

Jack Miller
Mayor

Eric Granillo
Vice -Mayor

Tom Armstrong
Councilmember

John McCafferty
Councilmember

Annie Perkins
Councilmember

Sherri Phillips
Councilmember

Robert Schacherer
Councilmember



TOWN COUNCIL NOTICE & AGENDA

**REGULAR MEETING
TUESDAY, OCTOBER 24, 2023
6:00 P.M.**

COUNCIL CHAMBERS | 202 N. STATE ROUTE 89 | CHINO VALLEY, ARIZONA 86323

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**
2. **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
3. **CALL TO THE PUBLIC- Individuals requesting to speak, please complete a Speaker Comment Card and return to the Clerk.**
Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is at the discretion of the Council and not required by law. Individuals are limited to speak for three (3) minutes, yielding of time will not be permitted. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism. Disrespectful behavior will not be tolerated; this includes loud outbursts, profanity and disruptive discussions among our audience.
4. **CURRENT EVENT SUMMARIES AND REPORTS**
This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.
 - a. Status reports by Mayor and Council regarding current events.
 - b. Status report by Town Manager Cindy Blackmore regarding Town accomplishments, and current or upcoming projects.

5. CONSENT AGENDA

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

- a. Consideration and possible action to acknowledge scrivener's correction on Council minutes dated August 22, 2023, pursuant to Town Code § 10.20 Authority to Correct Scrivener's Errors.

6. ACTION ITEMS

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

- a. Public hearing, consideration, and possible action regarding the "Homestead" Subdivision Preliminary Plat located at the Northeast corner of West Road 3 South and South Road 1 West from applicant Jay Bates, on behalf of Right Homes.

Recommended Action:

- i) Hold Public Hearing
- ii) Approve the Homestead Subdivision Preliminary Plat with conditions in Attachment 1

- b. Public hearing, consideration, and possible action regarding application from Maria Danielle Burgess, Circle K, for a new Series 010 Liquor License located at 828 East Road 4 South, Chino Valley.

Recommended Action:

- (i) Hold Public Hearing
- (ii) Recommend approval for a new Series 010 Liquor License for Circle K

7. ADJOURNMENT

Dated this 17th day of October, 2023.

By: *Erin N. Deskins, Town Clerk*

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter>, and in the Town Clerk's Office. Council meetings are live-streamed on the Town of Chino Valley Website and Facebook page.

CERTIFICATION OF POSTING

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

Date: _____ Time: _____ By: _____
Erin N. Deskins, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting 2023

5. a.

Meeting Date: 10/24/2023
Contact Person: Erin Deskins, Town Clerk
Department: Town Clerk
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to acknowledge scrivener's correction on Council minutes dated August 22, 2023, pursuant to Town Code § 10.20 Authority to Correct Scrivener's Errors.

SITUATION & ANALYSIS:

Town Code § 10.20 grants authority to the Town Attorney and Town Clerk to correct scrivener's errors in the Town Code, Unified Development Ordinance, and ordinances, resolutions, and minutes adopted by Council or other public body without the need for re-adoption. Paragraph (C) provides that any such corrections shall be reported within three months of such correction at a regular meeting of the Council.

There is one scrivener's correction to report: Council minutes dated August 22, 2023, item number 5(b) page #8.

Attachments

Corrected min 08_22_23

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

7 - 0 PASSED - Unanimously

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

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

Frank Marbury, Town Engineer, presented the following:

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

Council and staff discussed the following:

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

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

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

7 - 0 PASSED - Unanimously

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

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

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

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

Council and Staff discussed the following:

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

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

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

Mayor Miller opened the Public Hearing.

Tim Davis presented the following:

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

Robert Switzer presented the following:

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

Mayor Miller closed the Public Hearing.

Staff and Council discussed the following:

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

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

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

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

NAY: Councilmember Robert Schacherer

6 - 1 PASSED



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting 2023

6. a.

Meeting Date: 10/24/2023
Contact Person: Will Dingee, Assistant Development Services Director
Department: Development Services
Estimated length of staff presentation: 5 minutes
Physical location of item: Northeast corner of West Road 3 South and South Road 1 West

AGENDA ITEM TITLE:

Public hearing, consideration, and possible action regarding the "Homestead" Subdivision Preliminary Plat located at the Northeast corner of West Road 3 South and South Road 1 West from applicant Jay Bates, on behalf of Right Homes.

RECOMMENDED ACTION:

- i) Hold a Public Hearing
- ii) Approve the Homestead Subdivision Preliminary Plat with conditions in Attachment 1

SITUATION AND ANALYSIS:

See attached Staff Report

Fiscal Impact

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

Attachments

PP-2023-02 TC Staff Report
 Attachment 1 - Conditions of Approval



TOWN COUNCIL AGENDA ITEM STAFF REPORT

AGENDA ITEM #	3811	☐ Ordinance
MEETING DATE:	Oct 24, 2023	☐ Resolution
CONTACT PERSON:	Jessica Barragan	☒ Public Hearing
	Senior Planner -Development Services	☐ Contract/IGA/PSA

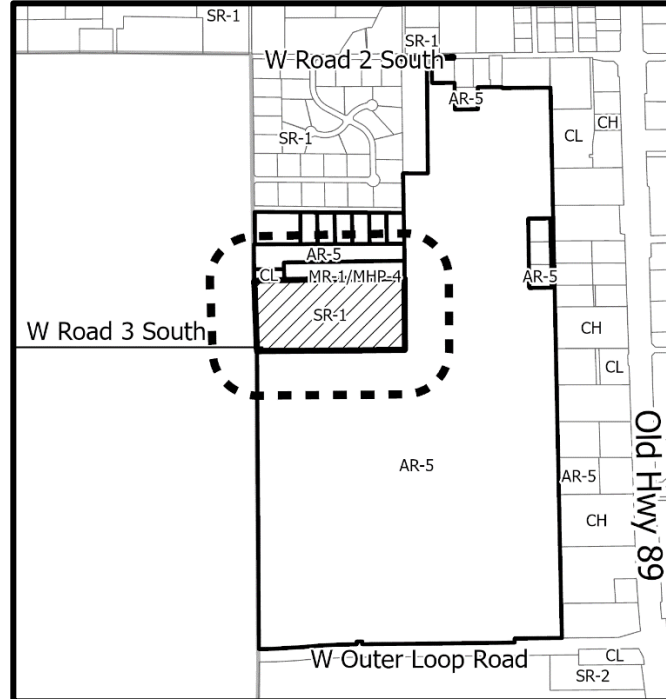
Case/Project Description:

This is a request by Jay Bates, on behalf of Right Homes, to subdivide approximately 20 acres of land into 15 one-acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona.

Planning and Zoning Recommended Action

The Planning Commission forwarded a recommendation of approval with a 6-1 Vote
See Attachment 1 for the Conditions of Approval

Location Map:



Location Data:

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Vacant	Medium Density Residential (2 Acres or Less)
North	Multiple Family Residential (MR) & Mobile Home Park (MHP) & Commercial Light (CL)	Residential and Slaughter House	Medium Density Residential (2 Acres or Less)
South	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
East	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
West	(RCU-2A)	Residential	Yavapai County Jurisdiction

Neighborhood Meeting:

A neighborhood meeting was held at the Town Hall Council Chambers on August 23, 2023. Twelve neighbors were in attendance. The following was discussed:

- Questions about water quality & arsenic levels.
- Questions about why the developer doesn't connect to town water and sewer.
- Concerns over the quality of the manufactured homes and the aesthetic impact to surrounding communities.
- Concerns over potential traffic increase.
- Concerns over roadway improvements.
- Concerns over the applicant's business integrity.

Additional Public Comment:

See Attachment 3 for a detailed dialog from the P&Z Meeting.

FISCAL IMPACT?

N/A

Attachments

Attachment 1 – Conditions
Attachment 2 – P&Z Staff Report
Attachment 3 – P&Z Minutes
Attachment 4 – Pre-Plat Layout

Attachment 1
Conditions of Approval
PP-2023-02
Town Council
October 24, 2023

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

3. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
4. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the preliminary plat being heard by the Town Council.

Planning: Jessica Barragan, Senior Planner, (928) 636-3473

5. The developer shall include a disclosure on the front page of the Final Plat identifying the proximity of the slaughterhouse and stating the potential for odors and noises related to this type of land use.
6. As part of their closing documents, the developer shall require buyers to sign a Noise and Odor Disclosure, acknowledging the proximity of the existing slaughterhouse and the potential impact of related odors and noises.

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

7. The owner shall dedicate right-of-way per UDO § 5.3.2 as follows:
 - a. South Road 1 West half-width: 40' east of the western line of section 34.
 - b. West Road 3 South half-width: 40' north of the east-west mid-section line of section 34.
 - c. Internal Street: Minimum right-of-way full-width is 50'. At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet. The cul-de-sac shall terminate in a circular right-of-way 60' in radius.
8. The owner shall construct half-width improvements on the east half of South Road 1 West along the subdivision's frontage per the Town's Urban and Rural Roadways map as follows:

The improvements shall include, at a minimum, a 12' paved through lane, a 5' paved shoulder and a road side ditch.
9. The owner shall construct the following onsite improvements per UDO § 5.3.2:

Internal Street: Per Rural Local Road standards that includes 24' wide minimum asphalt roadway, 5' shoulder with thickened edge. The cul-de-sac shall have a minimum improved traffic turning circle 48' in radius.

Attachment 2
P&Z Staff Report- October 3, 2023
PP-2023-02
Town Council
October 24, 2023



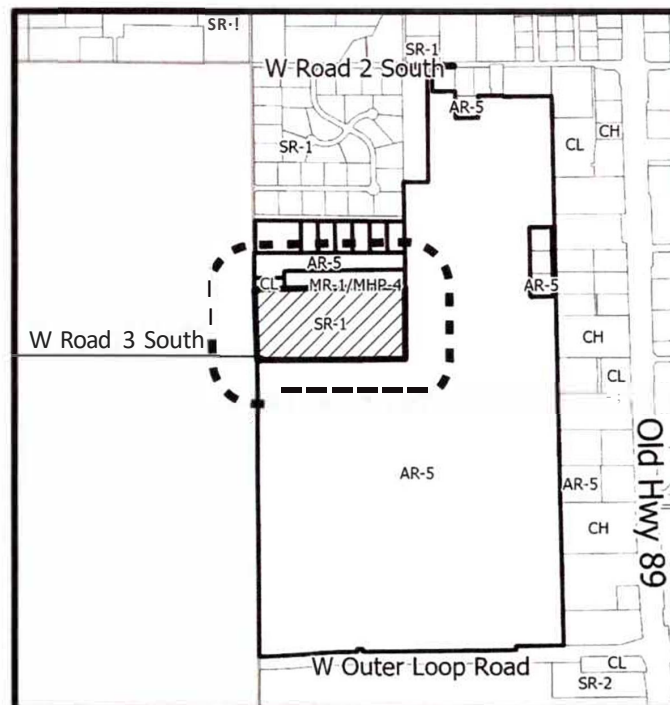
TOWN OF CHINO VALLEY
Planning Commission Staff Report
October 3rd, 2023
File Number PP-2023-02
Preliminary Plat

PROJECT DESCRIPTION

This is a request by Jay Bates, on behalf of Right Homes, to subdivide approximately 20 acres of land into 15 one-acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Vacant	Medium Density Residential (2 Acres or Less)
North	Multiple Family Residential (MR) & Mobile Home Park (MHP) & Commercial Light (CL)	Residential and Slaughter House	Medium Density Residential (2 Acres or Less)
South	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
East	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
West	{RCU-2A}	Residential	Yavapai County Jurisdiction

LOCATION MAP

PRIOR SITE ACTIONS:**Land Division Status**

1973 - Result of Split from APN 306-33-009 (Sibling Parcel APN 306-33-009B).

Rezone

January 24, 2023 - Rezone from Agricultural Residential 5-Acre Minimum (AR-S) to Single Family Residential 1-Acre Minimum (SR-1).

Preliminary Plat

May 23, 2023 - Denied by Town Council (minutes attached)

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission forward to the Town Council a recommendation of **APPROVAL** to subdivide approximately 20 acres of land into 15 one-acre lots for the Homestead Preliminary Plat with Conditions of Approval found in Attachment A

SUGGESTED MOTION:

Move to **APPROVE** Preliminary Plat PP-2023-02 as presented, subject to the staff report and information provided during this hearing, and the Conditions of Approval in Attachment A

EFFECT OF THE APPROVAL:

By approving this Preliminary Plat the Planning and Zoning Commission is recommending approval to Town Council for the Homestead Preliminary Plat, located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona, subject to the staff report and information provided during this hearing, and affirmatively finds that the request is in conformance with the previously approved zoning on the parcel.

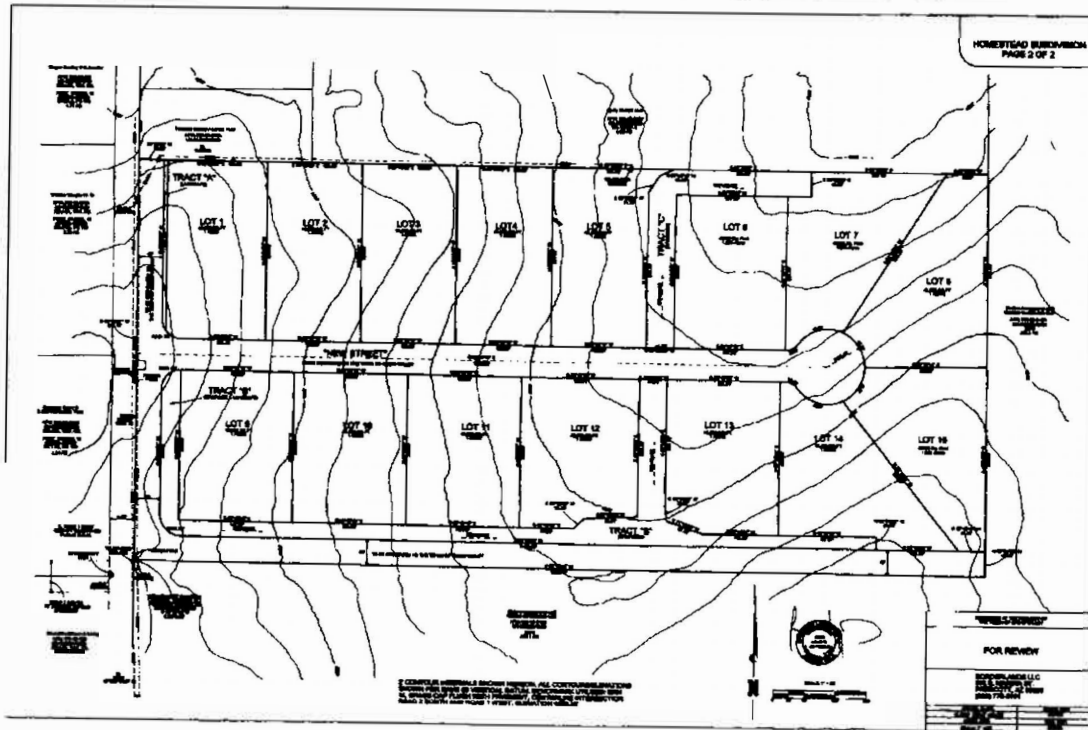
Staff Analysis:

The applicant is applying to subdivide approximately 20 acres of land into 15 one-acre lots. The subject property had a rezone request from AR-5 to SR-1, which was approved by Town Council on January 24th (Ord. 2023-931). Preliminary Plat case# PP-2023-01 was approved by Planning Commission on May 2nd, 2023, and forwarded to Town Council who denied the project with a 3-3 vote on the hearing held May 23rd 2023. The applicant has now returned with a plan change showing an increase in landscaping along Road 1 West, a Certificate of Assured Water Supply (dated March 31, 2023), and updated CC&R's.

To the north of the subject property is a slaughterhouse and the applicant agreed to include a disclaimer in a prominent location on the front page of the Final Plat for potential odors and noises originating from the adjacent slaughterhouse and their potential to impact future home buyers within this subdivision. At point of sales within the Subdivision, the developer must supply buyers within the Subdivision, as part of their closing documents, A Noise and Odor Disclosure Acknowledgment to sign. The buyer must acknowledge that they are purchasing property adjacent to a slaughterhouse, which may generate odors and noises associated with that land use.

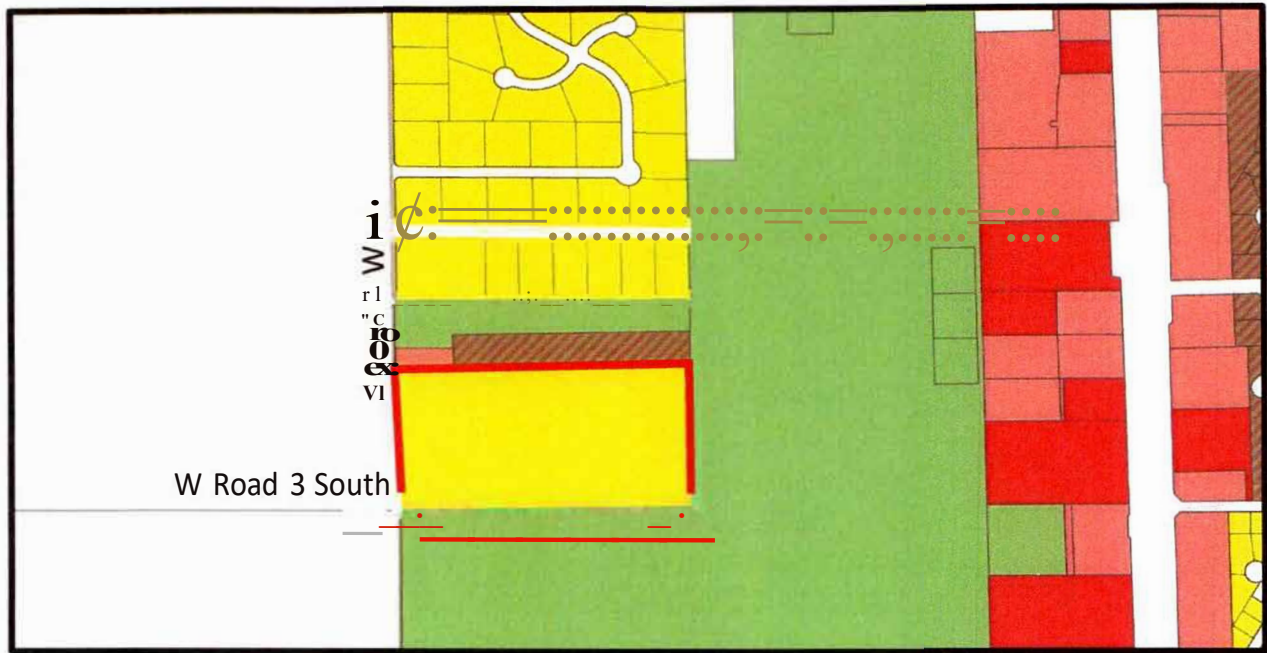
After approval of the preliminary plat, the project will go through technical review and then come back through the public hearing process for approval of the final plat.

Homestead Preliminary Plat Submitted by Applicant at Point of Application



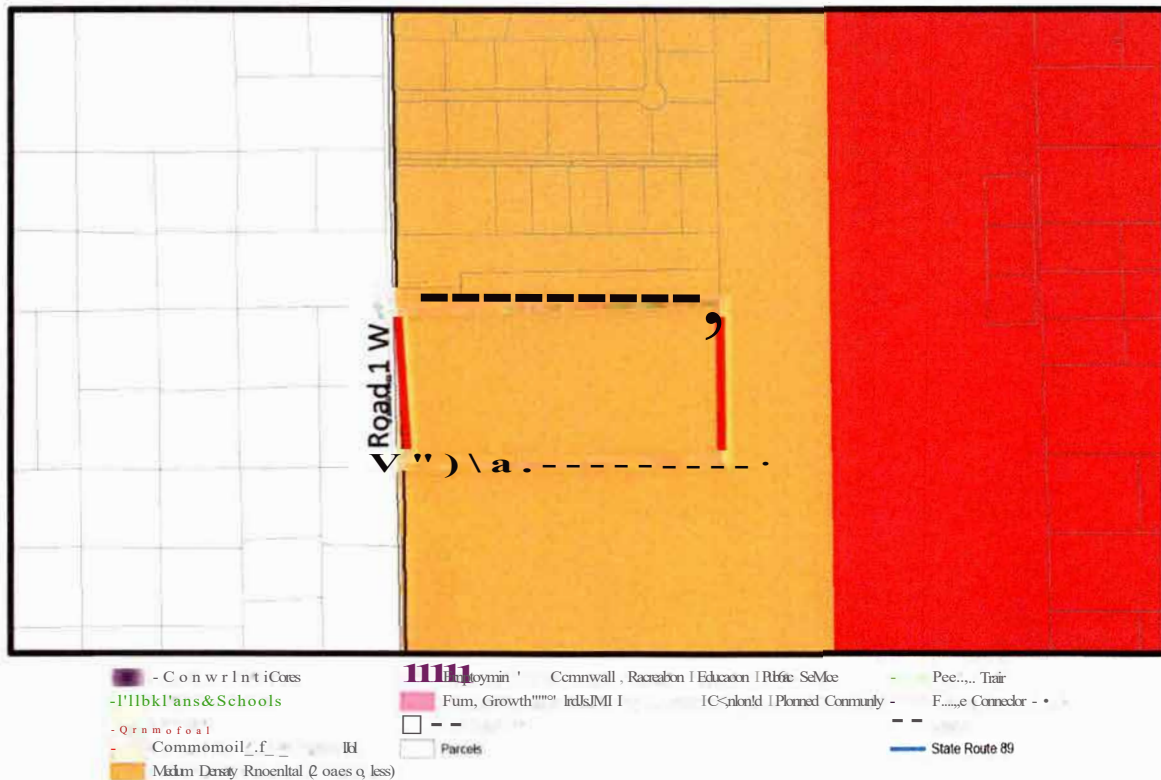
Zoning

Section 3.11 of the Unified Development Ordinance list "One (1) single-family dwelling" as a Permitted Use. The applicant intends for a residential subdivision of 1-acre lots with a single-family dwelling on each lot. The subject property is zoned appropriately for the requested subdivision.



General Plan

The General Plan designates the subject property as Medium Density Residential (2 acres or less). The request to subdivide approximately 20 acres of land into 15 one-acre lots is in conformance with the General Plan designation for the subject property.



PUBLIC COMMENTS RECEIVED: No written comments received.

EXTERNAL AGENCY COMMENTS: See Attachment B

NEIGHBORHOOD MEETING COMMENTS: See Attachment C

PROPOSED CONDITIONS DELIVERED TO APPLICANT ON: August 31, 2023

X	Applicant agreed with all of the conditions of approval on (August 31, 2023)
	Applicant did not agree with the following conditions of approval: (list #'s)
	If the Planner is unable to make contact with the applicant - describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C	D	E	F	G
Conditions of Approval	External Agency Comments	Neighborhood Meeting Comments	Site Plan & Exhibits	P&Z Minutes	Council Minutes	Staff Research

PREPARED BY:

DATE:

JESSICA BARRAGAN, SENIOR PLANNER
(JBARRAGAN@CHINOAZ.NET)
 928 636-4427-x1295

AUGUST 31, 2023

APPROVED BY:

LAURIE LINEBERRY, AICP
 DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

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

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

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the preliminary plat being heard by the Town Council.

Planning: Jessica Barragan, Senior Planner (928) 636-4427 - x1295

3. The developer shall include a disclosure on the front page of the Final Plat identifying the proximity of the slaughterhouse and stating the potential for odors and noises related to this type of land use.
4. As part of their closing documents, the developer shall require buyers to sign a Noise and Odor Disclosure, acknowledging the proximity of the existing slaughterhouse and the potential impact of related odors and noises.

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

5. The owner shall dedicate right-of-way per UDO§ 5.3.2 as follows:
 - a. South Road 1 West half-width: 40' east of the western line of section 34.
 - b. West Road 3 South half-width: 40' north of the east-west mid-section line of section 34.
 - c. Internal Street: Minimum right-of-way full-width is 50'. At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet. The cul-de-sac shall terminate in a circular right-of-way 60' in radius.
6. The owner shall construct half-width improvements on the east half of South Road 1 West along the subdivision's frontage per the Town's Urban and Rural Roadways map as follows:

The improvements shall include, at a minimum, a 12' paved through lane, a 5' paved shoulder and a road side ditch.
7. The owner shall construct the following onsite improvements per UDO§ 5.3.2:

Internal Street: Per Rural Local Road standards that includes 24' wide minimum asphalt roadway, 5' shoulder with thickened edge. The cul-de-sac shall have a minimum improved traffic turning circle 48' in radius.

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

ATTACHMENT 8
EXTERNAL AGENCY COMMENTS

DATE:	4/9/2023	NAME:	SUZANNE EHRLICH	TITLE:	MANAGER
AGENCY:	YAVAPAI COUNTY ENVIRONMENTAL UNIT			PHONE:	928-442-s4so

The Environmental Unit has completed the **review** and has identified the following deficiencies:

- Certificate of Sanitary Facilities for a Subdivision (CSF): Yavapai County Development Services has delegation from the Arizona Department of Environmental Quality for licensing decisions for the CSF. Preliminary plats, Final plats, applications, etc, must be submitted through Citizen Serve to the Certificate of Sanitary Facility permit.
- A subdivision proposing onsite wastewater systems will need to submit a geologic report sealed by an engineer registered in the State of Arizona that complies with Arizona Administrative Code (AAC) R18-5-Article 4. Additional guidance is available in Engineering Bulletin 19. A minimum of 25% of the lots included on the Application for Approval of Sanitary Facilities will be required to be tested in accordance with AAC R18-9-A310. Additional testing may be needed to determine if the lots are suitable for conventional or alternative onsite wastewater systems. The geologic report must include a Nitrogen calculation in accordance with AAC R18-9-A309.A.8.
- Subdivisions proposed with onsite wastewater systems must include a plat with topography to be submitted for the Environmental Unit's use for the review of the application.

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

PLEASE READ ALL OF THE BELOW:

• **DO NOT REPLY TO ME. REPLIES TO MY EMAIL WILL NOT BE ANSWERED**

• **Contact the Environmental Unit at (928) 442-5423 or enviro.services@yavapaiaz.gov with your questions or concerns regarding this review.**

• Resubmittals must be submitted through the web portal at <https://www.citizenserve.com/yavapaicounty>. **Resubmittals will not be accepted through email or in person.**

• Resubmittal reviews are worked in the order that they are received. Due to high volume, resubmittals are currently taking approximately 4 weeks to process. Status updates will not be given for any resubmittal until 4 weeks after the submittal is accepted. You can view the status of your permit by logging into your web portal account at <https://www.citizenserve.com/yavapaicounty>. The status, "Under Review" means the resubmittal was received. The review is in the queue for review but not yet reviewed.

• **For help with the web portal, please click on the "Chat" icon in CitizenServe or contact Yavapai County Development Services-Customer Services and Permitting at (928) 771-3214 or web.development.services@yavapaiaz.gov.**

ATTACHMENT C NEIGHBORHOOD MEETING COMMENTS

DATE MEETING HELD: AUGUST 23, 2023

LOCATION: TOWN HALL COUNCIL CHAMBERS

ATTENDEES:

AGENT/DEVELOPER: JAY BATES, PROPERTY OWNER/DEVELOPER; JIM HOLT, WATER CONSULTANT;

ADAM HAYWOOD, SURVEYOR

TOWN STAFF: JESSICA BARRAGAN, SENIOR PLANNER

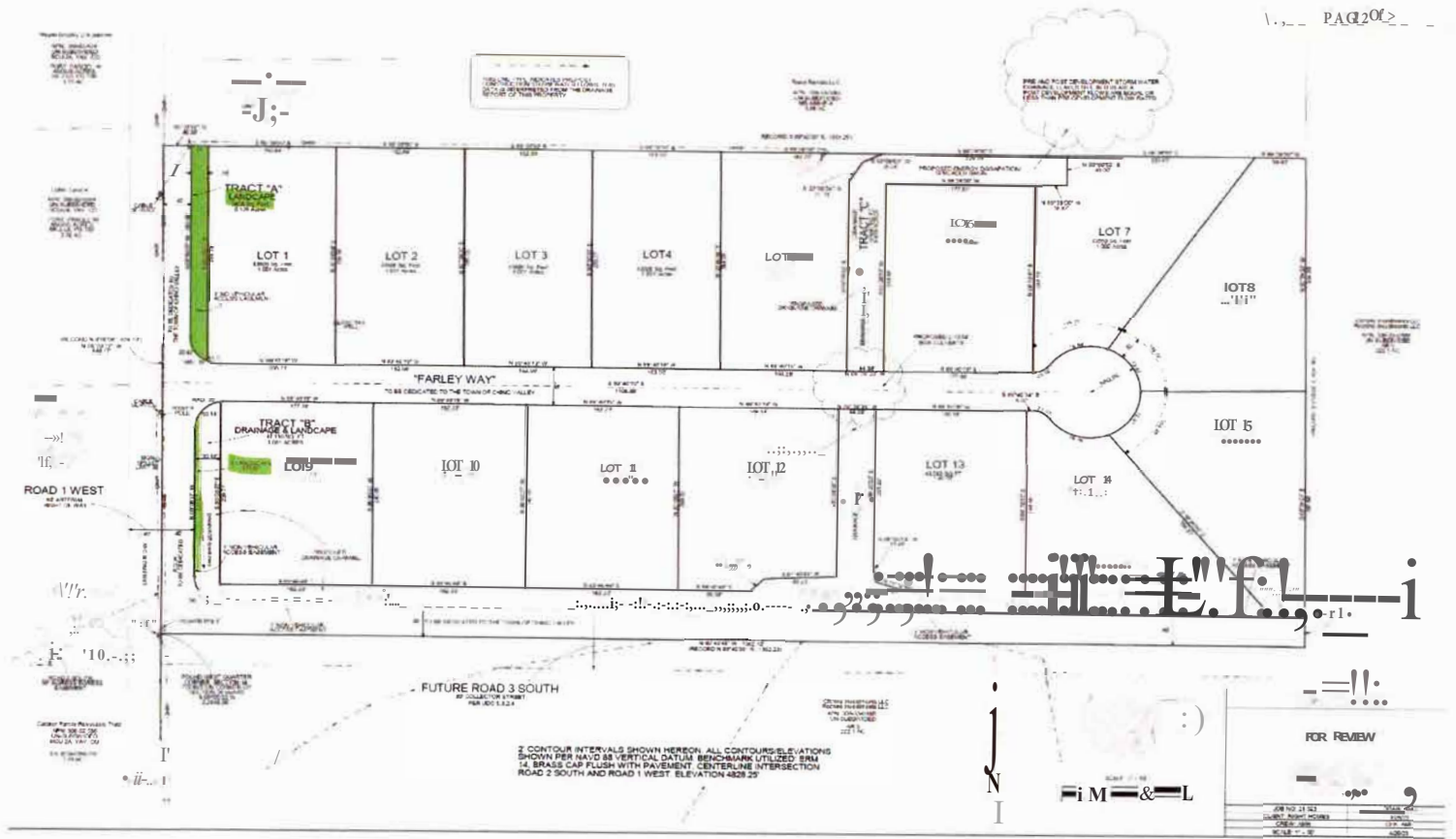
TWELVE (12) NEIGHBORS IN ATTENDANCE-SEE LIST ATTACHED

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

- Questions about water quality & arsenic levels.
- Questions about why the developer doesn't connect to town water and sewer.
- Concerns over the quality of the manufactured homes and the aesthetic impact to surrounding communities.
- Concerns over potential traffic increase.
- Concerns over roadway improvements.
- Concerns over the applicant's business integrity.

ATTACHMENT 0 SITE PLAN AND EXHIBITS

SITE PLAN SUBMITTED BY APPLICANT



**STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
CERTIFICATE OF ASSURED WATER SUPPLY**

This is to certify that

Right Homes, LLC, an Arizona Limited Liability Company, Owner,

has met the requirements of A.R.S. §§ 45-576 and A.A.C.R12-15-701 et. seq., and

By powers vested in the Director of the Arizona Department of Water Resources by the
State of Arizona, and subject to the conditions contained in the applicable regulations,

Is issued this Certificate of Assured Water Supply for

Homestead

Township 16 North, Range 2 West, Section 34

GSRB&M Yavapai County, PRESCOTT AMA Active Management Area

The referenced subdivision consists of **16 lots** as described in the preliminary plat on file with the
Department, and has an estimated water demand of **2.82 acre-feet per year**. The subdivision will be
served **groundwater by exempt wells**.

This Certificate is invalid as to any entity not named above.
This Certificate may be assigned pursuant to A.A.C. R12-15-706.

Certificate Number: 27-701257.0000



ARIZONA DEPARTMENT OF WATER RESOURCES

David L McKay

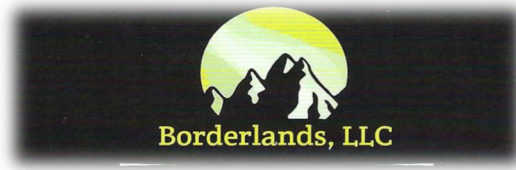
Program Manager

March 31, 2023

Date

TYPE B CERTIFICATE

Borderlands LLC
212 S. Marina St.
Prescott, AZ 86303



Adam M Haywood, AZ RLS 67585
adamhaywood32@gmail.com
(928) 925-6135

July 18, 2023

Chino Valley Development Services
1982 Voss Dr.
Chino Valley, AZ 86323

RE: Homestead Subdivision, preliminary plat resubmittal

The area included in the Homestead Subdivision was re-zoned earlier this year (2023) from AG-5 to SR-1. The preliminary plat was originally submitted to the Town of Chino Valley in February of this year, but was not approved by Council in May. Changes have been made to the landscape strip of this subdivision and it is now being re-submitted.

The Homestead subdivision is a 15-lot subdivision, all lots will slightly over the 1 acre minimum, and roughly 3.2 acres of land will be dedicated to the Town for rights-of-way and drainage. All improvements, dedications, design and construction will conform to the Town of Chino Valley's Unified Development Ordinance.

Please feel free to contact me with any questions on this property in question.

Adam Haywood
Borderlands LLC
212. S. Marina
Prescott, AZ 86303
(928) 925-6135

ATTACHMENT E
MINUTES- P&Z MAY 2, 2023 (FOR REFERENCE ONLY)

Planning and Zoning Commission Meeting Minutes May 2, 2023

A regular meeting of the Town of Chino Valley Planning and Zoning Commission was held on Tuesday, May 2, 2023, at the Town of Chino Valley Council Chambers, 202 N. State Route 89, Chino Valley, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were; Chair Chuck Merritt; Vice-Chair Gary Pasciak, Commissioner Teena Meadors, Commissioner Ron Penn, Commissioner Robert Switzer, Commissioner William Welker; Commissioner Richard Zamudio. Alternate Commissioner Rachelle Fernow was in attendance.

STAFF MEMBERS present were Laurie Lineberry, Development Service Director; Will Dingee, Assistant Director; Bethan Heng, Associate Planner; Frank Marbury, Public Works Director; Dee Dee Moore, Process Coordinator; Laurence Diggs, AudioNideo.

CALL TO ORDER: Chair Merritt called the meeting to order at 6:00 p.m. Commission meeting began with the Pledge of Allegiance led by Commissioner **Switzer**.

EXECUTIVE SESSION - Merritt stated that this item would be heard later in the agenda after the public hearing.

CONSENT CALENDAR - A motion was made by Commissioner **Meadors** to accept the consent agenda as presented. The motion was seconded by Commissioner **Pasciak** and passed unanimously by a 7-0 vote.

PUBLIC HEARING #E.1 - CASE# PP-2023-01 - *This is a request by Jay Bates on behalf of Right Homes LLC, to subdivide approximately 20 acres of land into 15 one acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of W Road 3 South and S Road 1 West, Chino Valley, Arizona.*

Chair Merritt asked the Commission if anyone had a disclosure to declare regarding this project. There were none.

Bethan Heng, Associate Planner presented the staff report for case PP-2023-01 and stated that staff recommended approval. There were no questions for staff from the Commission.

Applicant **Jay Bates** shared that this project consisted of 15 lots. The assured water supply had been received from the State. In addition, the CC&R's had been recorded and there was limited water usage stipulated per the Arizona Department of Water Resources (ADWR) approval. There were no questions from the commissioners.

Merritt opened the public hearing.

Bea Garcia shared that there are multiple projects going on along Road 1 West and that there is a current detour on that road already. She felt that the developer should wait until the other projects were completed to ease the congestion along that stretch of road.

Rachelle Fernow identified herself as the Planning and Zoning Commission Alternate and shared her concerns. She stated that, as a realtor, the disclosure to the buyers about the next door slaughterhouse was not a good sales point. She wondered what might happen if the manufactured homes were placed on the lots, and then didn't sell. She also brought up concerns about infrastructure and water usage. She

ATTACHMENT E
MINUTES- P&Z MAY 2, 2023 (FOR REFERENCE ONLY)

wondered where the benefit was to Chino Valley and felt that this was a capitalistic venture. She felt that there should be a park, child center and other improvements. She stated, based on her realtor background, that these homes would be selling in the range of \$500,000 and expressed concern about that price range not being affordable in this community. **Fernow** also felt this project should have curbs, gutters, and the homes should be placed on foundations. Generally, she felt that manufactured homes have small patios and would not provide a neighborhood feel for this project.

Jim Holt, Project Water Consultant, for Right Homes LLC, shared his background. With 25 years water consultant experience, he stated that when water is not in abundance, developers take that into account and refer to the requirements stipulated by the State to conserve water, using only state approved drought tolerant plants. He added that there is a restriction in the CC&R's to limit plants within an area 10,000 square feet adjacent to the home. Each well will be tested for contaminants and if needed, there will be home water filtration units installed.

There were no further public comments.

Merritt closed the public hearing.

Merritt asked if the commissioners had any questions. **Zamudio** asked about the building schedule for this project. **Switzer** asked what the zoning in the county area to the west was. **Heng** stated that the county had a zoning designation of RCU2, which is approximately equal to the SR-2. There were no further questions for staff.

Jay Bates returned to answer questions from the hearing. He began by stating that the price range of \$500,000, that was shared, was not where these homes would be priced. He provided an overview of the standard features of his homes, stating that every home had a front porch area of 12' x 12', and rear patio area minimum size of 12' x 25' (up to 50') with standard 2"x6" framing construction. He added that it is not his intent, as the developer/owner, to out-price these homes since he is in the business of selling homes. The home site is selected, and the sale is confirmed before the construction begins. He shared that his current project on the east side of town, is 25 lots and is on 40 acres, starting construction in the fall of 2023. **Merritt** asked about landscaping requirements along Road 1 West. **Bates** stated that the frontage area along that road would be landscaped similar to Mr. Fletchers' project on N. Road 1 East - Colonial Villas.

Switzer questioned that having $\frac{3}{4}$ of that acre as natural is not going to look very good. **Bates** stated that when you look around the town, some 1-acre parcels look nice and some do not. **Merritt** shared that his horse landscapes his property. **Pasciak** asked about the cul-de-sac radius. **Bates** stated that the radius does meet Central Arizona Fire and Medical Authority (CAFMA) requirements.

Merritt asked **Bates** if they were prepared to meet all the land requirements. **Bates** stated yes, and that he is familiar with the Town of Chino Valley requirements and has already built around 75 homes in town. **Switzer** asked about the front setbacks. **Bates** shared that these homes will be set back approximately 60-70 feet. Speaking about the proximity of the homes to the slaughterhouse and if that would be a deterrent to buyers, **Bates** added that that business had been in existence a long time, and **Merritt** added he thought it had been there around 50 years, and most all the homes built around it are not that old. **Merritt** asked about the turn lane and for clarification from **Marbury**. There were no further questions for the developer.

Marbury spoke regarding the stipulations/conditions and wanted to clarify details. He stated that one-half of the width of the street - 40-feet - is available for future growth along Road 3 North. Construction will be along Road 1 West and whether a turn-lane will be required is to be determined during the Final Plat review of the project. Currently, there is sufficient right-of-way. A traffic study/statement might be requested later

ATTACHMENT E
MINUTES P&Z MAY 2, 2023 (FOR REFERENCE ONLY)

in the process; however, **Marbury** believed that the project number of lots was small and would not warrant a full traffic study. He confirmed that the cul-de-sac radius is large enough to meet fire truck and school bus requirements. **Marbury** added that the project is planned for interior roads with 24-feet of paved road and an additional 5-feet of paved shoulder on each side, making the street 34 paved feet wide. **Merritt** asked about drainage and grading. **Marbury** stated that those items were also approved during the Final Plat review. He cautioned about changing any language that would contradict the ADWR requirements.

Merritt closed the public hearing.

MOTION - A motion was made by Vice-Chair Pasciak and seconded by Commissioner Welker to approve PP-2023-01, as presented by staff. This motion passed with a 5-2 roll call vote (with Switzer & Meadors voting no).

Merritt asked each of the commissioners to explain their vote, they are as follows:

- **Switzer**- voted against - he felt this area should be 2-acre minimum to align with the county properties to the west. He also would like to see these types of projects on town water and sewer. This vote was consistent with his rezone vote for the property.
- **Zamudio** - voted in favor - he stated that this developer has fulfilled all his obligations and he believes the project will be developed properly.
- **Meadors** - voted against - she agreed with **Switzer** that this project should match with the county 2-acre parcels located to the west.
- **Pasciak** - voted in favor - he shared that sewer lines were more than 1-mile away and it was not cost effective (\$1,742,400) for the developer to extend them to this project. He also added that the homes in this area have all been built after the slaughterhouse business began. He believes that 1-acre lots are good for that area and that the homes will be affordable to buy.
- **Penn** - voted in favor - he did favor a 2-acre lot and had reservations that someone would buy next to the slaughterhouse, but ultimately, he thinks this will be a nice project.
- **Welker** - voted in favor - felt this project will be nice addition to the town when completed.
- **Merritt** - voted in favor - he stated that he was not concerned about the slaughterhouse since there are already existing homes on two sides of that location and it's obvious it is there. This project has the intent to maintain a rural lifestyle. The developer is meeting all the towns' landscaping and building requirements at this time. Regarding the capitalistic comment from the public, it is the property owners' right to profit from this project.

EXECUTIVE SESSION #C. - *An executive session pursuant to A.R.S. §38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding public hearings.*

Chairman Merritt closed the public portion of this meeting at 6:38 pm and moved that the Commission convene into a closed executive session. The commission, including the alternate, and staff left the town council chambers and met in the executive conference room for the executive session.

The Planning & Zoning Commission was re-convened at 6:45 pm.

ACTION ITEMS: There were no action items for this meeting.

INFORMATION ITEMS - FROM STAFF: COUNCIL ACTION OF PRIOR P&Z CASES: **Dingee** stated that the two Conditional Use Permit cases that were forwarded to Town Council were approved.

ATTACHMENT E

MINUTES - **P&Z** MAY 2, 2023 (FOR REFERENCE ONLY)

Lineberry provided updates for the General Plan. She encouraged everyone to make comments and that all comments received are reviewed by the steering committee. **Meadors** asked if all the zoning districts were changing. **Lineberry** stated that those designations in the General Plan are Land Use Designations, not zoning districts. The new plan has more designations to help staff and the community regulate what can happen in certain places.

INFORMATION ITEMS - FROM THE COMMISSIONERS: There were no items from the commissioners.

INFORMATION ITEMS- FROM THE CHAIRMAN: **Merritt** shared a couple of educational items.

1. Sewer - Estimated Cost - He shared that he recently talked with a contractor who has done road work in this town and that this contractor estimated that the cost is about \$300 per foot, and for only pipe, it runs about \$220 per foot. These costs are part of the items taken into account by developers and determined whether it is cost-effective to move their projects forward.
2. Grocery Stores - **Merritt** again took advantage of talking with an acquaintance that is familiar with grocery stores and what it would take to have a second store in Chino Valley. That industry looks at things like population, overall positive 5-6 year population increase, and what type of store it would be. If the store provided other items than groceries, i.e., clothing, bbq, furniture, etc, then the pre-covid cost was estimated at \$24 Million to just build the store, and that estimate is over three years old. To operate that type of store the minimum sales per week would need to meet or exceed \$800,000 per week. That figures out to approximately \$52 per person (not families, but each person) per week to sustain that store. These figures highlight why the town currently has only one store. **Switzer** mentioned that some smaller towns have Wal-Marts, perhaps hoping for future development.

INFORMATION ITEMS - FROM THE PUBLIC: There were no comments from the Public.

ADJOURN-A motion was made by **Meadors** and seconded by **Pasciak** to adjourn the meeting at 7:06 p.m.

Charles Merritt - Chair

Prepared By: Dee Dee Moore

ATTACHMENT f
MINUTES-TOWN COUNCIL MAY 23, 2023 (FOR REFERENCE ONLY)

Item b) Public hearing, consideration, and possible action regarding the "Homestead" Preliminary Plat located at the Northeast corner of West Road 3 South and South Road 1 West from applicant Jay Bates, on behalf of Right Homes.

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

This was a request for approval for the Homestead Subdivision Preliminary Plat. This was the second time the project was coming before Council. The first time was for the rezone of the parcel. The applicant was in attendance.

The property was 20 acres in size, zoned Single Family Residential, one acre minimum, and located at the northeast corner of West Road 3 South and South Road 1 West. The proposal consisted of 15 one acre lots with a newly created east/west roadway, dubbed Farley Way. There would be drainage tracts and road improvements along South Road 1 West and landscaping along South Road 1 West. The property would be served by well and septic. Staff received one letter of opposition citing water, road conditions, and traffic as concerns.

Planning & Zoning provided a recommendation of approval with the conditions of approval found in attachment a.

Council and staff discussed the following:

Council inquired how the road would hold up to service trucks going to the end of the road and turning around. Frank Marbury, Town Engineer, stated that street would be designed to accommodate trucks, school buses, and emergency vehicles.

Council inquired if the road would be dedicated to the Town. **Mr.** Marbury stated that the cul-de-sac would be a public street.

One councilmember stated that the General Plan talked about the percentage of manufactured homes and asked if this subdivision was included in the 44% mentioned?

Will Dingee stated that number was specific to currently placed homes.

Jay Bates, Applicant, and Council discussed the following:

Council inquired about the ability to hook up to Prescott water. Mr. Bates stated that it was too far, as it only reached Road 2 South. Mr. Bates stated that he had obtained an assured water supply certificate from the State.

One councilmember made mention of condition number four, which stated that new buyers would sign a noise and odor disclosure acknowledging the nearby slaughterhouse. Mr. Bates stated a lot of people had moved in and out of the area a lot and it hadn't seemed to be an issue yet.

VM Granillo opened the Public Hearing. Rachelle

Femow presented the following:

She stated that, to her knowledge, none of the existing homes had to sign a disclosure of noise or smell which she thought could be a deterrent to selling the properties.

In the previous budget meetings, Joe Duffy had talked in depth about the Town's waste water management plant losing money, and idea was to increase fees on those tied into those utilities. She felt there was a flaw in the UDO regarding the distance to tie into Town utilities. She stated

ATTACHMENT F

MINUTES-TOWN COUNCIL MAY 23, 2023 (FOR REFERENCE ONLY)

there was a trend with this specific developer in that his properties used to be 1,200 sq. ft. lots, but now they were all one acre with the intent of avoiding tying into Town services. She didn't see how the Town would survive if developers were not held accountable to tie into infrastructure. She stated the Town was borrowing from the General Fund to pay for the deficit in the wastewater treatment plant and the cost would now be passed onto the citizens who were already struggling. She stated developers could afford to tie in. She stated the flaw in the UDO needed to be addressed.

Jay Bates, applicant, presented the following:

As far as the disclosure, he stated that was on him and his company and that no one else could dictate if they should or shouldn't as they were taking the risk.

He stated that he built 75 houses in Chino and hooked up to sewer and water a lot. It was just a matter of the cost being effective. If utilities were 600 to 1,000 feet away, the cost was prohibitive. There was a proposed project on Road 2 North which would be 70 homes and they would all be on Town sewer and water.

VM Granillo closed the Public Hearing.

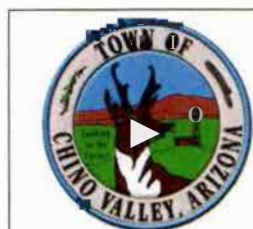
MOVED by Councilmember John McCafferty, seconded by Vice-Mayor Eric Granillo to approve the preliminary plat.

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

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

3 - 3 FAILED

ATTACHMENT G
STAFF RESEARCH



STAFF RESEARCH- ZONE CHANGE

CASE#: PP-2023-02

CASE PLANNER: JESSICA BARRAGAN

I. PROJECT DATA

Project Location:	Northeast of intersection at West Road 3 South and South Road 1 West.
Parcel Number(s):	306-33-009A
Parcel Size(s):	20 Acres
Total Acreage:	20 Acres
Proposed Dwelling Units:	15 Lots
Address:	None assigned.
Applicant:	Jay Bates, Right Homes
Applicant's Agent:	Adam Haywood
Zoning Overlay	IPAD 1 N/A

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Single Family Residential 1-Acre Minimum (SR-1)	Vacant	Medium Density Residential (2 Acres or Less)
North	Multiple Family Residential (MR) & Mobile Home Park (MHP) & Commercial Light (CL)	Residential and Slaughter House	Medium Density Residential (2 Acres or Less)
South	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
East	Agricultural Residential 5-Acre Minimum (AR-5)	Vacant	Medium Density Residential (2 Acres or Less)
West	(RCU-2A)	Residential	Yavapai County Jurisdiction

Prior Cases or Related Actions:					
TuQg	Conforms				Cases, Actions or Agreements
Pre-Annexation Agreement	Yes		No	X	
Annexation	Yes	X	No		November 13, 1970 - 1 st Annexation
General Plan Amendment	Yes		No	X	
Development Agreement	Yes		No	X	
Rezone	Yes	X	No		January 3, 2023 - Rezone from Agricultural Residential 5-Acre Minimum (AR-5) to Single Family Residential 1-Acre Minimum (SR-1).
Subdivision	Yes		No	X	

ATTACHMENT G
STAFF RESEARCH

Conditional Use Permit	Yes	X	No	March 15, 1976 - Request for a CUP to Build a cutup room and small slaughter house for Beefway Ranch, Inc. Town has no minutes on file before May 29, 1977, so no record of the CUP being passed in on file. However, signatures for two petitions were submitted to Town Council prior to this case (June 17, 1975 and September 28, 1974).
Pre-Application Meeting	Yes	X	No	December 15, 2021- PA21-21 "Homestead Subdivision"
Preliminary-Plat	Yes	X	No	May 2 nd , 2023- Request PP-2023-01 was heard & passed by P&Z with a 4-2 vote in favor to forward a recommendation of approval to Town Council.
Preliminary -Plat	Yes		No	X May 22, 2023 - Request PP-2023-01 was heard & Faild by Town Council with a 3-3 vote.
Enforcement Actions	Yes		No	X August 9, 1974 - "Violation of Zoning Codes", although not specified what the violation was.
Land Division Status:	Yes	X	No	1960 - Dedication of Public Roadway - Resolution 854 1973 - Result of Split from APN 306-33-009 (Sibling Parcel APN 306-33-0098)
Irrigation District:	N/A			
<u>Detailed Narrative</u>	This is a request by Adam Heywood, authorized agent for Jay Bates, on behalf of Right Homes, to subdivide approximately 20 acres of land into 15 one-acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of West Road 3 South and South Road 1 West, Chino Valley, Arizona.			

II. TOWN OF CHINO VALLEY GENERAL PLAN

Land Use Element:

Land Use Designation:	Medium Density Residential (2 Acres or Less)
Issues:	N/A

Public Services Element:

Water Facility Plan:	Source:	Existing City of Prescott 8" or 6" Water main located 1,460 ft North of Site.
Sewer Facility Plan:	Treatment:	12" Existing Gravity Main and 8" Existing Gravity Main located 1.11 mi North of Site.
Issues:	N/A	

Safety Element:

Flood Plain Designation:	N/A
Issues:	N/A

Transportation Element:

Road Classification	Not Designated
Issues:	N/A

parks and Rec Element:

ATTACHMENT G
STAFF RESEARCH

Closest Park:	Peavine Trail 3.5 Miles from location.
Within 1 mile of the Peavine Trail?	No.

NOTIFICATION

- Legal Ad Published: {09/05/23}
- 400' Vicinity Mailing: (08/14/23)
- 20 Commenting/Reviewing Agencies noticed: (08/23/2023)
- Neighborhood Meeting: (08/23/23)
- Hearing Dates: (10/03/23)
- Comments Due: (08/28/23)

<i>External List (Comments)</i>	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Samantha Alvarez - APS					
Richard Perez - A.D.O.T.					
Ralph Baker - C.V.1.0.					
Cody Rose - CAFMA					
Suzanne Ehrlich - YC ENV	X	4/21/2023		X	X
Monica Kriner - YC Health	X	3/20/2023	X		
Sparklight Cable					
LUMEN (Previously Centurylink)					
Unisource Gas					
CVUSD					
United States Postal Service					
Mark Holmes - Water Advisor	X	4/6/2023		X	X
<i>Town of Chino Valley Internal List (Conditions)</i>	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Jessica Barragan - Senior Planner (OS)	X	8/30/2023		X	X
Will Dingee - Assistant Director (OS)					
Laurie Lineberry - OS Director					
Frank Marbury - PW Director					
Steve Sullivan - Assistant Engineer (PW)	X	4/6/2023		X	X
Dan Trout - CBO (OS)					
Damon Stanley or Tracey Dashiell - Code Enforcement					
Chuck Winn - Chief of Police (Police)					

Attachment 3
Minutes - P&Z October 3, 2023
PP-2023-02
Town Council
October 24, 2023

PUBLIC HEARING #D.1 – Case# PP-2023-02 – This is a request by Jay Bates on behalf of Right Homes LLC, to subdivide approximately 20 acres of land into 15 one-acre lots for the Homestead Preliminary Plat. The property is located at the northeast corner of W Road 3 South and S Road 1 West, Chino Valley, Arizona.

Chair Merritt asked if anyone on the commission had a disclosure to declare regarding this project. There were none.

Merritt stated that the Commission heard a subdivision for the property earlier this year and the Zoning Commission did approve it.

Merritt introduced and welcomed Jessica Barragan, Senior Planner, and Gerreann Froberg, Senior Processing Coordinator.

Senior Planner **Jessica Barragan** presented the staff report and stated the developer made a minor change to the Preliminary Plat brought earlier this year, of an increase in landscaping along Road 1 West. He had also supplied evidence of Assured Water Supply. The applicant was in attendance. There was no written opposition. Staff recommended approval.

Merritt reiterated the only change to the Preliminary Plat from the last time the Commission reviewed it, was additional landscaping. He asked the applicant if he would like to speak at this time. The applicant declined. **Merritt** stated he could be called up at a later time.

Chair Merritt opened the meeting for public comments.

Brad Magee, 1350 S Road 1 West, stated he lived across the street from the slaughterhouse. He kept receiving neighborhood notices and no one in the neighborhood was trying to stop progress and development. He stated he never saw the Plat at the neighborhood meeting. He had two main concerns: the condition of the road and water. **Magee** expressed concern about the disrepair of the road and additional traffic (this road is owned half by Chino and half by Yavapai County). He stated he would love to discuss fixing the road. The second issue was the water, which tested high in arsenic. He asked Mr. Bates about connecting to Town or Prescott water. He stated that Mr. Bates informed him that he had applied to Prescott and was turned down. **Magee** encouraged the Town and Prescott to work with Mr. Bates to bring in infrastructure.

Ken Kronvold, 927 Rocking Horse Lane, stated he received notice of the hearing and questioned the status of the subdivision. Was it already approved?

Merritt stated they could not respond until after the public input portion of the public hearing was over.

Kronvold also identified three 80-foot power poles on the east side of Road 1 West. He wondered what was going to happen to the power poles that appeared to be in the future roadway. He stated water continued to be a big issue, everywhere, and he did not think there was enough of it.

Merritt closed the public portion of the hearing, and directed questions asked, to **Marbury**.

Marbury stated the road maintenance was the responsibility of the Town. He added that Town code requires power poles along the subdivision be undergrounded. If they were over 12,000 KV, they do not need to be undergrounded and he would check on it. Any adjustments would be part of the technical review of the subdivision, prior to Final Plat. Any pole relocation expenses would be borne by the developer. **Marbury** added that if Mr. Bates wanted to extend town water and/or sewer, the Town would be happy to allow that. The City of Prescott prohibited residential connections outside of their City limits.

Merritt stated the Commission had no authority over water usage and that Mr. Bates had an Arizona Department of Water Resources Certificate of Assured Water Supply. **Merritt** called on Mr. Bates and asked him to clarify the arsenic issue.

Mr. Bates stated he was aware of the arsenic issue, they had drilled a well early on and had the water tested. The acceptable limit had been lowered to .10 and the test results came back .11. After adding a filtration system (\$3,500) to each unit and retesting, the filtration system mitigated the arsenic level to zero. The CC&R's include a provision that every home would have a full filtration system, which would mitigate the arsenic level to zero. He stated the power poles were transmission lines.

Zamudio asked what kind of landscaping they would be doing? **Mr. Bates** stated they would be adding landscaping similar to another project, landscape rock, trees and plants, all irrigated with a separate well. **Meadors** asked if he would consider putting in 2-acre lots instead of 1-acre lots. He stated it was zoned for SR-1, and with development at a 2-acre lot size, it leads to the housing being out of an affordable range and keeps people from buying houses.

Merritt asked staff to clarify the prior approvals on the site.

Lineberry stated that zoning was approved. The Preliminary Plat was recommended to Council by the Commission and that the Council had a tie vote 3-3, with only 6 people in attendance, which was a "no" vote and the Preliminary Plat was not approved. The applicant was able to make a change and submitted a new Preliminary Plat application.

Merritt closed the public hearing.

Motion was made by Pasciak, seconded by Zamudio to approve PP-2023-02, as presented, subject to the staff report and information provided during the hearing, and the Conditions of Approval in Attachment A. A role-call vote was taken and the motion passed with a 6-1 vote, with Switzer voting no.

Merritt asked Commissioner **Switzer** to explain his vote.

Switzer stated he was staying consistent with his rezone vote, he voted against the rezone, and against the last Preliminary Plat. He believed the land should stay 5-acres (AR-5). At minimum, he would like to see residential 2-acre lots as most of the properties around that area were that size. He did not like the proximity to the slaughterhouse.

**Attachment 4
Preliminary Plat Layout
PP-2023-02
Town Council
October 24, 2023**

LOCATED IN THE NW QUARTER OF SECTION 34, TOWNSHIP 16 NORTH, RANGE 2 WEST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN

CURRENT APN: 306-33-009A

CURRENT APN: 306-33-009A

EXISTING ZONING: SR-1	
TOTAL AREA: 20,005 ACRES	
TOTAL LOTS: 15	TOTAL TRACTS: 3
AVERAGE LOT SIZE: 1,044 ACRES	TRACT A: 6,006 ACRES
MINIMUM LOT SIZE: 1 ACRE	TRACT B: 1,081 ACRES
MAXIMUM LOT SIZE: 1.05 ACRES	TRACT C: 1,040 ACRES
	TOTAL FARM DEDICATION: 3,341 ACRES

NO PORTION OF THIS SUBMISSION FALLS WITHIN A FEMA DESIGNATED SPECIAL FLOOD HAZARD AREA (SFHA). PLEASE SEE FIRM PANEL 04025C1680G, EFFECTIVE 09/03/2010 FOR MORE INFORMATION

ALL CONSTRUCTION SHALL COMPLY WITH CITY CODES AND SETBACK DIMENSIONS
PER TOWN OF CHINO VALLEY SR-1 ZONING

ALL NEWLY CREATED LOTS SHOWN HEREON ARE TO HAVE WATER PROVIDED BY INDIVIDUAL WELLS LOCATED ON EACH LOT AS WELL AS INDIVIDUAL SEPTIC SYSTEMS LOCATED ON EACH LOT. ELECTRICITY IS TO BE PROVIDED BY APS, CABLE BY SPARKLITE AND TELEPHONE SERVICE BY QWEST.

DURING CERTAIN SEASONS ALL LOTS SHOWN HEREON WILL BE SUBJECTED TO ODORS CAUSED BY A MEAT PROCESSING FACILITY LOCATED TO THE NORTH OF THIS SUBDIVISION.

NEWLY CREATED RIGHT-OF-WAY IS TO BE IMPROVED TO THE STANDARDS SET FORTH IN THE APPROVED CIVIL CONSTRUCTION DOCUMENTS SUBMITTED IN CONNECTION WITH THE FINAL PLAT AND DESIGNED TO TOWN OF CHINO VALLEY MAJOR SUBDIVISION SPECIFICATIONS

ALL CONSTRUCTION AND GROUND DISTURBANCE ACTIVITIES ARE SUBJECT TO COMPLIANCE WITH THE REQUIREMENTS OF THE TOWNS OF CHINO VALLEY CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL STANDARDS. THIS APPLIES TO ALL STAGES OF CONSTRUCTION, INCLUDING HOME CONSTRUCTION AND LANDSCAPING ON INDIVIDUAL LOTS. EROSION AND SEDIMENT CONTROL MEASURES MUST BE MAINTAINED UNTIL ALL SITES HAVE BEEN PERMANENTLY STABILIZED.

CERTIFICATE OF ASSURED WATER SUPPLY HAS BEEN ISSUED FOR THIS SUBMISSION BY THE ARIZONA DEPARTMENT OF WATER RESOURCES, CERTIFICATE NUMBER 27-701257.0000

[illegible][illegible]

TYPICAL BUILDING SET BACKS
SHOWN PER TOWN OF CHINO VALLEY SR-1 ZONING.
SEE TOWN OF CHINO UDO SECTION 3.11
NOT TO SCALE

TYPICAL BUILDING SET BACKS

SHOWING PER TOWN OF CHINO VALLEY SR-1 ZONING.
SEE TOWN OF CHINO UDO SECTION 3.11

ROAD 1 WEST SETBACK NOTE

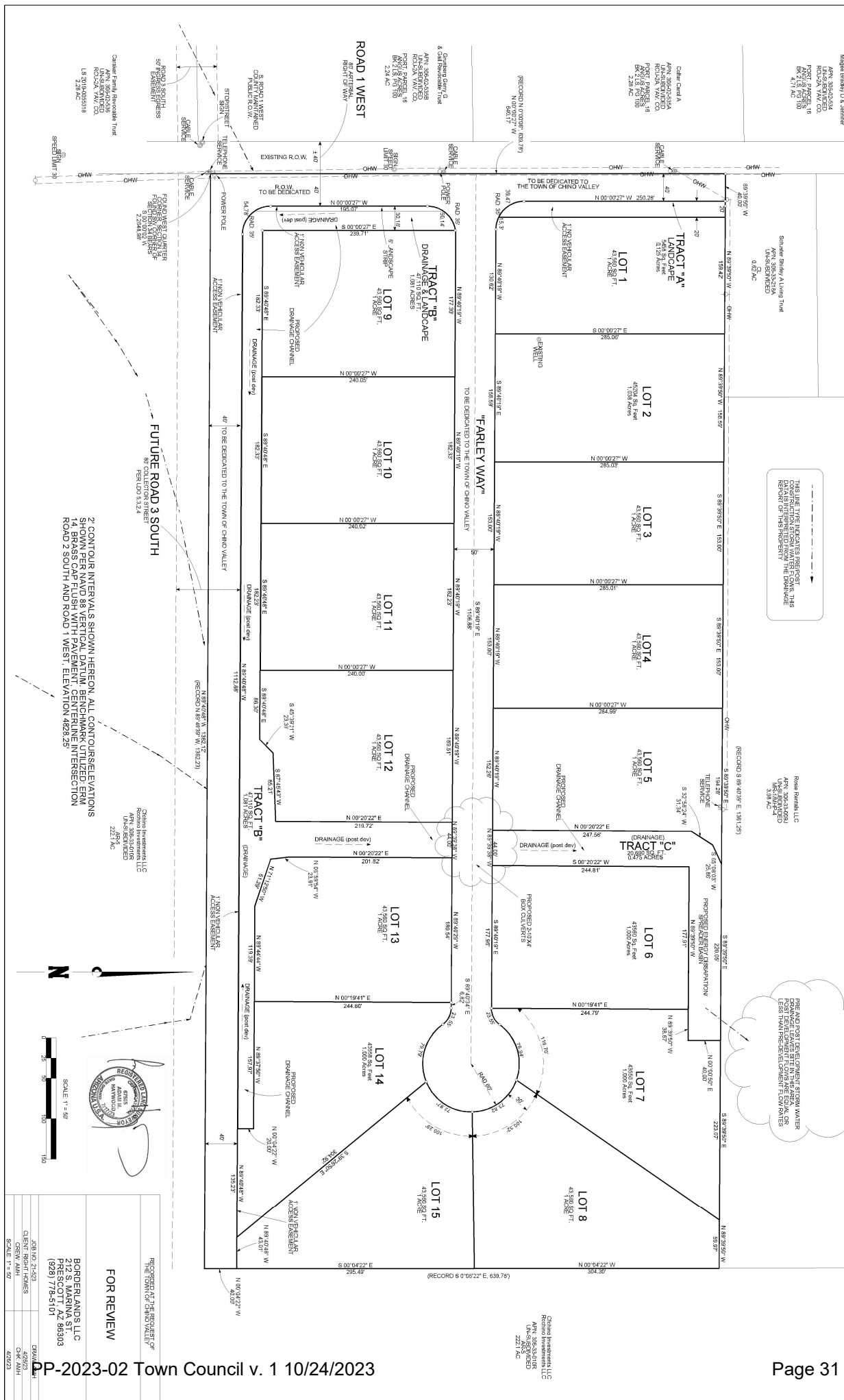
THE BUILDING SETBACK ALONG ROAD 1 WEST IS 20 FEET PER TOWN OF CHINO VALLEY UDO 4.28.1 & 4.28.1.K

BUILDING ENVELOPE NOTE

ALL CONSTRUCTION CONFORMING TO THE CHINO VALLEY UDO SHALL BE ALLOWED ANYWHERE WITHIN BUILDING SETBACK LINES. NO NON-TYPICAL BUILDING ENVELOPE/SETBACK SITUATIONS EXIST

RECORDED AT THE REQUEST OF
THE TOWN OF CHINO VALLEY

BORDERLANDS LLC
212 S. MARINA ST.
PRESCOTT, AZ 86303
(928) 778-5101



Attachment 1
Conditions of Approval
PP-2023-02
Town Council
October 24, 2023

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

3. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
4. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office, prior to the preliminary plat being heard by the Town Council.

Planning: Jessica Barragan, Senior Planner, (928) 636-3473

5. The developer shall include a disclosure on the front page of the Final Plat identifying the proximity of the slaughterhouse and stating the potential for odors and noises related to this type of land use.
6. As part of their closing documents, the developer shall require buyers to sign a Noise and Odor Disclosure, acknowledging the proximity of the existing slaughterhouse and the potential impact of related odors and noises.

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

7. The owner shall dedicate right-of-way per UDO § 5.3.2 as follows:
 - a. South Road 1 West half-width: 40' east of the western line of section 34.
 - b. West Road 3 South half-width: 40' north of the east-west mid-section line of section 34.
 - c. Internal Street: Minimum right-of-way full-width is 50'. At street intersections, property line corners shall be rounded by circular arc having a minimum chamfer length of thirty-five (35) feet. The cul-de-sac shall terminate in a circular right-of-way 60' in radius.
8. The owner shall construct half-width improvements on the east half of South Road 1 West along the subdivision's frontage per the Town's Urban and Rural Roadways map as follows:

The improvements shall include, at a minimum, a 12' paved through lane, a 5' paved shoulder and a road side ditch.
9. The owner shall construct the following onsite improvements per UDO § 5.3.2:

Internal Street: Per Rural Local Road standards that includes 24' wide minimum asphalt roadway, 5' shoulder with thickened edge. The cul-de-sac shall have a minimum improved traffic turning circle 48' in radius.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting 2023

6. b.

Meeting Date: 10/24/2023
Contact Person: Erin Deskins, Town Clerk
Department: Town Clerk
Estimated length of staff presentation: 5 minutes
Physical location of item: 828 East Road 4 South

AGENDA ITEM TITLE:

Public hearing, consideration, and possible action regarding application from Maria Danielle Burgess, Circle K, for a new Series 010 Liquor License located at 828 East Road 4 South, Chino Valley.

RECOMMENDED ACTION:

- (i) Hold Public Hearing
- (ii) Recommend approval for a new Series 010 Liquor License for Circle K

SITUATION AND ANALYSIS:

A.R.S. § 4-201 provides that a person desiring a new or amended liquor license shall apply with the State Liquor Board. Upon receipt of such application, the State forwards the application to the local governing body (Council), which is tasked with making a recommendation to the Board for granting or denying the license. The local governing body may also vote to make no recommendation should they prefer that approval or denial be up to the State. A recommendation for disapproval requires a statement of the specific reasons containing a summary of the testimony or other evidence supporting the recommendation for disapproval. The attached Arizona Administrative Code, Rule R19-1-702 provides guidelines for determining whether to grant a license for a certain location.

Upon reviewing the material provided by the Department of Liquor Licenses and Control, and conducting a public hearing, the Council may recommend that the state liquor board grant or deny the license, or vote to make no recommendation.

Maria Danielle Burgess has applied with the State for a new Series 010 (Beer and Wine Store) Liquor License. This non-transferable, off-sale retail privileges liquor license allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 010 (beer and wine store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

The Police, Fire, and Planning Departments reviewed the application and offered no comments. Staff

posted the vacant lot with the necessary notices to meet the required 20-day period. As of the date of this report, staff has not received any written arguments in favor of or in opposition to the application.

Fiscal Impact

Fiscal Impact?: N

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Circle K Liquor License Application

Acceptable Reasons to Protest

Guidelines for Granting License

State of Arizona
Department of Liquor Licenses and Control

Created 08/28/2023 @ 04:02:29 PM

Local Governing Body Report

LICENSE

Number:	Type:	010 BEER AND WINE STORE
Name:	CIRCLE K STORE #9571	
State:	Pending	
Issue Date:	Expiration Date:	
Original Issue Date:		
Location:	828 E ROAD 4 SOUTH CHINO VALLEY, AZ 86323 USA	
Mailing Address:	LICENSING DC-36 PO BOX 52085 PHOENIX, AZ 85072-2085 USA	
Phone:	[REDACTED]	
Alt. Phone:		
Email:	AZLICENSE@CIRCLEK.COM	

AGENT

Name:	MARIA DANIELLE BURGESS
Gender:	Female
Correspondence Address:	LICENSING DC-36 PO BOX 52085 PHOENIX, AZ 85072-2085 USA
Phone:	[REDACTED]
Alt. Phone:	
Email:	AZLICENSE@CIRCLEK.COM

OWNER

Name: CIRCLE K STORES INC
 Contact Name: MARIA DANIELLE BURGESS
 Type: CORPORATION
 AZ CC File Number: F00065980 State of Incorporation: AZ
 Incorporation Date: 04/08/1957
 Correspondence Address: LICENSING DC-36 PO BOX
 52085
 PHOENIX, AZ 85072-2085
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

Officers / Stockholders

Name:	Title:	% Interest:
CIRCLE K DELAWARE INC	Stockholder	100.00
MARIA DANIELLE BURGESS	Asst. Secretary	
KATHLEEN K CUNNINGTON	President, Sec, Treas, Director	
MORTEN MICHAEL JENSEN	VP	

CIRCLE K CORPORATION - Stockholder

Name: COUCHE TARD US INC
 Contact Name: KIM KWIATOKSKI
 Type: CORPORATION
 AZ CC File Number: State of Incorporation:
 Incorporation Date:
 Correspondence Address: LICENSING DC-36
 PO BOX 52085
 PHOENIX, AZ 85072
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

ALIMENTATION COUCHE TARD INC - VP
DEPAN ESCOMPTE COUCHE TARD INC - VP
COUCHE TARD INC - VP
MACS CONVENIENCE STORES INC - VP
COUCHE TARD US INC - Pres/SEC
CIRCLE K CORPORATION - Pres/SEC
CIRCLE K DELAWARE INC - Pres/SEC
CIRCLE K STORES INC - President, Sec, Treas,
Director

Name: KATHLEEN K CUNNINGTON
 Gender: Female
 Correspondence Address: LICENSING DC-36 PO BOX
 52085
 PHOENIX, AZ 85072-2085
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: [REDACTED]

COUCHE TARD INC - Stockholder

Name: DEPAN ESCOMPTE COUCHE TARD INC
 Contact Name: KIM KENNETH KWIATKOWSKI
 Type: CORPORATION
 AZ CC File Number: State of Incorporation:
 Incorporation Date:
 Correspondence Address: LICENSING DC-36
 PO BOX 52085
 PHOENIX, AZ 85072
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

CIRCLE K STORES INC - Asst. Secretary

Name: MARIA DANIELLE BURGESS
 Gender: Female
 Correspondence Address: 1130 W WARNER ROAD
 TEMPE, AZ 85284
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

CIRCLE K STORES INC - Stockholder

Name: CIRCLE K DELAWARE INC
 Contact Name: KIM KENNETH KWIATKOWSKI
 Type: CORPORATION
 AZ CC File Number: State of Incorporation:
 Incorporation Date:
 Correspondence Address: LICENSING DC-36 PO BOX
 52085
 PHOENIX, AZ 85072-2085
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

MACS CONVENIENCE STORES INC - Stockholder

Name: COUCHE TARD INC
 Contact Name: KIM KENNETH KWIATKOWSKI
 Type: CORPORATION
 AZ CC File Number: State of Incorporation:
 Incorporation Date:
 Correspondence Address: LICENSING DC-36
 PO BOX 52085
 PHOENIX, AZ 85072
 USA
 Phone: [REDACTED]
 Alt. Phone:
 Email: AZLICENSE@CIRCLEK.COM

CIRCLE K DELAWARE INC - Stockholder

Name: CIRCLE K CORPORATION
Contact Name: KIM KENNETH KWIATKOWSKI
Type: CORPORATION
AZ CC File Number: State of Incorporation: AZ
Incorporation Date:
Correspondence Address: LICENSING DC-36
PO BOX 52085
PHOENIX, AZ 85072
USA
Phone: [REDACTED]
Alt. Phone:
Email: AZLICENSE@CIRCLEK.COM

COUCHE TARD US INC - Stockholder

Name: MACS CONVENIENCE STORES INC
Contact Name: KIM KENNETH KWIATKOWSKI
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: LICENSING DC-36
PO BOX 52085
PHOENIX, AZ 85072
USA
Phone: [REDACTED]
Alt. Phone:
Email: AZLICENSE@CIRCLEK.COM

CIRCLE K STORES INC - VP

Name: MORTEN MICHAEL JENSEN
Gender: Male
Correspondence Address: LICENSING DC-36 PO BOX
52085
PHOENIX, AZ 85072-2085
USA
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

DEPAN ESCOMPTE COUCHE TARD INC -**Stockholder**

Name: ALIMENTATION COUCHE TARD INC
Contact Name: KIM KENNETH KWIATKOWSKI
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: LICENSING DC-36
PO BOX 52085
PHOENIX, AZ 85072
USA
Phone: [REDACTED]
Alt. Phone:
Email: AZLICENSE@CIRCLEK.COM

MANAGERS

Name: JANET KAY MEZA
Gender: Female
Correspondence Address: 1130 W WARNER ROAD
TEMPE, AZ 85284
USA
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

APPLICATION INFORMATION

Application Number: 255962
 Application Type: New Application
 Created Date: 08/24/2023

Chay

QUESTIONS & ANSWERS

010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Provide name, address, and distance of nearest school.
(If less than one (1) mile note footage)
VALLEY LEARNING CENTER 2265 AZ 89 UNIT 1 CHINO VALLEY AZ 86323
1,498 FEET
- 3) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
OWNER
- 4) Is there a penalty if lease is not fulfilled?
No
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
No
If no, in what City, Town, County or Tribal/Indian Community is this business located?
YAVAPAI COUNTY
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
\$3,500,000

WELLS FARGO BANK ACCT- [REDACTED] S GRAND AVE LOS ANGELES CA 90071
- 7) Are there walk-up or drive-through windows on the premises?
No
- 8) Does the establishment have a patio?
No
- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
05/05/2024



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

23 AUG 24 1971 Lic. #M1108

FPCurrent
 11-19-2021

QUESTIONNAIRE
 A.R.S. §4-202, 4-210
 Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: _____

1. Check the
Appropriate
Box →

☒ Controlling Person

☒ Agent

☐ Premises Manager

(complete all questions except #12)

2. Name: Burgess, Maria Danielle Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: Arizona

4. Place of birth: Clearwater, FL United States Height: 5'3" Weight: 190 Eyes: blue Hair: brown
City State COUNTRY (not county)

5. Name of current/most recent spouse: Burgess, Donnie Joe Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: 1/1/1989

7. Daytime telephone number: [REDACTED] E-mail address: azlicense@circlek.com

8. Business Name: Circle K Store #9571 Business Phone: pending / /

9. Business Location Address: 828 E Road 4, South Chino Valley AZ Yavapai 86323
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
8/2000	CURRENT	Assistant Secretary	Circle K Stores Inc. 1130 W Warner Rd, Tempe, AZ 85284

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
03/2014	CURRENT	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Maria Danielle Burgess hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature]State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

16th Day of August 2023

Day

Month

Year

My Commission Expires on: 1/15/2027

SUSAN HELMS
Notary Public - Arizona
Maricopa County
Commission # 641126
My Comm. Exp. January 15, 2027

[Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

23 AUG 24 147. Lic. RM1108

**Questionnaire Supplementary for AZ Dept of Liquor License & Control
Entity Responses - Circle K Stores Inc**

QUESTION 18: Entity response for Circle K Stores Inc.

Circle K Stores Inc Interest in any other alcoholic beverage business:

Alimentation Couche-Tard Inc is a publicly traded company and has several subsidiary's which operate approximately 10,200 retail convenience markets in the United States, Canada, and Europe under the following names.

Circle K
Kangaroo Express
Mac's
Couche-Tard
Statoil
Ingo

Most of these sites have alcohol.

Circle K Stores Inc operates approximately 3,600 stores in 27 states.

Interest is limited to employee/officer relationship.

License applications denied - It is the company's policy to secure alcohol licenses prior to constructing/acquiring sites. If an agency recommends denial of a license application for just cause (close to school, church, high crime area, etc), the application is usually withdrawn and the site is not purchased.

Licenses suspended/fined - The company trains its employees on the techniques of alcohol management. Periodically an employee of ours may incur a violation related to alcohol. Some jurisdictions will only issue a citation to the employee, therefore it is difficult to obtain knowledge of these violations. When the company is also issued a citation, the company may be fined a dollar amount or the store is required to suspend sales for a period of time. A report of citations can be created by request for those citations where the company was fined.

Licenses revoked - To the best of our knowledge there has been no alcohol license revoked.

Signature: _____


Maria Danielle Burgess - Agent

123 AUG 24 11:08 AM

2022 AZ LIQUOR VIOLATIONS 2022												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$1,500.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
20-May	09070138	1950	3116	Phoenix	\$1,500.00	1	5/20/2022	AZDOL	na	na	Sell to minor	Valerie Valenzuela
2021 AZ LIQUOR VIOLATIONS 2021												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
28-Jul	09070189	5024	3138	Phoenix	\$750.00	1	7/28/2021	AZDOL	na	na	Sell, offer to see, use drugs on premise	na
2020 AZ LIQUOR VIOLATIONS 2020												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
		\$0.00				count= 0						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
2019 AZ LIQUOR VIOLATIONS 2019												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
19-Oct	9100071	1946	3183	Tucson	\$750.00	1	10/23/2019	AZDOL	na	na	Act of violence on premises	na
2018 AZ LIQUOR VIOLATIONS 2018												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$1,000.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
05-18	10076725	3490	3136	Chandler	\$1,000.00	1st	5/13/2018	AZ DPS	na	NO	Sell to minor	Seth Owens
2017 AZ LIQUOR VIOLATIONS 2017												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
06-17	10071118	8596	3147	Peoria	\$750.00	1st	6/8/2017	AZ DOL	Yes	NO	Sold to minor	Joseph Aston
2016 AZ LIQUOR VIOLATIONS 2016												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
01-16	10100124	1581	3187	South Tucson	\$750.00	1st	1/21/2016	AZ DOL	na	na	Sold to intoxicated person	Robert Zacarias Martinez



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE

A.R.S. § 4-202, 4-210

Type or Print with Black Ink

FP Current
 6-17-2022

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

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QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: _____

1. Check the
Appropriate
Box →

☒ Controlling Person

☐ Agent

☐ Premises Manager

(complete all questions except #12)

2. Name: Cunnington (Kerr) Kathleen K Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: AZ

4. Place of birth: Indianapolis IN USA Height: 5'9" Weight: 135 Eyes: BLU Hair: BLN
City State COUNTRY (not county)

5. Name of current/most recent spouse: Cunnington Jeffrey David Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: May 2011

7. Daytime telephone number: [REDACTED] E-mail address: [REDACTED]

8. Business Name: Circle K Store #9571 Business Phone: pending / /

9. Business Location Address: 828 E Road 4, South Chino Valley AZ Yavapai 86323
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
01/11	CURRENT	Treasurer/VP/Director	Circle K Stores Inc, 1130 W Warner Rd, Tempe, AZ 85284

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
01/17	CURRENT	[REDACTED ADDRESS]
05/11	01/17	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Kathleen K Cunningham hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Kathleen K. Cunningham

State of Arizona

Maricopa

County of Maricopa

The foregoing instrument was acknowledged before me this

My Commission Expires on: 8/8/2024

Leticia M. Martinez

Notary Public

Maricopa County, Arizona

My Comm. Expires 08-08-2024

Commission No. 591918

Day

16th

Day of

August

Month

2023

Year

Leticia M. Martinez

Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____

SIGNATURE: _____

'23 AUG 24 Ltr. Lic. AM1108

**Questionnaire Supplementary for AZ Dept of Liquor License & Control
Entity Responses - Circle K Stores Inc**

QUESTION 18: Entity response for Circle K Stores Inc.

Circle K Stores Inc Interest in any other alcoholic beverage business:

Alimentation Couche-Tard Inc is a publicly traded company and has several subsidiary's which operate approximately 10,200 retail convenience markets in the United States, Canada, and Europe under the following names.

Circle K
Kangaroo Express
Mac's
Couche-Tard
Statoil
Ingo

Most of these sites have alcohol.

Circle K Stores Inc operates approximately 3,600 stores in 27 states.

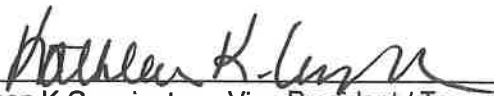
Interest is limited to employee/officer relationship.

License applications denied - It is the company's policy to secure alcohol licenses prior to constructing/acquiring sites. If an agency recommends denial of a license application for just cause (close to school, church, high crime area, etc), the application is usually withdrawn and the site is not purchased.

Licenses suspended/fined - The company trains its employees on the techniques of alcohol management. Periodically an employee of ours may incur a violation related to alcohol. Some jurisdictions will only issue a citation to the employee, therefore it is difficult to obtain knowledge of these violations. When the company is also issued a citation, the company may be fined a dollar amount or the store is required to suspend sales for a period of time. A report of citations can be created by request for those citations where the company was fined.

Licenses revoked - To the best of our knowledge there has been no alcohol license revoked.

Signature: _____


Kathleen K Cunningham - Vice President / Treasurer

120 AUG 24 10:47 AM AZ1108

2022 AZ LIQUOR VIOLATIONS 2022												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	1	0	0	0	1					
				\$1,500.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
20-May	09070138	1950	3116	Phoenix	\$1,500.00	1	5/20/2022	AZDOL	na	na	Sell to minor	Valerie Valenzuela
2021 AZ LIQUOR VIOLATIONS 2021												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	0	0	0	0	0					
				\$750.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
28-Jul	09070189	5024	3138	Phoenix	\$750.00	1	7/28/2021	AZDOL	na	na	Sell, offer to see, use drugs on premise	na
2020 AZ LIQUOR VIOLATIONS 2020												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	0	0	0	0	0					
				\$0.00	count=			0				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
2019 AZ LIQUOR VIOLATIONS 2019												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	0	0	0	0	0					
				\$750.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
19-Oct	9100071	1946	3183	Tucson	\$750.00	1	10/23/2019	AZDOL	na	na	Act of violence on premises	na
2018 AZ LIQUOR VIOLATIONS 2018												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	1	0	0	0	1					
				\$1,000.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
05-18	10076725	3490	3136	Chandler	\$1,000.00	1st	5/13/2018	AZ DPS	na	NO	Sell to minor	Seth Owens
2017 AZ LIQUOR VIOLATIONS 2017												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	1	0	0	0	1					
				\$750.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
06-17	10071118	6596	3147	Peoria	\$750.00	1st	6/8/2017	AZ DOL	Yes	NO	Sold to minor	Joseph Aston
2016 AZ LIQUOR VIOLATIONS 2016												
Violations:		Dismissed	1st	2nd	3rd	4th	Total					
Number of:		0	1	0	0	0	1					
				\$750.00	count=			1				
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
01-16	10100124	1581	3187	South Tucson	\$750.00	1st	1/21/2016	AZ DOL	na	na	Sold to intoxicated person	Robert Zacarias Martinez



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with Black Ink

FP current
 11-5-2021

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: _____

1. Check the
Appropriate
Box →

☒ Controlling Person

☐ Agent

☐ Premises Manager

(complete all questions except #12)

2. Name: Jensen, Morten Michael Birth Date:
Last First Middle (NOT a public record)

3. Social Security #: Driver License #: State: Arizona

4. Place of birth: Glostrup, Sjeolland Denmark Height: 6'1" Weight: 190 Eyes: BL Hair: BLN
City State COUNTRY (not county)

5. Name of current/most recent spouse: Jensen, Rikke Lind Birth Date:
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: 08/1/2021

7. Daytime telephone number: E-mail address:

8. Business Name: Circle K Store #9571 Business Phone: / /
pending

9. Business Location Address: 828 E Road 4, South Chino Valley AZ Yavapai 86323
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
8/2021	CURRENT	Vice President	Circle K Stores Inc. 1130 W Warner Rd, Tempe, AZ 85284
07/2016	08/2021	Vice President	Circle K Stores Inc. 4080 W Jonathan Moore Pike, Columbus, IN 47201

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
08/2021	CURRENT	
11/2019	8/2021	
05/2016	11/2019	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. ☐ Yes ☒ No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☐ Yes ☐ No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? ☐ Yes ☒ No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 ☐ Yes ☒ No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? ☐ Yes ☒ No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☐ Yes ☒ No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) **Morten Michael Jensen** hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: _____

State of _____

Arizona

County of _____

Maricopa

The foregoing instrument was acknowledged before me this

My Commission Expires on: _____

SUSAN HELMS
Notary Public - Arizona
Maricopa County
Commission # 641126
My Comm. Exp. January 15, 2027

16th Day of August 2023
Day Month Year

Susan Helms
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____

SIGNATURE: _____

Questionnaire Supplementary for AZ Dept of Liquor License & Control
Entity Responses - Circle K Stores Inc

QUESTION 18: Entity response for Circle K Stores Inc.

Circle K Stores Inc Interest in any other alcoholic beverage business:

Alimentation Couche-Tard Inc is a publicly traded company and has several subsidiary's which operate approximately 10,200 retail convenience markets in the United States, Canada, and Europe under the following names.

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 Mac's
 Couche-Tard
 Statoil
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Licenses revoked - To the best of our knowledge there has been no alcohol license revoked.

Signature: _____


 Morten Michael Jensen - Vice President

23 AUG 24 14:14:11 AM 1108

**WRITTEN CONSENT OF
THE BOARD OF DIRECTORS OF
CIRCLE K STORES INC.**

The undersigned, being all the directors of Circle K Stores Inc., a Texas Corporation (the "**Corporation**"), in lieu of a meeting hereby consents to the following resolutions and the actions contemplated therein, and directs that this written consent be inserted into the proceedings of the Corporation:

SIGNING AUTHORITY OF MORTEN JENSEN

RESOLVED, Morten Jensen shall have the authority to sign on behalf of the Corporation as its "**Authorized Representative**" any and all checks, drafts or other orders for payment, all contracts, leases, licenses, deeds, mortgages and other agreements, and all other certificates, instruments or other documents of any kind, in each case to the same extent as though he were a duly authorized Vice President of the Corporation, unless otherwise directed in a particular case by the sole Shareholder or as otherwise required by any law applicable to the particular document in question.

This consent may be executed in counterparts, all of which shall be deemed to be part of one and the same original instrument.

Dated as of September 30th, 2021.



KATHY CUNNINGTON



DARRELL DAVIS

23 AUG 24 Lic. Lic. AM1108

2022 AZ LIQUOR VIOLATIONS 2022												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$1,500.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
20-May	09070138	1950	3116	Phoenix	\$1,500.00	1	5/20/2022	AZDOL	na	na	Sell to minor	Valerie Valenzuela
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		\$750.00				count= 1						
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Number of:	0	0	0	0	0	0						
		\$0.00				count= 0						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
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Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
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Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
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Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
01-16	10100124	1581	3187	South Tucson	\$750.00	1st	1/21/2016	AZ DOL	na	na	Sold to intoxicated person	Robert Zacarias Martinez



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FP Current
 6-13-2022

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

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Liquor License#: _____

1. Check the
Appropriate
Box →

☐ Controlling Person

☐ Agent

☒ Premises Manager
 (complete all questions except #12)

2. Name: Meza Janet Kay Birth Date:
Last First Middle (NOT a public record)

3. Social Security #: Driver License #: State: AZ

4. Place of birth: Glenellen AK USA Height: 5'8" Weight: 185 Eyes: BRO Hair: BRO
City State COUNTRY (not county)

5. Name of current/most recent spouse: Meza Hernando (none) Birth Date:
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? ☒ Yes ☐ No If yes, what is your date of residency: October 1972

7. Daytime telephone number: E-mail address:

8. Business Name: Circle K Store #9571 Business Phone: / /
pending

9. Business Location Address: 828 E Road 4, South Chino Valley AZ Yavapai 86323
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
08/98	CURRENT	Convenience Store	Circle K Stores Inc. 1130 W Warner Rd, Tempe AZ 85284

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
10/91	CURRENT	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
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13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? ☒ Yes ☐ No
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18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) ☒ Yes ☐ No

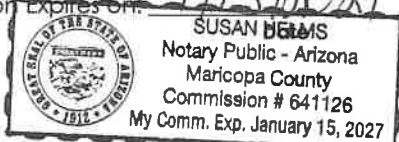
If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Janet Meza hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Janet Meza State of Arizona County of Maricopa
 My Commission Expires on: 1/15/2027 The foregoing instrument was acknowledged before me this
16th Day of August, 2023
Susan Helms
 Signature of Notary



The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: Maria Danielle Burgess

SIGNATURE: Maria Danielle Burgess

Questionnaire Supplementary for AZ Dept of Liquor License & Control
Entity Responses - Circle K Stores Inc

QUESTION 18: Entity response for Circle K Stores Inc.

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Licenses revoked - To the best of our knowledge there has been no alcohol license revoked.

NAME:


Janet Kay Meza

23 AUG 24 11:41 AM #11108

2022 AZ LIQUOR VIOLATIONS 2022												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$1,500.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
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		\$750.00				count= 1						
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Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
		\$0.00				count= 0						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
2019 AZ LIQUOR VIOLATIONS 2019												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	0	0	0	0	0						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
19-Oct	9100071	1946	3183	Tucson	\$750.00	1	10/23/2019	AZDOL	na	na	Act of violence on premises	na
2018 AZ LIQUOR VIOLATIONS 2018												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$1,000.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
05-18	10076725	3490	3138	Chandler	\$1,000.00	1st	5/13/2018	AZ DPS	na	NO	Sell to minor	Seth Owens
2017 AZ LIQUOR VIOLATIONS 2017												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
06-17	10071118	8596	3147	Peoria	\$750.00	1st	6/8/2017	AZ DOL	Yes	NO	Sold to minor	Joseph Aston
2016 AZ LIQUOR VIOLATIONS 2016												
Violations:	Dismissed	1st	2nd	3rd	4th	Total						
Number of:	0	1	0	0	0	1						
		\$750.00				count= 1						
MTH	LICENSE-NO.	STORE	ZONE	CITY	AMT	1st,2nd...4th	V-DATE	AGENCY	CUB	ASK-ID	VIOLATION	EMPLOYEE
01-16	10100124	1561	3187	South Tucson	\$750.00	1st	1/21/2016	AZ DOL	na	na	Sold to intoxicated person	Robert Zacarias Martinez

Certificate # _____

Certificate of Completion
For
Title 4 **BASIC** Liquor Law Training

☐ On-sale
☒ Off-sale
☐ On- and off-sale

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

The State requires BASIC Title 4 training only as a prerequisite for MANAGEMENT Title 4 training or as a result of a liquor law violation. Persons required to have BASIC Title 4 training are listed at the base of this Certificate. Licensees sometimes require BASIC Title 4 Training a condition of employment.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Janet K Meza

Full Name (please print)

Janet K Meza

Signature

10 / 19 / 2022

Training Completion Date

10 / 19 / 2025

Certificate Expiration Date

(three years from completion date)

Training Provider Information

Circle K Stores, Inc.

Company Name

1120 W Warner Bldg. #A Tempe AZ 85284

Mailing Address

Daytime Contact Phone Number

I, Brian Fitzpatrick

Instructor Name (please print)

certify that the above named individual did successfully complete Title 4 BASIC Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Brian Fitzpatrick

Instructor Signature

19, 10, 2022

Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below

2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

In-state Microbrewery (series 3)
Conveyance (series 8)
Restaurant (series 12)

Government (series 5)
Liquor Store (series 9)
In-state Farm Winery (series 13)

Bar (series 6)
Private Club (series 14)

Beer & Wine Bar (series 7)
Hotel/Motel w/restaurant (series 11)
Beer & Wine Store (series 10)

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

Certificate # _____

23 AUG 24 11:11 AM 1109

Certificate of Completion
For
Title 4 **MANAGEMENT** Liquor Law Training

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☒ Off-sale
☐ On- and off-sale

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Type of Application		Acceptable Protest
1	New License	May Protest Person and Location
2	Person Transfer	May Protest "ONLY" Person
3	Location Transfer	May Protest "ONLY" Location
4	Location and Person Transfer	May Protest Person and/or Location

Types of Liquor License Applications and Acceptable Reasons to Protest



**Arizona Laws and Regulations Relating to
Granting a Liquor License for a Certain Location
(pursuant to Arizona Revised Statute §4-201(I))**

R19-1-702. Determining Whether to Grant a License for a Certain Location

- A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:
1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;
 2. Number and types of licenses within one mile of the proposed premises;
 3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;
 4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;
 5. Residential and commercial population density within one mile of the proposed premises;
 6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;
 7. Effect on vehicular traffic within one mile of the proposed premises;
 8. Compatibility of the proposed business with other activity within one mile of the proposed premises;
 9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;
 10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;
 11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and
 12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.
- B. This Section is authorized by A.R.S. § 4-201(I).