

**MINUTES
COUNCIL HEARS PLANNING AND ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, APRIL 27, 2005
at 6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion.

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Dickinson, Vice Mayor Reddell, Councilors Gioia, Kovacovich, and Parrish were present; Councilors Teague and Baker arrived at 6:32 p.m.

Also Present: Community Development Director Wright, Sr. Planner Nancy Buckel, P&Z Commissioner Jim Bullard, Council Candidate Robert Johnson and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Mayor Dickinson.

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) **Approval of the Minutes:**

- 1) Special Session – April 20, 2005 (5:30 p.m. meeting)
- 2) Special Session – April 20, 2005 (8:30 a.m. meeting)

b) **Set Next Meeting, Date and Time:**

- 1) Regular Session – May 4, 2005 at 6:30 p.m.
- 2) Budget Work Session – May 11, 2005 at 6:30 p.m.
- 3) Regular Session – May 18, 2005 at 6:30 p.m.
- 4) Council Hears Planning & Zoning – May 25, 2005 at 6:30 p.m.

On a motion by Gioia, seconded by Reddell, the Consent Agenda was unanimously approved with the following correction: Special Session Minutes of April 20, at 8:30 a.m., those also present, "Billy Carter" should be Billy Gardner.

5. **Call to the Public for Items not on the Agenda.**

George Young apologized to the Council and to the general public for problems with taping the meeting last week caused by several factors including travel and last-minute stress resulting in loss of portions of the meeting; out of about a 3-hour meeting he ended up with one hour and 33 minutes. Mr. Young assured the Council he does not edit the program; last Wednesday and Sunday were not good days for him, and he again apologized to those who wondered what had happened.

5.a **Discussion, consideration, and possible approval of Resolution 2005-639, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.**

On a motion by Reddell, seconded by Gioia, the Council unanimously approved Resolution 2005-639, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

Community Development Director Wright said that the proposed Resolutions were required in order to authorize staff to submit the grant application that occurred last week. The grant submission indicated that the resolution would be forthcoming; the intent was to obtain monies from WIFA to perform some master planning on the Sanitary District and evaluate the water system. It was felt that everyone would be in agreement with that. Director Wright added that the individual executing the grant will be identified as "the Mayor."

Gioia requested that Section 2 of Resolution 2005-639 provide for signature by "the Mayor" instead of by Mitch D. Dickinson, Mayor; it was confirmed that the Resolution had been amended to reflect that change.

5.b. Discussion, consideration, and possible approval of Resolution 2005-638, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

On a motion by Gioia, seconded by Baker, the Council unanimously approved Resolution 2005-638, a resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

Director Wright said that this item was self-explanatory; it involves work being done in preparation for working with the Water Company for lease and future acquisition purposes.

Council agreed that this was a necessary step that would show due diligence; whether lease or purchase it is the wise thing to do, and staff was commended for working on finding outside funding.

6. Discussion, consideration, and possible approval of Resolution 2005-628, a Resolution of the Town Council of the Town of Camp Verde, Arizona approving the General Plan Amendment 2005-02 that amends the Land Use Map of the General Plan for parcel 404-30-029D Medium Density Residential to High Density Residential. This amendment is to accommodate the rezoning of the parcel to Multi-dwelling Residential.

On a motion by Dickinson, seconded by Reddell, the Council by a 6-1 vote approved Resolution 2005-628, as presented; with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright reviewed the request for a General Plan amendment for a 2.41-acre parcel owned by Keith and Anna Turley who need a higher land use designation in order to proceed with a proposed high-density development of a duplex configuration/patio homes project on the subject parcel. The P&Z Commission did recommend approval of the request, but had some concern over the lack of a conceptual plan to review in that, although there was no opposition expressed, perhaps the public did not know what they were getting into. The surrounding area is served by both water and sewer; it is anticipated that that would allow for the higher density. Staff has not noted any problems with the idea of the higher density type of development. The development would seem to serve the area well in terms of possible affordable housing opportunities.

PUBLIC HEARING OPEN

Applicant's Statement

Rob Witt, a realtor representing the applicant, pointed out what he had observed was interest from several out-of-state individuals in buying property in Camp Verde. He also reviewed the reference in the General Plan to the need for affordable housing, and the more than doubling of housing prices over the last few years. Mr. Robb also reviewed the main factors in the proposed development which he believes comply with significant criteria in the General Plan. He said that they attempted to talk to every neighbor in the area, found no opposition at all, and received 13 signatures of those in support. The applicant wants to do very positive things for the Town; he has offered to pave Nichols, add a sidewalk to the road, and install an 8-inch sewer line to replace a 4-inch line in one area that will also benefit other properties. There are several engineering issues that must be addressed before a conceptual plan can be presented; Mr. Robb briefly described the concept being considered using high-pitched roofs and front porches to fit into the Western environment.

COMMENTS FROM OTHER PERSONS

Clayton Young said that he and his mother-in-law who owns property just north of the project both oppose it; they have not had anyone contact them to talk about the change. The property has been in his wife's family for over 100 years. They want the area to remain as it is, and do not like the idea of the high density.

Robert Johnson complained that the density was being doubled on a neighborhood, amending the General Plan shortly after it has been ratified. He said that this Council would take the General Plan, bend it,

mutilate it, fold it and amend it any time a developer wanted to. He said he is definitely against this amendment and project.

Steve Beach said he is very concerned about the water issue. He has a well on his property which is right next to the subject property; 24 new homes could be a tremendous drain on the water table. That needs further study by an expert.

Mary Grant said she has property right in front and that nobody ever contacted her, although she did get a letter about the proposed zoning change. She is not in favor of it at all.

Applicant's Rebuttal

Mr. Witt apologized to those who said they had not been contacted. He reviewed the location and names of some of the people who supported the project, claiming a significant amount of support.

PUBLIC HEARING CLOSED

Council Discussion

The Council expressed objection to the assertion regarding "mutilating" the General Plan and reminded the public that people have the right to request consideration of development and the Council approves some and denies others; that is simply the Council's job to hear and review the issues brought to it through the proper procedure. The water will be provided by the Camp Verde Water System, and it was confirmed that the supply would be adequate. There was also concern about some of the individuals not having been contacted by the applicant's representatives. The Council also discussed with staff and Mr. Witt the proposed number of housing units, and there was further discussion regarding the reference to affordable housing and the perceived severe impact on the area by the increase in density. There was also some objection to an amendment to the General Plan that was just adopted. The Council generally agreed that the project made sense, it could actually improve surrounding property values, the housing is needed and would be an infill. Mr. Witt confirmed that the developer planned to use the existing well only for landscaping. Liability regarding the ditch on the property, and issues of drainage and existing water rights were discussed. The applicant would be willing to convey water rights to the Town; however, it was confirmed that there is no water, no irrigation on the property. Regarding future zoning change applications, there was a suggestion that staff provide copies of the particular applicable sections of 109 as attachments to the agenda for the public on the website.

7. **Discussion, consideration, and possible approval of Ordinance 2005-A305, 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 parcel 404-30-029D consisting of approximately 2.4 acres from R1L-35 to R2-2. This rezoning is to allow for the development of a residential complex at 485 S. Nichols Street.**

On a motion by Dickinson, seconded by Baker, the Council by a 6-1 vote approved Ordinance 2005-A305 as presented, with the stipulations as stated in the Staff Report, except for deletion of No. 3, the trail system on the ditch; and add that a 50-foot right-of-way on Nichols Street be provided; that Nichols Street be paved to existing pavement on Fain; that one side of the road be provided with a walkway to tie into the Main Street sidewalk; that the developer install 8-inch sewer line and extend the sewer line to the property line as stated for the neighboring property owner; that the designs be design-reviewed by the Community Development Department; that the structures be one-story; and that all of the foregoing stipulations be included as deed restrictions on the property; with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright said that the zoning map change coincides with the General Plan amendment just reviewed. Much of the discussion overlapped to include some of the items encountered with the change in density for the proposed project. There were issues pointed out by the Streets Department. The preliminary and final plats that will be coming before the Council will look at the project in much more detail as to drainage, type of roadway and the petition for a trail as part of the project. The P&Z Commission reviewed the project and recommended approval based on several stipulations including design review, limit to one-story per structure, pedestrian right-of-way along the ditch, and that the stipulations be included as a deed restriction.

PUBLIC HEARING OPEN

Applicant's Statement

Rob Witt displayed a slide that showed the properties of neighbors who were in support of the project; however, one of the signatures had been eliminated, leaving only 12 in support. Mr. Witt stressed the improvements that the applicant is willing to provide; in summary, Mr. Witt said the General Plan was just

amended, the General Plan supports the concept, the community needs the project, there is significant support, and it will be an improvement to the designated area.

COMMENTS FROM OTHER PERSONS

Robert Johnson shared his comfort with anger and expressing it when he feels it. He said that he has respect for Vice Mayor Reddell as a person, but not as a councilman. He apologized for those who may have felt hurt by his earlier display of anger, explaining that his family all spend a lot of time yelling at each other. Mr. Johnson said that the Mayor sounds like he's giving a speech for the Home Builders Association, and everyone knows where he stands on this thing and where he has always stood.

Steve Beach said he has already said what he had to say, but another concern along the ditch is the amount of wildlife and what effect the building would have on that wildlife.

Mary Grant questioned whether the project was for low-income people, and what the homes would sell for; she was assured that the notion was only put out as food for thought, more will be known as the development comes forward. Ms. Grant again said she was opposed and was concerned about kids playing up and down the ditch and that any wall constructed would not be child-proof.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

The Council addressed the fact that there would be no place to have a hiking trail in the area of the ditch; the easement on the ditch is only for the purpose of maintenance. The question of the number of units was again reviewed, and again a suggestion made that it would be helpful to have at least a drawing of a conceptual of the buildings and the lay of the land before a zoning change is considered. It was confirmed that the application would be willing to consider the requested stipulations including design review, the one-story buildings, perhaps a setback on the ditch for the wildlife, widening the street, and the sidewalk. The Council questioned the requirement for a trail in the suggested location and agreed there would be related liability and maintenance issues. The issue of requiring a conceptual design and whether that would be resolved by the proposed design review was discussed with Director Wright. Wright proposed that the consultant firm employed to reconcile the General Plan with the Planning & Zoning Ordinance might be asked to also look at the question of requiring a conceptual design to see if that would be feasible. There was further discussion on possibly requiring a conceptual in every case, requiring considerable preliminary expense for the applicant with no assurance of being granted the zoning change.

8. Discussion, consideration, and possible approval of Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.

On a motion by Reddell, seconded by Parrish, the Council unanimously approved Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.

STAFF PRESENTATION

Director Wright explained that Mr. Kilby is requesting the zoning map change from Residential Services-35 to Commercial C2-4 density. The parcel is along Montezuma Castle Highway adjacent to Beto's where the owners currently have their realty office. There was considerable discussion about the activities allowed under the C2 zoning, and the Commission stipulated that there be no mini-storage units. Mr. Kilby assured the Commission that that would not happen, and has agreed to a design review type of process to insure maintaining a certain aesthetic value along that roadway. With that stipulation the Commission recommended approval of the request, and no one has spoken against the change. Most of the surrounding property is zoned C2, and staff sees no problem with granting the change.

PUBLIC HEARING OPEN

Applicant's Statement

Harold Kilby said that the General Plan shows the parcel as commercial, and at this time they are not planning anything other than improving the realty office, and the zoning change will allow putting better signage up.

COMMENT FROM OTHER PERSONS

There was no comment from other persons.

REBUTTAL

There was no rebuttal necessary.

PUBLIC HEARING CLOSED**Council Discussion**

The applicant confirmed that the septic system was adequate, and sewer availability was also confirmed. The Council generally agreed that it would be appropriate for the property to continue with commercial use, and confirmed that the stipulation precluding mini-storage was included in the proposed ordinance.

9. **Discussion, consideration, and possible approval of Ordinance 2005-A2307 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 parcel 403-23-151 consisting of approximately +/- 33.09 acres from RCU-2A to C3. This rezoning is to allow for commercial activity along SR 260 near Dougs Park Road.**

On a motion by Reddell, seconded by Teague, the Council unanimously approved Ordinance 2005-A307, limited to the 17.67 acres on the west side of Hwy 260 backed by Prescott National Forest, and on the south side as Arizona North property, with the zoning to be changed from RCU-2A to C-3 zoning, subject to design review; zoning is not being changed on the east side of Hwy 260, until later presented to Council after issues of development and drainage are addressed.

STAFF PRESENTATION

Director Wright said that the application for a zoning change again along Hwy 260, with the parcel bisected fairly evenly by the highway, from RCU-2A to C-3, which is commercial/light industrial zoning. On the west side of 260 the property abuts the area that AZ North had recently petitioned the Council for rezoning that was granted. On the other side, because of the proximity to residences and other factors, when the Commission met and reviewed the request it recommended that Council approve the zoning map change request as long as the project would go through design review, and that they were assured that there would be an increased 50-foot buffer on the east side of the parcel along those residences, in addition to the 60-foot roadway through the area for a total of approximately 110 feet. The neighbors had expressed concern over the potential commercial uses.

PUBLIC HEARING OPEN**Applicant's Statement**

Rick Reed explained that when the 33 acres were purchased, the portion they were more interested in was the area that had fewer issues and no residences. He understands those issues that need to be addressed. Mr. Reed said that they would not be opposed to some kind of a buffer, perhaps low-density multi-family, maybe duplexes, with garages. He reviewed in some detail the problems with the wash, drainage and other possible issues concerning the residents, and acknowledged that there were problems that need to be addressed before moving forward. Mr. Reed said they would also not be opposed to moving the easement related to Doug's Park Road, whatever works for everybody.

COMMENTS FROM OTHER PERSONS

Jim Hisrich said that if the change is approved, things are going in a direction that the neighbors are not happy about, and he asked the Council to not favoring the change. They have not been able to get together with the owners to discuss the change. He is not challenging the knowledge of the Council as to the General Plan, and knows that it is the growth area, and property just to the north is zoned R2 as a buffer zone to protect properties right beyond that. The proposed C3 zoning comes right up against the residential zoning, not an effective buffer. Mr. Hisrich said that he believes no one has any objection to what happens on the west side of 260, and also commented on the wildlife existing in the wash area. He wants the area to remain residential, and to protect where they live. Mr. Hisrich requested a strict buffer from the wash as it exists and east to Doug's Park Road, and any development being residential.

Perry Haddon, a member of the P&Z Commission, said that he is speaking as an adjacent property owner. He said that everyone who comes to his house comments that the area is the best-kept secret in Camp Verde, and he described his 20 acres on the river with an orchard, and the neighbor's pond, saying it is a great place to live and they enjoy a great quality of life. Mr. Haddon said that C3 zoning is the heaviest use that is available, and believes that a softer zoning might be more appropriate. He said he believes owners have a right to work with the properties that they buy, but C3 is pretty severe, although it is probably appropriate along the highway. On the east side the creek or wash is a natural buffer and should be the

delineation point. The residents would like to see the zoning remain residential on their side, at least from the buffer point. He respects the difficult decision before the Council, but the outcome affects not only him but all of the neighbors who are all terribly concerned about how the view from their front doors could change to a fence with razor wire on top and junkyard dogs inside, as an extreme.

Richard Allen said he would be speaking from the heart and described where his home is. He enjoys livestock, and he named the different animals he raises on his property. Not only that, there is livestock all around. Mr. Allen said he was concerned about the roadway and creating a new way to get into the area. He understands someone wanting to develop their property, and on the west side of the highway he does not care what they do, even put in a Super WalMart. There is a problem on the east side from the berm on, and he described the drainage and the problem when the creek does run. There is peace and tranquility for him; the area is simply beautiful, and very few people know about it. Mr. Allen also commented on the wildlife, including an eagle that he had recently seen. Commercial activity is the last thing they need in that area. He implored the Council to look at the area closely and not make an arbitrary decision tonight.

Cindy Hisrich said she is opposed to the zoning. She and her husband chose to retire in Camp Verde after looking for a long time. They love it here, and are committed to give back to the community. She supported the school activities and sports with her children, her daughters rode horses in the Camp Verde parade with pride. Mrs. Hisrich described the horse activities on their property as well as their other pets. She also described the wildlife. Her children in college plan to come back to Camp Verde as professionals and contribute to the town. She and her husband are not wealthy, they made sacrifices to get the property, but thought it was worth it. Ms. Hisrich passed along a letter of protest from neighbors who could not attend the meeting. She has attended national horse events to watch her daughter participate and is proud to say she is from Camp Verde and be able to tell people about what a great place it is to raise a family. She hopes the Council will help them protect their property.

Rich Janssen said he has lived in the area for about 15 years; he is a supervisor at Basha's. He has four children who attend Camp Verde schools; the family is involved in 4H and they have livestock and pets on their property. Mr. Janssen understands that growth is happening and is not opposed to what is changing on the other side of the highway. His property is peaceful and quiet at night, no street lights. He formerly lived in an area of many homes and trailers and watched his property value diminish because of the other property owners in that area, and is concerned about his current property value. Mr. Janssen wants to continue to upgrade his home and make it a nice home and property for his kids. Another concern is the wash and the problem with not being able to temporarily cross the ditch during the heavy rains. The dike serves an important function and should not be changed. He suggested that the Council members drive out and look at the area before they make any decision. He chose Camp Verde for his home, and he is afraid of what might happen to their area as far as the creek is concerned.

APPLICANT'S REBUTTAL

Rick Reed told the speakers that he totally understands what they are saying. He has seen that there are a lot of beautiful homes there. Mr. Reed said that they are really not opposed to doing some sort of residential as a buffer, and added that there is much to be done in order to make some decision. He was willing to go on record as being willing to create a buffer for residential, perhaps low-density multi-family, if the wash would permit. Mr. Reed reviewed some buffer possibilities and speculated on how to address the wash working with Flood Control, and work with ADOT in considering improvement to Doug's Park. He stressed the demonstrated responsibility of the applicant on another project, and reiterated their willingness to go on record regarding creating a buffer.

PUBLIC HEARING CLOSED

Council Discussion

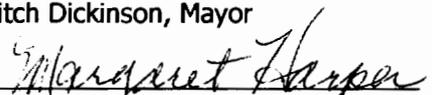
The Council referred to the request to rezone the entire 33 acres to C3 and generally agreed that, based on what has been heard, the request should not be approved. It was suggested that the developer go back and split the parcel, and that a request to rezone the west side to commercial would be approved. It was agreed that there are many more steps to be taken, including drainage issues and work with the neighbors, before any change for the east side could be considered. The discussion included commending the neighbors who spoke, commenting that they have a valid point. There was some discussion about rezoning to a lower commercial zone, which Mr. Reed said they would be willing to consider. After further discussion, with full agreement by the applicant, the Council determined that rezoning only the west side to C3 at this time would be a good resolution for all concerned, and action was taken accordingly.

10. **Call to the Public for Items not on the Agenda**
There was no further public input.

11. **Advanced Approvals of Town Expenditures**
On a motion by Reddell, seconded by Teague, the Council unanimously approved the amount of \$2400 requested by the Community Development Department for repair to the 2002 Ford Ranger by B&B Transmission.
12. **Manager/Staff Report**
There was no Manager/Staff Report.
13. **Council Informational Reports**
There were no Council Informational Reports.
14. **Adjournment**
On a motion by Reddell, seconded by Kovacovich, the meeting was adjourned at 8:57 p.m.



Mitch Dickinson, Mayor

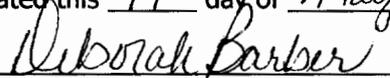


Margaret Harper, Recording Secretary

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the regular meeting of the Town Council of Camp Verde, Arizona, held on the 27th day of April, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19 day of May, 2005



Deborah Barber, Town Clerk