



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
TUESDAY, DECEMBER 10, 2019
6:00 P.M.**

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

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

AGENDA

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL**
2. **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**

- a. Annual Report by the Chino Valley Equestrian Association regarding the status of the Chino Valley Equestrian Park located on Town property.
- b. Presentation by Jeff Frohock, Director, Chino Valley Repertory Theater, regarding the organization's upcoming first production.

3. **CALL TO THE PUBLIC**

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

4. **RESPONSE TO THE PUBLIC**

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

- a. Response to Carlos Romaniz, owner of CR Waterworks, requesting the Town to drop their tier system and replace with a flat fee.

5. CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

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

6. CONSENT AGENDA

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

- a. **p. 9** Consideration and possible action to amend Ordinance No.18-853 concerning the zoning of six acres located at 940 South Road 1 West, by adopting Ordinance 2019-877. (Frank Marbury, Public Works Director)
- b. **p. 31** Consideration and possible action to adopt Resolution 2019-1151 abandoning Town rights to an easement along Tree Farm Lane as recorded in Book 3940 Page 275 in the records of the Yavapai County Recorder. (Frank Marbury, Public Works Director/Town Engineer)
- c. **p. 39** Consideration and possible action to adopt the 2020 Base Council Meeting Schedule.
- d. **p. 41** Consideration and possible action to approve October 15, 2019, study session minutes. (Jami Lewis, Town Clerk)
- e. **p. 53** Consideration and possible action to approve October 29, 2019, study session minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

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

- a. **p. 63** Consideration and possible action to adopt Ordinance 2019-876 to rezone approximately 10 acres of real property, known as Craftsman Court, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 PAD (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay. The property is located on the southeast corner of Juniper Drive and North Road 1 East at 701 North Road 1 East, Chino Valley, AZ 86323, Assessor Parcel Number: 306-24-012. (Alex Lerma, Senior Planner)

Recommended Action: Adopt Ordinance 2019-876 to rezone approximately 10 acres of real property from the AR-5 (Agricultural Residential- 5 acre minimum) zoning district to SR-0.16 PAD (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district with the conditions recommended by Staff.

8. EXECUTIVE SESSION

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

- a. The Council may hold an executive session pursuant to: (i) Ariz. Rev. Stat. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding negotiations related to a potential economic development agreement; and (ii) Ariz. Rev. Stat. § 38-431.03(A)(3) and (4) for discussion or consultation and legal advice with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the existing Chino Meadows development agreement.

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 5th day of December, 2019.

By: *Vickie Nipper, Deputy Town Clerk*

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

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

CERTIFICATION OF POSTING

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

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

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

2. a.

Meeting Date: 12/10/2019

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

Department: Town Clerk

Estimated length 10 minutes

of Staff Presentation:

Physical location of item: Chino Valley Equestrian Park, 2208 Equestrian Way

AGENDA ITEM TITLE:

Annual Report by the Chino Valley Equestrian Association regarding the status of the Chino Valley Equestrian Park located on Town property.

SITUATION & ANALYSIS:

On September 27, 2016, the Town entered into a facility lease agreement with the Chino Valley Equestrian Association for 78 acres of real property on which to develop an Equestrian Park. Section 3 of the agreement requires to the tenant to annually report before December 15 to Council regarding activities, membership, facility use, events, improvements, financials, goals for next year, and contact information.

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

2. b.

Meeting Date: 12/10/2019
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Town Clerk
Estimated length 5 minutes
of Staff Presentation:
Physical location of item: N/A

AGENDA ITEM TITLE:

Presentation by Jeff Frohock, Director, Chino Valley Repertory Theater, regarding the organization's upcoming first production.

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. a.

Meeting Date: 12/10/2019
Contact Person: Frank Marbury, Public Works Director/Town Engineer
 Phone: 928-636-7140 x-1226
Department: Public Works
Item Type: Consent
Estimated length of staff presentation: 10 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to amend Ordinance No.18-853 concerning the zoning of six acres located at 940 South Road 1 West, with Ordinance 2019-877.

RECOMMENDED ACTION:

Adopt Ordinance 2019-877 to amend zoning ordinance 18-853 to modify Section 3.A. to read as follows:

The property owner dedicating the necessary right-of-way is to ensure:

- (i) the right-of-way line on South Road 1 West is 40' west of the section line between Section 27 and 28, and
 - (ii) the right-of-way line for West Road 2 South is 40' north of the section line between Section 28 and 33.
- In addition, a 10' Public Utility Easement will be dedicated along the new property lines established by this dedication.

SITUATION AND ANALYSIS:

On September 25, 2018, Council approved Ordinance 18-853 which rezoned approximately 6 acres located at 940 South Road 1 West from AR-5 (Agricultural Residential - 5 acre minimum) to SR-1 (Single Family Residential - 1 acre minimum). A stipulation of this zoning change was to dedicate up to 50' of Right-of-Way along the Road 2 South and Road 1 West frontages. After the passage of the ordinance, it was discovered there was a Chino Valley Irrigation District pipe installed within the proposed Right - of Way. In order to prevent any conflicts, Town Legal Counsel has recommended amending the ordinance to only require a 40' dedication of Right-of-Way. The remaining 10' will then be dedicated as a Public Utility Easement. This should not conflict with any road widening plans in the foreseeable future. Staff recommends approval of the modification to the zoning stipulation.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

N/A

Attachments

ROW Legals

Orinance 18-853

Ordinance 2019-877



19116

TOTAL ROW

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to the POINT OF BEGINNING, a 1/2 rebar with cap Famas;

Thence, North 89° 49' 04" West, 412.05 feet to a 1/2 rebar with cap LS 27738;

Thence, North 00° 13' 20" West, 15.00 feet to a 1/2 rebar with cap LS 53890;

Thence, South 89° 49' 04" East, 397.00 feet to a 1/2 rebar with cap LS 27738;

Thence, North 00° 24' 56" West, 582.64 feet to a 1/2 rebar with cap LS 27738;

Thence, South 89° 03' 27" East, 15.00 feet to a 1/2 rebar with cap LS 27738;

Thence South 00° 24' 56" East, 597.44 feet to the POINT OF BEGINNING.

Said described parcel contains 14918 square feet (0.34 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.



ORDINANCE NO. 18-853

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY SIX ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF SOUTH ROAD 1 WEST AND WEST ROAD 2 SOUTH, AT 940 SOUTH ROAD 1 WEST, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) TO SR-1 (SINGLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM), ZONING DISTRICT.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley Official Zoning Map for a ± 6 acre parcel zoned AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum); and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

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

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

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

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

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

Section 2. The Official Zoning Map is hereby amended for property consisting of approximately six acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, to rezone it from AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum) zoning district.

Section 3. The Property described in Section 2 above shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance and the following condition:

- A. The property owner dedicating the necessary right-of-way to ensure (i) the right-of-way line on Road 1 West is 50' west of the section line between sections 27 and 28, and (ii) the right-of-way line for Road 2 South is 50' north of the section line between sections 28 and 33.

Section 4. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

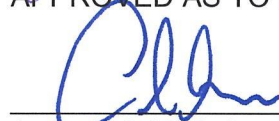
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 25th day of September, 2018 by the following vote:


Darryl L. Croft, Mayor

ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 18-853 was duly passed by the Council of the Town of Chino Valley, Arizona, at a special meeting held on September 25, 2018, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.

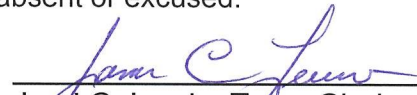

Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE NO. 18-853

[Legal Description]

See following pages.

PROPERTY DESCRIPTION
6.00 ACRES

All that portion of Section 28, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Southeast corner of above said Section 28;

Thence North 46°35'43" West 35.54 feet to the TRUE POINT OF BEGINNING marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence South 88°42'20" West 412.06 feet (basis of bearing) to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 227737";

Thence North 01°42'28" West 328.82 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence South 89°28'08" West 53.50 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence North 01°52'13" West 273.97 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 27737";

Thence North 89°28'08" East 464.44 feet to a point; marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence South 01°53'49" East 597.33 feet to THE TRUE POINT OF BEGINNING.

Containing 6.00 acres more or less.

RESERVING, SUBJECT TO AND TOGETHER WITH A 20.00 foot ROADWAY AND PUBLIC UTILITY EASEMENT located in all that portion of Section 28, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, laying Southerly of, running parallel with, and adjoins the following described line:

COMMENCING at the Southeast corner of above said Section 28;

Thence North 46°35'43" West 35.54 feet to a point marked with a one-half inch rebar with plastic cap stamped "FAMAS RLS 12005";

Thence North 01°53'49" West 597.33 feet (basis of bearing) to THE TRUE POINT OF BEGINNING.

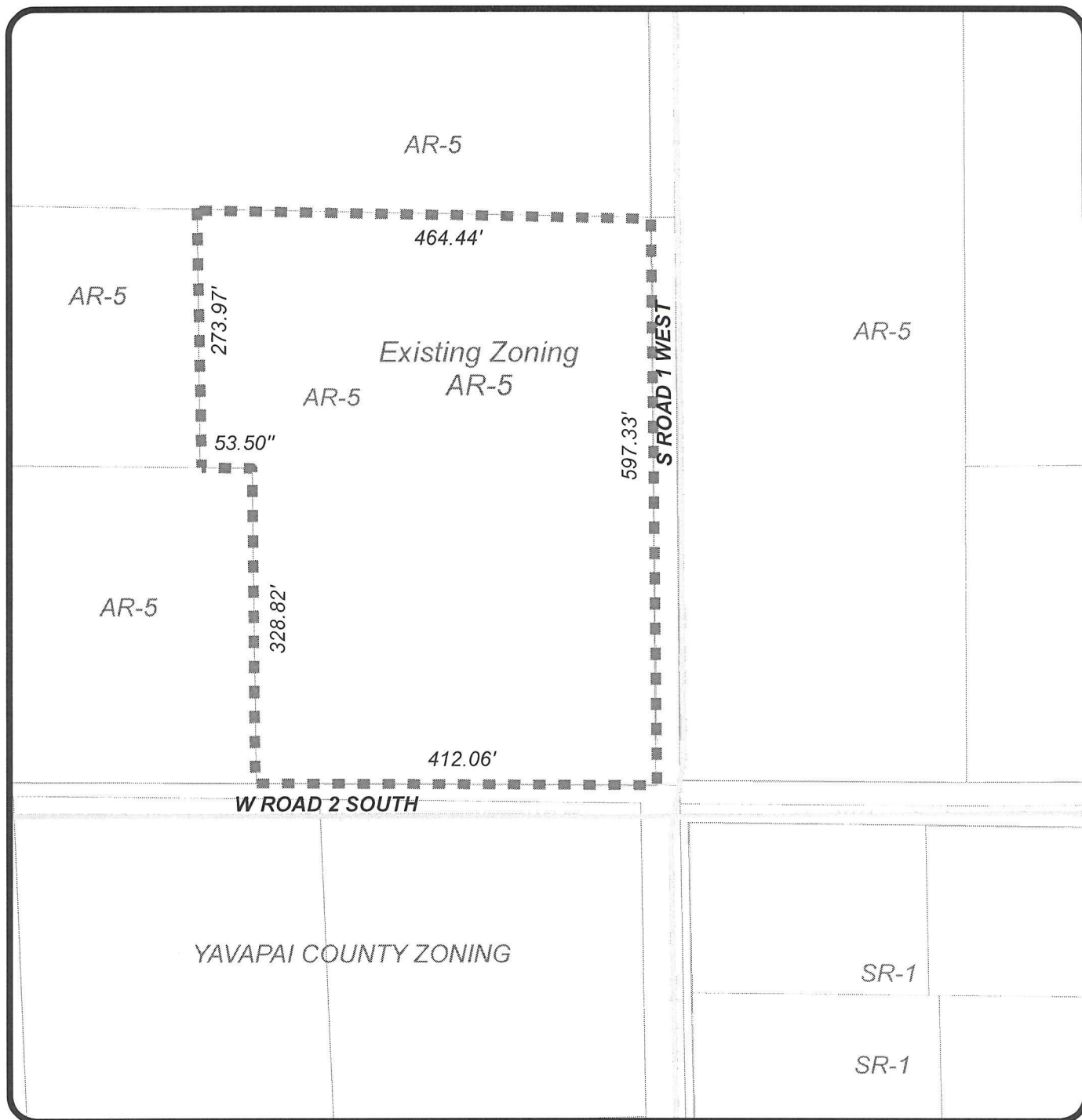
Thence South 89°28'08" West 464.44 feet to THE END OF THIS EASEMENT.

EXHIBIT 2
TO
ORDINANCE NO. 18-853

[Zoning Exhibit]

See following pages.

Zoning Exhibit A



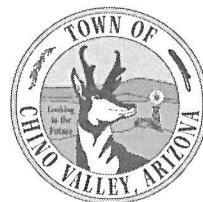
Z18-000014: Nanke

■ ■ ■ Subject Property

Applicant: Chad Nanke

Request: Rezone 6 acres from AR-5 zoning district to SR-1 zoning district.

Location: 940 South Road 1 West, Chino Valley, AZ. 86323



Not to Scale

ORDINANCE NO. 2019-877

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING ORDINANCE NO. 18-853 RELATING TO A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY SIX ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF SOUTH ROAD 1 WEST AND WEST ROAD 2 SOUTH, AT 940 SOUTH ROAD 1 WEST, FROM AR-5 (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) TO SR-1 (SINGLE FAMILY RESIDENTIAL – 1 ACRE MINIMUM), ZONING DISTRICT.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) adopted Ordinance No. 18-853 on September 25, 2018, authorizing a change of zoning and amendment to the Town of Chino Valley Official Zoning Map (the “Rezoning”) for an approximately six acre parcel, generally located on the northwest corner of South Road 1 West and West Road 2 South, at 940 South Road 1 West (the “Parcel”) from AR-5 (Agricultural Residential – 5 acre minimum) to SR-1 (Single Family Residential – 1 acre minimum); and

WHEREAS, a stipulation of the Rezoning required the property owner to dedicate the necessary right-of-way to ensure (i) the right-of-way line on Road 1 West is 50’ west of the section line between sections 27 and 28, and (ii) the right-of-way line for Road 2 South is 50’ north of the section line between sections 28 and 33; and

WHEREAS, 25-feet of the required 50-foot right-of-way had previously been dedicated, leaving only 25 additional feet required to meet the conditions of the Rezoning; and

WHEREAS, after Ordinance 18-853 was passed and the Parcel was split into three lots, a Chino Valley Irrigation District (“CVID”) pipe was discovered within the area to be dedicated as the remaining 25-feet of required right-of-way; and

WHEREAS, in order to prevent any conflicts with the existing CVID pipe, the Town Council has determined it is necessary to amend Ordinance 18-853 to require only a 15-foot additional dedication (for a total of 40-feet) on Road 1 West and Road 2 South with the remaining 10-feet to be dedicated by the property owner as a Public Utility Easement.

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

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

Section 2. Ordinance No. 18-853, Section 3(A) is hereby amended as follows:

- A. The property owner dedicating the necessary right-of-way to ensure (i) the right-of-way line on Road 1 West is ~~50’~~ 40’ west of the section line between sections 27 and 28, and (ii) the right-of-way line for Road 2 South is ~~50’~~ 40’ north of the section line between sections 28 and 33, AND THE PROPERTY OWNER DEDICATING A 10-FOOT PUBLIC UTILITY EASEMENT AT THE EDGE OF SUCH RIGHT-OF-WAY.

Section 3. The revised legal description for the Parcel (as divided into three lots), showing the dedication of the remaining 15-feet of right-of-way, together with the 10-foot Public Utility Easement (for each lot and collectively), is attached hereto as Exhibit A and incorporated herein by reference. A Record of Survey depicting the revised legal descriptions is attached hereto as Exhibit B and incorporated herein by reference.

Section 4. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of December, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-877 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on December 10, 2019, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT A
TO
ORDINANCE NO. 2019-877

[Legal Description]

See following pages.



19116

EXHIBIT A

Original Legal

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;
 Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;
 Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas to the POINT OF BEGINNING;
 Thence, North 89° 49' 04" West, 412.05 feet to a 1/2 rebar with cap LS 27737;
 Thence, North 00° 13' 20" West, 328.64 feet to a 1/2 rebar with cap LS 27737;
 Thence, North 88° 56' 26" West, 53.54 feet to a 1/2 rebar with cap LS 27737;
 Thence, North 00° 25' 26" West, 274.13 feet to a 1/2 rebar with cap LS 27738;
 Thence South 89° 03' 27" East, 464.61 feet to a 1/2 rebar with cap LS 27737;
 Thence, South 00° 24' 56" East, 597.44 feet to the POINT OF BEGINNING;
 Said described parcel contains 261484 square feet (6.00 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.





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LOT 1

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas;

Thence, North 45° 07' 00" West, 21.32 feet to a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 203.50 feet to the POINT OF BEGINNING being a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 193.50 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 13' 20" West, 235.39 feet to a 1/2 rebar with cap LS 53890;

Thence South 89° 49' 04" East, 193.10 feet to a 1/2 rebar with cap LS 53890;

Thence, South 00° 19' 08" East, 235.39 feet to the POINT OF BEGINNING.

Said described parcel contains 45493 square feet (1.04 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

TOGETHER WITH**LOT 1 ROW**

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas;

Thence, North 45° 07' 00" West, 21.32 feet to a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 203.56 feet to the POINT OF BEGINNING being a 1/2 rebar with cap LS 53890;



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Thence, North 89° 49' 04" West, 193.44 feet to a 1/2 rebar with cap LS 53890;

Thence, South 00° 13' 20" East, 15.00 feet to a 1/2 rebar with cap LS 53890;

Thence South 89° 49' 04" East, 193.53 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 19' 08" West, 15.00 feet to the POINT OF BEGINNING.

Said described parcel contains 2902 square feet (0.07 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.





19116

LOT 2

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas;

Thence, North 45° 07' 00" West, 21.32 feet to the POINT OF BEGINNING, being a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 203.56 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 19' 08" West, 235.39 feet to a 1/2 rebar with cap LS 53890;

Thence South 89° 49' 04" East, 203.10 feet to a 1/2 rebar with cap LS 53890;

Thence, South 00° 24' 56" East, 235.40 feet to the POINT OF BEGINNING.

Said described parcel contains 47860 square feet (1.10 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

TOGETHER WITH**LOT 2 ROW**

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to the POINT OF BEGINNING, a 1/2 rebar with cap Famas;

Thence, North 89° 49' 04" West, 218.53 feet;

Thence, North 00° 19' 08" West, 15.00 feet to a 1/2 rebar with cap LS 53890;

Thence, South 89° 49' 04" East, 203.56 feet to a 1/2 rebar with cap LS 53890;



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Thence, North 00° 24' 56" West, 235.40 feet, to a 1/2 rebar with cap LS 53890;

Thence South 89° 49' 04" East, 15.00 feet;

Thence, South 00° 24' 56" East, 250.40 feet, to the POINT OF BEGINNING;

Said described parcel contains 6809 square feet (0.16 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.





19116

LOT 3

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas;

Thence, North 45° 07' 00" West, 21.32 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 24' 56" West, 235.40 feet to the POINT OF BEGINNING, being a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 203.10 feet to a 1/2 rebar with cap LS 53890;

Thence, North 89° 49' 04" West, 193.10 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 13' 20" West, 78.25 feet to a 1/2 rebar with cap LS 27738;

Thence, North 88° 56' 26" West, 53.54 feet to a 1/2 rebar with cap LS 27738;

Thence North 00° 25' 26" West, 274.13 feet to a 1/2 rebar with cap LS 27738;

Thence, South 89° 03' 27" East, 449.61 feet to a 1/2 rebar with cap LS 53890;

Thence, South 00° 24' 56" East, 347.37 feet to the POINT OF BEGINNING;

Said described parcel contains 153212 square feet (3.52 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

TOGETHER WITH**LOT 3 ROW**

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;

Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;

Thence, North 45° 24' 01" West, 35.43 feet to a 1/2 rebar with cap Famas;



19116

Thence, North 45° 07' 00" West, 21.32 feet to a 1/2 rebar with cap LS 53890;

Thence, North 00° 24' 56" West, 235.40 feet to the POINT OF BEGINNING, being a 1/2 rebar with cap LS 53890;

Thence, North 00° 24' 56" West, 347.37 feet;

Thence, South 89° 03' 27" East, 15.00 feet to a 1/2 rebar with cap LS 53890;

Thence, South 00° 24' 56" East, 347.04 feet;

Thence, North 89° 49' 04" West, 15.00 feet to the POINT OF BEGINNING.

Said described parcel contains 5207 square feet (0.12 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.





19116

TOTAL ROW

All that portion of the Southeast Quarter of Section 28, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows;

COMMENCING at the East Quarter Corner of said Section 28 a Town of Chino Valley Brass Cap in asphalt;
 Thence along the East line of said Section 28, South 00° 25' 35" East, 2649.11 feet (of record South 01° 53' 49" East, 2649.26 feet) to the Southeast corner of said Section 28, a Town of Chino Valley Brass Cap in asphalt;
 Thence, North 45° 24' 01" West, 35.43 feet to the POINT OF BEGINNING, a 1/2 rebar with cap Famas;
 Thence, North 89° 49' 04" West, 412.05 feet to a 1/2 rebar with cap LS 27738;
 Thence, North 00° 13' 20" West, 15.00 feet to a 1/2 rebar with cap LS 53890;
 Thence, South 89° 49' 04" East, 397.00 feet to a 1/2 rebar with cap LS 27738;
 Thence, North 00° 24' 56" West, 582.64 feet to a 1/2 rebar with cap LS 27738;
 Thence, South 89° 03' 27" East, 15.00 feet to a 1/2 rebar with cap LS 27738;
 Thence South 00° 24' 56" East, 597.44 feet to the POINT OF BEGINNING.

Said described parcel contains 14918 square feet (0.34 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

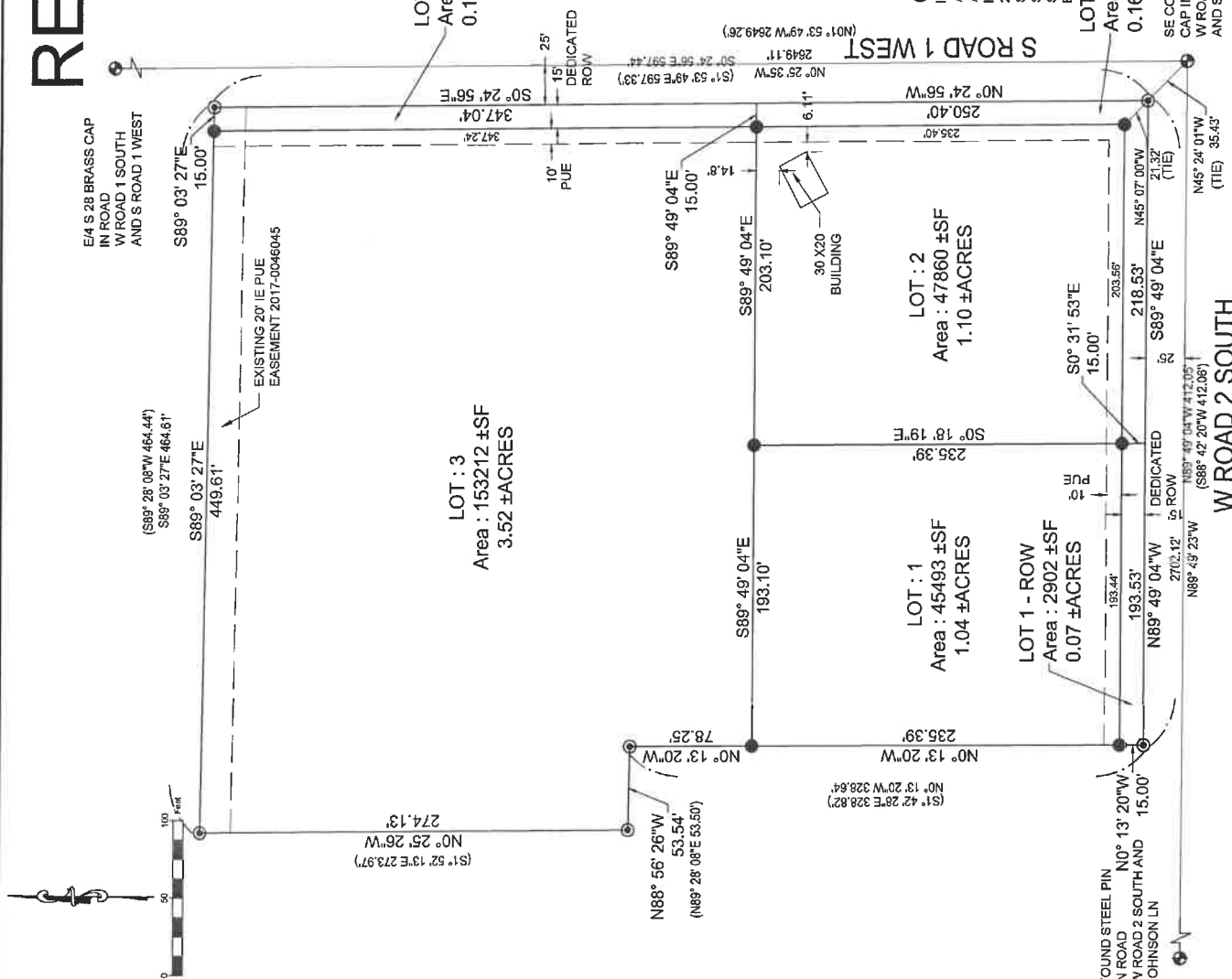


EXHIBIT B
TO
ORDINANCE NO. 2019-877

[Record of Survey]

See following page.

OF APN 306-31-006L AS DESCRIBED IN 2017-0046045
SECTION 28, TOWNSHIP 16 NORTH, RANGE 2 WEST
GILA & SALT RIVER BASE & MERIDIAN
YAVAPAI COUNTY, ARIZONA



LEGEND

- _____ SURVEYED PARCEL LINES
 _____ EXISTING FENCE
 _____ PROPERTY LINE
 _____ EASEMENT LINE

- FOUND 1" REBAR WITH CAP LS 27738

R1) RECORD BEARING AND DISTANCE PER R1 OR
AS NOTED SEE NOTES

IE-PUE INGRESS EGRESS & PUBLIC UTILITY EASEMENT

NOTES

1. BASIS OF BEARING- THE PROJECT COORDINATE SYSTEM AND THE BASIS OF BEARINGS ARE RELATIVE TO THE ARIZONA STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL 0202 ZONE. LINEAR DIMENSIONS AND COORDINATE VALUES ARE IN INTERNATIONAL FEET.
2. EXISTING BUILDINGS WERE PRESENT AT TIME OF SURVEY
3. A. TITLE REPORT WAS NOT PROVIDED NOT ALL EASEMENTS OF RECORD MAY BE SHOWN HEREON
4. DOCUMENTS OF RECORD REFERENCE FOR SURVEY YORO
5. R1: 2017-0046045
ROW 1, 2, & 3 TO BE DEDICATED TO TOWN OF CHINO VALLEY FOR RIGHT OF WAY PURPOSES

SITE INFORMATION

APN: 306-31-006L
ADDRESS: 940 S ROAD 1 WEST

OWNER INFORMATION

OBJK INVESTMENTS LLC
CHINO VALLEY, AZ

CERTIFICATION

BRANDON M. VAN HORN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THE SURVEY DESCRIBED AND SHOWN HEREON WAS MADE BY ME DURING THE MONTH OF APRIL, 2018; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED

LOT 2 - ROW

Area : 6809 ±S
0.16 ±ACRES

BRANDON M
VAN HORN
11/13/19

SURVEY PREPARED FOR:
QUAKER CATTLE COMPANY LLC

VH LAND SURVEY
7595 E PHOENIX AVE

7585 E PHARLAP LANE
SCOTT VALLEY, AZ 86315
928-710-9700
HILANDSURVEY@GMAIL.COM
HILANDSURVEY.COM

WWW.VHDLANDSURVEY.COM SHEET NO.

SURVEYED BY: BLANDON

HOR SCALE: 1" = 50'

—



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. b.

Meeting Date: 12/10/2019
Contact Person: Frank Marbury, Public Works Director/Town Engineer
 Phone: 928-636-7140 x-1226
Department: Public Works
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: Tree Farm Lane Between Jerome Junction and Granite Creek Lane

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution 2019-1151 abandoning Town rights to an easement along Tree Farm Lane as recoded in Book 3940 Page 275 in the records of the Yavapai County Recorder.

RECOMMENDED ACTION:

Approve and adopt Resolution 2019-1151 abandoning Town rights to an easement along Tree Farm Lane as recoded in Book 3940 Page 275 in the records of the Yavapai County Recorder.

SITUATION AND ANALYSIS:

The referenced easement was intended for use by the Town to access the wastewater lift station at Granite Creek Lane. The Town now has access two ways. The lift station can be accessed using Town owned property, known as the Peavine Trail property. The Town also acquired Right of Way along the Granite Creek Lane Alignment as part of the EDA project in 2017. The conditions of the easement state it is to be abandoned once the Town has access from Granite Creek Lane. As this condition has been satisfied, Staff recommends adopting resolution 2019-1151 abandoning the Town's interest in the Long Riders LLC Easement.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code: N/A
Available:
Funding Source:

Attachments

Resolution 2019-1151

RESOLUTION NO. 2019-1151

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, ABANDONING ALL RIGHT, TITLE AND INTEREST IN A CERTAIN INGRESS, EGRESS AND PUBLIC UTILITY EASEMENT.

WHEREAS, the Town of Chino Valley (the "Town") is a beneficiary of that certain easement for ingress, egress and public utilities recorded on July 8, 2002, in the records of the Yavapai County Recorder at Book 3940, Page 275, Fee #3476213 (the "Easement"); and

WHEREAS, the Town previously used the Easement to access a Town-owned utility site; and

WHEREAS, the Easement has a self-executing provision terminating the Easement in the event the Town grants an alternate easement for access to property served by the Easement; and

WHEREAS, the Town currently takes access to its utility site without utilizing the Easement, but it has not dedicated an alternate easement as contemplated by the termination provisions in the Easement; and

WHEREAS, the Town may, pursuant to ARIZ. REV. STAT. § 28-7214, abandon such easements as it deems appropriate; and

WHEREAS, the Mayor and Common Council of the Town (the "Town Council") has determined the Town no longer requires use of the Easement and wishes to make clear its intent to abandon its right, title and interest in the Easement without affecting the right, title or interest in any other property benefited by the Easement, if any.

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

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

SECTION 2. The Town Council hereby abandons the Town's rights under the Easement, specifically with respect to the area described on Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of December, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 2019-1151 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on December 10, 2019, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT A
TO
RESOLUTION NO. 2019-1151

[Legal Description]

See following pages

EXHIBIT 'A'

LAND DESCRIPTION

EASEMENT ABANDONMENT

A STRIP OF LAND 40.00 FEET WIDE, THE EASTERLY SIDELINE OF SAID STRIP LYING PARALLEL WITH AND DISTANT 20.00 FEET EASTERLY (MEASURED AT RIGHT ANGLES) AND THE WESTERLY SIDELINE OF SAID STRIP LYING PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY (MEASURED AT RIGHT ANGLES), SAID STRIP ALSO BEING THE LAND DESCRIBED IN BOOK 3940, PAGE 275, OFFICIAL RECORDS OF YAVAPAI COUNTY, STATE OF ARIZONA, SAID STRIP ALSO BEING A PORTION OF THE LAND LOCATED IN THE TOWN OF CHINO VALLEY, SAID COUNTY, TRACT 41, SECTION 11, TOWNSHIP 16 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, THE CENTERLINE OF SAID STRIP MORE PARTICULARLY DESCRIBED AS FOLLOWS.....

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 41,

THENCE ALONG THE EASTERLY LINE OF SAID TRACT 41 NORTH 00° 10' 28" EAST A DISTANCE OF 959.97 FEET TO THE WESTERLY LINE OF THE PEAVINE TRAIL (200.00 FEET WIDE) RECORDED IN BOOK 2800, PAGE 832, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG SAID WESTERLY LINE NORTH 14° 06' 04" WEST AS DISTANCE OF 363.74 FEET TO THE NORTHWEST CORNER OF THE EASEMENT RECORDED IN BOOK 3940, PAGE 270, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE WESTERLY LINE OF SAID EASEMENT SOUTH 2° 34' 13" WEST A DISTANCE OF 69.72 FEET TO THE **POINT OF BEGINNING** OF SAID STRIP;

THENCE NORTH 14° 06' 04" WEST A DISTANCE OF 1166.28 FEET ALONG A LINE LYING PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF SAID WESTERLY LINE OF THE PEAVINE TRAIL;

THENCE NORTH 89° 44' 00" WEST A DISTANCE OF 479.71 FEET;

THENCE NORTH 26° 15' 53" EAST A DISTANCE OF 413.89 FEET;



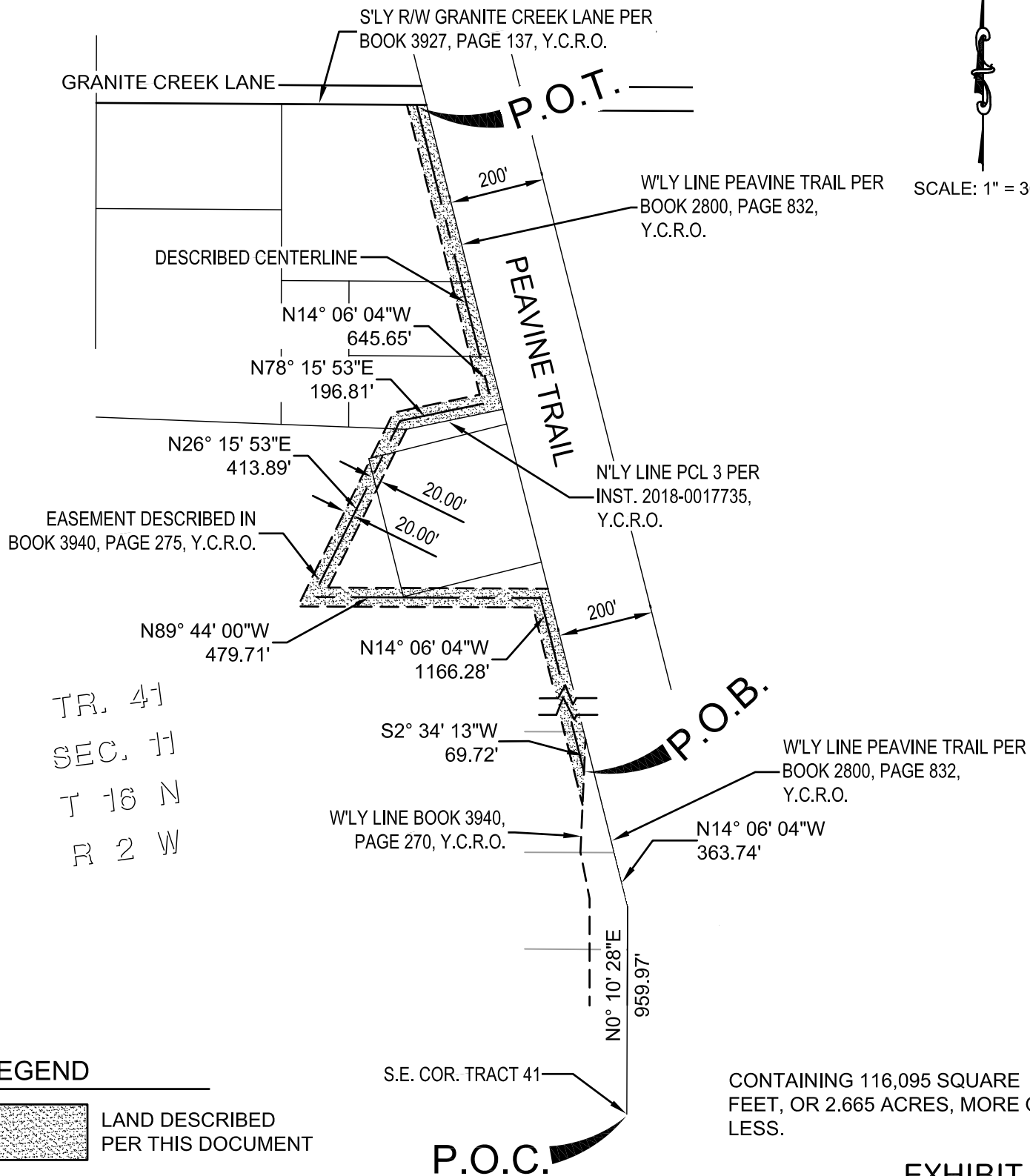
THENCE NORTH 78° 15' 53" EAST A DISTANCE OF 196.81 FEET ALONG A LINE LYING PARALLEL WITH AND DISTANT 20.00 FEET NORTHERLY OF THE NORTHERLY LINE OF PARCEL 3 OF THE LAND DESCRIBED IN INSTRUMENT 2018-0017735, OFFICIAL RECORDS OF SAID COUNTY;

THENCE NORTH 14° 06' 04" WEST A DISTANCE OF 645.65 FEET ALONG A LINE LYING PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF SAID WESTERLY LINE OF THE PEAVINE TRAIL TO THE **POINT OF TERMINATION**, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GRANITE CREEK LANE (40.00 FEET WIDE) RECORDED IN BOOK 3927, PAGE 137, OFFICIAL RECORDS OF SAID COUNTY.

THE SIDELINES OF SAID STRIP SHALL PROLONGATE TO OR TERMINATE AT ANGLE POINTS, AT THE WESTERLY LINE OF SAID EASEMENT RECORDED IN BOOK 3940, PAGE 279, AND AT THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF BOOK 3940, PAGE 272.

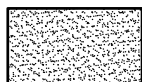
CONTAINING 116,095 S.F., OR 2.665 ACRES, MORE OR LESS.

SCALE: 1" = 300'



TR. 41
SEC. 11
T 16 N
R 2 W

LEGEND



LAND DESCRIBED
PER THIS DOCUMENT

S.E. COR. TRACT 41

P.O.C.

CONTAINING 116,095 SQUARE
FEET, OR 2.665 ACRES, MORE OR
LESS.

EXHIBIT 'B'



Kenneth R. Davidson



Civil, Water, Wastewater, Drainage,
and Transportation Engineering
Construction Management • Surveying
California • Arizona

TOWN OF CHINO VALLEY, ARIZONA

LAND DESCRIPTION EASEMENT ABANDONMENT

DE: KRD CH: REA DR: KRD JN: 2019717.01 SHEET 1 OF 1

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. c.

Meeting Date: 12/10/2019
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt the 2020 Base Council Meeting Schedule.

RECOMMENDED ACTION:

Adopt the 2020 Base Council Meeting Schedule.

SITUATION AND ANALYSIS:

Staff proposes the attached meeting calendar/schedule for 2020. The calendar includes regular meetings, possible study sessions, and the dates for agenda packet distribution, as well as holidays on which Town offices are closed.

Town Code Sec. 30.065 Meetings provides that (A) regular meetings are held on the second and fourth Tuesdays; and meetings may be canceled, except that at least one regular meeting per month must be held; (B) and (C) special meetings and study sessions may be called at any time. Study sessions have been soft-calendared on third Tuesdays for several years. Traditionally, the Council cancels the second meetings in November and December, as well as meetings conflicting with the League of Arizona Cities and Towns annual conference (not applicable in 2020).

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

2020 Council Meeting Schedule

Base Council Meetings/ Packet Distribution Schedule

January

01: New Year's Day (Wed)

20: ML King Day (Mon)

February

17: Presidents' Day (Mon)

May

25: Memorial Day (Mon)

July

04: Independence Day (Sat)

September

01-04: Annual League
Conference (Tue-Fri)

07: Labor Day (Mon)

November

11: Veterans Day (Wed)

26: Thanksgiving Day (Thu)

December

24: Christmas Day (observed)
(Thu)

31: New Years Day (observed)
(Thu)

Legend

	Town Offices Closed (M-Th)
	Regular Meeting (RM)
	RM Packet Distributed
	Study Session (SS)
	SS Packet Distributed
	Meeting Cancelled

March						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

September						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

May						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

January						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

October						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. d.

Meeting Date: 12/10/2019

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

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to approve October 15, 2019, study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Approve the October 15, 2019, study session minutes.

Attachments

October 15, 2019, Minutes

DRAFT

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

**TUESDAY, OCTOBER 15, 2019
5:00 P.M.**

The Town Council of the Town of Chino Valley met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, October 15, 2019.

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

Staff Present: Town Manager Cecilia Grittmann; Town Attorney Andrew McGuire; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Public Works Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; Planner Alex Lerma; Economic Development Project Manager Maggie Tidaback; GIS Technician Will Dingee; Deputy Town Clerk/Records Technician Erin Deskins; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Croft called the meeting to order at 5:13 p.m.

2) Consideration and discussion regarding Temporary Sign Ordinance options. (Joshua Cook, Development Services Director)

Mayor Croft advised the public that he intended to run the meeting professionally, without any grandstanding or personal attacks. At the conclusion of the meeting, Council would give direction to Staff to draft a temporary sign ordinance to be presented to the Planning and Zoning Commission and the Town Council for consideration. The meeting objective was to reach an agreement on temporary signs, even if it was the only agenda item discussed.

Mr. Cook presented the following:

- In a May 2019 study session, Staff brought to the Council's attention that insufficient language in the temporary sign ordinance made it difficult to enforce without creating problems.
- Staff met with the Unified Development Ordinance (UDO) Subcommittee four times from June to August of 2019 to discuss Staff's initial revisions, after which Staff further revised the draft language based on the input received from the Subcommittee.
- A request for a zoning interpretation was given to Staff and the zoning administrator drafted the interpretation with the help of legal counsel. The interpretation was appealed and a Board of Adjustment meeting was held the previous week.
- Current sign code options included: Adopt the UDO Subcommittee's draft language from August; adopt Staff's initial proposal; add in language allowing a revolving door to issue permits for semi-permanent temporary signage; or create an SR 89 overlay that would

grandfather current businesses allowing them to have their temporary signs on a rotating basis.

- Fee schedule options included: Leave the fee schedule as it was; update the cost to a flat fee; update the cost to a flat fee along with a refundable deposit if the business owners police themselves and remove the temporary signs as required; update the cost to a total refund if the signs were removed when required; or exempt temporary signs.

Mayor Croft added that Staff had provided a list of issues that required Council input in order to draft language. Council discussed the questions as follows:

What was a temporary sign (material or time limit)?

- *Definitions:* One definition was that temporary signs were there until a permanent sign could be erected. Changing out signs every six months did not constitute a temporary sign, and those type of signs should be called something else. Temporary signs did not necessarily lead to a permanent sign. Churches and business signs were used to announce temporary events. Staff stated that real estate signs did not fall under the temporary sign category.
- *Material and duration:* The material of the sign should not matter but there should be some type of allowances for temporary signs for certain events. That had been discussed at the UDO meeting, and the ideas included allowing 15-day per quarter for any business, church or entity for temporary special event signs. The size would be based on the square footage of the property. The time limit duration needed to be limited so that the Town did not look like a circus with the number of temporary signs, but until that time, the Town needed to work with the businesses.
- *Fabric signs:* The highway needed to look nice and presentable when people were driving through. Concerns were expressed about keeping fabric signs in good condition with the extensive wind in the area, signs in disarray not attracting customers off the highway, and businesses policing themselves without needing code enforcement officer involvement.
- *Sign code purpose:* This included reasonable regulations that were meant to promote public welfare and safety, economic vitality, and protect and enhance the Town's aesthetics and promote high quality signs.
- *Supporting businesses:* The economic hardships in the area were second to safety and if temporary signs were to promote local businesses, then the Town needed to support those efforts.

Did the Council favor making the distinction between temporary signs and special event signs?

Staff's question added that many communities distinguish between special event signs and temporary signs as a way of focusing on the nature of the use instead of the sign material. Temporary signs were limited in duration and used for new businesses and were removed when the permanent sign was in place. Special event signs were used to draw attention to specific events or times, such as sales or festivals. Special events could be reoccurring but were limited on the number of times per year.

Council agreed there should be a distinction.

Should there be limits on special event signs?

Town Attorney McGuire explained that special events were reoccurring for certain types of businesses but were one-time events for others. For businesses that had events on a periodic basis, the Council needed to decide if it was appropriate to have some type of limit. Other

communities had a range of requirements that included certain number of days within a quarter or a month, a consecutive day limit, or total number of days limit. The Council needed to decide if it was appropriate to have some type of limit.

Staff explained that the allowed square footage of signs was broken down by sign types and was based on the speed of the road that the business fronted. Temporary signs were based on the zone where the business was located.

Council discussed the following:

- *Issues to consider:*
 - Options were some type of limit or allow a free-for-all to allow putting up signs wherever and whenever they wanted. A free-for-all should have a size limitation and include rotating sign option.
 - Businesses like the Chamber of Commerce had multiple monthly events that was part of their business model.
 - Event advertisement could be endless unless there was some type of limit on the number of days.
 - New businesses may decide against a permanent sign because the temporary signs could be replaced every six months for less money. There needed to be an incentive for a permanent sign or a disincentive for the temporary signs. They could narrow down the allowed square footage for signs to 75/25 with three quarters of the sign needing to be permanent instead of a rotating sign.
- *Appearance:* Councilmembers commented on the trashy look of some temporary signs and the Town looking like a circus when the feather flags were not limited. There needed to be a balance where the businesses and the Town came together.
- *Sign survey:* The UDO Subcommittee had reviewed a community temporary sign survey that was split 50/50 within the business community. Some respondents thought the signs made the Town look trashy and others stated they were needed for business promotion.
- *Self-policing:* If the Town let businesses do whatever they want, the business community would need to police themselves. If they did not do that and the Town looked trashy, the Town would readdress the issue. The Town did not have enough code enforcement officers to police the signs.

Council asked Tom Payne, owner of Tom's Sign and Printing about his allowed temporary sign space and sign costs. Mr. Payne stated he had 24 square feet of allowed space. He estimated a 48 square-foot permanent sign at \$700 and a 2x12 flag sign at \$170-\$190. There were less expensive signs with cheaper material that could be purchased elsewhere for approximately \$75.

Staff explained that a feather flag was typically 24 square feet. In Mr. Payne's case, he was allowed a wall sign, a free-standing sign, monument sign, and an awning sign. Many businesses were not utilizing their permanent signage space.

Councilmembers generally agreed that an event sign was not a temporary sign. A temporary sign would be removed when the permanent sign was put in place.

Public comment:

Tom Payne, Tom's Print & Sign owner, stated that he did not think there ever was a sign issue in Town, even though there were some that were not maintained. That was because the Town had not had any Staff and now the Town Staff had done a good job of clearing out all the signs. The Town needed to encourage maintenance of the signs. There had been great community and Town collaboration in the last couple of years. Most of the current Council had been on the Planning and Zoning or the Council when the last ordinance was adopted. When the new Staff was hired, they struggled with the sign ordinance wording. As a long-time sign committee member, he tried to help. Last week, the Board of Adjustment (BOA) agreed with him and fellow sign committee members that temporary sign permits were renewable. Town Staff reports from 2016 show that clear intention and longstanding practice. He liked the portion of the sign ordinance read by Council that referenced Town economic vitality for business or services. Every business he spoke to wanted the ability to advertise products and events. Since Chino was a drive through town, it was important to capture those dollars by making people aware of the services. He wanted clarity on the fee schedule and stated that Staff had changed the wording on the Council's adopted fee schedule from \$5 per month to \$5 per sign. The change would be a big expense and burden on businesses, specifically the small businesses. Staff's changes could make the permit fee more expensive than the sign itself. Local businesses were losing business because of the changes. He had 300 signatures and only two people did not like the signs.

William Nichols with CBD Connection related that the feather flags were a landmark. He had to open a shop in Prescott Valley to stay afloat. A customer came into his new store location and had been off the product for three months because he could not find the Chino store. He could not see the marquee sign and the landlord would not allow a larger sign. Business was hurting and with the Town's current methodology, they would go under. He replaced his signs on a regular basis to keep them sharp, clean and attractive because he knew a trashy looking sign would not bring in business.

Molly Schneider, Associate Broker at A Casa Realty, stated that her office sat back from Highway 89 and sometimes people missed it. They had purchased two of the feather signs to get attention and it worked. The signs were always in motion with the Town's winds. She understood why the Town did not want flags on Town property or the highway easements, but everyone paid a license fee to do business in Town. A picture was worth a thousand words and when that picture was in motion, it got more attention. It brought more business to her company and when they made more money so did the Town. New residents became a source of income for the Town and the feather signs got people's attention. She wanted the Town to reconsider their thoughts on the issue. She agreed each business owner needed to be responsible to keep them looking good.

Wendy McManigal with Tom's Print and Sign related that recently, they put up a feather flag advertising t-shirts and shortly after, a gentleman that had an Uber company that spanned from Phoenix to Flagstaff stopped in because he saw they did shirts. When he was in the store, he saw they also did vehicle graphics and business cards. It was now an ongoing sale for their business. There were 24,000 cars going up and down the highway on any given day and if the Town could not capture that business as a thoroughfare to other destinations, the Town was missing a lot of opportunities. Not only were temporary signs not being handled correctly, but in the last three months they had three new business customers come to the store for signage, but had been told by Staff that they do not need a permit because there was an existing fixture. She questioned how the Town monitored compliance if the permit process was not being used. They had not made signs for customers because they went against Town code of the dark sky ordinance but now there were several signs up and down the highway that did not have to go through the

process and were against code. Businesses were asking to be able to utilize items to bring in more business to Town.

Rob Valenzuela with Insurgent Brewing Company reported that approximately a year ago, Arizona Department of Transportation (ADOT) told him his sandwich board was on the right-of-way. He stated that the sign had been there for two years and ADOT officials told him the Town had called in regarding the sign. The sandwich board brought in a lot of business because the storefront did not face the highway. They kept the sign up and advertised weekly specials and events and not having the ability to do that would not work for his business. He did not know about the right-of-way aspect, but there was an easement between the parking lot and the highway that was dirt where he put his sign and it did not block the sidewalk or cause safety concerns.

Todd League, Pastor of the Word of Life Assembly, told Council that they owned Overflow Coffee and Life Pregnancy Center. He was at the BOA hearing the previous week and he thought they made the right decision by what was presented. They were going to make a recommendation to the Council to rewrite the code and he struggled with that because everything that was talked about was covered in one aspect or another by the code. There was no way to legislate for every contingency and over legislation made him nervous. This had hurt the coffee shop and he was afraid it would affect the church as well. There needed to be common sense when decisions were being made. If the church was limited to the number of days they could have temporary event signs, it would limit what the church and the coffee shop did. The current code worked and he liked the idea of every six month requirement a new sign permit would be completed and a new feather flag went up and the old one removed.

David Roe with Clayton Homes related that their business was far off the highway and people thought their business was a storage yard. They did whatever they could to grab attention. In other locations, they had financed banners showing what they could do to help people.

Wayne Ballard, Pastor of Grace Church, stated that they just went through a name change and a month and a half ago, they changed their sign, but no one had seen it. The church put banners out for all the various programs, with multiple programs per quarter and his concern was that if they were limited to five days, most cars would not notice the sign in that five-day period. He understood the Council was working for the best interest of the Town and the balance they were trying to strike, and thanked the Council for their time and energy.

The Mayor asked the community members present how many would be happy to have feather signs back on a six-month basis. Most people in attendance raised their hands in support. Mayor Croft then asked for any input on a possible resolution to the problem.

Gary Warren, Warren's Hay and More owner, told Council that he believed temporary signs were for a new business getting started, but signs for advertising events and specials was a whole different thing and the two needed to be separated. Renewal costs needed to be kept down, because they would be expensive. Six months was appropriate and if a flag was not maintained at the end of six-months, the permit would not be renewed. That gave zoning enforcement and Council a way to stop maintenance issues. The County was setup on a complaint basis. Upon a complaint, they had recourse to fix the problem. The flags were important. He mentioned that Chino Glass and El Charro sat way off the highway and since there were no offsite signs allowed, the Council should consider what they could do for those businesses.

Jeff Van Well, A2Z Home Center, stated that if people did not take the time to get their

permanent sign, they should not be allowed to have the flag banner signs until a permanent sign was in place. He did not agree with using temporary flags as a permanent sign. Maybe businesses could not get a permit for a flag sign until they had a permanent sign and a business could have a temporary sign with the intention of getting their permanent sign. He did not like having to get a renewal permit every six months because it was difficult for a business to remember when to do that and it was already expensive to get the signs. Businesses needed a way to get people driving down the highway to stop, and every dollar spent in Town became more money for the Town. Save the Town personnel time by not having to do permits for temporary banner signs once the permanent sign was in place. Let the other businesses police the signs around the Town. The Town needed to get every dollar it could into the Town. It took time and money for both the Town and the business owner to process temporary sign permits. If the businesses could police the signage themselves it would save money. If a business had a permanent sign or if a permit was required for a temporary flag sign, they were on the Town's radar and if they violated the rules, something could be in the code that helped regulate the condition. The banner signs would have to be changed after six months and if it was not changed, then the opportunity would be lost to have one in the future.

(Councilmember Kelly arrived at 5:58 p.m.)

Council, Staff, and the public commented further on the following issues:

- *Self-policing:* One downside was that businesses might not do it. Last year, the Town had to hire a person to clean the streets because business owners had not performed well in the past. The upside was that the Town would be free from policing it.
- *Flag sign issues:* There were 30,000 plus cars per day that used the highway through Town. There was a major difference between Lantana Plaza with 15 flags than there was with individual businesses. While the Lantana Plaza was not cluttered and drew in business, the flags were all frayed and not one business could be seen. While these appeared to help businesses, perhaps businesses in a plaza or strip could work together for advertisement, in order to avoid there being too many feather flags on the highway to advertise all their events at one time. Flag signs needed to be maintained.
- *Suggested regulations:* A total of the 48 square feet of flag sign (two flags) could be whatever they wanted on a six-month rotation. There needed to be some type of permit so that if they were not following the rules, the permit could be pulled. Having a legally permitted permanent sign could result in fees being waived for flag signs. Flag signs should not be used as temporary signs. Businesses should have a permanent sign before being permitted to use banner flags. Permanent versus feather flags could be allocated 50/50 per square footage. Event flags should not be part of the 50%.
- *Fees:* Staff interpreted the fee schedule as requiring \$5 per month per sign, while Mr. Payne and others disagreed, stating that the fee was a \$5 application fee for a temporary sign and \$100 for a permanent sign.
- *Special event signs:* The Town should not be in the business of constituting what was or was not an event, as it was difficult to differentiate between all the various types of events. These could be limited to 5 days per quarter with a permit and fee. The more event opportunities there were in Town, the better it was for the community. It was hard for a church to get permission from the Town for all of their events. This needed to be addressed in a better way.
- *Off-site businesses:* Something needed to be done for these businesses, but signs would have to follow development standards and could not cause accidents. Renting locations off the highway was a decision business owners knowingly made.
- *Temporary signs:* Temporary signs should only be used to announce something coming soon. There should be a time limit to get a permanent sign erected.

- *Strip mall businesses:* These businesses were under the rules of their landlord, but Town needed to focus on provisions for individual businesses in a strip mall. They did not have enough room for two feather flags per business and Council needed to clarify what was allowed.

Town Attorney McGuire explained that there were provisions for building signage for the entire building and tenants, but they were treated as two different categories. The total signage was usually aggregated and the landlord had to figure how to allocate it, and then they had a comprehensive permanent sign package with the Town, but they did not have that in terms of a temporary sign package. The allocation of temporary signage among the individual users in a strip mall scenario was not addressed in the current code. The code did not address temporary event signs.

One Councilmember asked about churches being exempt because of the Reed case. Mr. McGuire explained that it was important to remember that Reed v. Gilbert was not a commercial sign case, and that subsequent cases have confirmed that the Supreme Court cases on commercial signs that were decided before Reed are still in place, so the permissible time, place and manner restrictions in the prior cases were still applicable to commercial signs. The discussion this evening was not addressing the church signs; they would be discussed at a future time.

Mr. McGuire related that he understood the Council's intention was that temporary signs would be used for business startups. Once a permanent sign was in place, two feather signs would then be allowed without further permits as long as they were maintained. The special event signs would be subject to a time limit and number of events, and all signs could overlap at the same time or as two feather or banner signs at one time that could be whatever the business owner wanted, including events for a total of 48 square feet of feather signs.

Mayor Croft asked the business members about Mr. McGuire's recap. Most agreed it was a good idea. Community members discussed the allowed permanent and temporary sign footage their businesses had allotted. Councilmembers agreed that the flag signage should be limited to two flags no more than 48 square feet.

The group discussed what to call flag signs. Ms. McManigal suggested auxiliary signs. There was a concern that permanent banners looked worse than permanent flags, but most believed the overall condition of the sign was the important factor.

Mayor Croft suggested that 24 months after the regulations were approved, Council would review if the business owners were doing what was required and if it worked for the Town as a whole.

Mr. Cook then recapped the discussion, which included:

- Two feather flags by right, without a permit, once the permanent sign was installed.
- Feather flags or auxiliary signage could be swapped out, as long as they did not exceed 48 square feet, which could include banners and special event announcements without a permit.
- Temporary signage would only be in reference to a sign erected prior to the permanent sign.
- If the business exceeded the allowable six-month timeframe for the temporary sign, it would need to be removed regardless of whether the permanent sign was erected or not. There would be no renewal period.
- Any draft would also include definitions for everything, including permanent sign,

temporary sign, and auxiliary signs.

Staff would try to get the new draft language to the Planning Commission by November, so it could be addressed at the December Council meeting. Mr. McGuire thought it was best to get the language together, work through it, bring it back to a study session to ensure the intended language was expressed clearly and then go through the Commission and Council process.

Council questioned the regulations that would be followed during the time period before the new language was approved. Mr. McGuire thought that clarifying the fee schedule would solve one large issue, as to whether it was \$5 per business per month or per sign per month. Council preferred \$5 per business per month. Until the code was changed, what was permitted could not be changed. The businesses would be allowed to erect the flags during the rewrite as long as it was permitted and they paid the \$5 per business per month fee.

Staff asked about offsite signage being addressed in the new language. Council thought the two issues were separate and should be addressed at a future meeting. The fee schedule would be modified with the new language.

Town Manager Grittmann pointed out that there was an extra Tuesday in October. The Council could use that for an additional study session to address any issues not covered during their current meeting.

Council recessed the meeting at 7:12 p.m. and reconvened it at 7:22 p.m.

- 3) Consideration and discussion regarding various signage projects within the Town: (Maggie Tidaback, Economic Development Project Manager)
 - a) Wayfinding Sign Plan with ADOT, including professional services agreement between the Town of Chino Valley and Civiltec Engineering for research and planning.
 - b) Municipal Building Signage Project.
 - c) Grand Canyon State Logo Signs pertaining to commercial business signage.

(Item 3c was heard after Item 4 but is retained here for clarity.)

Ms. Tidaback presented the following:

- The Grand Canyon State Logo sign project was an ADOT program through which people paid for advertisement. It included gas, food, camping, lodging, and attractions. ADOT put in the signs that cost \$15,000 each and then they sold logo spots to the local businesses. It was a one-time fee of \$500 to buy the logo sign and then \$46 per month. That money went back into the state road system.
- There were predetermined locations, with seven identified locations shown approximately every mile or at every major crossroad. The locations may be subject to change.
- The only cost to the Town was her time for putting together a spreadsheet of information.
- Road 4 North was specified as it was the location of El Charro, Windmill Farms, and the entrance to the Town's business park. El Charro would need a trailblazer sign, which cost \$19 per month and was provided by the same program.
- The placement of trailblazer signs would be up to the Town.

Mr. Marbury had concerns about ADOT making a monthly fee off the Town right-of-way. Ms. Tidaback stated she would clarify that information.

Council preferred to move forward with the program.

4) Consideration and discussion regarding Memory Park bathrooms and Utility Shop projects. (Frank Marbury, Public Works Director/Town Engineer)

(Item 4 was heard after Item 2 but is retained here for clarity.)

Mr. Marbury and Finance Director Duffy presented the following:

- The design was 60% complete. The layout and cost numbers were provided in the Council packet.
- The Memory Park Restrooms were above his preliminary estimates because Staff thought a family restroom accommodating the new changing station rules and being ADA accessible should be included. The Town budgeted \$154,000 for this project. As the estimates came in at \$187,000, \$40,000 could be used from Contingency.
- The Utility Building was metal with a finished interior and rooms. Its height was 20' with 14'-16' standard doors that would fit a full-sized truck. It also came in over the estimate. There were a couple options, but Staff would like to go ahead and finish the building. The public procurement process was expensive and Staff cut the cost as much as possible by trimming \$100,000 off the 30% estimate.
- The original budget was \$320,000. The Town had also budgeted \$120,000 for the drying beds that realistically would not be built in the current fiscal year, which left the project \$126,000 short. The funding for the project was the enterprise fund, so it was possible to go over the budget and then budget the extra amount the next fiscal year. There were sufficient reserves to cover the overage. His recommendation was to complete the project. The 4,000 square-foot steel structure was approximately \$75,000 delivered. The complete installed price was \$132,800. The whole project estimate was \$536,000. The current price was still an estimate and would still need to go through the procurement process.
- Other cost saving measures included removing the evaporative coolers out of the bay area and putting them in at a later time as the budget allowed. The exterior slab around the building would be done inhouse or by other contractors separate from the current contract.
-

Council and Staff discussed lab costs and site work.

- *Lab costs:* Staff explained that currently, lab work was done in the mobile kitchen. The new one's cost was higher than anticipated, not because of lab equipment, but due to plumbing for the sink, fixtures, and vent work being up to appropriate standards.
- *Sitework and parking:* Staff related that these would need to be budgeted the next year. The Town was required to follow the same rules as a private citizen, but would complete the work in separate budget cycles. Occupation of the building would be up to the Building Department and the Town was bound by the same permits as any private person.

Council preferred that Staff move forward with the project.

- 5) Consideration and discussion regarding the Design Concept Reports (DCRs) for West and East Road 2 North. (Frank Marbury, Public Works Director/Town Engineer)
- 6) Consideration and discussion regarding a Request for Qualifications (RFQ) related to the Police facility. (Chuck Wynn, Police Chief; Joe Duffy, Finance Director)
- 7) ADJOURNMENT

Mayor Croft adjourned the meeting at 7:43 p.m.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 15th day of October, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of December, 2019.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

6. e.

Meeting Date: 12/10/2019

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to approve October 29, 2019, study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Approve the October 29, 2019, study session minutes.

Attachments

October 29, 2019 Minutes

DRAFT

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

TUESDAY, OCTOBER 29, 2019

5:00 P.M.

The Town Council of the Town of Chino Valley met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, October 29, 2019.

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

Absent: Councilmember Cloyce Kelly

Staff Present: Town Manager Cecilia Gritman; Town Attorney Andrew McGuire (electronically); Finance Director Joe Duffy; Public Works Director/Town Engineer Frank Marbury; Development Services Director Joshua Cook; Police Chief Chuck Wynn; Economic Development Project Manager Maggie Tidaback; Human Resources Director Laura Kyriakakis; Deputy Town Clerk Vickie Nipper (recorder); (Town Clerk Trainee) Erin Deskins; Administrative Technician Kathy Frohock (videographer)

1) CALL TO ORDER; ROLL CALL

Mayor Croft called the meeting to order at 5:13 p.m.

2) Consideration and discussion regarding the Municipal Building Signage Project. (Maggie Tidaback, Economic Development Project Manager)

Ms. Tidaback presented the following:

- This project was put out to bid and Signs Plus was awarded the bid. The theme used was modern country.
- The leadership team collaborated on sign wording and placement at Municipal buildings. Sign locations included a monument sign for Old Home Manor (OHM), larger Town Hall and Municipal Building signs and other various town signs.
- The signs would help with designation of municipal facilities and also assist with Town branding.

Council, staff and Chris Baxla, Account Executive for Signs Plus, further discussed the item:

- *Design:* The design included rusted steel with Terex decking on the sides. Instead of using Terex, he proposed using aluminum painted to look like faux rustic weathered wood paired with 1/8-inch rusted weathered steel. The lettering would be raised FCO flat letters. The panels would be removable and interchangeable. The pillars could also be interchanged. Other than the monument signs, all the other signs were only J-bolted in place and could be moved.
- *Lighting:* Lighting was not included in the design phase, but could be added in. Reflective vinyl lettering similar to highway signs could be used or low LED landscape flood lights to light up the signs at night was an option. The lighting could be on a timer and completed as part of the irrigation program the Town was putting in.
- *Head Height Concerns:* Staff explained the placement of the signs would not be near

sidewalks and must be at least two feet away from all walkways to avoid possible collisions. Landscaping also would help prevent collisions.

- *Recreation complex sign:* This sign was larger at ten feet tall, was four-sided and would be located on the corner of the sports complex. There were no directional signs included with this sign.
- *Directional signs:* The Trailblazer sign project would include directional signs. The Mayor requested that directional signs for the business park be researched and possibly included in this project.
- *Business Park sign:* The Business Park sign would be placed at two locations, on the corner of Rodeo and Jerome Junction and on Road 4. The number of business name spaces was discussed. Staff questioned if individual names needed to be on the sign, or if it could have bigger lettering for Chino Valley Business Park at OHM. Individual signage would only be on the tenant property. Adding individual names on the main sign would become too busy.
- *Cost:* One Councilmember expressed concerns about the \$132,000 cost of the project and preferred a sign showing the future location of the business park only because the money could be used for sewer extensions, road maintenance, and other Town issues. Staff respectfully disagreed and explained that the signs were part of branding for the Town, which in turn would be part of economic development to help bring new business into Town and keep the Town from looking trashy. Other Councilmembers did have concerns about the cost, but agreed with staff and requested a site plan or an overview of the Town with the sign locations. Staff explained that there had been \$50,000 budgeted for the Town signs and an extra \$35,000 would need to come out of the contingency fund; and there was an additional \$250,000 in the OHM budget that could be used. The Town had the funds to do the project.
- The group discussed future improvements at OHM and future signage as development begins.

3) Consideration and possible action to direct staff regarding proposed improvements at the Chino Valley Regional Business Park at Old Home Manor. (Frank Marbury, Public Works Director/Town Engineer)

Town Manager Gritman presented the following:

- JT Fergis, a commercial broker, was working with a firm that had expressed interest in OHM. The Town was hopeful that the site was a strong consideration for the firm.
- The firm grew vegetable sprouts, had refined the sprout growing process, and was awarded a patent on their process and packaging. Their refrigeration process took three weeks for growth and then distributed the product, which provided an additional three to four-week shelf life. They currently grew their product in Sacramento and had an administrative office in Minneapolis. They hoped to combine the two and the Town was one area that was under consideration.
- There were approximately 30 available jobs with ten on the professional level. The firm also wanted to find more local products for shipping and growing to reduce their costs.

Council, staff, and Mr. Fergis discussed the following:

- *Location needs:* The new startup company was looking to lease a 35,000 square foot building built for them. They wanted to put their money in their product and not in the building or lot. The company wanted a build to suit option. The business was looking at the corner across from where the Town wanted to place their signs.
- *Building:* Mr. Fergis stated he would consider building and leasing the facility to the company with a five-year option to purchase the building. The building was specially built

and needed to be temperature controlled. The business claimed they would start out with 30 employees, with a building designed at 35,000 square feet with a 10,000 square foot expansion possibility. The business claimed they would be at 50 employees in less than two years.

- *Commitment to the Town:* Mr. Fergis complimented the Town staff for their presentation and stated that the firm was impressed by the Town. Their second option was Houston. He would be meeting with the firm again to discuss construction costs and see if they can get them to commit to Town. He thought the Town was in a great position. He could provide letters of intent to the Town to help move the project forward. If the company chose the Town, it would bring the momentum necessary to bring other businesses in to Town.
- *Product:* They were trying to produce a product for the entire western region of the USA and were currently unable to keep up with the production market they had and the company had not yet tapped into half of the market. There were no greenhouses and the water consumption was minimal. The process was done indoors and the walls were all built out of metal. The bulk of the water was used to wash and hose down the facility for sanitation reasons. The business had four to five different types of sprouts and was looking to expand their product to full salads.
- *Timing:* The sprout company needed the facility by October, 2020. Mr. Fergis would be getting the construction numbers as quickly as possible and would be pressing the Town to move as fast as they could to get the project moving forward.
- *Economic Development Subcommittee recommendation:* The subcommittee had discussed what staff had to work with and how the Town could entice businesses. They had discussed getting a letter of intent (LOI) to staff, who would provide it to the Town Attorney. The Town Attorney would draw up a lease that would be presented to Town Council for a decision.
- *Infrastructure:* Staff detailed the estimated cost of \$2 million for a small 750-foot section of infrastructure improvement at OHM that included roads and utilities, plus another \$650,000 for natural gas. There were residents and businesses that might be able to tap into the natural gas line to help pay for the cost. The area that the firm was interested in leasing was in the area Town wanted utility improvements. Staff stated that they would work with the Town manager to get the infrastructure design process and determine a strategy for moving forward.
- *Other business possibilities at the Park:* Jeff Schull, involved with Green Giant Foods, liked the area and thought it would be good for their employees. He was involved with a number of other businesses and if the Town was able to get the one business, a couple others would most likely follow. They wanted an extra 10 acres to hold for two years in case the other two business followed.

Council members like the agricultural element of the business. Council believed staff needed to do research on lease amounts for the area and the business.

- 4) Consideration and discussion regarding a Request for Qualifications (RFQ) related to the Police facility. (Chuck Wynn, Police Chief; Joe Duffy, Finance Director)

(Councilmember Turner arrived at 5:55 p.m.)

Public Works Director Marbury presented the following:

- The Town Attorney had provided staff with a contract template to assist with an RFP for architectural services for a Police building.
- The contract would cover up to 30% of the schematic design. Three design options would

be considered: current needs, current and possible future needs, or current needs with and the ability to add additional space in the future as necessary.

- The Town would consider using a Construction Manager at Risk (CMAR), similar to be a design-build process. Around 30% and 60% of the design process, a contractor would come on board through a qualification-based process headed by a Town selection committee to finish out the design and team up with the architect. Benefits of the process included a more customized design and a reduction in bidding time and advertising.
- The possible down side to a CMAR was that selection was not based on the lowest bid—the cost was negotiated. The theory around the CMAR process was that there was a mix of quality and price and not just the cheapest price. The process required more oversight to ensure the process was transparent and the contractor was obliging by the requirements of getting the lowest possible costs for the Town. It suited this project because the Town did not have to move beyond the 30% if it was too much or the contract could be amended to extend the contract further and finish out the project.

Council and staff discussed the following:

- *CMAR process:* The CMAR risk assumed that the contractor figured the quantities and supplied the prices with a guaranteed maximum price. The process was supposed to reduce or eliminate change orders. The project had to be scoped well to help eliminate change orders.
- Council requested that staff research the CMAR process at the fire department that had been six months behind schedule and \$160,000 over budget. They also asked if the process could be worked backwards, and Town could tell the contractor how much money they had for the process. The Attorney McGuire explained that the Town would start by giving the design budget, and then as the CMAR contractor came in at 60%, they would have to sign a contract with a guaranteed maximum price proposal, essentially guaranteeing they could build it at the price as designed. Typically, change orders were only used when there was a change in scope or time that was outside of the original scope. The guaranteed maximum price was the contract price in 80% of those types of contracts.
- *Costs:* Staff explained that the preliminary cost estimate for construction was about \$4-6 million. Staff would work to get a price per square foot, and the cost for the initial 30% design would be approximately \$150,000-\$200,000. The full design would be close to \$500,000 to \$1 million for this sized project.
- Staff explained that if the Council thought the project was too expensive after the 30% design process, the Town could either stop the process and lose the initial design cost or they could scale back the project. The Town would need to borrow the money for the project, with a 25-30 year note and the Town could afford between \$4-6 million dollars. The yearly cost would be \$250,000-\$300,000.
- Council stated they were more interested in putting money into the business park, and staff explained that the Town had the money to do the business park, but the Police facility would be a long-term community investment.
- Councilmembers expressed concern that if this project was pursued, no other project could be completed because it would tap out the Town's finances and it would be better to work with what the Town already had than spending millions on a new facility. The Town needed to live within their means. Staff explained that the Town was living on their sales tax, had the reserves built up and the interest rates were very low. If the project was moved several years down the road, the payments could be significantly higher. If the economy became poor and interest rates went up, it would be harder for the Town and the Council would need to make decisions on what needed to be cut. It was a gamble and a risk, but the Council needed to decide if this was the time to make that investment. If the Town stayed

on the current path with revenues growing 2-3% per year, it would not be the only project the Town could pursue but the Town would need to continue that same community growth and would need to continue to spend conservatively within the Town on staffing and current programs.

- Council asked about the cost to add an addition to the current facility. Staff stated that they did not know how that would work, because they were currently at 25% of what was needed and they would continue to need a functioning workplace while an addition was being built. The current facility was also not ADA compliant.

Several Councilmembers thought that moving forward with getting businesses into OHM would help provide the revenue needed for a new Police facility and it was better to hold off until those were established. The cost of the 30% was too high if there was any doubt that the Town was ready to move forward. Other Councilmembers felt optimistic and believed it was the right time to move forward.

- Staff stated the Town was one incident away from a lawsuit that would exceed the cost of a new building and the building should have been replaced many years ago. Staff had researched building replacements for many years and had continually been put off, but now they were having trouble recruiting when other departments had better facilities. The space that was being proposed was not extravagant but met the functional and required needs of the department. The current workspace square footage of the building was at less than 4,000 and the proposed new building was approximately 10,000 square feet with the ability for expansions in the future. The new building would go on the same property as Town Hall.

Staff explained that putting out an RFP would not cost the Town any money. The mayor stated that once Staff had a cost for the initial preliminary design work, staff should bring it to the Council for consideration. Staff explained that would give the Town an idea of the square foot cost of the building.

5) Consideration and discussion regarding the Design Concept Reports (DCRs) for West and East Road 2 North. (Frank Marbury, Public Works Director/Town Engineer)

Mr. Marbury and Richard Aldridge, Principal Engineer/Branch Manager for Civiltech Engineering, presented the following:

East side project

- This was the busiest road in Town that was not State Highway. The East project would start at State Route 89 and run to Road 1 East and all the way to Peppertree to tie in with and straightening out the existing dogleg, and would widen out to three lanes.
- The daily traffic on the road was at approximately 6,700 vehicles. Engineering standards specified that two lanes with a turn lane could handle up to approximately 18,000 cars per day. With that information, staff was confident that they would not need to have four or five lanes any time soon. The turn lane helped with the amount of traffic a road could handle.
- Scope of work would include drainage, utilities, right-of-way, surveys, and geotechnical work. A full design would take 12-18 months and cost approximately \$400,000.
- Mr. Aldridge reviewed the Civiltech proposal, which basically included all the necessary elements to make the three-lane road. It would be a 30% design with cost estimates. The design cost estimate for Road 1 East was \$56,000 for the 30% design production. There

were individual specified tasks within the 30% proposal that made up the entirety of the 30% design phase.

West side project

- The West side project was similar to the East side. Road improvements would be to Road 1 West with utility extensions, and a concentration on the Del Rio property past Road 1 West for utility extensions.
- Traffic on the west side was approximately half that of the East side.
- The cost of the 30% design phase for the west side was \$58,000.

Council, staff, and Mr. Aldridge discussed the following:

- *Costs:* Staff explained that the Town could consider an improvement or assessment district to help pay for costs because both sides would be multi-million dollar projects. Mr. Aldridge explained that after the construction costs estimates were determined, the assessments on each parcel would be determined for their portion of the construction costs. That could be determined in a number of ways based on square footage, acreage, zoning, etc. He briefly explained the improvement district process to the Council. Staff added that if improvement or assessment districts were used, the East and West side would need to be split because of the State Highway.
- *Impacts:* Staff explained that the largest parcels impacted to the west were for upcoming big developments and very few small developments on that street would be impacted. The Clayton Homes developer was very interested in getting utilities down to their property and would be willing to participate in an improvement district.
- *Improvement districts:* The Town Attorney explained that improvement districts in the State of Arizona were an opt-out process. The Town would develop a resolution with the intent to form the District and then it would require more than 50% to opt out to cause the district not to be formed.

Council discussed that the East side was already a problem and needed to be fixed. Several Councilmembers agreed that they did not want to do the West side without also addressing the East side. The challenges in both directions were discussed. Councilmembers didn't feel it was fair to implement an improvement district to already existing businesses and residents on the East side.

Council also discussed placing the Police Department facility and OHM options before starting the Road 1 East improvements, and expressed concerns about the cost of the necessary rights-of-way. They preferred to leave the project on hold for the current year. Staff suggested that since the Town had quotes, they could put them in the next fiscal year's budget for consideration. Council agreed with staff's suggestion.

- 6) Consideration and discussion regarding extending Town utilities into Roadrunner Park. (Frank Marbury, Public Works Director/Town Engineer)

Frank Marbury presented the following:

- Initially the utility estimate encompassed the entire park, but after consulting with the finance director, it was determined that once the utilities were at the park, the park took care of the costs. The cost would be approximately \$500,000 for the work, including rebuilding the road.
- There was already water to Juniper, so water utilities would only be extended down Road 1 East. Sewer would need to run down Juniper and then Road 1 East to the Park.
- A 10-acre property from Peppertree to Road 1 East was going before Planning and Zoning for a potential PAD rezone for 45 lots at 5,500 square feet each with a price point below \$200,000 for stick-built homes. If the development were to go through, the developers would be responsible for extending water and sewer to the farthest edge of the development boundaries. That would give the Town water and sewer to the edge of the Roadrunner Mobile Home Park. The developer might run the sewer through the subdivision streets instead of down Juniper, and staff did not think that would be an issue.
- If the project were to move forward and the development went through, the developer would be responsible for all the costs and then those costs would be passed on as part of the purchase price of the home. The Town charged \$6,000 for sewer and \$4,000 for water per lot as a buy in capacity fee to hook to the sewer plant and distribution system. If the Town initially paid for the project, the Town code allowed the Town to require a recapture reimbursement from the developer, but if the developer built first, they had to build the entire system.
- The Roadrunner Mobile Home Park had expressed interest in being hooked up to Town sewer and would pay about 60% of what the normal water and sewer fees were.
- Staff recommended putting the project on hold until a final determination was made regarding the PAD rezone. Staff anticipated that Council would consider the PAD at their first meeting in December. Council could work with the developer on the cost to get the utilities to Road Runner in sooner. Funding for the developer was based on the zoning and they were not sure if the developer had the necessary funding to put in the utilities.

Council discussed the possibility that even if the development received the requested zoning, they may not actually develop. It was suggested that a code change be implemented that if a property does not develop within 24-months after receiving a zone change, they lose the zoning. Council agreed to forward the item to the December Council Study Session.

7) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the meeting at 7:05 p.m.

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

6 - 0 PASSED - Unanimously

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 29th day of October, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of December, 2019.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

7. a.

Meeting Date: 12/10/2019

Contact Person: Alex Lerma, Planner
Phone: 928-626-4427 x-1295

Department: Development Services

Item Type: Action

Estimated length of staff presentation: 5 minutes

Physical location of item: Located on the southeast corner of North Road 1 East and Juniper Drive at 701 North Road 1 East.

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance 2019-876 to rezone approximately 10 acres of real property from the AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to the SR-0.16 PAD (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay. The property is located on the southeast corner of Juniper Drive and North Road 1 East at 701 North Road 1 East, Chino Valley, AZ 86323, Assessor Parcel Number: 306-24-012. (Alex Lerma, Senior Planner)

RECOMMENDED ACTION:

Staff and Planning and Zoning Commission forwards a recommendation of approval to Town Council to adopt Ordinance 2019-876 to rezone approximately 10 acres of real property from the AR-5 (Agricultural Residential- 5 acre minimum) zoning district to SR-0.16 PAD (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district with the following conditions:

1. The project shall substantially conform to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions.
2. Developer shall provide a 6-foot fence installed at the property line of each lot, fronting on Road 1 East and Juniper Drive, in addition, a 6-foot wooden fence shall be installed along the south property line.
3. The Developer shall provide proof of assured water supply from the State of Arizona.
4. The Town of Chino Valley has an existing 12" water line in the Juniper Dr. right-of-way along the property's frontage. Properties will be required to connect. Additionally, the installation of fire hydrants at a maximum of 500' spacing will be required. Also, the water main shall be extended along the properties entire frontage on Rd 1 East per Town Code 51.060.
5. The developer will be required to construct a new 8" sewer line along the properties entire frontage per Town Code 51.060. In lieu of constructing a new 8" sewer line along the perimeter of the entire frontage of the property per Town Code 51.060, an 8" sewer line that is extended through the

development and terminating within the right-of-way of Road 1 East at the Southwest corner of the development is acceptable.

6. The Town of Chino Valley Area Drainage Master Study shows possible flooding potential on the east side of the property. Building designs will need to take this into account. In addition, additional right-of-way or drainage easements may be required.
7. All drainage ways that convey fifty (50) cubic feet per second or more, during the one-hundred (100)-year flood event, shall be considered a regulatory flood and shall be dedicated to the public with provisions for maintenance access ramps.
8. A drainage study that addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The drainage study shall be approved before the street improvement plans and final plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.
9. The developer shall dedicate additional right-of-way 50' east of the road centerline on Rd 1 East and 25' west of centerline on Peppertree Dr. Additional right-of-way or drainage easements may be required on Juniper Dr. pending engineering study results.
10. The developer shall improve the east half of Road 1 East and the south half of Juniper Dr. along the project limits per Town Street Design Standards. This includes, but is not limited to, new road section, pavement edge treatment, sidewalk, and utility relocations as necessary. Due to pending drainage projects, improvements on Peppertree are not recommended. Cash or other amenities in lieu of improvements is recommended.
11. A traffic Impact statement for this development will be required.
12. City of Prescott has an aerial easement for power lines. This may limit development in the vicinity of this easement.
13. A 1' non-vehicular access easement will be required along Road 1 East.

SITUATION AND ANALYSIS:

See attached Staff Report.

Fiscal Impact

Fiscal Impact?: N/A

If Yes, Budget Code:

Available:

Funding Source:

Attachments

ORD - 2019-876 - Rezone Craftsman Court

Craftsman Court Staff Report

Craftsman Court Site Plan

ORDINANCE NO. 2019-876

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 10 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF NORTH ROAD 1 EAST AND JUNIPER DRIVE (AGRICULTURAL RESIDENTIAL – 5 ACRE MINIMUM) TO SR-0.16 PAD (SINGLE FAMILY RESIDENTIAL – 7,000 SQUARE FOOT MINIMUM) WITH A PLANNED AREA DEVELOPMENT OVERLAY AND ITS ASSOCIATED DEVELOPMENT PLAN.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley (the “Town”) Official Zoning Map for a 10 acre parcel zoned AR-5 (Agricultural Residential – 5 acre minimum) to SR-0.16 PAD (Single Family Residential – 7,000 square foot minimum) with a Planned Area Development Overlay and its associated development plan (the “Zoning Map Amendment”); and

WHEREAS, the Town Council has determined that this Zoning Map Amendment conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

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

WHEREAS, the Planning and Zoning Commission recommended approval of the rezoning after determining the Zoning Map Amendment (i) is consistent with the Chino Valley General Plan and (ii) provides for all properties within the PAD to have adequate access to public streets; and

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

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

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

Section 2: The Official Zoning Map is hereby amended for property consisting of approximately 10 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by reference, to rezone it from AR-5 (Agricultural Residential – 5 acre minimum) to SR-0.16 PAD (Single Family Residential – 7,000 square foot minimum) with a Planned Area Development Overlay and its associated development plan approved November 14, 2019 (the “Development Plan”), a summary of which is attached hereto as Exhibit 3 and which shall be maintained in its entirety in Community Development Department, and incorporated herein by reference, subject to the following stipulations:

1. The project shall substantially conform to the Development Plan, including but not limited to the site plan, landscaping plan, conceptual building elevations and other exhibits provided by the applicant, as modified by staff's recommended conditions contained herein. Unless specifically modified in this Ordinance or in the Development Plan incorporated herein by reference, the project shall adhere to the requirements of the SR-0.16 zoning district requirements.
2. Developer shall provide a six-foot fence installed at the property line of each lot that fronts on Road 1 East or Juniper Drive. A six-foot wooden fence shall also be installed along the entire south property line of the project.
3. The Developer shall provide proof of assured water supply from the State of Arizona.
4. The Town of Chino Valley has an existing 12 inch water line in the Juniper Drive right-of-way along the property's frontage. All lots will be required to connect to the Town's water system, regardless of timing of development. The water main shall be extended along the property's entire frontage on Road 1 East, per Town Code 51.060. Additionally, the installation of fire hydrants at a maximum of 500 foot spacing is required.
5. The developer is required to construct a new eight inch sewer line along the property's entire frontage per Town Code 51.060. In lieu of this, an eight inch sewer line that is extended through the development and connects to the Town's sewer line within the right-of-way of Road 1 East at the southwest corner of the development is acceptable.
6. The Town of Chino Valley Area Drainage Master Study shows possible flooding potential on the east side of the property. Building designs will need to take this into account. Developer will provide such right-of-way or drainage easements as required by subsequently-developed engineering plans for the project site.
7. All drainage ways that convey 50 cubic feet per second or more, during the 100 year flood event, shall be considered a regulatory flood ways and shall be dedicated to the public with provisions for maintenance access ramps.
8. A drainage study that addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The drainage study must be approved before the street improvement plans and final plat are approved. If the subdivision will be developed in phases, a Town-approved master drainage plan will be required prior to development of the first phase.
9. The developer shall dedicate additional right-of-way 50 feet east of the road centerline on Road 1 East and 25 feet west of centerline on Peppertree Drive. Additional right-of-way or drainage easements may be required on Juniper Drive pending engineering study results.

10. The developer shall improve the east half of Road 1 East and the south half of Juniper Drive along the project limits per Town Street Design Standards. This includes, but is not limited to, new road section, pavement edge treatment, sidewalk and utility relocations as necessary. At the Town's sole discretion, payments in lieu of improvements on Peppertree may be required.
11. The developer must provide a traffic Impact statement for this project.
12. The developer acknowledges the City of Prescott has an aerial easement for power lines which may limit development in the easement's vicinity.
13. The developer must provide a one-foot non-vehicular access easement along Road 1 East.

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

Section 4: If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5: The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona on December 10, 2019.

Darryl L. Croft, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-876 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on December 10, 2019, and that quorum was present, and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE 2019-876

[Legal Description]

See following page.

All that portion of the Southwest Quarter of the Northwest Quarter of Section 23, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows-

COMMENCING at the Northwest corner of said Section 23,

Thence South 01 degrees 21 minutes 23 seconds West, 1221.90 feet, along the West line of said Section 23 to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 23, and the TRUE POINT OF BEGINNING,

Thence South 01 degrees 21 minutes 23 seconds West, 330.48 feet along the West line of said Section 23, to the Southwest corner of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter,

Thence North 89 degrees 50 minutes 30 seconds East, 1329.88 feet to the East line of said Southwest Quarter of the Northwest Quarter of Section 23,

Thence North 01 degrees 01 minutes East, 330.01 feet, along the East line of said Southwest Quarter of the Northwest Quarter of Section 23 to the Northeast corner thereof,

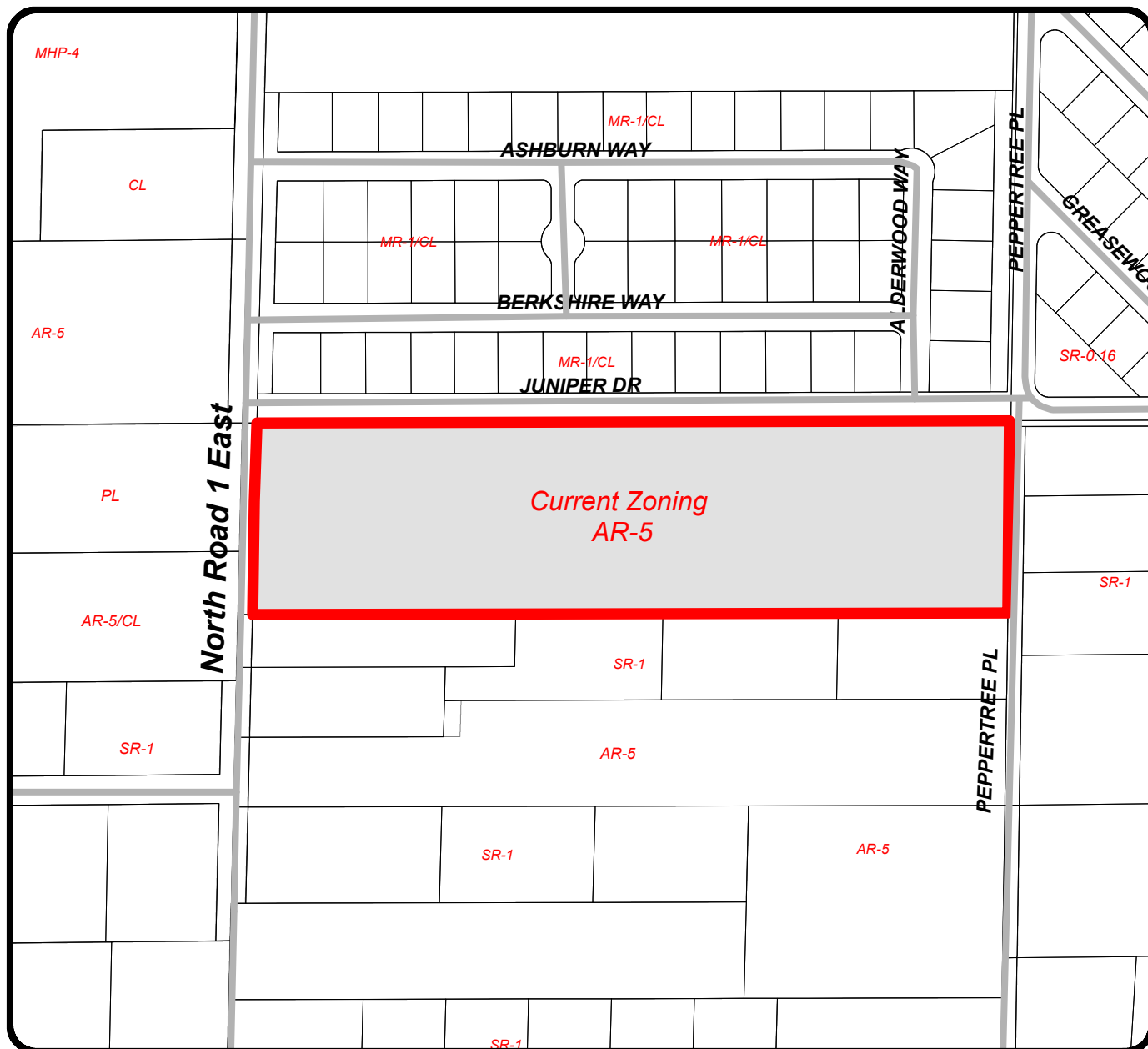
Thence South 09 degrees 51 minutes 40 seconds West, 1327.91 feet along the North line of said Southwest Quarter of the Northwest Quarter of Section 23, to the TRUE POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE 2019-876

[Zoning Exhibit]

See following page.

Exhibit 2



ZC19-000009: Craftsman Court

 Owner's Property

Applicant: Paul Aslanian - Arizona Development Company

Request: Rezone a single property consisting of approximately 10 acres from AR-5 to SR-0.16 PAD zoning district.

Location: Property is located approximately 995' north of the intersection of East Road 1 North and North Road 1 East

Parcel Number: 306-24-012



Not to Scale

EXHIBIT 3
TO
ORDINANCE 2019-876

[Plan of Development]

See following pages.

Complete Plans on File in the Community Development Department

1. Pad Site Plan, approved November 14, 2019.
2. Conceptual Elevation Plans, approved November 14, 2019.

Approved By: _____ Date: 4/1/11




DRAWING SCALE
 1 inch = 50 Feet
 (This scale is valid for
 22"x34" sheets only)

PEPPERTREE PLACE
 350' 25'

DEANA LYON P.E.
 PROFESSIONAL ENGINEER
 CIVIL
 STATE OF CALIFORNIA
 NO. 1078
 EXPIRES 8/30/21

LANDSCAPING AND AMENITY LEGEND

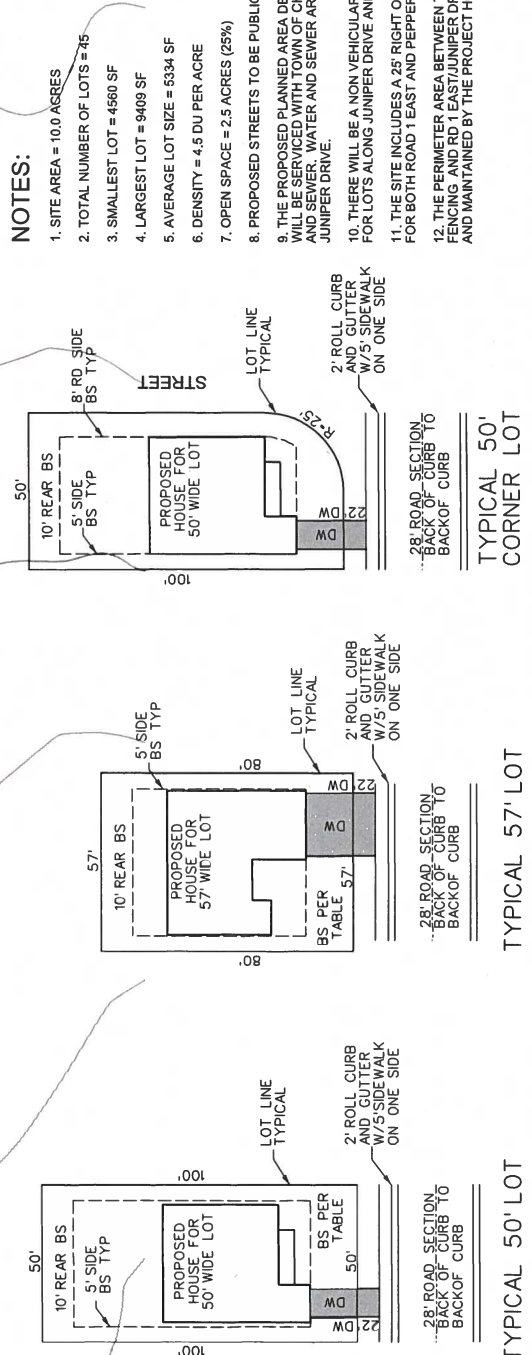
- A. LEYLAND OR AZ CYPRESS TREES 30' OC WITH 1/2" LANDSCAPE ROCK DROUND COVER.
- B. HALF STREET SECTION OF 12' PAVEMENT WITH 2' CURB & GUTTER AND SIDEWALK.
- C. 6' MANHOLE TO 10' BE LANDSCAPED.
- D. 1370 L.F. OF PEDESTRIAN TRAIL AROUND PERIMETER OF OPEN SPACE.
- E. GRAVEL GUEST PARKING AREA
- F. 20" TO 30" DIAMETER GAZEBO WITH PICKNIC TABLES SURROUNDED BY LANDSCAPING.
- G. 5' SUBDIVISION PEDESTRIAN CONNECTION TO OPEN SPACE SIDEWALK TRAIL.
- H. 6' FENCE AT PROPERTY LINE ALONG LOT FRONTS TO R, 1 EAST AND JUNIPER DR.

TABLE NOTES

FRONT SETBACKS WILL MAINTAIN A MINIMUM OF 22' FROM BACK OF CURB OR SIDEWALK.

SIDEWALKS ARE PROPOSED ON ONE SIDE OF STREET ONLY TO ALLOW FOR DEEPER DRIVEWAYS AND BETTER OFF-STREET PARKING. THIS WILL ALSO ALLOW FOR STREET PARKING ADJACENT TO THOSE LOTS THAT DO NOT ABUT A SIDEWALK.

THE PROPOSED 5' SIDEWALKS WILL BE ADJACENT TO LOTS 1-4, 9-20, 25-28, AND 37-45.



Craftsman Court Conceptual Elevation Plan 3

plan 94472



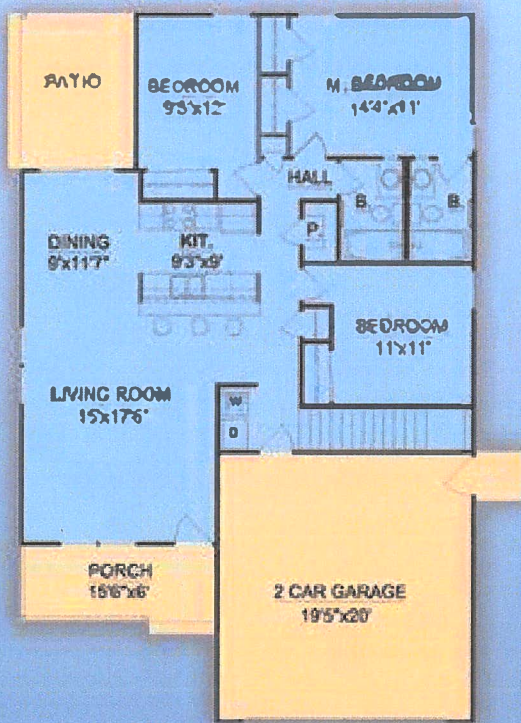
sq ft	beds	baths	bays	width	depth
1216	3	2	2	36'	56'



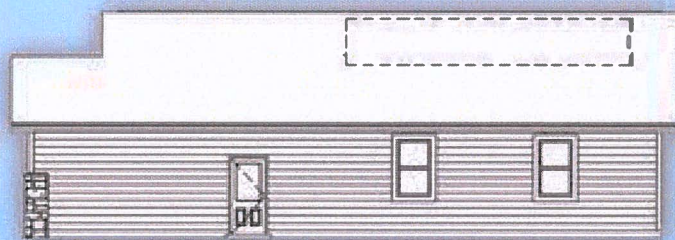
800-482-0464

familyhomeplans.com

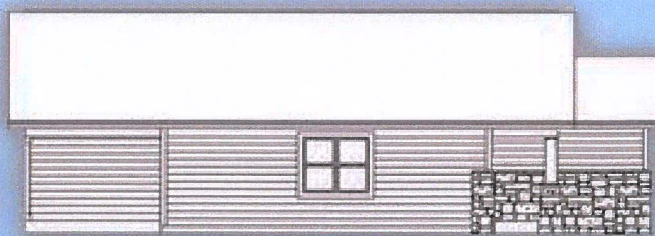
Approved By: *[Signature]*
Date: 11/14/19



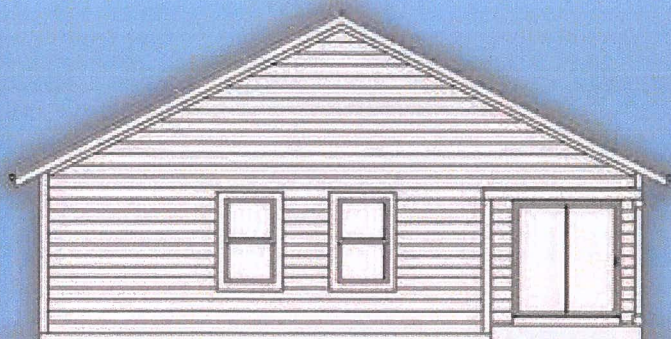
Main Living Area



Right Elevation



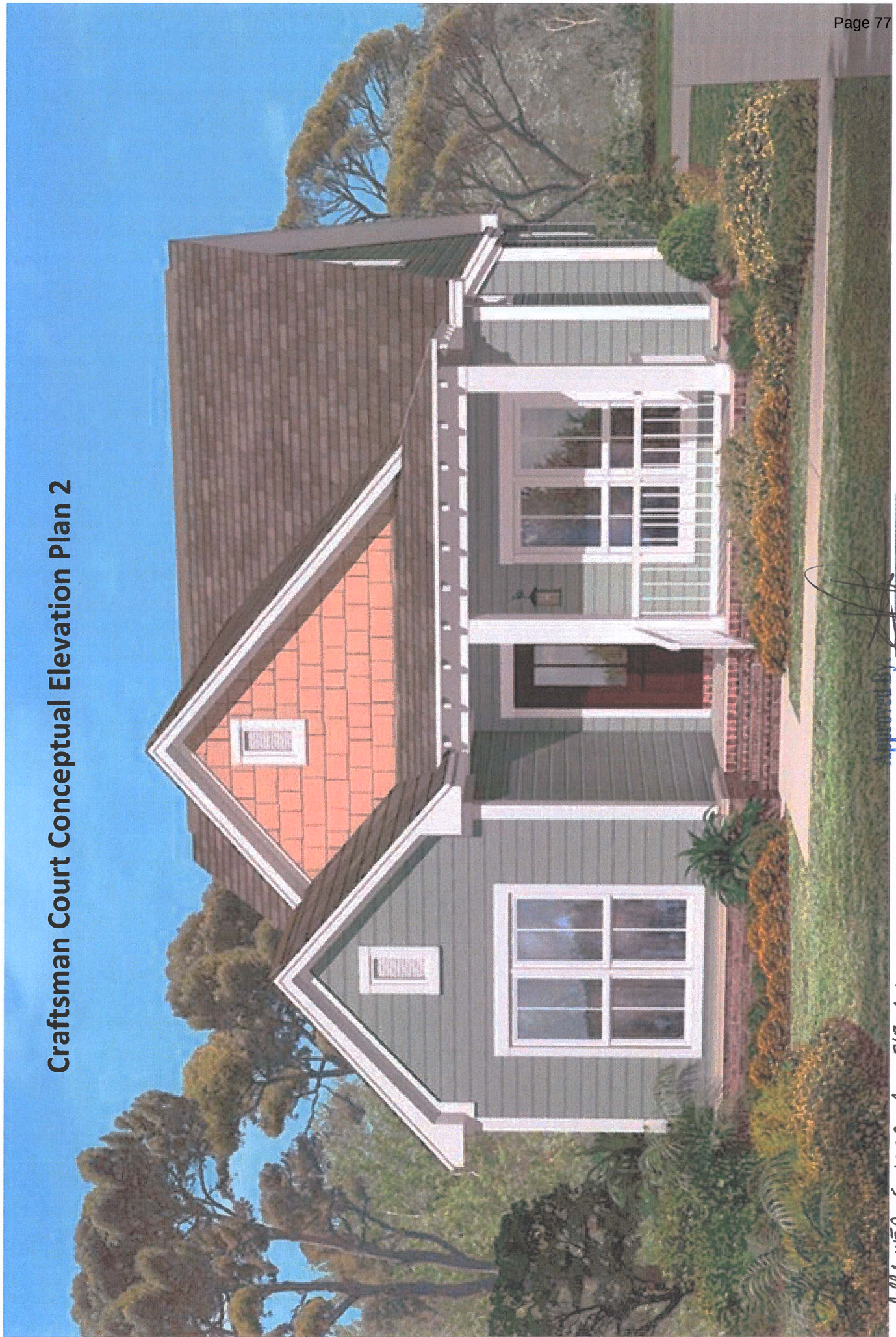
Left Elevation

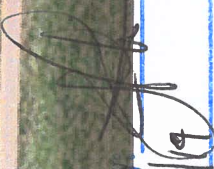


Rear Elevation

APPROVED CONCEPT ELEVATION & FLOOR PLAN

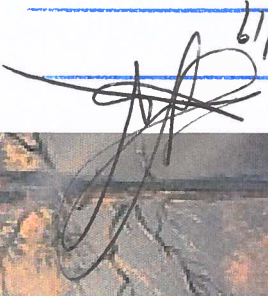
Craftsman Court Conceptual Elevation Plan 2



Approved By: 
Date: 11/14/19

APPROVED CONCEPTUAL ELEVATION

APPROVED CONCEPTUAL ELEVATION

Approved By: 

Date: 11/17/19

Craftsman Court Conceptual Elevation Plan 1

