12/15/2010	\$ 745,000	\$ 420,000	\$ 50,000	\$ 17,813
Sewer Enterprise Fund					
WIFA 2007	1/10/2007	\$ 1,580,000	\$ 765,617	\$ 86,841	\$ 18,721
WIFA 2008	1/11/2008	\$ 4,853,000	\$ 2,727,958	\$ 270,565	\$ 69,151
WIFA 2014	12/30/2014	\$ 2,963,671	\$ 2,461,363	\$ 131,950	\$ 46,821
WIFA 2015	11/23/2015	\$ 4,259,646	\$ 3,798,461	\$ 160,991	\$ 85,262
WIFA 2016	11/23/2015	\$ 50,354	\$ 20,457	\$ 10,175	\$ 108
WIFA 2017	2/27/2017	\$ 292,659	\$ 269,105	\$ 11,349	\$ 7,164
		\$ 13,999,330	\$ 10,042,961	\$ 671,871	\$ 227,227
Total Town of Chino Valley Debt		\$ 25,370,330	\$ 20,309,961	\$ 1,246,871	\$ 608,832



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. e.

Meeting Date: 10/22/2019

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

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to approve the October 8, 2019, regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Approve the October 8, 2019, regular meeting minutes.

Attachments

October 8, 2019 draft minutes

DRAFT

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

**TUESDAY, OCTOBER 8, 2019
6:00 P.M.**

The Town Council of the Town of Chino Valley met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, October 8, 2019.

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

Present: Mayor Darryl Croft; Vice-Mayor Jack Miller; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Corey Mendoza; Councilmember Annie Perkins; Councilmember Lon Turner

Staff Present: Town Manager Cecilia Gritman; Town Attorney Andrew McGuire (electronically); Finance Director Joe Duffy; Public Works Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; Community Services Director Scott Bruner; Economic Development Project Manager Maggie Tidaback; Utilities Manager Mike Bovee; Water Consultant Mark Holmes; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

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

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

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.

Jean McKadzen spoke about her opposition to the Brook Apartments, which had gone from 99 to 152 units with three stories and three to four bedrooms. It was an awkward place for the development and would negatively affect her neighborhood. Before the October Planning and Zoning Commission meeting, she came across a website for Brook Apartments that offered tours and solicited potential tenants. After the meeting, the website was changed to reflect they were under the PAD review. She thought it was unethical to be advertising for tenants before the project was approved. Also, during the Commission meeting, staff had stated that some of the conditions were still being negotiated and she objected to something being brought forward that had not been completely negotiated.

Tom Payne spoke about receiving a notice about the upcoming temporary signage meeting and

appreciated the opportunity to listen to the Council. In 2016, community members were invited to participate in the development of an ordinance and now people were only being invited to listen. Town Manager Gritman apologized for releasing the wording of the notice that had invited the public to listen before she knew if the Mayor would invite people to participate. The Mayor stated he would let people speak at the upcoming Council study session. Mr. Payne stated he wanted to ensure that the work done previously was not completely tossed because they had worked hard on it and the past staff's work outlined the history of the signage code.

Tina Harmon spoke in opposition to rezoning the Brook Apartments parcel to allow for 152 units, which was a 52% increase from the 99 units currently allowed. The previous plan of one- to two-bedroom units allowed for 288 bedrooms, but the updated one to four-bedroom units allowed for 316 bedrooms, which was a 10% increase. A study she read stated that if a population density income was high, the people density would be low, but if the population density income was low, the people density would be high. The density was 22 units per acre or 46 people per acre. She challenged staff's quoted number of units mentioned at the meeting because she came up with a different number. The developer's plan stated only 20% lot coverage, but they were not including asphalt in that number, and she thought that was part of the build, not just where the building was placed. It was not an improvement.

Dee Nixon spoke about a previous experience. Nearby her home was a beautiful one-story building for disabled seniors. When young, substance-addicted, disabled persons were allowed to stay, the area became full of drugs and theft. No one could sell their homes because of the neighborhood. If the new development was not maintained, her neighborhood stood a chance of going downhill.

Larry Holt spoke about improving the Town's 9/11 memorial at the Shooting Range. He met with the lessee of the facility and spoke with some staff members about getting a group of citizens together to clean up the memorial, making it something the community could be proud to share. He requested Council approval to go forward with a memorial plaque, landscape cleanup, benches and sunshades, and a level parking area. The group supported Beth Vicory's efforts to fundraise for the plaque. They would work with Police Chief Wynn for the improvements and major modifications would not be done without Council approval.

Cindy Cole expressed concern with the one exit and one entry at the proposed Brook Apartments development. There were several types of natural disasters that could hit the area and if first responders used the exit, it would be blocked leaving no other way out for residents. She was also concerned with lack of a playground, nowhere for animals to walk, and stench from dog waste and apartment trash. Road 2 North was dangerous and had a high volume of accidents and there was no justification for 300 more cars from the apartments. There was no visitor parking allocated in the apartment complex parking lot. Water was also an issue that needed to be considered.

4) RESPONSE TO THE PUBLIC

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

- a) Comments regarding a project to make improvements to the 9/11 monument at the entrance to the Town's shooting range.

Mayor Croft read a statement from Police Chief Wynn: The Police Department (PD) had long sought to improve the 9/11 monument at the entrance to the shooting range, but unfortunately, time and resources had not allowed that to happen. It was very exciting that several citizens and groups were interested in taking this on as a project. Ms. Beth Vicory, who successfully led the summer kids' program at the Library, had offered to collect donations to purchase and install a plaque at the location, which will provide information about the monument. Mr. Larry Holt and Compass Training Center were also interested in helping with improvements as well as seeing it maintained in the manner it deserved. The PD will coordinate the efforts as well as review and approve the planned improvements. Council will be updated as the project progressed.

- b) Comments regarding a proposed apartment complex project application that was to go before the Planning and Zoning Commission on October 1, 2019.

Development Services Director Joshua Cook reported on items brought up during the previous Call to the Public:

- The previous application was not brought to the Council for a vote, as it was withdrawn after the Planning Commission meeting.
- General zoning surrounding and in the near vicinity of the subject property was: Commercial Light, Agricultural, Multifamily, and Commercial Heavy to the north; SR-1 to the south; Commercial Light, Agricultural, and Commercial Heavy to the east; and SR-2, Commercial, and Agricultural to the west.
- No data could be found to corroborate the statistic of 334 vehicles. Single family developments were required to provide a minimum of two spaces per house. Multifamily developments, not just in this community, but many around the nation, calculated 1.5 vehicles per unit, which placed the number of vehicles closer to 228.
- There was no fire safety issue with regard to a single entrance. The Fire District had stated in previous comments that multifamily developments that will utilize sprinklers need one entrance if there are less than 199 units. Also of note, the fire district has at least two apparatus that can accommodate structures greater than 35-feet in height.
- Bicycle lanes and sidewalks on Road 2 North were not this developer's sole responsibility. In order to place an exaction on a property/developer, there had to be a rational nexus for such cost. This will be evaluated and the amount of improvements required of this developer will be set accordingly.
- The developer of the project has made zero claims as to what price point the development will target nor whether it will or will not be Section 8. This was not relevant with regard to the zoning aspect of the property and could not be placed as a stipulation of approval.

The relevant arguments for the PAD zoning revolved around whether the applicant had exceeded the development standards and provided amenities enough to warrant an increase in density. This property already had the zoning necessary for apartments, including three stories. As the site had the entitlements for multifamily currently, the best course of action in staff's professional opinion was to work with the applicant to minimize the impact through increased landscaping, setbacks, screening, and amenities as part of the PAD process.

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. 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 Cecilia Grittmann regarding Town accomplishments, and current or upcoming projects.

Town Manager Grittmann reported on:

- New pickleball courts at the basketball courts behind the Community Center.
 - Fann Construction agreeing to pave the Community Center parking lot through employee salary donations matched by Fann, and Councilmember Mendoza providing the millings.
 - The 5:00 p.m. October 15 study session to include the temporary signage discussion, as well as other items.
- c) Presentation of Key to the Town to Chino Valley resident Jordan Ownby, 2019 Miss Rodeo AZ. (Mayor Croft)

Town Manager Grittmann read Ms. Ownby's biography and reported that Ms. Ownby will be competing at the national level for the title of Miss Rodeo America 2020 in Las Vegas, Nevada. Mayor Croft presented Ms. Ownby with a Key to the Town. Ms. Ownby spoke about her background, her pride in Chino Valley, and an upcoming fundraiser for her Miss Rodeo America competition.

- d) Report regarding water fill station upgrades. (Mike Bovée, Utilities Manager)

Utilities Manager Bovee reported that:

- The Town's public water fill station, located behind Walgreens on Road 2 North, needed an upgrade. The current system was bought used, had been experiencing intermittent software issues, and required monthly billing that burdened the Finance Department.
 - The fill station's software limit was 200 customers. It currently had 138 customers, with 32 Town residents, 70 County residents, and 36 other accounts that were made up of construction companies, water haul companies, and other areas around the state.
 - Upon researching the matter, staff had chosen an AquaFlow International System, produced in Flagstaff, for the system upgrade, which would happen in late October. The system was internet cloud-based, which would allow an unlimited number of customers. The customers would prepay using a credit card, which would eliminate the need for billing.
 - The upgrade had been budgeted, came in under budget, and would cost less than a complete overhaul of the system.
- e) Report regarding the 2020 General Election and candidate packets. (Jami Lewis, Town Clerk)

Town Clerk Lewis reported that:

- Candidate packets for the Town's 2020 Primary Election will be available November 1. The open positions were the mayor's and three councilmember's seats.
- Interested persons will need to complete a Statement of Interest and make an appointment with the Clerk's Office to receive the paperwork. Nomination papers must be filed from March 9 through April 6 to get on the ballot.

6) **CONSENT AGENDA**

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

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve the Consent Agenda Items 6(a), (b), and(c) as written.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to grant a utility easement to Arizona Public Service Company (APS) for the installation of underground electrical service to the cell tower site at Town Hall. (Frank Marbury, Public Works Director/Town Engineer)
- b) Consideration and possible action to approve the September 17, 2019, study session minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve the September 24, 2019, regular meeting minutes. (Jami Lewis, Town Clerk)

7) **ACTION ITEMS**

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

- a) Consideration and possible action to provide direction to staff regarding proposed improvements at the Old Home Manor Business Park. (Frank Marbury, Public Works Director/Town Engineer)

Recommended Action: Direct staff regarding proposed improvements at the Old Home Manor Business Park.

Frank Marbury reviewed the conceptual plan for Old Home Manor (OHM):

- Water and sewer were available up to Rodeo Drive. Power and fiber optics were also available at the site, but no natural gas was available.
- The Utilities Subcommittee recommended road improvements at Rodeo Drive and water and sewer extensions to the first intersection to allow more opportunity for development in the future.
- Staff wanted to come back to Council with firmer numbers but estimated the cost at approximately \$2 million. A large part of the cost was getting natural gas to the site.

Council and Staff discussed the following:

- Utilities Subcommittee members explained that these improvements would limit restrictions to certain sized lots, provide an entrance to OHM, and provide the utilities. If a business was interested in coming in, they could be accommodated.
- Councilmember Mendoza gave an overview of why the Council wanted to develop OHM and protect the development and zoning of the Town in the future.
- Councilmembers related that the improvements would give businesses an opportunity and the Town would be ready for the development.
- Mayor Croft explained that one of the reasons for the OHM development was to bring in jobs to the Town.

Council directed staff to research the numbers and bring them back for further review.

8) EXECUTIVE SESSION

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

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with attorneys for the Town regarding a potential intergovernmental agreement with the City of Prescott relating to water service. (Cecilia Gritman, Town Manager)

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adjourn to Executive Session at 6:53 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember Annie Perkins, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the Regular Meeting at 7:40 p.m.

10) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Vice-Mayor Jack Miller to adjourn the meeting at 7:40 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best,
Councilmember Cloyce Kelly, Councilmember Corey Mendoza, Councilmember
Annie Perkins, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 8th day of October, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of October, 2019.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

7. a.

Meeting Date: 10/22/2019

Contact Person: Joshua Cook, Development Services Director
Phone: 928-636-4427 x-1217

Department: Development Services

Item Type: Action-Presentation

Estimated length of staff presentation: 5 minutes

Physical location of item: Generally located 1,400 feet west of State Route 89 and 620 feet south with APN: 306-23-024C.

AGENDA ITEM TITLE:

Consideration and possible action to rezone approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential 1-acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential 1-acre minimum) zoning district with a Planned Area Development Overlay. The project proposes 152 units in four (4) stepped 2 to 3 story structures. The property is generally located 1,400 feet west of State Route 89 and 620 feet south with Assessor Parcel Number: 306-23-024C. (Joshua Cook, Development Service Director)

RECOMMENDED ACTION:

Planning and Zoning Commission forward a recommendation of denial to Town Council to not adopt Ordinance 2019-873 rezoning approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay with its associated development plan.

Staff forwards a recommendation of approval to Town Council to adopt Ordinance 2019-873 rezoning approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay with its associated development plan with the following conditions:

1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions contained herein.
2. Developer shall provide a 54 inch high CMU block wall along the south property line. Developer shall align and reinforce existing fence along the west property line per prior discussions with Mrs. Kris Foley.
3. Depths of flows over onsite and offsite streets shall not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
4. One five-foot concrete pedestrian sidewalk (onsite and offsite from project going north to

Road 2 North within the existing Hawks Nest right-of-way) shall be constructed by Developer prior to issuance of any certificate of occupancy related to the property.

5. Hawks Nest Trail shall be constructed to commercial standards (28' roadway width, with curb and gutter, and a five -foot concrete sidewalk on one side with associated ramps and other devices). The roadway design and associated curb profile may be adjusted as needed to accommodate storm water by utilizing low water crossing; provided, final design shall be approved by the Town Engineer. Town to provide full support for a reimbursement agreement with owners of Heritage Place commercial subdivision relating to reimbursement by owners of lots within the Heritage Place commercial subdivision to Developer for costs incurred to construct Hawks Nest Trail improvements to commercial standards.
6. Intersection improvements at Hawk's Nest Trail and Road 2 North shall be constructed in accordance with the existing traffic study match road construction type and materials existing on similar improved segments (widened road, curb, gutter and sidewalk) of west Road 2 North. Final design of the intersection improvements shall be approved by the Town Engineer.
7. Water and sewer mains on Road 2 North through the Hawks Nest intersection shall be 12 inches in diameter. Town will provide support for a line extension agreement which causes reimbursement to Developer for installation of the 12 inch lines from future hook-ups of property benefiting from the up-sized water and sewer lines. Alternatively, the Town may directly reimburse Developer for the cost of up-sizing of the lines from 8 inches to 12 inches in diameter.

SITUATION AND ANALYSIS:

See attached Staff Report

Fiscal Impact

Fiscal Impact?: N/A

If Yes, Budget Code:

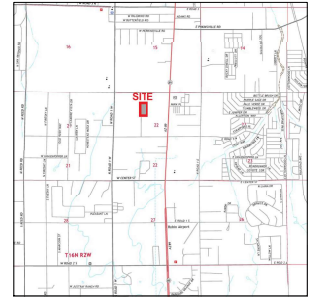
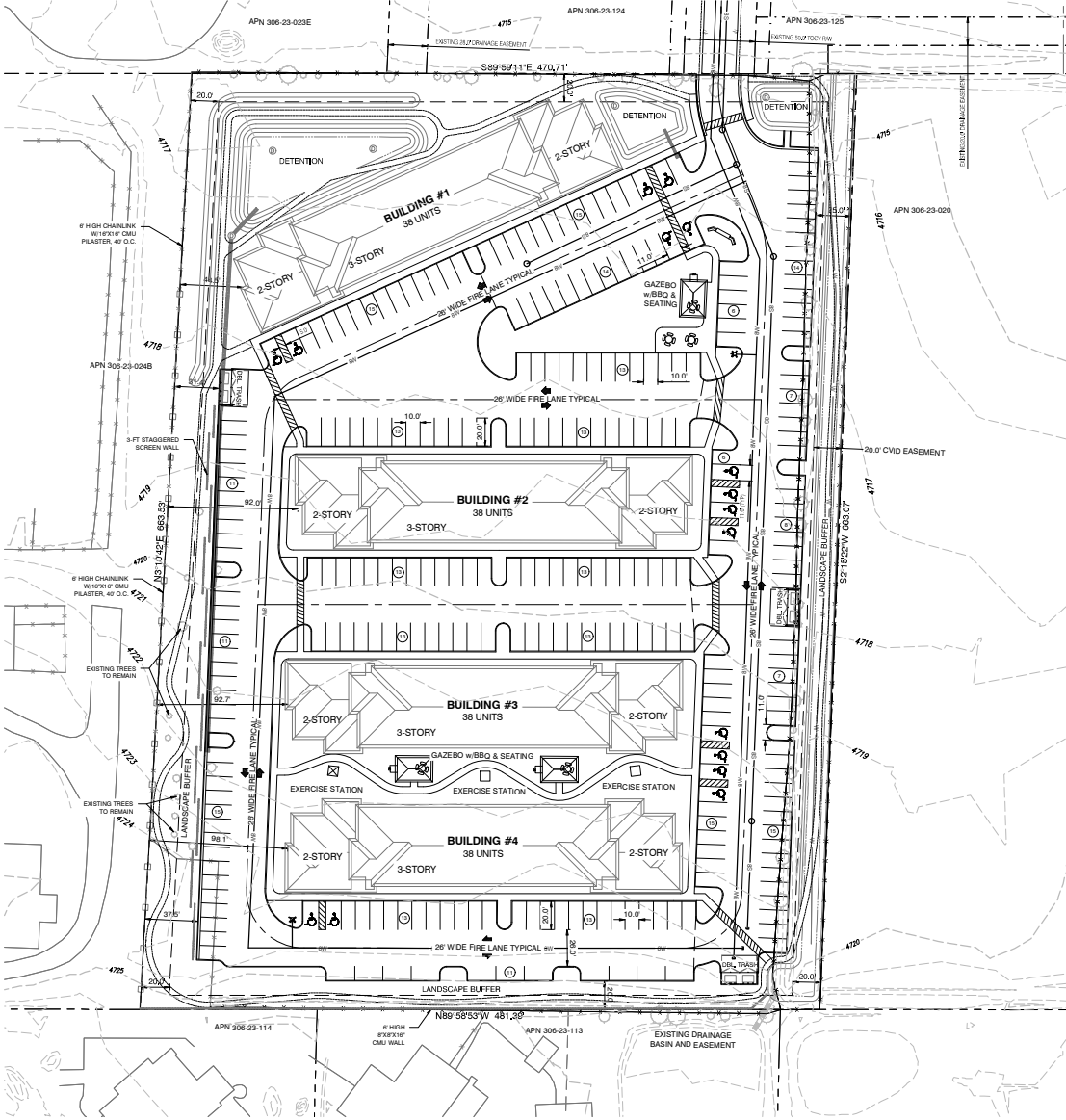
Available:

Funding Source:

Attachments

Brook Apartments Packet
 Legal Protest Petition
 Larry Holt Letter and Staff Response
 Brook Apartment Staff Report
 ORD - 2019-873 - Rezone Brook Apts.

SITE PLAN



VICINITY MAP
(NTS)



SCALE: 1" = 40'

PROJECT DATA

PROJECT NAME: BROOK APARTMENTS
PR17-000024; APN: 306-23-024C

PROJECT ADDRESSES: CHINO VALLEY, AZ

SITE AREA: 6.85 ACRES / 298,386 SF

BUILDING AREA: BUILDING 14,998 SF EA X 4 = 59,992 SF

LOT COVERAGE: 20.1%

OPEN SPACE: 79.9%

ACTIVE OPEN SPACE: 33%

FLOOR AREA: 159,684 SF

PROPOSED PROJECT DESCRIPTION: NEW CONSTRUCTION FOR A 152 UNIT 1 - 4 BEDROOM MULTI FAMILY APARTMENT COMPLEX

ARCHITECT: FERGIS AND ASSOCIATES, INC.
7227 N. 16th ST. #212 PHOENIX, AZ 85020
(602) 279-1993 FAX (602) 264-2383

ZONING: MR-1, PAD

UNIT MIX: BUILDING #1: 4 3-BED: 4
38 UNITS 4-BED: 4
3-STORY
1-BED: 9
2-BED: 21
TOTAL: 4-BED: 16, 3-BED: 16, 2-BED: 84,
1-BED: 36 = 152 UNITS

PARKING REQUIRED/ PROVIDED: 1.5 SPACES PER 1 & 2 BED UNIT
120 X 1.5 = 180 SPACES REQUIRED
2.0 SPACES PER 3+ BED UNIT
32 X 2.0 = 64 SPACES REQUIRED
1 PER 10 UNITS GUEST PARKING = 16 SPACES RE
TOTAL SPACES REQUIRED = 180 + 64 + 16 = 260
TOTAL SPACE PROVIDED = 287

TYPICAL STANDARD PARKING STALL 20'-0" X 10'-0"
TYPICAL ADA PARKING STALL 20'-0" X 11'-0" W/ 5'-0"
5 ADA STALLS PER 51-75 SPACES, 1 ADA STALL R
25 SPACE THEREAFTER. (INCLUDED IN COUNT)



FOR
REVIEW
NOT FOR
CONSTRUCTION

MRL CONSULTING, LLC

P.O. BOX 642
CHINO VALLEY, AZ 86323

928.925.7543
MICHAEL.LOPEZ.PE@GMAIL.COM

REVISIONS

REV	DATE
-----	------

PLANNED AREA DEVELOPMENT

ROOK APARTMENTS
PR17-000024
APN: 306-23-024C

DATE: 7/25/2019

DRAWN BY: DB

CHECKED BY: MR

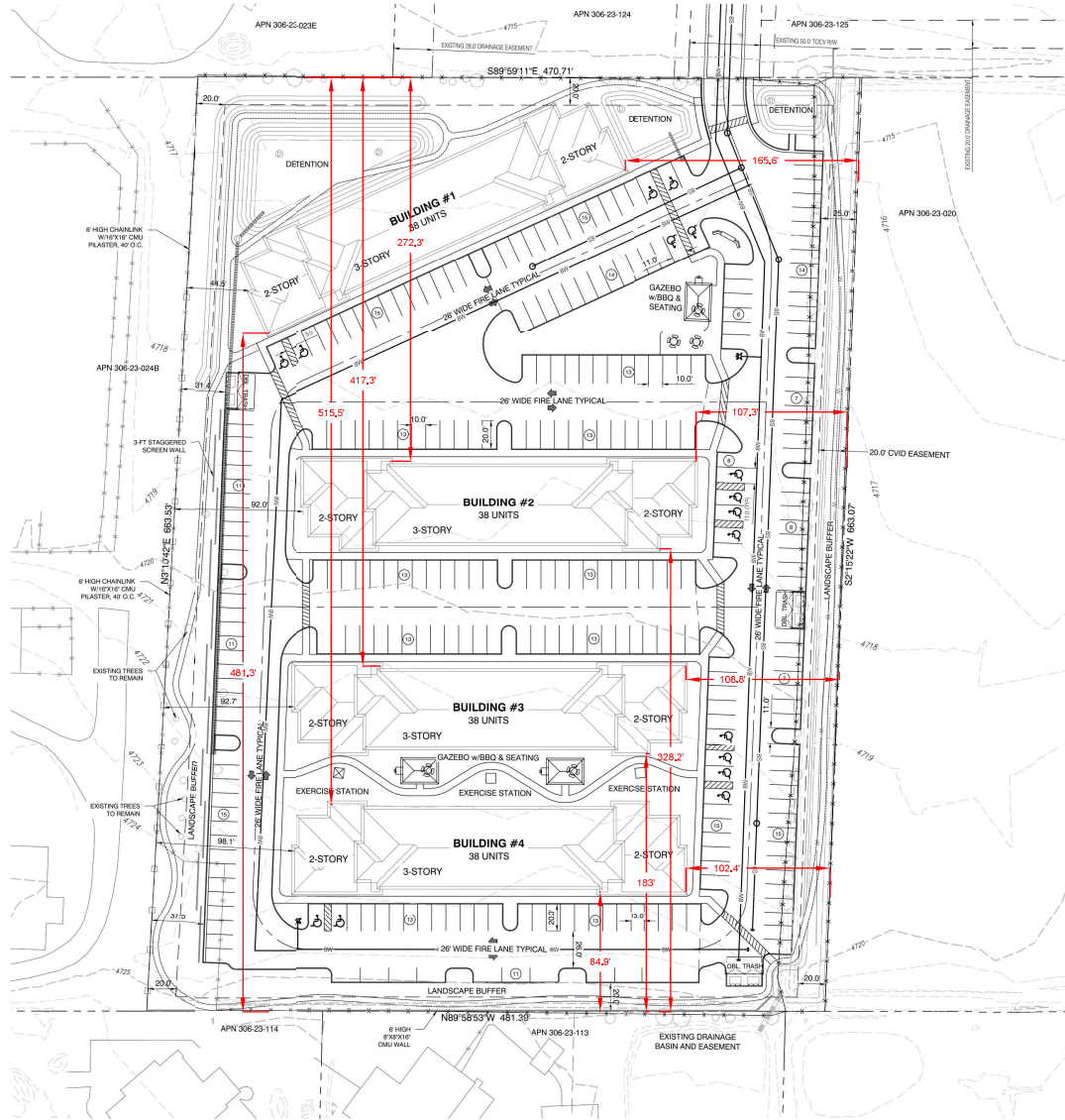
SCALE: $1'' = 40'$

SHEET

1

1 OF **2**

SITE PLAN



VICINITY MAP
(NIT)



SCALE: 1" = 40'
40 20 0 40

PROJECT DATA

PROJECT NAME:	BROOK APARTMENTS PR17-000024; APN: 306-23-024C
PROJECT ADDRESSES:	CHINO VALLEY, AZ
SITE AREA:	6.85 ACRES / 298,386 SF
BUILDING AREA:	BUILDING 14,998 SF EA x 4 = 59,992 SF
LOT COVERAGE:	20.1%
OPEN SPACE:	79.9%
ACTIVE OPEN SPACE:	33%
FLOOR AREA:	159,684 SF
PROPOSED PROJECT DESCRIPTION:	NEW CONSTRUCTION FOR A 152 UNIT 1 - 4 BEDROOM MULTI FAMILY APARTMENT COMPLEX
ARCHITECT:	FERGIS AND ASSOCIATES, INC. 7227 N. 16TH ST. #212 PHOENIX, AZ 85020 (602) 279-1693 FAX (602) 264-2383
ZONING:	MR-1, PAD
UNIT MIX:	BUILDING #1-4 38 UNITS 3-STORY 1-BED: 9 2-BED: 21 TOTAL: 4-BED: 16, 3-BED: 16, 2-BED: 84, 1-BED: 36 = 152 UNITS
PARKING REQUIRED/ PROVIDED:	1.5 SPACES PER 1 & 2 BED UNIT 120 X 1.5 = 180 SPACES REQUIRED 2.0 SPACES PER 3+ BED UNIT 32 X 2.0 = 64 SPACES REQUIRED 1 PER 10 UNITS GUEST PARKING = 16 SPACES REQUIRED TOTAL SPACES REQUIRED = 180 + 64 + 16 = 260 TOTAL SPACE PROVIDED = 287 TYPICAL STANDARD PARKING STALL 20'-0" X 10'-0" TYPICAL ADA PARKING STALL 20'-0" X 11'-0" W/ 5' ISLE 5 ADA STALLS PER 51-75 SPACES, 1 ADA STALL FOR EACH 25 SPACE THEREAFTER. (INCLUDED IN COUNT)



FOR
REVIEW
NOT FOR
CONSTRUCTION

MRL CONSULTING, LLC

P.O. BOX 642
CHINO VALLEY, AZ 86323

928.925.7543
MICHAELLOPEZ.PE@GMAIL.COM

REVISIONS

REV DATE

PLANNED AREA DEVELOPMENT

BROOK APARTMENTS
PR17-000024
APN: 306-23-024C

DATE: 7/25/2019

DRAWN BY: DBS

CHECKED BY: MRL

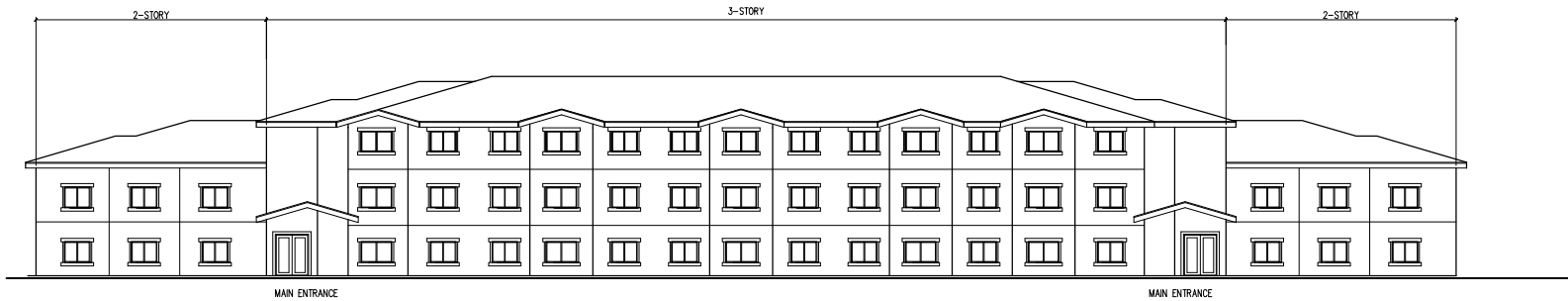
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SHEET

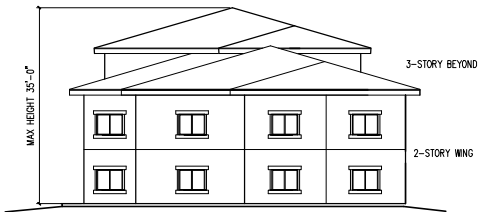
1

1 OF 2

EXTERIOR TRIM SPECIFICATIONS	ROOF FINISH SPECIFICATIONS	SHEET METAL SPECIFICATIONS	EXTERIOR PAINT SPECIFICATIONS																
TRIM LIST Drip Edge - PRE-PAINTED METAL, COLOR BY OWNER WOOD FASDA - 1X10 HARDIE BOARD FASDA PAINTED OVER 2X8 SUB-FASDA OVERHANGS - PRE-PRIMED HARDIE PLANK, CAULK ALL JOINTS. TYP. EXTERIOR CEILING NOTE - STUCCO OVER FELT-BACKED WIRE LATH ON 1x3 Furring @ 16" O.C. PERPENDICULAR TO TRUSSES, CONTROL & EXPANSION JOINTS TO CODE, DETAILS SHEET A/10.1 WINDOW & DOOR POPOUTS & HORIZONTAL BANDS - SAND FINISH STUCCO MAIN BODY - STUCCO/ SAND FINISH	ROOF SHINGLES 1800-APPROVED ARCHITECTURAL SHINGLES OVER FELT (AS PER MFR'S SPECS.) ON 5/8" CDX. SHINGLES TO BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS. COLOR TO BE SELECTED BY OWNER. PROVIDE STEP FLASHING AT ROOF TO WALL INTERFACES AS PER SHINGLE MFR SPECIFICATIONS &/OR BUILDING CODE. UNDERLAY - AS PER MANUFACTURER'S SPECIFICATIONS FROST SHIELD - INSTALL AT ALL EYES, SEE DETAIL SHEET A2.2	NOTE: PAINT APPLICATION: APPLY PRIME COAT, FILL NAIL HOLES AND SAND, APPLY CAULKING & 1 FINISH COAT. ALL PAINT TO BE ACRYLIC LATEX, UNLESS NOTED OTHERWISE. UNFINISHED METALS - 1 COAT RUST INHIBITIVE PRIMER OR UNPRIMED STEEL OR 1 COAT GALVANIZED METAL PRIMER ON GALVANIZED SURFACES. APPLY 2 FINISH COATS OF HOUSE PAINT TO ALL FINISHED EXTERIOR METALS. FACTORY PRIME METAL 2 COATS ALKID ENAMEL. GALVANIZED METAL SURFACES TO BE CLEANED FREE OF OILY MATERIALS AND DERRIS PRIOR TO PRIMING AND PAINTING.	PAINT SPECIFICATIONS <table><thead><tr><th>USE</th><th>MANUFACTURER</th><th>COLOR</th><th>APPLICATION</th></tr></thead><tbody><tr><td>STUCCO</td><td>SHERWIN-WILLIAMS, OR DUNN EDWARDS</td><td>BY ARCHITECT</td><td>1 - PRIME COAT, 1 - FINISH COAT (FLAT)</td></tr><tr><td>TRIM</td><td>SHERWIN-WILLIAMS, OR DUNN EDWARDS</td><td>BY ARCHITECT</td><td>1 - PRIME COAT, 1 - FINISH COAT (FLAT)</td></tr><tr><td>DOORS</td><td>SHERWIN-WILLIAMS, OR DUNN EDWARDS</td><td>BY ARCHITECT</td><td>1 - PRIME COAT, 1 - FINISH COAT (SEMI-GLOSS) IF PRE-PRIMED, 1 - FINISH COAT ONLY</td></tr></tbody></table> NOTE: PAINT APPLICATION: APPLY PRIME COAT, FILL NAIL HOLES AND SAND, APPLY CAULKING AND 1 FINISH COAT. ALL PAINT TO BE ACRYLIC LATEX. NOTE: PRE-PRIMED MATERIAL TO HAVE 2 FINISH COATS.	USE	MANUFACTURER	COLOR	APPLICATION	STUCCO	SHERWIN-WILLIAMS, OR DUNN EDWARDS	BY ARCHITECT	1 - PRIME COAT, 1 - FINISH COAT (FLAT)	TRIM	SHERWIN-WILLIAMS, OR DUNN EDWARDS	BY ARCHITECT	1 - PRIME COAT, 1 - FINISH COAT (FLAT)	DOORS	SHERWIN-WILLIAMS, OR DUNN EDWARDS	BY ARCHITECT	1 - PRIME COAT, 1 - FINISH COAT (SEMI-GLOSS) IF PRE-PRIMED, 1 - FINISH COAT ONLY
USE	MANUFACTURER	COLOR	APPLICATION																
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TRIM	SHERWIN-WILLIAMS, OR DUNN EDWARDS	BY ARCHITECT	1 - PRIME COAT, 1 - FINISH COAT (FLAT)																
DOORS	SHERWIN-WILLIAMS, OR DUNN EDWARDS	BY ARCHITECT	1 - PRIME COAT, 1 - FINISH COAT (SEMI-GLOSS) IF PRE-PRIMED, 1 - FINISH COAT ONLY																
EXTERIOR FINISH SPECIFICATIONS	EXTERIOR CAULKING & SEALANT SPECS.																		
STUCCO SYSTEM: WESTERN ONE-COAT CEMENT STUCCO CONTROL JOINTS AS SHOWN ON TYPICAL EXTERIOR ELEVATIONS	1. APPLY CAULKING AROUND ALL WINDOWS, DOORS & OTHER FRAMED OPENINGS. CAULK @ ALL EXTERIOR WOOD TRIM JOINTS & SEAMS. 2. EXTERIOR SEALANT TO BE TREMCO OR EQUAL. 3. PROVIDE SEALANT BACKER ROD OF COMPRESSIBLE ROD STOCK POLYETHYLENE FOAM AS REQUIRED.																		



FRONT EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"



SIDE EXTERIOR ELEVATION
SCALE: 1/16" = 1'-0"

FERGIS AND ASSOCIATES, INC.
4332 E LUDLOW DR.
PHOENIX, AZ 85032
(602) 279-1633 FAX (602) 264-2383

BROOK APARTMENTS
PRL7-000024
APN: 306-23-024C

COPYRIGHT 2018
REVISIONS:

TITLE: EXTERIOR ELEVATION
PROJECT:
DATE: JUNE 26, 2019
SHEET:

Plant Schedule

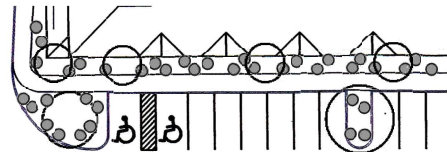
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE
Shade Trees – Total Quantity = 58 Mixed Sizes 15 Gallon (25%) 24" Box (75%)				
	Acer x fremonii	Autumn Blaze Maple	15	Gal & 24" Box
	Fraxinus angustifolia 'Raywood'	Raywood Ash	15	Gal & 24" Box
	Fraxinus velutina	Arizona Ash	15	Gal & 24" Box
	Pistacia chinensis	Chinese Pistache	15	Gal & 24" Box
	Salix matsudana 'Navajo'	Navajo Willow	15	Gal & 24" Box
Flowering Trees – Total Quantity = 46 20 Gallon (minimum size)				
	Cercis reniformis 'Oklahoma'	Oklahoma Redbud	15	Gallon
	Chilopsis linearis 'Burgundy'	Burgundy Desert Willow	15	Gallon
	Chitalpa x tashkentensis 'Pink Dawn'	Pink Dawn Chitalpa	15	Gallon
	Prunus cerasifera 'Krauter Vesuvius'	Purpleleaf Plum	15	Gallon
	Pyrus calleryana 'Chanticleer'	Flowering Pear	15	Gallon
Large Evergreen Trees – Total Quantity = 78 24" Box or 20 Gallon along West and South Property Lines				
	Cedrus deodara	Deodar Cedar	24"	Box
	Cupressus arizonica 'Blue Ice'	Arizona Cypress	24"	Box
	Pinus nigra 'Oregon Green'	Oregon Green Pine	24"	Box
Small and Mid-Size Evergreen Trees – Total Qty = 51 Mixed Sizes 15 Gallon (25%) 24" Box (75%)				
	Juniperus chinensis 'Spartan'	Spartan Juniper	15	Gal & 24" Box
	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper	15	Gal & 24" Box
Shrubs / Grasses / Accents – Total Qty = 740+ 5 Gallon (minimum size)				
	Buddelia davidii	Butterfly Bush	5	Gallon
	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	5	Gallon
	Cotoneaster parneyi	Parney's Cotoneaster	5	Gallon
	Hesperloe parviflora	Red Yucca	5	Gallon
	Juniperus chinensis pfitzeriana 'Sea Green'	Sea Green Juniper	5	Gallon
	Muhlenbergii capillaris 'Regal Mist'	Regal Mist	5	Gallon
	Nandina domestica	Heavenly Bamboo	5	Gallon
	Perovskia atriplicifolia 'Blue Spires'	Russian Sage	5	Gallon
	Photinia fraseri	Red Tip Photinia	5	Gallon
	Potentilla fruticosa	Potentilla	5	Gallon
	Raphiolepis indica	Indian Hawthorn	5	Gallon

Note: All disturbed areas to be covered with 3/4" decorative stone 2" minimum depth on 3,5 ounce spun landscape fabric. Root leaders to be lined with 2" wide 50/50 mixture of 1'-3" and 3'-6" Salt River Rock on 3,5 ounce spun landscape fabric.

Landscape Requirements

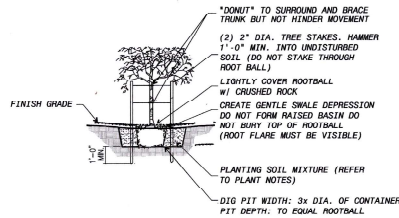
(As per Section 4.26 of the Town of Chino Valley Unified Development Code)

QUANTITY REQUIREMENTS AS PER UDD	REQUIRED QUANTITIES	ACTUAL QUANTITIES PROVIDED ON LANDSCAPE PLAN
1 Tree per 20 Linear Ft. of Landscape Buffer (Landscape Buffer = 2278.7 LF)	114	233
4 Shrubs per 400 Sq. Ft. of Landscape Buffer (Landscape Buffer = 2278.7 LF x 20' Wide = 45,574 SF)	114	740+
SIZE REQUIREMENTS	ACTUAL SIZES PROVIDED ON LANDSCAPE PLAN	
Trees 75% = 15 Gallon 25% = 24" Box or Larger	Trees 25% = 15 Gallon 75% = 24" Box and 20 Gallon	
Shrubs 5 Gallon or Larger	Shrubs 100% = 5 Gallon	

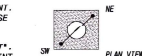


1 Typical Foundation & Island Planting

1"=20'

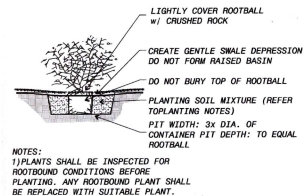


NOTES:
1) PLANTS SHALL BE INSPECTED FOR ROOTBOUND CONDITIONS BEFORE PLANTING. ANY ROOTBOUND PLANT SHALL BE REPLACED WITH SUIABLE PLANT.
2) TREE STAKES TO BE PLACED ON THE NW AND SE SIDES OF PLANTS DUE TO WIND PATTERNS.
3) TREE STAKES W/ DUAL STRAND #10 GALVANIZED WIRE THROUGH RUBBER HOSE "DONUT". TIE ABOVE FIRST SCAFFOLD BRANCH AT MID-POINT.



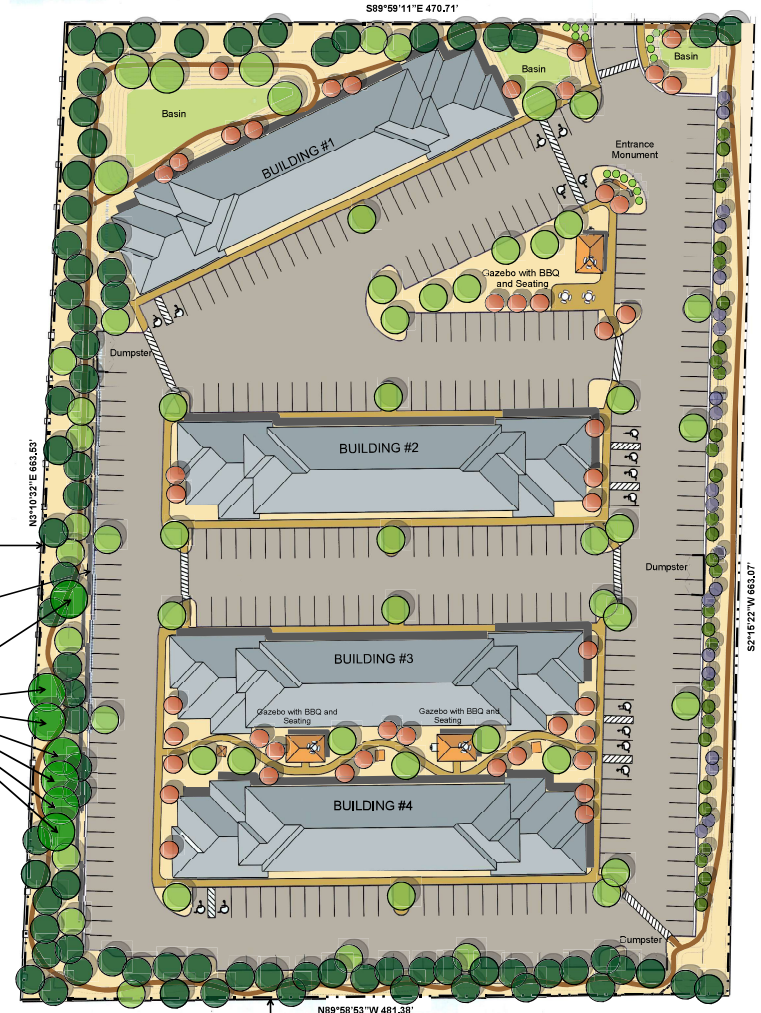
2 Tree Planting

NTS



3 Shrub Planting

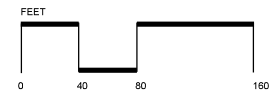
NTS



VICINITY MAP

Preliminary Landscape Plan

1" = 40'



Peter Bourgois, LEED AP
Landscape Architect
AZ #94530
2015 Rocky Della Drive
Prescott, AZ 86303
Tel: 928-713-6068

PAD Application

July 29, 2019

Revision Schedule

No.	Description	Date

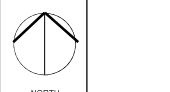
Brook Apartments

Chino Valley, AZ
APN 306-23-024C

OWNER

Brook Assisted Living, LLC
1620 Willow Creek Road
Prescott, AZ 86301

Preliminary Landscape Plan



NORTH



PROJECT#

DRAWN

PDB

CHECKED

DATE

07-29-2019

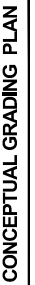
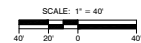
1210

MRL CONSULTING, LLC
P.O. BOX 642
CHINO VALLEY, AZ 86323
928.925.7543
MICHAEL.LOPEZ.PE@GMAIL.COM



LEGEND

- | EXISTING | | PROPOSED | |
|-----------------|------------------|-----------------|------------------|
| (00.00)
EG | EXISTING GROUND | (00.00)
FG | FINISH GRADE |
| (00.00)
EP | EDGE OF PAVEMENT | (00.00)
EP | EDGE OF PAVEMENT |
| | | (00.00)
FL | FLOW LINE |
| | | (00.00)
TF | TOP OF FOOTER |
| | | (00.00)
TW | TOP OF WALL |
| | | (00.75)
HP | HIGH POINT |
| | | (00.00)
LP | LOW POINT |



DATE:	7/25/2019
DRAWN BY:	DBS
CHECKED BY:	MRL
SCALE:	1" = 40'

ROOK APARTMENTS
PR17-000024
APN: 306-23-024C

2

2 OF 2







COLOR KEY
BROOK APARTMENTS



DUNN EDWARDS
DE6075 WOOD LAKE
MAIN STUCCO



DUNN EDWARDS
DE6049 CHAPS
ACCENT COLOR 1



DUNN EDWARDS
DEA156 CHERRY COLA
ACCENT COLOR 2



**TOWN OF CHINO VALLEY
LEGAL PROTEST PETITION**



This petition document should be used to submit a valid legal protest to the Town of Chino Valley. If executed by the owners of record of and of the following: 1) Twenty percent (20%) or more of any real property proposed to be rezoned, or 2) by the owners of record of twenty percent (20%) or more of the total real property within 150 feet of the proposed amendment. Validated legal protest petitions within the zoning area require an affirmative vote of three-quarters (¾) vote (supermajority) of the Mayor and Council to approve the rezoning ordinance. Three-quarter (supermajority) affirmative vote of the Mayor and Council is equal to 5 of 7 council members (calculated rounding the nearest whole number).

A protest form can be submitted as a group or separately for each property whose owners are protesting the zoning case. In order to be considered, this form must be signed and filed with the Town Clerk at least three (3) business days prior to the date of the public hearing at which the zoning case will be heard by the Council. (for example, if the council public hearing is scheduled for Tuesday evening, then the petition must be submitted by 6:00pm on the prior Tuesday). If mailed, this protest form must be RECEIVED by the Town Clerk before the filing deadline. If ownership of the protestor's property is different from that shown on the certified ownership list submitted by the applicant, it is the responsibility of the protestor to provide proof of ownership.

In completing this form, please:

- 1) Enter the information about the property against which the protest is made. This information can be found in the notice which you received on this case from the Town of Chino Valley.
- 2) Enter a complete address or a full legal description by lot, block, and addition (or by metes and bounds description) of your property.
- 3) Enter your full name as owner of the property. If you are not the listed owner, but have legal authority to represent the owner or the property, please describe that authority. Note: If the Property is owned by a corporation, the protest must be signed by the president, a vice-president, or an attorney in fact authorized to sign on behalf of the corporation. If the Property is owned by a general or limited partnership, the protest must be signed by a general partner or by an attorney in fact authorized to sign the protest on behalf of the partnership.

Please return the legal protest petition form to the following:

Jami Lewis, Town Clerk
Chino Valley Town Hall
202 South State Route 89, AZ 86323
Fax: 214 509-4118
Email: jlewis@chinoaz.net

If you have any questions or need additional information about completing this form, please call the Town of Chino Valley at 928-636-2646.

Additional statements of acknowledgement may be attached as necessary
TOWN OF CHINO VALLEY - ZONING LEGAL PROTEST PETITION

This protest is made pursuant to ARS Section 9-462.04, Arizona Revised Statutes

Zoning Case Being Protested

Zoning Case # 219-008 a change from MR-1 to MR-1 PAD
 (found in mail or newspaper notice)

General location of zoning case APN: 306-23-024C

Protestor's Name and Property Address/APN

Owner #1 Scott L, Mary A 306-23-112
529 GROVE LN
 Print Name Turner Address/APN _____ % of protest met
 _____ (Staff Only)
Mary A. Turner
 Signature Scott L Date 8-27-19

Owner #2 _____
 Print Name _____ Address/APN _____ % of protest met
 _____ (Staff Only)
 Signature _____ Date _____

Owner #3 _____
 Print Name _____ Address/APN _____ % of protest met
 _____ (Staff Only)
 Signature _____ Date _____

Owner #4 _____
 Print Name _____ Address/APN _____ % of protest met
 _____ (Staff Only)
 Signature _____ Date _____

If name of protestor signing petition is not the same as the owner of the property listed above, please indicate number of owner and describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

(If there are additional protesters who are signing petition reprint this page and attach to document)

Zoning Case Being Protested

Zoning Case # 219-008 a change from MR-1 to MR-1PAD
 (found in mail or newspaper notice)

General location of zoning case APN - 306-23-024C

Protestor's Name and Property Address/APN

Owner #1	<u>ROBERT PHILIPS</u>	<u>306-23-113</u> <u>531 GROVE LN</u>	
	Print Name	Address/APN	% of protest met (Staff Only)

Signature [Signature] Date 8-28-19

Owner #2	_____	_____	_____
	Print Name	Address/APN	% of protest met (Staff Only)

Signature _____ Date _____

Owner #3	_____	_____	_____
	Print Name	Address/APN	% of protest met (Staff Only)

Signature _____ Date _____

Owner #4	_____	_____	_____
	Print Name	Address/APN	% of protest met (Staff Only)

Signature _____ Date _____

If name of protestor signing petition is not the same as the owner of the property listed above, please indicate number of owner and describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

(If there are additional protesters who are signing petition reprint this page and attach to document)

Zoning Case Being Protested

Zoning Case # Z19-008 a change from MR-1 to MR-1 PAD
 (found in mail or newspaper notice)

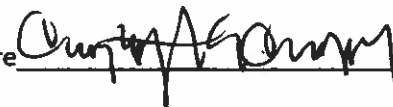
General location of zoning case APN: 306-23-024C

Protestor's Name and Property Address/APN

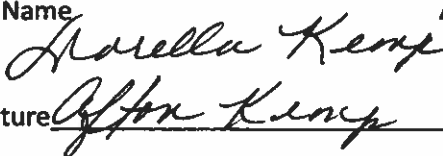
Owner #1 FOLEY, CHRISTINE A. 306-23-024B _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature  Date 8-28-2019

Owner #2 CLEVENGER, CHRIS G. 306-23-114 _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature  Date 9-9-2019

Owner #3 KEMP, AFTON & DIRELLA K 306-23-023E _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature  Date 9-9-2019

Owner #4 _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature _____ Date _____

If name of protestor signing petition is not the same as the owner of the property listed above, please indicate number of owner and describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

(If there are additional protesters who are signing petition reprint this page and attach to document)

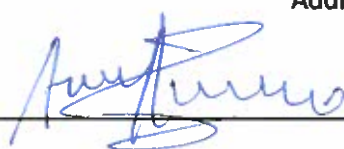
Zoning Case Being Protested

Zoning Case # Z19-008 a change from MR.1 to MR.1 PAD
 (found in mail or newspaper notice)

General location of zoning case APN: 306-23-024C

Protestor's Name and Property Address/APN

Owner #1 AUGUSTINE F. AWORAWA 528 GROVE LN.
306-23-115
 Print Name Address/APN % of protest met
 (Staff Only)

Signature  Date 08/31/2019

Owner #2 ELIZABETH JABAN AWORAWA 528 GROVE LN.
306-23-115
 Print Name Address/APN % of protest met
 (Staff Only)

Signature  Date 8/31/2019

Owner #3 _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature _____ Date _____

Owner #4 _____
 Print Name Address/APN % of protest met
 (Staff Only)

Signature _____ Date _____

If name of protestor signing petition is not the same as the owner of the property listed above, please indicate number of owner and describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

(If there are additional protesters who are signing petition reprint this page and attach to document)

SAME
PROPERTY



Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

September 26, 2019

RE: Larry Holt Letter to P&Z Commissioners

Dear Commissioners,

Staff believes that it is important to clarify the misinformation Mr. Holt continues to espouse and subsequently provided to staff, council, and commissioners, in his letter dated August 29, 2019, as part of his disapproval of the Brook Apartments project.

Mr. Holt discusses the potential for an additional 334 vehicles driving on our local streets. He states that the national average of autos per U.S. household is 2.2. Although this might be true, (this is debatable as no information has been provided showing where this information came from) there are several factors to consider. This is a multi-family project and not a single-family residential subdivision, and the project is located in a rural area. Taking into account these factors, the project has the potential to be lower than the national average. It is staff's understanding that this "national average" may actually be for single family development or a general number associated with ALL residential development. If this is the case the number is inaccurate.

Mr. Holt also states that the current plans do not have enough parking spaces for 334 vehicles. Staff again disagrees with this assessment. Section 4.22 of the UDO (Unified Development Ordinance) requires one and two bedroom units to provide 1 parking space and requires two+ bedroom units to provide 1.5 parking spaces. In addition, the zoning regulations require apartment developments with 5 or more units to provide 1 space per 10 dwelling units. The project is proposing 36 one (1) bedroom units, 84 two (2) bedroom units, 16 three (3) bedroom units and 16 four (4) bedroom units. Based on the UDO parking regulations the developer is required to provide 184 parking spaces including the guest parking. In reality, the developer will be providing 287 parking spaces, 103 more spaces than required by our development standards.

Another claim he makes appears to be trying to capitalize on the current state of many of the roads within the community, where he states that the presumed additional 334 vehicles on our roads will destroy our local roads. The additional traffic will have an impact on the pavement, but that is true for any type of development that increases traffic, even single family homes.

Mr. Holt states that it is his experience that higher density in rural areas create high crime trends and an increase of traffic violations/accidents. This argument is debatable, crime can also be prevented through environmental design as far as natural surveillance (landscape design, lighting design, building arrangement), access control (point of entry, fencing/screening) and natural territorial reinforcement (placement of amenities, activities in common areas). It is natural to assume as traffic numbers increase, the raw number of accidents and violations may rise, but the rates do not necessarily increase. It is part of the review process to analyze the impacts of additional traffic on the existing network.

Mr. Holt makes mention in paragraph four, that the multi-level complex will require a modern structure fire apparatus such as a snorkel or ladder truck and that neither of these is in service in our town. This



Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

statement is false. CAFMA (Central Arizona Fire & Medical Authority) has at least two snorkel/ladder apparatus and has enough resources to serve any building in the area beyond 35 feet in height up to 150-feet.

Mr. Holt also brings up the issue of water usage and uses some strange method to try and say that the town does not have the resources to serve the resulting apartment complex. This is not true. While it's interesting that someone would try to say that people flush the toilet on average four times a day (not sure this is provable or anywhere near accurate) this does not reflect any accurate level of water usage per day/month/year.

The Town uses a baseline of 100 gallons per person per day as a measure for how much water a development will use. This is roughly equivalent to between 6,000 and 8,000 gallons used each month by a household of 2.68 persons (US Census Average Household Size). Using US Census data to calculate the anticipated population increase of Brook Apartments, Staff anticipates approximately 407 people. Apartment or multifamily developments usually use less water per unit as they do not need to irrigate landscaping.

As far as the Town is concerned though, we have enough water resources to serve the apartment complex. Specifically, the Town currently provides on average between 200,000 and 600,000 gallons per day for our entire system. The Town is actually allowed by ADEQ to provide 3.5 million gallons per day. In fact, we have several wells that could allow, if needed, a water draw of more than 4 million gallons per day. Some wells the Town controls are not connected to the system, but could be if the need arose.

Aside from this, it should be noted that as this is not a subdivision the project does not need a legal certificate of assured water. They are covered by the Town's service area. They will however need to complete a water design plan. Exact demand will be determined during technical review, but design requirements are 100 gallons per capita per day plus fire protection. Domestic usage is anticipated to be between 40,000 and 50,000 gallons per day, depending on how occupancy is calculated.

Sincerely,

Joshua Cook, AICP
Development Services Director

Larry and Joann Holt

525 Homestead Mesa Dr.
Chino Valley, AZ 86323

August 29, 2019

Josh Cook, Director
Developmental Services
Town of Chino Valley, AZ 86323

RE: Brooks Apartments Z19-008

Dear Sir, ~~A-Z,~~

I find myself both angry and dismayed that this letter must be written. Last year the neighborhood surrounding this development was extremely delighted when the council unanimously voted against a PAD request for this property. Yet here we stand again. Although the developer has decreased the amount of units, he has added additional three and four bedroom units which increases the population. If allowed to go forward this project would create the highest population density in the entire town, on just under 7 acres!

This project will have a significant impact on the West Road Two North neighborhoods as well as surrounding areas. The national average of autos per U.S. household is 2.2, multiplied by 152 apartments that equates to 334 more than the current plans have identified parking spaces. Where will these cars be parked when all the spaces are taken? The surrounding streets are used by children to go to and from schools, adults taking casual walks, equestrians riding alongside the streets and bicyclists. Over three hundred additional cars will make the entire area from Perkinsville Road to Center Street unsafe. As a retired Chief of Police, I know a bit about traffic congestion and related issues. I also know that three hundred plus vehicles will destroy our local roads.

My last years prior to moving to Chino Valley were spent in a small town on the central coast of California. It was a rural town with a mix of agriculture and housing with some light manufacturing (sound familiar?). The town properties were a mixture of single family homes on large lots and apartments. My experience and training have provided me with a unique insight into crime trends when mixing high density housing in a rural setting. In short, it is a recipe for disaster. One can safely predict two outcomes, higher crime rates and increased traffic violations/accidents.

Further, this project will have a profound impact on the town's infrastructure. A multi-level complex (three stories) will require a modern structure fire apparatus such as a snorkel or ladder truck. Neither of these is in service in our town. The simple argument that the units will have fire sprinklers is invalid. Sprinklers are for containing the fire no extinguishing it. Any time you have a large structure fire, the first act to extinguish it is to vent the heat. This is accomplished by opening the roof. How will this be accomplished with existing resources? Maybe the plans meet the fire code, but they don't address the what if question.

Larry and Joann Holt

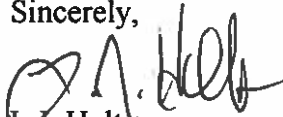
525 Homestead Mesa Dr.
Chino Valley, AZ 86323

The plans also do not address safe egress from the property in the event of a major catastrophic event. One narrow road in, while all the residents are fleeing, how will first responders access the property? Further concerns include water, stop and think 1.5 gallons per flush, average population of approximately 500 residents, using the bathroom about four times a day (conservative estimate), equates to over 3000 gallons a day (not including any other water use), or 1,095,000 gallons a year.

Last year, the council agreed unanimously that this was a bad plan, it remains a bad plan. It is in direct conflict with exiting zoning (surpassing established zoning limits by 50%+). It is a horrible location and conflicts with existing home properties while violating home owner's privacy. The project was opposed by Planning and Zoning as well last year. Nothing has changed except the number of units (remember the number of occupants has not decreased).

Finally, all of the existing home owners in the immediate vicinity oppose this project. And that speaks volumes. Planning and Zoning should oppose this project in it's entirety.

Sincerely,



L.J. Holt

C: P&Z Commission

Town Council Members



TOWN OF CHINO VALLEY TOWN COUNCIL

Staff Report October 22, 2019

APPLICATION SUMMARY

File Number: Z19-000008

Assessor's Parcel Number: 306-23-024C

Site Location: Located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North with APN: 306-23-024C.

Owners of Record: Brook Assisted Living LLC

Applicant: Chris Fergis

Request: Request to rezone approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay and its associated development plan. The project proposes 152 units in four (4) 2- to 3-story stepped structures.

SITE DATA

Existing Zoning	MR-1 (Multiple Family Residential - 1 acre Minimum)
Lot Size	6.85 acres (296,208 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 ac or less) and Potential Community Cores
Existing Land Use	Vacant

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5, CL	Potential Community Core and Medium Density Residential (2 ac or less)	Single Family Residence, Heritage Place
East	CL/ AR-5	Potential Community Core and Commercial/ Multi- Family Residential	Vacant
South	SR-1	Medium Density Residential (2 ac or less)	Chino Grove Subdivision
West	SR-1, AR-5, CL	Medium Density Residential (2 ac or less)	Single Family Residence, Vacant

BACKGROUND

SITE DESCRIPTION

The subject property does not front on Road 2 North. It is located approximately 1,400 feet west of State Route 89 and 620 feet south of West Road 2 North. Access to the 6.85-acre site is via Hawks Nest Trail, a future roadway platted by the Heritage Place commercial subdivision. This proposed roadway will extend south from West Road 2 North and will terminate at the north boundary of the subject property. Hawks Nest Trail was dedicated to the Town of Chino Valley in November of 2007 as part of the plat approval for Heritage Place subdivision. However, it has not improved by the property owner.

The site has a zoning classification of MR-1 (Multi-Family Residential - 1 acre Minimum) and is located in the Major Community Core/ Downtown Core of the Town of Chino Valley's General Plan Potential Land Use Map. The site is currently vacant. **(See Attachment 1: Vicinity Map)**

The area is predominantly medium/low density single-family residential development with commercial properties to the north. The properties to the north are zoned AR-5 (Agricultural Residential - 5 Acre Minimum) and CL (Commercial Light) with a single-family residence and Heritage Place Subdivision. The property to the east is zoned CL/AR-5 (Commercial Light/ Agricultural Residential- 5 Acre Minimum), with vacant land. The southern properties are zoned SR-1, with Chino Grove Subdivision. Properties to the west are zoned SR-1 (Single Family Residential – 1-Acre Minimum, AR-5 (Agricultural Residential- 5 Acre Minimum) and CL (Commercial Light) with single-family residence and vacant land. **(See Attachment 2: Zoning Map)**

PROJECT HISTORY

On August 10, 2006, through Ordinance 06-668, Council approved the applicant's request to rezone the property, which at the time was identified with APN: 306-24-024A, from AR-5 (Agricultural Residential - 5 Acre Minimum) zoning district to MR-1 (Multi-Family Residential - 1 Acre Minimum) zoning district and SR-2 (Single Family Residential - 2 Acre Minimum) zoning district. Subsequently in November 22, 2006, the property subdivided to separate the blended zoning on the property and APN: 306-23-024C became APN: 306-23-024B and APN 306-23-024C, respectively.

In late 2017, Staff received an application requesting to rezone the property from MR-1 (Multi-Family Residential - 1 acre Minimum) to MR-1 PAD (Multi-Family Residential - 1 acre Minimum) with a Planned

Area Development Overlay and its associated development plan. The intent of the PAD overlay was to increase the allowed density from approximately 99 units to 192 units. No other deviations to the code were proposed. On July 3, 2017, staff recommended approval, while the Planning and Zoning Commission forwarded a recommendation of denial to the Town Council for the applicant's request. The applicant subsequently withdrew the application prior to any council action.

PROJECT DESCRIPTION

The applicant is requesting to rezone approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay and its associated development plan. The project is proposing 152 units in four (4) structures. Each building is comprised of 38 units in 2 to 3 story stepped structures. The unit mix includes 30 one-, two-bedrooms units as well as eight (8) three-, and four-bedroom units.

The structures are centered on the property, ringed by both the required parking and landscaped greenbelt to serve to further seclude the project from adjoining properties. There is also a proposed active open space perimeter include a meandering multi-use path that connects to a series of Vida-station exercise stations located between buildings 3 and 4; gazebos with barbeque pits and seating serve as onsite amenities that will be provided for residents and guests. **(See attachment 4: Site Plan)**

The permitted density in the MR-1 zoning district is 1 dwelling unit per 3,000 square feet of lot area, or 14.5 units per acre. Currently the 6.85 acres would allow for 99.3 units. The project proposes 152 units, or 22 units per acre, an increase of 7.5 units per acre. With relief from the density allowed by the zoning regulations, the request will be offset by increased setbacks, increased landscaping, parking turned away from the southern property boundary. The developer is exceeding all of the zoning development standards.

Setbacks

The minimum front yard setback is 20' from the property line. While the northeast corner of Building 1 meets this regulation, the angle of the building is such that the northwest corner of the building is separated from the property line by 115', for an average setback of 67.5', just over 3 times the requirement for the zoning district.

The side setbacks also greatly exceed the requirement set forth in Section 3.13 of the UDO. Building 1 is 44.5' away from the property line at its closest point, which is nearly 4 ½ times the minimum 10' required. Buildings 2, 3, and 4 are set back from 92' to 98' from the west property line – far in excess of the minimum requirement. The east setbacks vary from 168' for Building 1 to greater than 100' for the remaining three (3) buildings. To further seclude the project from the single family residences to the south, an 84' setback has been employed; it exceeds the minimum required separation by nearly 4.5 times the required distance.

Parking

Per Section 4.22.5 of the UDO, 244 stalls are required to meet the needs of the tenants, based on the current per-unit bedroom mix. An additional 16 stalls are needed to accommodate guest parking, for a total of 260 parking stalls. The project provides an additional 27 stalls for a total of 287 parking stalls, exceeding the requirement set forth in the UDO by 10%.

Landscaping

The developer is also proposing to double the landscaping required by Section 4.26 of the UDO, both in number and variety, by installing over 950 different plantings in 26 varieties of trees, shrubs and other

vegetation. All disturbed areas will be rocked with 3/4" decorative material over landscaping cloth, to a depth of 2".

With respect to trees, the UDO calls for one (1) tree for each 20 lineal feet to be planted for a landscape buffer. In this instance, 144 trees would be required – with no requirement for variation in species. This project provides nearly twice that amount – 233 trees of four (4) different varieties- in addition to the preserved existing trees.

Similarly, the project far exceeds the number of shrubs and other required plantings. Section 4.26 requires four (4) shrubs in each 400 square feet of landscape buffer area, with no requirement for different species. For this project, 114 shrubs would be required. The Landscaping Plan would provide over 740 different plantings – more than five (5) times the number required. In addition, 24 different varieties of vegetation are included to enhance the visual appearance of the project. **(See attached 5: Landscaping Plan)**

Additional Comments

Besides landscaping requirements, the Unified Development Ordinance does not require any other features as buffers between Multi-Family residential projects and single-family residential areas. However, to provide additional privacy for the tenants and existing residents alike, the developer is proposing to provide privacy and visual separation from adjacent single-family uses. The developer has proposed a 6' CMU (Concrete Masonry Units) block wall on the south property line, and a 6' chain link fence with 16"x16" block pilasters every 40' along the west property line. Both proposed fences meet adopted zoning regulations.

The proposed buildings vary in height with the centers at three (3) stories, stepping down to two (2) stories at each end. This provides architectural interest and visual privacy for tenants and surrounding properties alike. **(See attachment 6: Building Elevations)**

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300-foot radius, resulting in seventeen (17) notices for public notification. The neighborhood meeting was held at the recreational center on August 26, 2019. Approximately twenty-one (21) people attendance the meeting.

Residence inquired about the design of the buildings. The applicant responded that the buildings will not have any balconies and all stairwells and corridors would be enclosed providing a quieter environment. Residents asked if dogs would be allowed and if there would be a limit on the amount of pet per unit. The applicant responded that dogs would be allowed and that there would not be a limit of animals at this point, he noted that the property management would establish those regulations.

Some of the residents mentioned that the project previously received a lot of opposition from adjoining neighbors and wanted to know why the applicant was asking for a higher density. The applicant stated that by requesting a higher density they were also doubling the amount of landscaping required, locating the building as far as possible for the property lines and locating a block wall and a chain link fence. Residents also inquired about the amount of 3-bedroom and 4-bedroom units. The applicant responded that there would be sixteen 3-bedroom units and sixteen 4-bedroom units available between the four buildings.

PLANNING AND ZONING COMMISSION

The item went before the Planning and Zoning Commission on October 2, 2019. Staff gave a brief presentation regarding the multi-family project. Staff discussed the PAD Overlay and the proposed modifications the developer was asking from the MR-1 development standards. Staff also discussed what the project was providing in exchange for the modified development standards.

The Commission stated that a children's play area and dog park had been addressed at a previous meeting and neither had been addressed. Staff explained the inclusion of a tot lot was a major liability for developers and staff discouraged the inclusion because of the liability risk. Staff explained the trail and basin area could be used for walking dogs. Staff also clarified the statement that the developer was exceeding the development standards meant that the developer was going above and beyond what was required by the code.

During the public comment portion of the meeting, a resident raised issue with the increase in density the developer was proposing, stating that the two- and three-story buildings were not compatible with the single family residences. Another resident stated that the developer had not improved the site plan from the previous plan. She stated that the plan was denser based on the number of bedrooms. Other residents raised the issue of the increase of traffic, lack of secondary access, decrease of property value and potential for crime in the area.

The Chair asked staff about high crime, drug users and people that rented. Staff explained that they had done research on crime in the community using the website crimemapping.com. Staff informed the Commission that in the last six months there had been numerous crimes committed in the Town, with the majority of which occurring on the east side of SR89 and none of which occurred at apartments in Town. Further stating that the most of the crimes were committed in mobile home and RV parks or in subdivisions.

When asked about utilities, staff indicated that water and sewer were not currently to the project location. As part of the project, the developer would be extending the utilities down Road 2 North, which would allow for future connections for commercial, multi-family and residential properties.

Staff explained that the decrease in property value was subjective and the issue would depend on the project itself and whether the developer maintained the property. Staff indicated that there were high end apartments that maintained property values and then there were single family properties that didn't maintain and brought down the property values of adjacent homes.

Vote for recommendation of denial: 4-3 passed

Those Commissioners who voted in favor of the motion contrary to staff's position provided the following findings of fact:

Commissioner Switzer recommended denial of the application because it did not conform to the current UDO purpose statement. He believed the current density was improper for the MR-1 zone and that it did not meet the target two strategy of protecting existing residences in large lot neighborhoods. He also believed that even though it met the requirements for fire protection, the fact that there was not a ladder unit in the Town could be a potential disaster.

Commissioner Meadors agreed with Commissioner Switzer and stated that she was concerned about the impact on traffic and if there were a traffic accident on Road 2, there would not be any egress available to the complex. She was concerned about sprinkler systems in three story buildings with interior ingress

to the apartments and people trampling others to get to stairwells. She had concerns about the increased traffic on Road 2 with children going up and down the street to the school and the lack of no adequate facilities for children to play in.

Vice Chair Armstrong concurred with the other two Commission Members and stated that he did not think the children and dog issue was explained and addressed as it needed to be. He concluded that the staff conditions that were still in draft form needed to be finalized before it was voted on.

Alternate Commissioner Somerville agreed with the other Commission Members and stated that he was also concerned about the one exit in the apartment. The roads and traffic would cause ten times the damage to the road. He stated that the property value was objective not subjective and a change to the ambience of the area would cause property values to go down. He concluded by stating that the architecture of the building was not attractive and needed to look a bit nicer.

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The property has a General Plan Land Use Designation of Commercial/Multi-Family Residential and a portion of the property is within the Major Community Core/ Downtown Core area. **(See attachment 3: General Plan Map)** Through the General Plan, the Town has identified six Community Cores and the types of land uses that support core areas. Cores should be a mixture of uses that enable pedestrian comfort, enhanced building appearances with street trees and other vegetation as aesthetic enhancements. The Cores should support housing choice as well as support local businesses while promoting future business expansion.

The Major Community/Downtown Core contains existing major retail, highway frontage, traffic signals, water/sewer access, and large vacant adjacent lands. One of the General Plan's Goals is to "Focus on Development of Community Cores and on Lifestyle Choices in Land Use."

Target Strategy 1 for that goal is to encourage new variety of residential and compatible development in Community Cores for sustainable lifestyle choices. Further, Target Strategy 2 is to protect existing residences in large lot neighborhoods as new lifestyle choices develop through buffering, separation, screening and other planning methods. The developer has proposed a 6' high CMU block wall along the southern property line and a 6' chain link fence with 16"x16" block pilasters every 40' along the west property line. In addition, the developer will far exceed the landscaping requirements and significant setbacks to help buffer the project from adjacent residences.

ZONING

The current development standards would allow the developer to build approximately 99 multi-family units on site. The applicant is requesting an increase to density cap with a PAD overlay. The project proposes 152 units, or 22 units per acre, an increase of 7.5 units per acre.

The MR-1 (Multi-Family Residential- 1 acre Minimum) Development Standards set forth by the UDO (Unified Development Ordinance) Section 3.13.D would allow the building to be as close as 20 feet from the front property line, 10 feet on the sides and 20 feet from the rear. However, based on the Site Plan, the following table displays the actual setback of the buildings from the property line as well as total lot coverage and building height. **(See attachment 6: Building Setbacks)**

Building Set Backs, Lot Coverage and Building Height						
Building	Front Yard Set Back	West Side-Yard Set Back	East Side-Yard Set Back	Rear Yard Set Back	Lot Coverage	* Building Height
1	20 ft.	44.5 ft.	165.6 ft.	481.3 ft.	5.0%	35'-0"
2	272.3 ft.	92.0 ft.	107.3 ft.	328.2 ft.	5.0%	35'-0"
3	417.3 ft.	92.7 ft.	108.8 ft.	183 ft.	5.0%	35'-0"
4	515.5 ft.	98.1 ft.	102.4 ft.	84.9 ft.	5.0%	35'-0"
TOTAL					20.1%	

*The vertical distance measured from the average grade level to the highest level of the roof surface of flat roofs, to the deck line of mansard roofs, or to the mean height between eaves and ridges for gable, gambrel, shed or hip roofs.

The buildings are setback much further than the required setbacks set forth by the development standards. Building 4, which is located closest to the highest density of residential use to the south is 84.9 feet from the property line. Along with keeping the building as far as possible from the south property line, the substantial amount of landscaping will mitigate the density of the project by serving as a buffer between the project and surrounding residents. In addition, the proposed wall to the south and fencing to the west.

FIRE APPARATUS ACCESS ROADS

Among the issues residents raised during the neighborhood meeting was the lack of a secondary emergency road for the project. Section D106.1 of the International Fire Code refers to fire apparatus access road for multiple-family residential development and states as followed:

"Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: *Projects having up to 200 dwelling units shall have not fewer than one approved fire apparatus access road where all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 9.0.3.1.2"*

Based on the proposed unit count being below 200 units and the developer proposing the building be equipped with an approved automatic sprinkler system, the fire department has not requested a secondary emergency access.

TRAFFIC IMPACT

The proposed development will generate approximately 1011 average daily trips. What this means is that the development will generate 505.5 trips leaving the site and 505.5 trips arriving at the site on average each weekday. Weekend trips are typically lower for these types of land uses. It is important to note that a majority of those trips arriving or leaving will occur in the morning between 6 and 9 am, and between 3 and 7 pm to accommodate the trips generated for employment purposes.

If for instance 60-percent of the trips leaving the site occur in morning, this would equate to approximately 303 total trips over a three-hour period of time. Further simplified, this would be 101 trips per hour or a total of 1.7 trips per minute during the, "rush hour," or peak time periods. It is staff's opinion that the level of trip generation would be negligible to surrounding properties. However, it

should be noted that as additional properties develop and add additional trip generation to Road 2 North future improvements to the street lights, intersection and infrastructure may be needed to accommodate the additional traffic.

PLANNING AND ZONING RECOMMENDATION

Planning and Zoning Commission forward a recommendation of denial to Town Council to not adopt Ordinance 2019-873 rezoning approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay with its associated development plan.

STAFF RECOMMENDATION

Staff forwards a recommendation of approval to Town Council to adopt Ordinance 2019-873 rezoning approximately 6.85 acres of real property from the MR-1 (Multi-Family Residential - 1 acre minimum) zoning district to the MR-1 PAD (Multi-Family Residential - 1 acre minimum) zoning district with a Planned Area Development Overlay with its associated development plan with the following conditions:

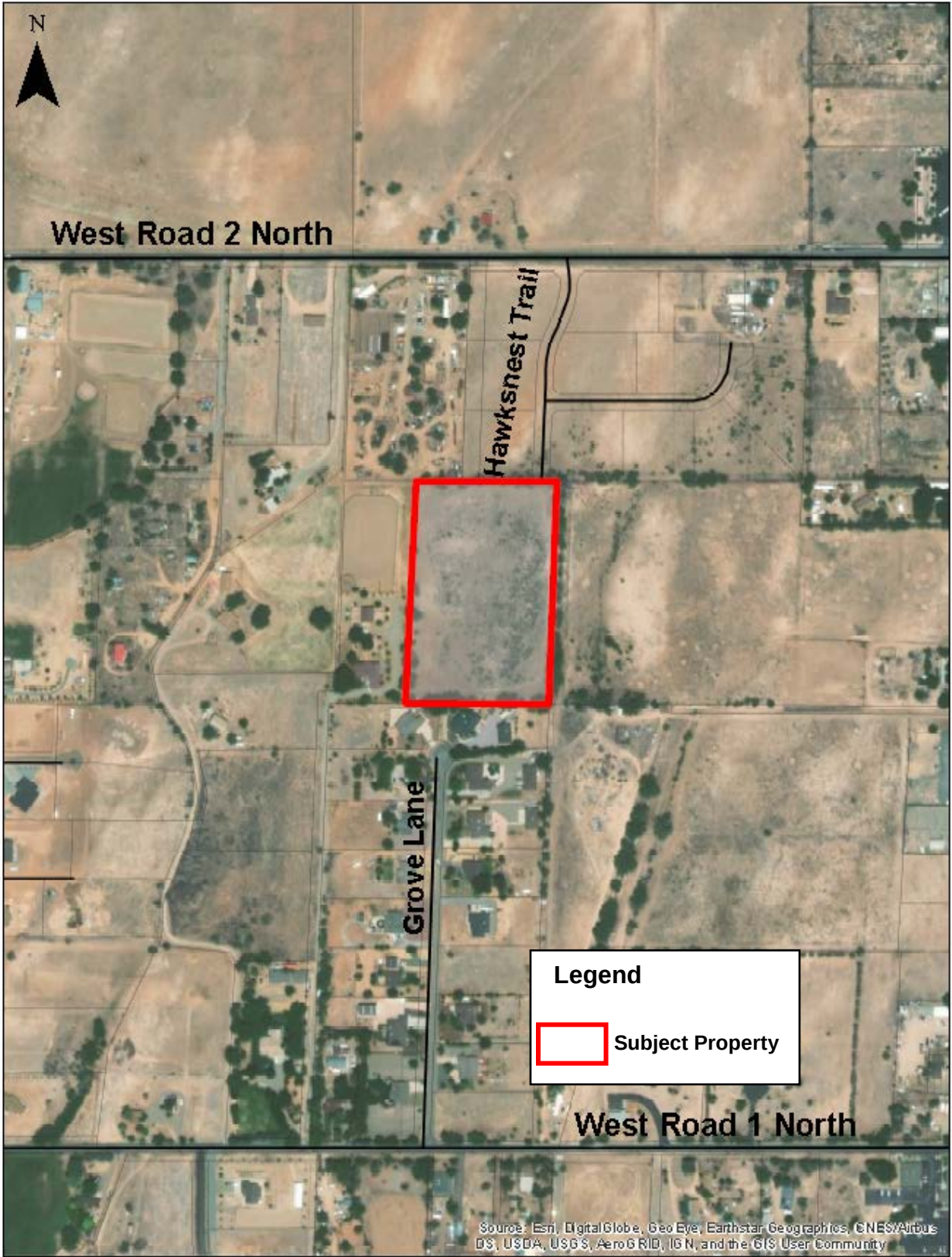
1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions contained herein.
2. Developer shall provide a 54 inch high CMU block wall along the south property line. Developer shall align and reinforce existing fence along the west property line per prior discussions with Mrs. Kris Foley.
3. Depths of flows over onsite and offsite streets shall not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
4. One five-foot concrete pedestrian sidewalk (onsite and offsite from project going north to Road 2 North within the existing Hawks Nest right-of-way) shall be constructed by Developer prior to issuance of any certificate of occupancy related to the property.
5. Hawks Nest Trail shall be constructed to commercial standards (28' roadway width, with curb and gutter, and a five -foot concrete sidewalk on one side with associated ramps and other devices). The roadway design and associated curb profile may be adjusted as needed to

accommodate storm water by utilizing low water crossing; provided, final design shall be approved by the Town Engineer. Town to provide full support for a reimbursement agreement with owners of Heritage Place commercial subdivision relating to reimbursement by owners of lots within the Heritage Place commercial subdivision to Developer for costs incurred to construct Hawks Nest Trail improvements to commercial standards.

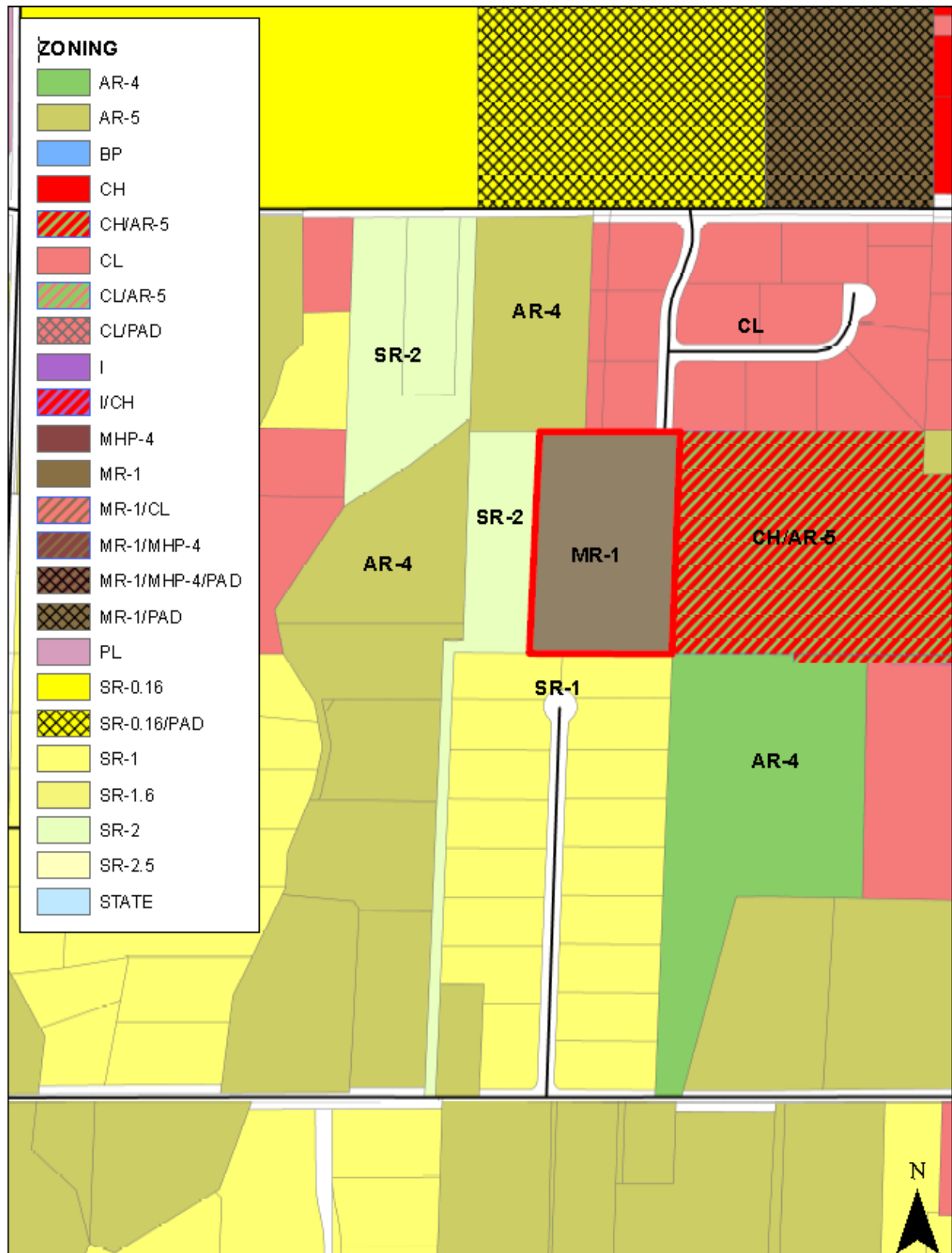
6. Intersection improvements at Hawk's Nest Trail and Road 2 North shall be constructed in accordance with the existing traffic study match road construction type and materials existing on similar improved segments (widened road, curb, gutter and sidewalk) of west Road 2 North. Final design of the intersection improvements shall be approved by the Town Engineer.
7. Water and sewer mains on Road 2 North through the Hawks Nest intersection shall be 12 inches in diameter. Town will provide support for a line extension agreement which causes reimbursement to Developer for installation of the 12 inch lines from future hook-ups of property benefiting from the up-sized water and sewer lines. Alternatively, the Town may directly reimburse Developer for the cost of up-sizing of the lines from 8 inches to 12 inches in diameter.

ATTACHMENTS

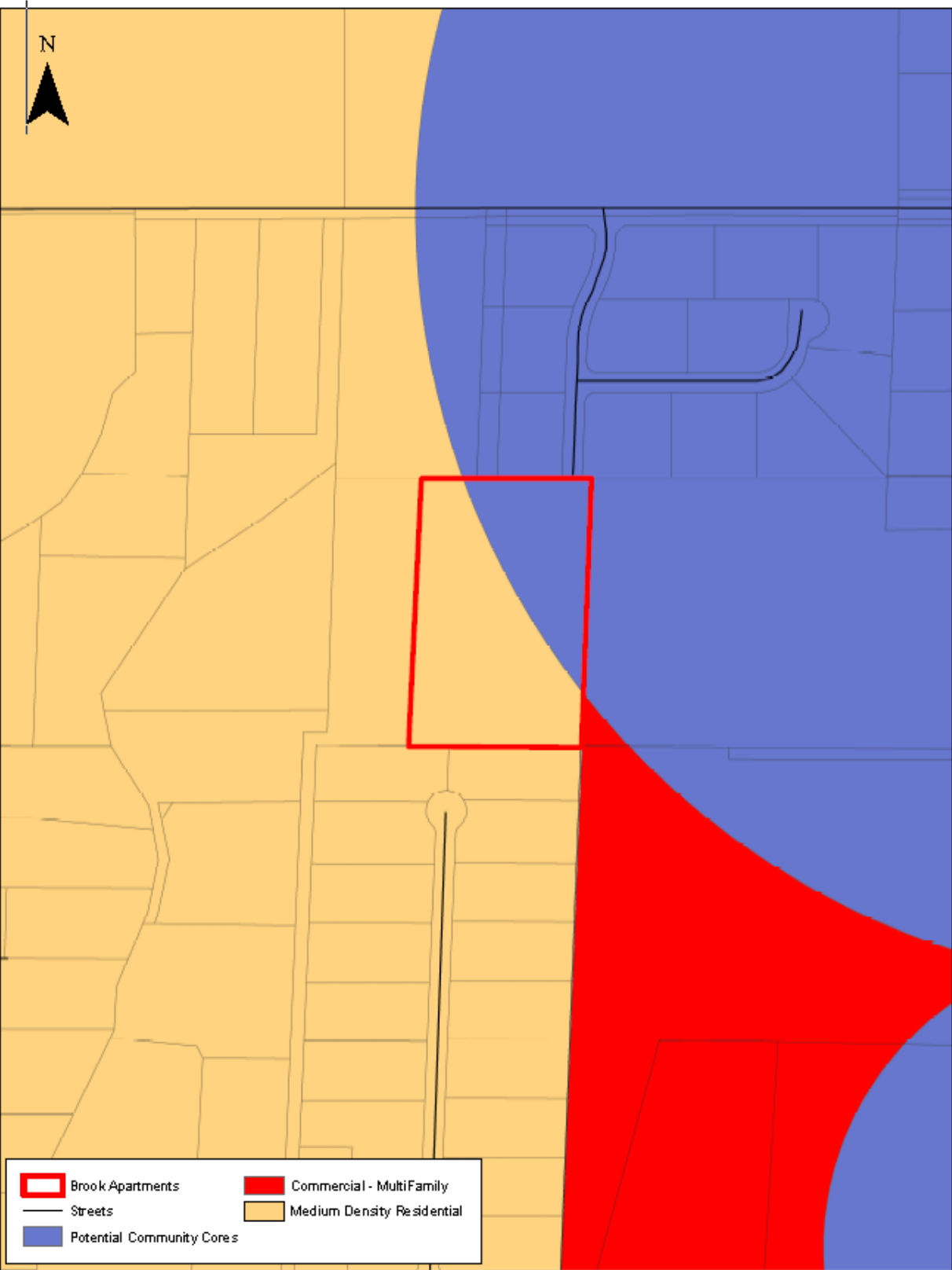
VICINITY MAP



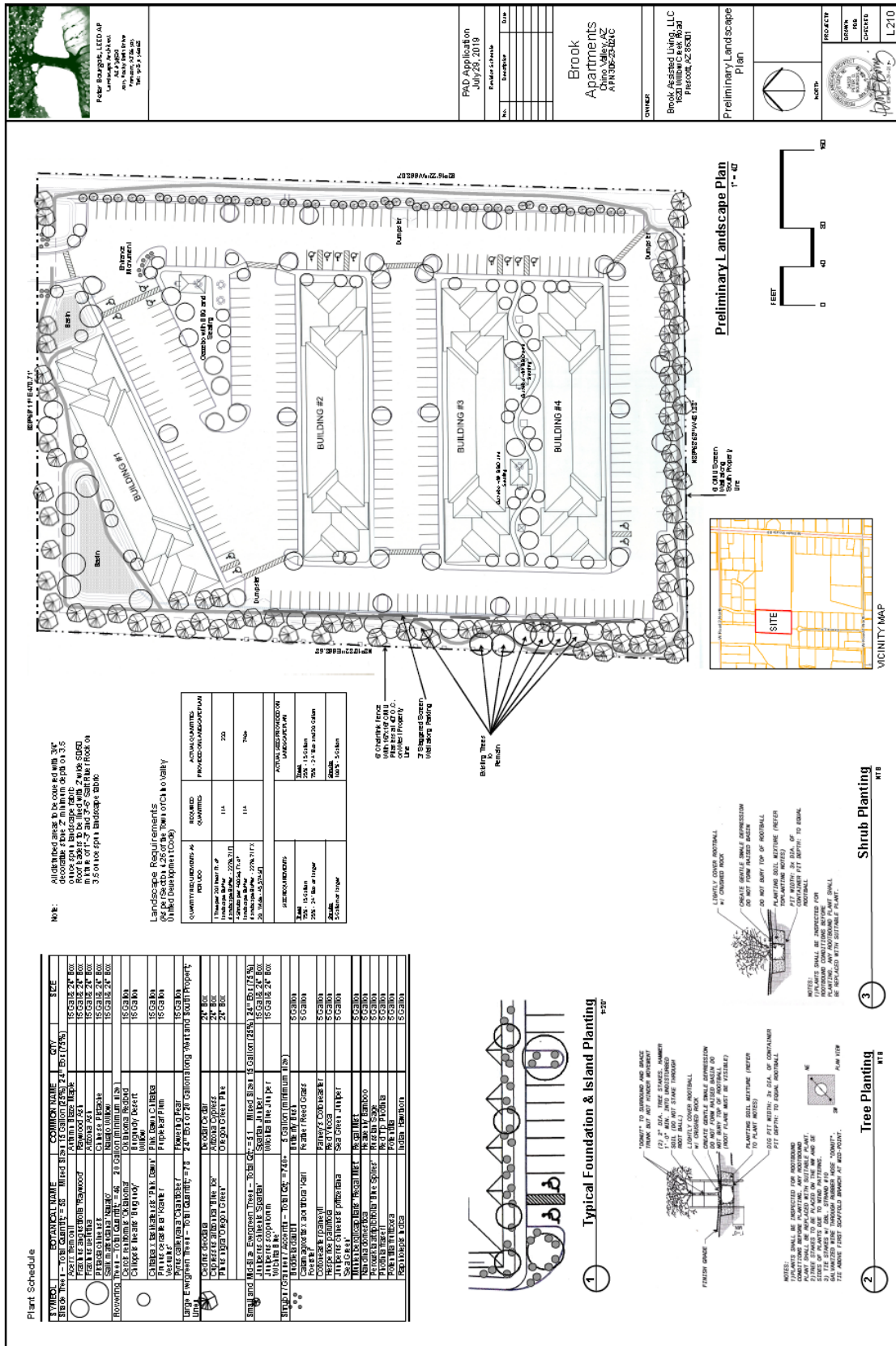
ZONING MAP



GENERAL PLAN LAND USE MAP



LANDSCAPING PLAN



ELEVATION PLAN

[illegible]

ORDINANCE NO. 2019-873

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 6.85 ACRES OF REAL PROPERTY GENERALLY LOCATED 1400 FEET WEST OF STATE ROUTE 89 AND 620 FEET SOUTH OF WEST ROAD 2 NORTH, FROM MR-1 (MULTI-FAMILY RESIDENTIAL – 1 ACRE MINIMUM) TO MR-1 PAD (MULTI-FAMILY RESIDENTIAL – 1 ACRE MINIMUM) 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 a 6.85 acre parcel zoned MR-1 (Multi-Family Residential – 1 acre minimum) to MR-1 (Multi-Family Residential – 1 acre minimum) 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, and any overlay zoning district; and

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

WHEREAS, the Planning and Zoning Commission recommended approval of the rezoning; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

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 Official Zoning Map is hereby amended for property consisting of approximately 6.85 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone it from MR-1 (Multi-Family Residential – 1 acre minimum) to MR-1 (Multi-Family Residential – 1 acre minimum) with a Planned Area Development Overlay, subject to the following stipulations:

1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff’s recommended conditions contained herein.
2. Developer shall provide a 54 inch high CMU block wall along the south property line. Developer shall align and reinforce existing fence along the west property line per prior discussions with Mrs. Kris Foley.

3. Depths of flows over onsite and offsite streets shall not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
4. One five-foot concrete pedestrian sidewalk (onsite and offsite from project going north to Road 2 North within the existing Hawks Nest right-of-way) shall be constructed by Developer prior to issuance of any certificate of occupancy related to the property.
5. Hawks Nest Trail shall be constructed to commercial standards (28' roadway width, with curb and gutter, and a five-foot concrete sidewalk on one side with associated ramps and other devices). The roadway design and associated curb profile may be adjusted as needed to accommodate storm water by utilizing low water crossing; provided, final design shall be approved by the Town Engineer. Town to provide full support for a reimbursement agreement with owners of Heritage Place commercial subdivision relating to reimbursement by owners of lots within the Heritage Place commercial subdivision to Developer for costs incurred to construct Hawks Nest Trail improvements to commercial standards.
6. Intersection improvements at Hawk's Nest Trail and Road 2 North shall be constructed in accordance with the existing traffic study to match road construction type and materials existing on similar improved segments (widened road, curb, gutter and sidewalk) of west Road 2 North. Final design of the intersection improvements shall be approved by the Town Engineer.
7. Water and sewer mains on Road 2 North through the Hawks Nest intersection shall be 12 inches in diameter. Town will provide support for a line extension agreement which causes reimbursement to Developer for installation of the 12 inch lines from future hook-ups of property benefiting from the up-sized water and sewer lines. Alternatively, the Town may directly reimburse Developer for the cost of up-sizing of the lines from 8 inches to 12 inches in diameter.

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

Section 4: 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 5: 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 on October 22, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-873 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 22, 2019, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2019-873

[Legal Description]

See following page.

All that portion of the Southwest Quarter of the Northeast Quarter of the Northwest 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:

COMMENCING at the West quarter corner of above said Section 22;

Thence North 89 degrees, 36 minutes, 05 seconds East, 1355.91 feet along the midsection line to the Southeast corner of the Southwest quarter of the Northwest quarter of Section 22;

Thence North 01 degrees, 41 minutes, 25 seconds East, 1326.07 feet to the Southwest corner of the Southwest quarter of the Northeast quarter of the Northwest quarter of Section 22 marked with a three-quarter inch pipe;

Thence North 89 degrees, 34 minutes, 15 seconds East, 198.01 feet to a one-half inch rebar; and the TRUE POINT OF BEGINNING;

Thence North 02 degrees, 43 minutes, 04 seconds West, 663.61 feet to a one-half inch rebar;

Thence North 89 degrees, 33 minutes, 21 seconds East 470.74 feet to a one-half inch rebar;

Thence South 01 degrees, 45 minutes, 42 seconds West, 663.21 feet to a one-half inch rebar;

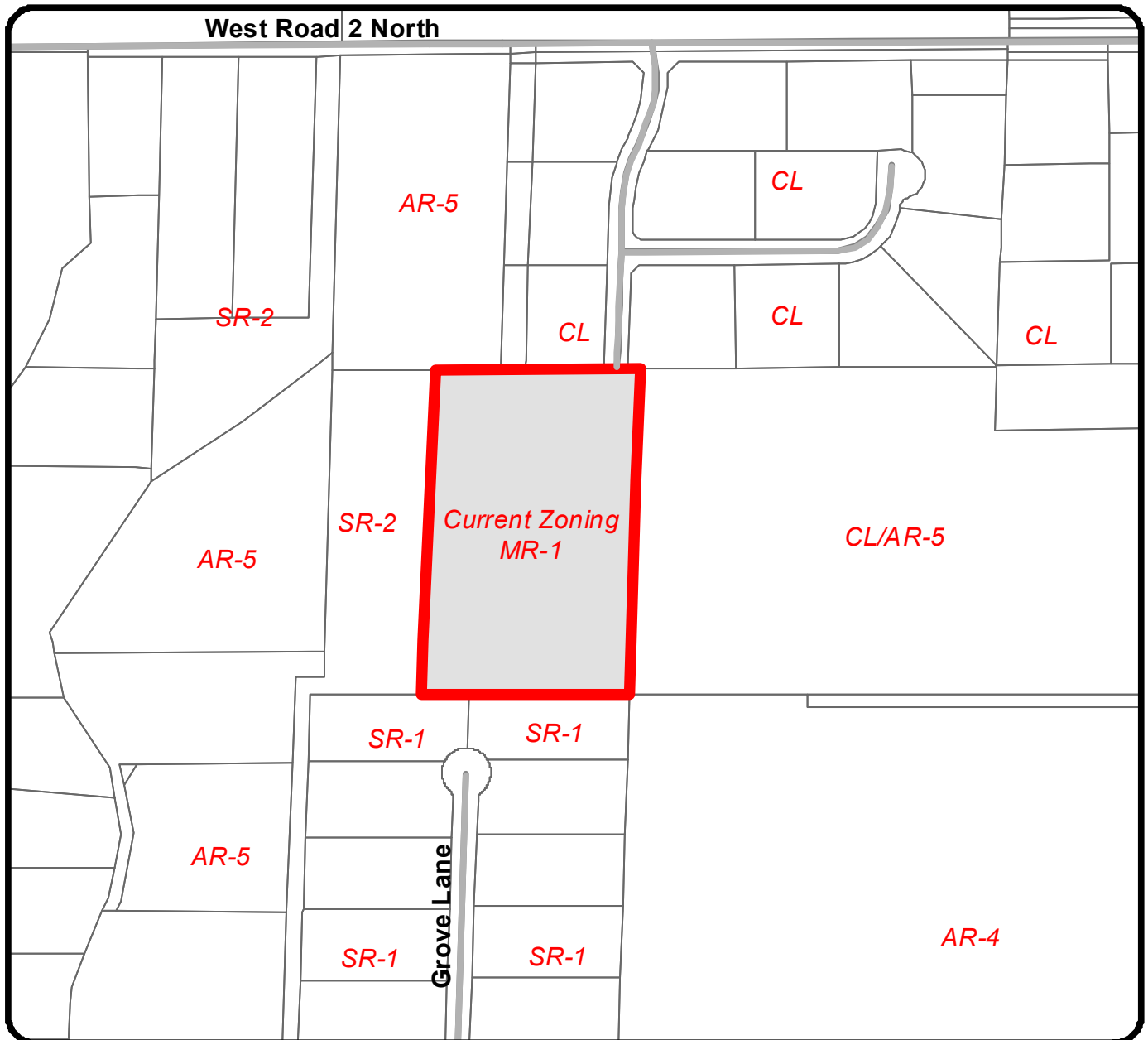
Thence South 89 degrees, 34 minutes, 15 seconds East, 481.82 feet to the TRUE POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE 2019-873

[Zoning Exhibit]

See following page.

Exhibit A



Z19-000008: Brook Apartments

Subject Property



Applicant: Brook Apartments LLC

Request: An increase in density from 14.5 dwelling units per acre to 22 dwelling units per acre through a Planned Area Development (PAD)

Location: Property is located approximately 1700' west of State Route 89 and approximately 650' south of West Road 2 North.

Property: 306-23-024C



Not to Scale