

**MINUTES (Corrected)**  
**COUNCIL HEARS PLANNING & ZONING**  
**MAYOR and COMMON COUNCIL**  
**TOWN OF CAMP VERDE**  
**COUNCIL CHAMBERS**  
**WEDNESDAY, FEBRUARY 22, 2006**  
**6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.  
Public input is placed after Council motions 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 Gioia, Councilors Hauser, Smith, Kovacovich, Parrish and Parry were present; Vice Mayor Baker was absent..

**Also Present:** Community Development Director Will Wright, Sr. Planner Nancy Buckel, P&Z Commissioner Womack; Housing Commissioners Everett, Freeman and Garrison; and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Councilor Parry.

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) February 8, 2006 – Special Session
- 2) **FEBRUARY 8, 2006 – EXECUTIVE SESSION**
- 3) **JANUARY 25, 2006 – COUNCIL HEARS PLANNING & ZONING**

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

- 1) Regular Session – March 1, 2006 at 6:30 p.m.
- 2) Work Session – March 8, 2006 at 6:30 p.m.
- 3) Regular Session – March 15, 2006 at 6:30 p.m.
- 4) Council Hears P&Z – March 22, 2006 at 6:30 p.m.

On a motion by Hauser, seconded by Kovacovich, the Council unanimously approved the Consent Agenda, with the following changes: The Regular Session scheduled for March 1 to commence at 5:00 p.m., and the Minutes of February 8, 2006 Special Session corrected on Page 2, end of paragraph at top of the page to read, "Bullard advised **under two different scenarios expenditures are projected to overcome revenues in either 2010 or 2013, respectively.**"

Councilor Smith recommended that the meeting of March 1, 2006 commence at 5:00 p.m., in order to finish up the Town Code and then take a break prior to the 6:30 p.m. regular time; Mayor Gioia requested the correction to the Minutes of February 8, 2006 as set forth above.

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

**Robert Johnson**, Camp Verde, read an article from a recent newspaper edition regarding the purchase of the Redgap Ranch by Flagstaff with State substantial financial assistance because of its location on an aquifer that will supply water. Mr. Johnson suggested that perhaps Camp Verde could find an aquifer in this area to acquire, perhaps with other communities.

There was no further public input.

6. **Discussion, consideration, and possible approval of Resolution 2006-675, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Amended Final Plat 2005-09 for Las Estancias Unit 2**

**Subdivision removing parcels 403-20-169, 403-20-170 and 403-20-171 from the subdivision consisting of lots 27, 28 & 29. THESE LOTS ARE LOCATED ON THE EAST SIDE OF THE MONDALE EXTENSION; Las Estancias Unit 2 is located off Horseshoe Bend.**

On a motion by Hauser, seconded by Parrish, the Council unanimously approved Resolution 2006-675, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Amended Final Plat 2005-09 for Las Estancias Unit 2 Subdivision located off Horseshoe Bend removing parcels 403-20-169, 403-20-170 and 403-20-171 from the subdivision consisting of lots 27, 28 & 29, located on the east side of the Mondale Extension.

**STAFF REPORT**

Community Development Director Wright reviewed the background of the requested amendment during which it was found that after the preliminary plat was approved an additional 3-acre parcel was purchased and three more lots created. After the final plats for Phases II and III were recorded the Department of Real Estate noted that the water adequacy report did not cover the three additional lots. The engineer has recorded an error on his part, and the developer is removing the three acres from the subdivision. The P&Z Commission has unanimously recommended approval of the amended plat for Las Estancias Unit 2, to remove the subject 3 lots; no other changes have been made. The Council expressed concern about such changes that result in errors being caught by other government agencies and questioned how that might be tracked in the future.

**Tom Pender**, agent for the owner, confirmed that he is the responsible party in connection with the issue before the Council, and outlined in detail the history of the development. Because of a problem with the roadway butting up against an existing easement, the developer purchased the adjoining property underlying the easement and planned to bring it into the entire subdivision; the right-of-way for Mondale was then dedicated to the Town. The three additional lots created by the additional property were found by the Department of Real Estate to lack water adequacy as required. An adjoining property owner proposed purchasing those three acres, or lots, and the developer determined that selling that property would be the better solution to a complex problem resulting from the engineer's error. The developer is seeking endorsement by the Council for the removal of the subject three lots.

**COUNCIL DISCUSSION**

The Council discussed with Mr. Pender concern over the condition of Mondale Road. It was pointed out that the road had met the standards of the Town at the time it was dedicated and accepted; Mr. Pender also described how a drainage issue on Mondale had been resolved with creation of a retention basin. Director Wright confirmed that stipulations regarding road improvements are many times complied with following approval and recording of the final plat; the roadways are then accepted by the Town by a separate motion. Planner Buckel reviewed the changes in road standards and Town engineers during the approval process of Phases I and II, resulting in the difference in the roadways in the subdivision, and the responsibilities of the Streets Department. Repairs to Mondale to be made by the developer and agreed to will be completed when the weather permits, probably in June. Phases I, II and III have all been completed at this time.

There was no public input.

7. **Discussion, consideration, and possible approval of Ordinance 2006-A320, an Ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting an amendment to the zoning map of the Planning & Zoning Ordinance for parcels 404-24-054B and 404-28-002L consisting of approximately 1.09 acres from R2-4 to C1. THIS REZONING IS TO ALLOW FOR COMMERCIAL DEVELOPMENT.** The property is located on 7<sup>th</sup> Street and Finnie Flat Road.

On a motion by Smith, seconded by Kovacovich, the Council unanimously approved Ordinance 2006-A320, an Ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting an amendment to the zoning map change of the Planning & Zoning Ordinance for parcels 404-24-054B and 404-28-002L located on 7<sup>th</sup> Street and Finnie Flat Road, consisting of approximately 1.09 acres from R2-4 to C1, to allow for commercial development.

On a motion by Smith, seconded by Gioia, the Council unanimously approved amending the original motion to include two stipulations, one for a drainage study, and one for a traffic study.

#### **STAFF PRESENTATION**

Director Wright by way of introduction said that Bob Magness was present representing the property owner, and referred to the conceptual drawings that had been included in the agenda packets. Wright explained that the proposed plan for an office complex appears to be a significant upgrade to that corner parcel located across from the Post Office. The P&Z Commission were enthusiastic about the development, with some consideration given to the location of the drive off of 7<sup>th</sup> Street and its proximity to Finnie Flat, and will be looked at during the platting phase of this development. The subject zoning map change will allow the developer to go proceed with the planned development; it coincides with much of the commercial development in the area. The P&Z Commission unanimously recommended approval of the rezoning.

#### **PUBLIC HEARING OPEN**

##### **Applicant's Statement**

**Bob Magness**, with Weiss Magness Architects, representative for the applicant for the rezoning of the property, described the condominium office project briefly, referring to the conceptual drawings that had been provided to the Council. He pointed out how the project had been designed to integrate into the hillside by using a series of tiers with an upper level parking area.

#### **COMMENT FROM OTHER PERSONS**

**Robert Johnson** requested an explanation of the zoning designations of C and C1-3, and Mr. Magness addressed his questions during a brief discussion with Mr. Johnson.

**Norma Garrison** questioned whether there will be an exit onto 7<sup>th</sup> Street, and an entryway; Mr. Magness addressed her question, explaining that the issue had been discussed at the P&Z Commission hearing. The Council advised Ms. Garrison that there will be further discussion during the preliminary plat process, and suggested to staff that applicants be encouraged to provide some type of illustration to help inform the public. Mr. Magness confirmed that those concerns already expressed will be addressed when a preliminary site plan is presented.

#### **APPLICANT'S REBUTTAL**

There was no rebuttal required.

#### **PUBLIC HEARING CLOSED**

##### **Council Discussion**

The Council further discussed the issue of upper and lower access points on 7<sup>th</sup> Street and access from across the street, suggesting that the applicant discuss with staff the distance from the corner that is legal for access. There was also suggestion that stipulations for drainage and traffic studies should be addressed at this time, and that low landscaping should be planned in order to ensure clear visibility of traffic on Finnie Flat and 7<sup>th</sup> Street; it was also suggested that using native vegetation would also conserve water. The Council also highly commended the developer for the planned project.

Following the original motion for approval, there was some discussion regarding the concern about drainage and traffic studies, and a motion was then made for an amendment to include a stipulation for those studies.

**7a. DISCUSSION, CONSIDERATION, AND POSSIBLE APPOINTMENT OF PLANNING & ZONING COMMISSION MEMBER TO FILL THE TERM ENDING SEPTEMBER 2007.**

On a motion by Parrish, seconded by Hauser, the Council unanimously approved the appointment of Robert Burnside to the Planning & Zoning Commission to fill the term ending September 2007.

**Al Roddan**, a resident of Camp Verde for three years and a co-owner of The Willows, said he has a keen interest in the future of Camp Verde, and feels that serving on the Commission is a way to contribute back to the community, and described his background as an engineer and his business experience.

**Robert Johnson** said he has been very interested in everything that is going on in Town, is interested in seeing the Town grow in a positive way, and has been a member of the Board of Adjustments; he also gave a background sketch of his education and supervisory experience.

**Robert Burnside** said that he has been a resident of Camp Verde for 13 years, that he has filled out the information form, and asked the Council if they had any questions. Smith asked Mr. Burnside his opinion of the General Plan which Mr. Burnside summed up as "an interesting concept" explaining the basis of his opinion during a brief discussion with Smith and stressing that nothing will fit everybody.

There was comment from the Council commending the public for the way it is stepping forward to participate in the Town government, urging everyone to stay involved even if not selected.

There was no public input.

**8. Discussion and consideration of P&Z Ordinance Section 108.E(3) Height Limits and possible direction to staff to clarify this section.**

Staff was directed to research several options based on what they have gleaned from the discussion of this item, **bring them back at the next Council Hears P&Z meeting, have additional public input, and Council could discuss whether or not to adopt a proposed ordinance.**

Councilor Hauser directed the attention of the members to the information that had been supplied in the agenda packets regarding concern over possibly raising building heights to 50 feet, or five stories, expressing her belief that five-story buildings are not what Camp Verde would want right now, and would impact the beauty and scenery in the area, and that a limit to a two-story height limit, such as Cottonwood has, would not be unreasonable. A thorough discussion followed, including quotation of excerpts from the General Plan seeking to protect the natural beauty of the area, and in the alternate, the General Plan sections on economic development dealing with creating an environment to encourage business growth and employment opportunities, and it was pointed out that some commercial activities might require the higher building height limit. It was suggested that the better approach would be to consider building heights on a case-by-case basis. The setbacks determined by building heights were reviewed with staff. The Council also discussed approving exemptions to allow a requested higher limit, although up to 50 feet would be allowed if the ordinance is left as it is; the matter of building heights could not be considered on an individual basis. If the ordinance were changed to 30 feet, exemptions for height would come before Council as a request for exemption with whatever else was being passed. Staff confirmed that waivers cannot be granted on a zoning ordinance, it has to be done through the platting process, adding that that could be addressed in the design review by indicating that any height variation be part of the design review, although the attorney must be consulted on that to see if that kind of language can be used in the ordinance.

A summary was discussed with staff, that if the height restriction was at 30 feet, and with review of the attorney, it would be possible to have exceptions reviewed through Design Review, and ensure that the Town incorporates that into the Design Review; if someone needed higher than

30 feet they could apply for it and perhaps be exempt from the 30-foot rule. Staff suggested that there could be the provision of no residential higher than 30 feet; variances have been granted in some cases.

Following the public input, the members discussed further the need to preserve the beautiful views in Camp Verde; it was also suggested that being flexible is not selling out, the situation should be tailored to the site.

**PUBLIC INPUT**

**George Young** commented on how a building affected the view from his property, saying that it would not matter whether it was 30 feet or 60 feet tall, it would still obstruct his view of the mountain. He added that the setbacks do help; he also gave examples of buildings being either down in a ditch or up on a mountain and the main question is how it affects anything else, and in his opinion should be looked at on a case-by-case basis.

**Bob Womack**, Camp Verde, described his experience being involved in Camelback Esplanade, saying that the homeowners were offered compensation for being displaced as a way of handling their opposition. The development was an upgrade. Camp Verde is dealing with progress and should look and think forward and continue to not impose the height restrictions that Cottonwood has.

**Robert Burnside** referred to discussing the General Plan earlier, and suggested that the Council create two heights, use that to an advantage, commercial and residential.

**Rob Witt** agreed that building height is a difficult issue, and reviewed the problems with trying to get businesses to come in for economic and then having to face the Council to see if they could even build here. He said that some good companies need height; there needs to be something that addresses location, and the intention in creating the ordinance was not to have 50-foot residential buildings; it was to encourage businesses to come here.

**Robert Johnson** suggested 32 feet in the residential area, and up to 50 feet in commercial manufacturing areas.

**Dave Freeman** suggested going back and taking a good look at some of the zoning that has happened, and some kind of tag to those places where 50 would be very acceptable and even encouraging for businesses; that would solve the problem and it would not become an emotional issue. That way everybody wins.

There was no further public input.

**9. Discussion, consideration, and possible selection for the new Marshal's facility of the limestone color and whether it should be dry stacked or over grouted followed by approval of any additional costs.**

On a motion by Parrish, seconded by Hauser, the Council voted unanimously to continue Item 9.

Councilor Parry advised the Mayor that the item was not ready yet and that he had requested that it be pulled from the agenda.

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

There was no public input.

**11. Advanced Approvals of Town Expenditures**

There were no advanced approvals of Town expenditures.

**12. Manager/Staff Report**

There was no Manager/Staff report.

**13. Council Informational Reports**

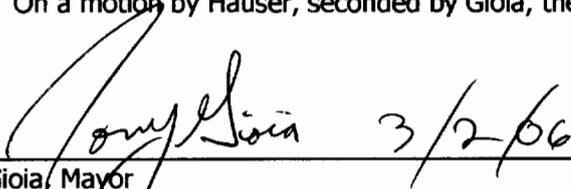
Parry said he and Ron had attended a meeting down in Phoenix with the State Head of Parks, Ken Travis; Parry said he announced he was thankful that he did not live down there; Parry also commented on a newspaper article regarding Travis saying that he's not sure but he thinks Cottonwood will string him up over there.

Smith elaborated on the meeting with State Parks where a couple of items were passed, saying he thinks they are more flexible than he thought they were. Smith reported on a tour that he and Bill made of the Buckeye equestrian facility and described that facility and the huge success it is enjoying; the owner suggested that he would look forward to referring overflow business to Camp Verde, as well as recommending Camp Verde as a alternate facility during the hot summer months. Smith also described the benefits from that facility as creating a giant economic engine for Buckeye.

Gioia said that he and several Council members had attended the first meeting of the new Housing Commission; Town Clerk Barber had made an excellent presentation on the Open Meeting Law and properly handling ourselves in meetings. It was very encouraging to see the room full of Committee members and Commissioners; he was grateful that so many people showed up for that.

**14. Adjournment**

On a motion by Hauser, seconded by Gioia, the meeting was adjourned at 8:21 p.m.

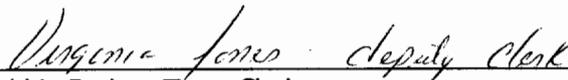
  
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Tony Gioia, Mayor

  
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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 22nd day of February, 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 3 day of March, 2006.

  
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04 ~~Debbie Barber~~, Town Clerk