

SPECIAL SESSION



**MAYOR and COMMON COUNCIL
of the TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
FRIDAY, MARCH 25, 2005
1:00 P.M.**

1. **Call to Order**
2. **Roll Call**
3. ~~Discussion, consideration, and possible approval of Resolution 2005-628, a resolution of the Common Council of the Town of Camp Verde, Arizona approving General Plan Amendment 2005-01 that amends the Land Use Map of the General Plan for parcels 407-09-043 and 407-09-043A Yavapai County Land Use General Industrial to Camp Verde Land Use of Commercial. This amendment is to accommodate commercial development and the existing car dealership.~~

Note: Approval of this item is not required due to the ratification of the 2004 Camp Verde General Plan by voters at the March 8, 2005 Primary Election.

4. **Discussion, consideration, and possible approval of Ordinance 2005-A304, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcels 407-09-043 and 407-09-043A consisting of approximately 26.76 acres from Yavapai County Zoning of M1-10A to Camp Verde Zoning of C3-2A. This rezoning is to allow for commercial development. Location of the property is on Coury Drive off SR 260.**
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - a. **Call for APPLICANT'S STATEMENT**
 - b. **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - c. **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
5. **Discussion, consideration, and possible approval to lease Rio Verde Plaza Unit#5 to the Camp Verde Sanitary District at a reduced rate of \$225.00 per month until their fiscal year ends, at which time they propose to pay an additional \$100 per month.**
6. **Discussion, consideration, and possible direction to staff regarding a development agreement with Thomas Griffith.**
7. **Adjournment**

Posted by: *D Jones*

Date/Time: *3-23-05* *3:30 PM*

Note: Pursuant to A.R.S. §38-431.03.A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

Staff Report

Council

Meeting of: March 25, 2005

Title: **RESOLUTION 2005-628 (GPAMD 2005-01) and ORDINANCE 2005 A304 (ZMC 2005-09):** An application filed by The Town of Camp Verde on behalf of property owners of parcels 407-09-043 and 407-09-043A (+/- 26.76 acres), requesting a General Plan Amendment from Yavapai County land use of *General Industrial* to Town of Camp Verde *Commercial* to allow for rezoning of this parcel to C3-2A from Yavapai County zoning of *M1-10A*.

Description: This property is located off of Highway 260 on Coury Drive. Parcel 407-09-043 is vacant and parcel 407-09-043A has a car dealership on it. The neighboring activities are complimentary to the requested land use and zoning. There are two manufacturing facilities in the close proximity off of Coury Drive as well as a facility belonging to Camp Verde Water System.

The newly adopted General Plan shows this property within our growth and special planning area as well as Mixed Use: Commercial/Industrial land use. The zoning map has not been expanded outside the Town Boundary. Yavapai County shows these parcels to be General Industrial land use and carries the zoning of M1-10A.

The owners of these two parcels have made a request to the Town to rezone their property as soon as the annexation is complete. Because of the time needed to complete the General Plan process, the amendment and rezoning has been initiated at this time. The changes, if approved, will not go into affect until after the annexation process is complete.

Agency Review: Twenty agencies have been notified and the following is a summary of received responses.

City of Cottonwood Community Development Director: The parcels involved in the application are within the planning area of the City of Cottonwood and the plan designates the area as Performance Commercial/Industrial. This calls for a planned development of high quality, context sensitive mixed uses. It is also noted the action of the Town of Camp Verde contradicts the strategies and recommendations outlined in the Cottonwood's voter approved General Plan.

In Cottonwood's General Plan it indicates that the City and Town of Camp Verde should work cooperatively to plan the State Trust Land east of this site. Therefore, Cottonwood's staff recommends that a comprehensive approach to planning, annexation, zoning and development of the subject area and the State Trust Land would be beneficial to both communities and the region. It was also pointed out that Cottonwood voters wanted the cooperation of the property owners in the annexation action and to maintain an open space separation between the City of Cottonwood and Camp Verde along SR 260.

It was also recommended that the annexation be final before the rezoning action begins.

Yavapai County Flood Control: The site is impacted by a watercourse which is regulated by the Flood Control District. The District will support the decision of the Town of Camp Verde as to the approval or denial of the application. When future development takes place, the regulation of the Yavapai County Drainage Criteria Manual must be followed.

Yavapai County Planning Dept: If ARS and citizen participation/notification are done correctly, it would appear alright to rezone property outside of the Town's current boundary. It must be understood that the zoning could not become effective until after the annexation is complete.

Yavapai County Environmental Services: Two septic permits have been issued for these parcels serving the car dealership. Septic and alternate systems are common in this area.

Camp Verde Fire District: According to Resolution 2002-530 of the Mayor and Common Council of the Town of Camp Verde all properties that apply for a rezoning or general plan amendment within the Town boundaries, are required to annex into the Camp Verde Fire District.

Town of Camp Verde Community Development Director: This amendment to the General Plan fulfills the Town's obligation as stipulated by a development agreement, which will shortly be executed by Mr. Coury and the Town. Further, the surrounding activities coincide with the proposed size and use provided for in this amendment to the Town's General Plan, as well as to the proposed general plan that voter's will hopefully ratify by March 8th.

Commission

Recommendation: The Planning and Zoning Commission held a Public Hearing concerning this request on March 3, 2005. They voted unanimously to recommend approval of both the General Plan Amendment 2005-01 from County Land Use of General Industrial to Commercial and Zoning Map Change 2005-09 from County Zoning of M1-10A to C3-2A.

Replies to the 300' Letters: six (6) letters were sent out. Staff has received no replies at this time.

Attachments: Yes

Prepared by: Nancy Buckel, Senior Planner



TOWN OF CAMP VERDE

P.O. Box 710 ♦ 473 S. Main Street ♦ Camp Verde, Arizona 86322 ♦ (928) 567-6631 FAX 567-9061
Marshal 567-6621 ♦ Parks & Recreation 567-0535 ♦ Community Development 567-8513 ♦ www.campverde-az.gov

January 21, 2005

Letter of Intent for ZMC 2005-09

The Town of Camp Verde is initiating a zoning map change for parcels 407-09-043 and 407-09-043A in conjunction with an annexation application for these properties located at 6101 E. Coury Drive. The current Yavapai County zoning is M1-10A and the requested change would be to the Town of Camp Verde zoning of C3-2A. These parcels contain approximately 26.76 acres. Parcel 407-09-043A currently has a car dealership on it. Parcel 407-09-043 is vacant.

All other properties located within the annexation boundaries will maintain the current land use and zoning at this time.

The Town is also requesting a general plan amendment for the parcels from Yavapai County's land use of General Industrial to the Town of Camp Verde's land use of Commercial. The Town Council will not approve these changes until the annexation process is complete.

The proposed zoning is complimentary to the surrounding Yavapai County properties and would reflect the current use on the one parcel belonging to Steve Coury.

Town of Camp Verde
Community Development Department
(928) 567-8513



CASE NO. 2005-11

PROJECT NO. ZUC 05-09

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
CHANGE OF ZONING MAP OR DENSITY APPLICATION

APPLICATION DATE 1-21-05 TAKEN BY _____

ASSESSOR'S PARCEL NO. 407-09-043 & 043A FEES _____

PRESENT ZONING MI-10A HEARING DATE _____

SUBDIVISION _____

ADDRESS OF PROPERTY 6101 E. Coury Drive

REQUEST: From Yavapai County zoning of MI-10A to Town of Camp Verde zoning of OC3-2A. The rezoning is part of a development agreement between the owners and the Town of Camp Verde. The rezoning will be put in place when the annexation process is complete.

OWNER Parcel 401-09-043 Julie A. Coury; 043A Steve Coury PHONE _____ FAX _____

ADDRESS PO Box 1889 CITY Cottonwood STATE AZ. ZIP 86326

CONTACT PERSON Town of Camp Verde Community Development Dept.

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize _____ to act as my agent in the application.

Name of Agent _____

Signature of Owner _____ Date _____

AGENT _____ PHONE _____ FAX _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

CONTACT PERSON _____

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

Town of Camp Verde 1-21-05
Signature of Applicant _____ Date _____
Community Dev. Dept.

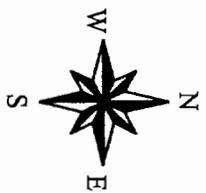
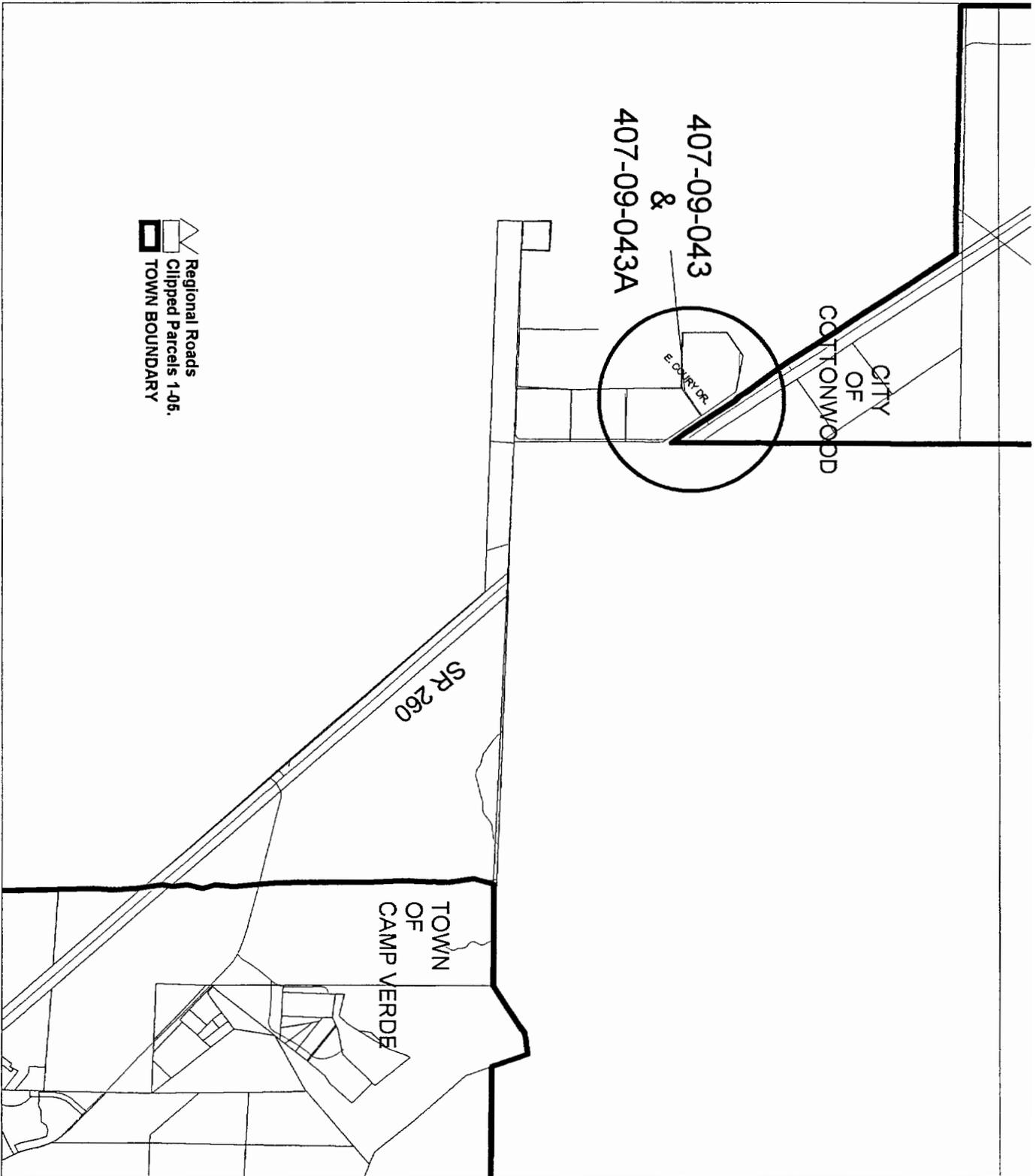
DIRECTIONS TO PROPERTY

ASSESSOR'S PARCEL NUMBER 407-09-043 1/2 043A

APPLICANT'S NAME Town of Camp Verde

PROPERTY ADDRESS 6101 E. Coury Drive

DIRECTIONS TO PROPERTY From I-17 1/2 SR 260 N West towards Cottonwood 6.6 miles to E. Coury Drive on the left hand side of SR 260



STAFF REPORT

Council meeting of: March 25, 2005 – Special Session

Title: Discussion, consideration, and possible approval to lease Rio Verde Plaza Unit #5 to the Camp Verde Sanitary District at a reduced rate of \$225.00 per month until their fiscal year ends, at which time they propose to pay an additional \$100 per month.

Budgeted item: N/A

Description of Item: Mold has been identified in the current facilities that the Town leases to the Sanitary District. The District wishes to relocate to the Rio Verde Plaza at the same budgeted amount they currently pay.

Staff Recommendation: Council adopted \$600 per month rental fees for this unit. Staff recommends approval of lease at the current rate until their fiscal year ends and \$325.00 per month thereafter, with the difference to be credited toward the Town's purchase of the 10 acres for the Street Yard.

Comments: N/A

Attachments: Yes

Prepared by: Bill Lee

**EXHIBIT A
MUNICIPAL LEASE AGREEMENT**

Landlord: Town of Camp Verde, an Arizona municipal corporation
P.O. Box 710
Camp Verde, Arizona 86322

Tenant: Camp Verde Sanitary District
P.O. Box 1205
Camp Verde, Arizona 86322

WHEREAS, the Town of Camp Verde ("Town" or "Landlord") is the owner of certain real property located in the Town limits, and now wishes to lease a portion of said property to the Camp Verde Sanitary District ("Tenant") pursuant to its general authority under ARS 9-240, and the general authority of the Tenant under 48-2011, and,

WHEREAS, it would be in the public interest to enter into a lease agreement for use of spaces not now being utilized by the Town, and provide a central location for customers of the Tenant, and availability of the Tenant to the Town on projects of mutual interest, and

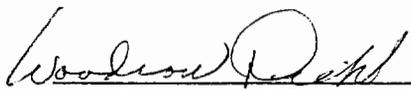
WHEREAS, the parties hereto may enter into this lease pursuant to ARS 11-952 as a joint exercise of powers or contract for services,

NOW THEREFORE THE PARTIES AGREE TO ENTER INTO THIS LEASE ON THE FOLLOWING TERMS AND CONDITIONS:

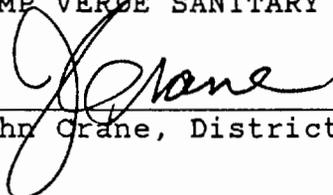
1. Term The term of this lease shall be for one year, beginning August 19, 1991, through July 31, 1992, renewable for additional one-year periods unless either party notifies the other of cancellation at least 60 days in advance. Any renewed term may increase the rental payment, or adjust other terms of the lease. The lease may be terminated at any time during the term with 60 days' notice.
2. Space Tenant shall have the right to use and occupy the easterly portion of Room 303 in the old high school complex, and any additional storage areas as may be agreed upon by the Town. If the westerly portion of the room is occupied or leased by the Town or third parties, Tenant agrees to share the restroom facilities.
3. Rental Tenant shall pay to Landlord the sum of \$225 per month for rent, in advance, beginning September 19, 1991.
4. Utilities and Maintenance. Tenant shall change locks, paint, and maintain light fixtures, and the Town shall install a new water heater for Tenant's use. Water, electricity, and gas, if separately metered or if can be apportioned, shall be paid by Tenant.

5. Parking. Tenant shall use parking available in the rear of the building.
6. Sublease/Use. Tenant shall use the premises for its business in managing the sanitary district, and shall not sublease or allow other uses unless specifically authorized in writing by the Town.
7. Hold Harmless. Tenant shall indemnify and hold harmless the Town, its agents and employees, from any liability, and provide appropriate insurance binders.
8. Pursuant to A.R.S. 38-511, The provisions of which are incorporated herein by reference, this Agreement is subject to cancellation by either party if any person significantly involved in initiating, negotiating, securing, drafting or creating this contract on behalf of one party is, at any time while the contract is in effect, an employee or agent of any other party to the contract in any capacity.
9. Effective Date. This agreement shall not become effective under ARS 11-952.G until filed with the Yavapai County Recorder, Prescott, Arizona, or until the date specified herein, if it is later.
10. Adoption. Pursuant to ARS 11-952.H, appropriate action by ordinance, resolution, or otherwise under the laws of the governing body of each participating agency shall be necessary before this agreement, or any extension thereof, may be filed or become effective.

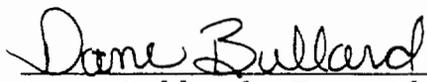
TOWN OF CAMP VERDE

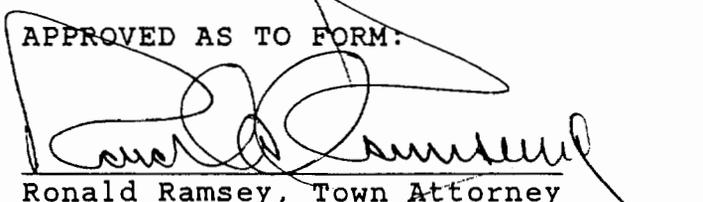

Woodrow Diehl, Mayor

CAMP VERDE SANITARY DISTRICT


John Crane, District Manager

ATTEST:


Dane Bullard, Town Clerk

APPROVED AS TO FORM:

Ronald Ramsey, Town Attorney