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**AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, FEBRUARY 28, 2018 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. Call to Order

2. Roll Call. Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German.

3. Pledge of Allegiance

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: None

b) Set Next Meeting, Date and Time:

- 1) Friday, March 2, 2018 at 8:00 a.m. – Budget – Day 1 of CIP Development
- 2) Wednesday, March 7, 2018 at 6:30 p.m. - Regular Session
- 3) Friday, March 9, 2018 at 8:00 a.m. – Budget – Day 2 of CIP Development
- 4) Wednesday, March 14, 2018 at 5:30 p.m. – Work Session
- 5) Wednesday, March 21, 2018 at 6:30 p.m. – Regular Session
- 6) Wednesday, March 28, 2018 at 6:30 p.m. – Council Hears P&Z Matters

5. Special Announcements and presentations.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless

the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

7. Business. Legal action can be taken.

7.1. Ordinance 2018-A432, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Zoning Map Change from R1L-70 (Residential: Single Family Limited, 70,000 Square-Foot Minimum Lot Size) to C2-PAD (Commercial: General Sales & Services, Planned Area Development). The properties consist of approximately 67 acres located Northwest of the I-17 and State Route 260 Interchange including parcels 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, and 403-22-018C; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law. [Staff Resource: Carmen Howard]

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

10. Manager/Staff Report Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

11. Adjournment

Posted by: _____ Date/Time: _____

Note: Pursuant to A.R.S. §38-431.03.A.2 and 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 at 928-554-0023

38-431.01 Meetings shall be open to the public

A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All Legal Action of public bodies shall occur during a public meeting.

- Bashas's Community Board
- Town Hall
- Website



Town of Camp Verde

Agenda Item Submission Form / Section I: Ordinance 2018-A432 Zoning Map Change Application #2018-0001 Red Moon RV Park

Meeting Date: February 28, 2018 Town Council Meeting

- Consent Agenda
- Recommendation to Council
- Executive Session Requested
- Presentation Only
- Action/Presentation

Requesting Department: Community Development
Staff Resource/Contact Person: Carmen Howard, Community Development Director

Applicant: Red Moon Development and Construction, Inc.
Application: Zoning Map Change 2018-0001 request to rezone 67 approximate acres NW of I-17 State Route 260 Interchange.

Agenda Title (be exact):
 AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) TO C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT). THE PROPERTIES CONSIST OF APPROXIMATELY 67 ACRES LOCATED NORTHWEST OF THE I-17 AND STATE ROUTE 260 INTERCHANGE INCLUDING PARCELS 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, AND 403-22-018C; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

List Attached Documents:

- Ordinance 2018-A432
- Staff Report
- Draft Minutes from the February 8, 2018 Planning & Zoning Commission Public Hearing with Recommendation to Council

Estimated Presentation Time: 20 minutes.
Estimated Discussion Time: 20 minutes

Reviews Completed by:

- Department Head: Carmen Howard
Comments: In Staff Report
- Town Attorney review:
Comments: Ordinance for form



ORDINANCE 2018 A432

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA FOR A ZONING MAP CHANGE FROM R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) TO C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT). THE PROPERTIES CONSIST OF APPROXIMATELY 67 ACRES LOCATED NORTHWEST OF THE I-17 AND STATE ROUTE 260 INTERCHANGE INCLUDING PARCELS 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, AND 403-22-018C; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600,C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, and

WHEREAS, the Mayor and Council find that the requested re-zoning will be beneficial to the community and is in conformity with the Camp Verde General Plan, and

WHEREAS, the Mayor and Council find that the procedures required by ARS §9-462.03 and 9-462.04 have been complied with in connection with this zoning action, and

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:

Section 1. The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2018-0001** was filed by Krishan Ginige, Agent for the property owners, to rezone the subject parcels from R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) TO C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT) for the following described real property: The legal description is attached as exhibit "A" and the map as exhibit "B". The above described parcel contains an area of approximately 67 acres.
- B. The Planning & Zoning Commission reviewed the request on January 8, 2018 in a public hearing that was advertised and posted according to state law and recommended approval of Zoning Map Change 2018-0001.

C. The proposed Zoning Map Change Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

D. The Waiver of Diminution of Value Claim has been signed by the property owners and is attached as exhibit "C".

Section 2. That this ordinance be hereby expressly conditioned as follows:

1. Red Moon Development and Construction, Inc, acquisition of title to the property described in Exhibit "A";
2. Approval by the Town Council of a Final Development Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. prior to issuance of any building permits;

In the event of non-compliance with any of the above conditions, the zoning designation for the described properties shall revert from C2-PAD (COMMERCIAL: GENERAL SALES & SERVICES, PLANNED AREA DEVELOPMENT) back to the original designation of R1L-70 (RESIDENTIAL: SINGLE FAMILY LIMITED, 70,000 SQUARE-FOOT MINIMUM LOT SIZE) in accordance with the procedures set forth in ARS §9-462.01(E).

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED BY A MAJORITY VOTE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON THIS 28TH DAY OF FEBRUARY, 2018.

Charles German - Mayor

Date: _____

Approved as to form:

Attest: _____
Judith Morgan, Town Clerk

Bill Sims - Town Attorney

Exhibit A

Parcel 1

All that portion of the Southwest quarter of the Southwest quarter of Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, lying North and East of the centerline of State Highway No. 260, formerly known as State Highway No. 279, said centerline described as follows:

BEGINNING at a point on the South line of the Southwest quarter of the Southwest quarter of said Section 24 that lies North 89°25' West, 475 feet from the Southeast corner of said Southwest quarter of the Southwest quarter;
THENCE North 12°12' West 175 feet; THENCE North 04°55' West, 391.5 feet;
THENCE North 288.5 feet along a curve to the left with a radius of 573 feet;
THENCE North 33°46' West, 175 feet;
THENCE 480.8 feet along a curve to the left with a radius of 573 feet;
THENCE North 81°51' West, 150.4 feet to a point on the West line of the Southwest quarter of the Southwest quarter of Section 24 that lies South 02°07' West, 90.2 feet from the Northwest corner of said Southwest quarter of the Southwest quarter.

EXCEPTING therefrom the following described parcel:

COMMENCING at the Southeast corner of said Southwest quarter of the Southwest quarter; THENCE North 89°25' West along the South line of said Southwest quarter of the Southwest quarter, 383.2 feet to the actual POINT OF BEGINNING for the description of this tract; THENCE North 15°32' West, 100 feet;
THENCE South 87°27' West, 76.4 feet;
THENCE South 16°31' East, to a point on the South line of said Southwest quarter of the Southwest quarter;
THENCE East along said South line to the actual POINT OF BEGINNING.

ALSO EXCEPTING therefrom that portion conveyed to the State of Arizona by instrument recorded January 7, 1966 in Book 384 of Official Records, page 285-286, records of Yavapai County, Arizona.

ALSO EXCEPTING therefrom that portion conveyed to the State of Arizona by instrument recorded October 28, 2002 in Book 3970 of Official Records, page 669, records of Yavapai County, Arizona.

Parcel 2:

That portion of Lot 5, Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at Corner No. 1, which point is identical to the Northwest corner of said Lot 5; THENCE South 89°26' East, 634.7 feet, more or less, on the North line of said Lot 5 to the intersection of the Meander line on the right bank of the Verde River for Corner No. 2;

THENCE South 18°30' East, on said Meander line, 96.45 feet to Corner No. 3;
THENCE South 24°30' East on said Meander line, 404 feet to Corner No. 4, which is a point that

lies left 300 feet from the centerline of the Black Canyon Highway;
THENCE South 24°13' West on a line parallel to the said centerline of the Black Canyon Highway,
870.27 feet to Corner No. 5;
THENCE North 0°33' West, 538.85 feet to Corner No. 6;
THENCE North 82°27' West, 529 feet to Corner No. 7, which is a point on the West line of said Lot
5;
THENCE North 02°03' East, on said West line of said Lot 5, 650 feet to the POINT OF BEGINNING.

EXCEPTING therefrom the following described parcel:

That portion of Lot 5, Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and
Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Northwest corner of said Lot 5, being also the Southeast corner of Rio
Verde Vista, a subdivision recorded in Book 12 of Maps, page 96, records of Yavapai
County, Arizona;
THENCE continuing South 89°52' East, along the North line of said Lot 5 (the basis of bearings for this
description is South 89°52' East along the south line of said Rio Verde Vista subdivision) 90.15 feet to the
TRUE POINT OF BEGINNING;
THENCE South 89°52' East along the said North line of Lot 5, a distance of 252.09 feet;
THENCE South 40°39'24" East, 105.58 feet; THENCE South 42°20'13" West, 227.22 feet;
THENCE North 34°01'16" West, 299.99 feet to the TRUE POINT OF BEGINNING.

Parcel 3:

A tract of land in Lot 5, Section 24 and the Northeast quarter of the Northwest quarter of Section
25, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona,
described as follows:

COMMENCING at the southwest corner of said Section 24;
THENCE South 89°50' East, 1869.17 feet to the TRUE POINT OF BEGINNING, the intersection of the
Westerly line of this tract with the South section line of Section 24;
THENCE North 23°50' East, 941.19 feet, more or less, to a point on the Westerly Meander line of
the Verde River;
THENCE South 24°53' East, along said Meander line, 265.8 feet to an intersection with the
Westerly right of way line of State Highway No. 79;
THENCE South 23°48' West, along said right of way line (State Highway course South 23°46'
West) 872.96 feet, more or less, to a point on the North side of the Woods Ditch; THENCE North 54°56'
West, 40.23 feet;
THENCE North 49°42' West, 127.78 feet;
THENCE North 39°52' West, 42.63 feet;
THENCE North 23°50' East, 44.20 feet to the TRUE POINT OF BEGINNING.

Parcel 4:

A tract of land in Lot 5, Section 24 and the Northeast quarter of the Northwest quarter of Section
25, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian,

COMMENCING at the Southwest corner of said Section 24;
THENCE South 89°50' East, 1829.17 feet to the TRUE POINT OF BEGINNING, a point on the Easterly bank of the Woods Ditch;
THENCE North 02°33' West, 124.14 feet to a point on said bank; THENCE North 06°17' West, 135.12 feet to a point on said bank; THENCE North 14°00' East, 170.77 feet to a point on said bank;
THENCE North 00°11' West, 184.50 feet to an intersection of the East bank of the Woods Ditch with the South line of Tract No. 2 of the Deed recorded in Book 197 of Deeds, page 103, in the office of the County Recorder of Yavapai County, Arizona;
THENCE South 82°50' East along said South line 40.0 feet to a corner of said Tract No. 2;
THENCE South 00°56' East, 538.85 feet to the most Southerly corner of said tract;
THENCE South 23°50' West, 175.12 feet to a point on the Easterly bank of the Woods Ditch;
THENCE North 28°38' West, 46.20 feet to the TRUE POINT OF BEGINNING.

Parcel 5:

All of Lot 6 and that portion of Lot 5, Section 24, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the Northwest corner of said Lot 5, being also the Southeast corner of Rio Verde Vista, a subdivision recorded in Book 12 of Maps, page 96, records of Yavapai County, Arizona;
THENCE continuing South 89°52' East, along the North line of said Lot 5 (the basis of bearings for this description is South 89°52' East along the south line of said Rio Verde Vista subdivision) 90.15 feet to the TRUE POINT OF BEGINNING;
THENCE South 89°52' East along the said North line of Lot 5, a distance of 252.09 feet;
THENCE South 40°39'24" East, 105.58 feet; THENCE South 42°20'13" West, 227.22 feet;
THENCE North 34°01'16" West, 299.99 feet to the TRUE POINT OF BEGINNING.

Parcel 6:

An irregular portion of meander land with the south most corner lying approx. 2350'E & 630'N from the SW section corner of section 24-14N-4E. Contains 0.60 AC
Yavapai County Assessor's Parcel No. 403-21-014K

Parcel 7:

An irregular portion of meander land with the north most corner lying approx. 1980'E & 1420'S from the W 1/4 corner of section 24-14N-4E. Contains 0.60 AC
Yavapai County Assessor's Parcel No. 403-21-014L

Parcel 8:

An irregular portion of meanderland lying east of & adjacent to government Lots 5 & 6 with the most southerly corner lying approx. 2400'E & 820'N from the W 1/4 corner of section 24-14N-4E. Contains 2.88 AC.
Yavapai County Assessor's Parcel No. 403-21-250C

Parcel 9:

A tract of land in the Northwest quarter of Section 25 and the Southwest quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, as recorded in Book 4 of Surveys, page 31, with original recordation In Book 815, page 785, Book of Official Records, and further shown on the June-18-83 Results of Survey Map signed and sealed by David M. Sommers, RLS #11281 on April-2-84.

BEGINNING at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 25 and a stone monument, and the TRUE POINT OF BEGINNING;
thence N 89 27'20" W 383.03 feet (N 89 25' W 383.2 feet, record)
along the North line of the Northwest quarter of the northwest quarter of said Section 25;
thence N 15 30'31" W 99.94 feet (N 15 32' W 100.0 feet, record);
thence S 87 27'00" W 76.40 feet (s 87 27' W 76.4 feet, record);
thence S 16 31'00" E 566.67 feet (S 16 31' E 578.4 feet, record);
thence S 65 51'49" E 395.24 feet (S 66 12' E 377.0 feet, record);
thence N 24 08'13" E 218.15 feet (N 23 48' E 218.71 feet record);
thence S 65 51'49" E 104.08 feet (S 66 12' E 104.35 feet record);
thence N 24 14'18" E 638.78 feet (N 23 46' E 673.00 feet record);
thence N 06 17'00" W 125.58 feet (N 06 17' w 93.7 feet, record);
thence N 14 00' E 170.77 feet (N 14 00' E 170.77 feet record);
thence N 0 11' W 184.5 feet (N 0 11' W 184.5 feet, record);
thence N 82 27' W 489.0 feet (N 82 27' W 489.0 feet, record)
to a point on the East line of the Southwest quarter of the Southwest quarter of said Section 24;
thence S 02 05'00" W 670.34 feet (S 02 03' W 672.0 feet, record) along said East line to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that small skewed rectangular portion, 0.2 acre, more or less, and approximately 76 feet by 100 feet, of the Southwest quarter of the southwest quarter of Section 24, Township 14 North, Range 4 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows: commencing for reference from the Southeast corner of the Southwest quarter of the Southwest quarter of said section 24, said 1/16 corner lies S 89 27'20" E, a distance of 1324.94 feet from the Southwest corner of said Section 24, to a point on the South line of said Section 24, said point being N 89 27'20" W 383.03 feet (N 89 25' W 383.2 feet, record) to the TRUE POINT OF BEGINNING;

thence N 15 30'31" W 99.94 feet (N 15 32' W 100 feet, record);
thence S 87 27' W 76,40 feet (S 87 27' W 76.40 feet record);
thence S 16 31' E (S 16 31' E) to the South line of Section 24; thence Easterly along the South line of said Section 24 to the TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for Ingress, egress and utilities, including geothermal lines, 35.00 feet in width, in Section 25, along the South boundary of the above described 0.2 acre parcel.

ALSO EXCEPTING THEREFROM a portion of the Northwest quarter of Section 25, Township 14 North, Range 4 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 25, said point lies South 89 25'43" East, a distance of 1324.94 feet from the Northwest corner of said Section 25;

thence south 89 20'45" East, along the North line of said Section 25, a distance of 421.27 feet;

thence South 24 15'46" West, a distance of 490.46 feet;

thence North 65 50'22" West (measured) (North 65 51'49" West record) a distance of 104.13 feet (measured) (104.08 feet record);

thence South 24 10'13" West (measured) south 24 08'13" West record), a distance of 218.38 feet (measured) 218.15 feet record);

thence North 65 47'22" West (measured) (North 65 51'49" West record, a distance of 395.10 feet (measured) (395.24 feet record);

thence North 16 31'00" West, a distance of 470.52 feet to the North line of said Section 25;

thence south 89 25'43" East, a distance of 458.87 feet to the POINT OF BEGINNING.

TOGETHER WITH an easement for Ingress, egress and utilities, Including geothermal lines, 35.00 feet in width, along the Westerly 508.87 feet of the North boundary of the above described parcel.

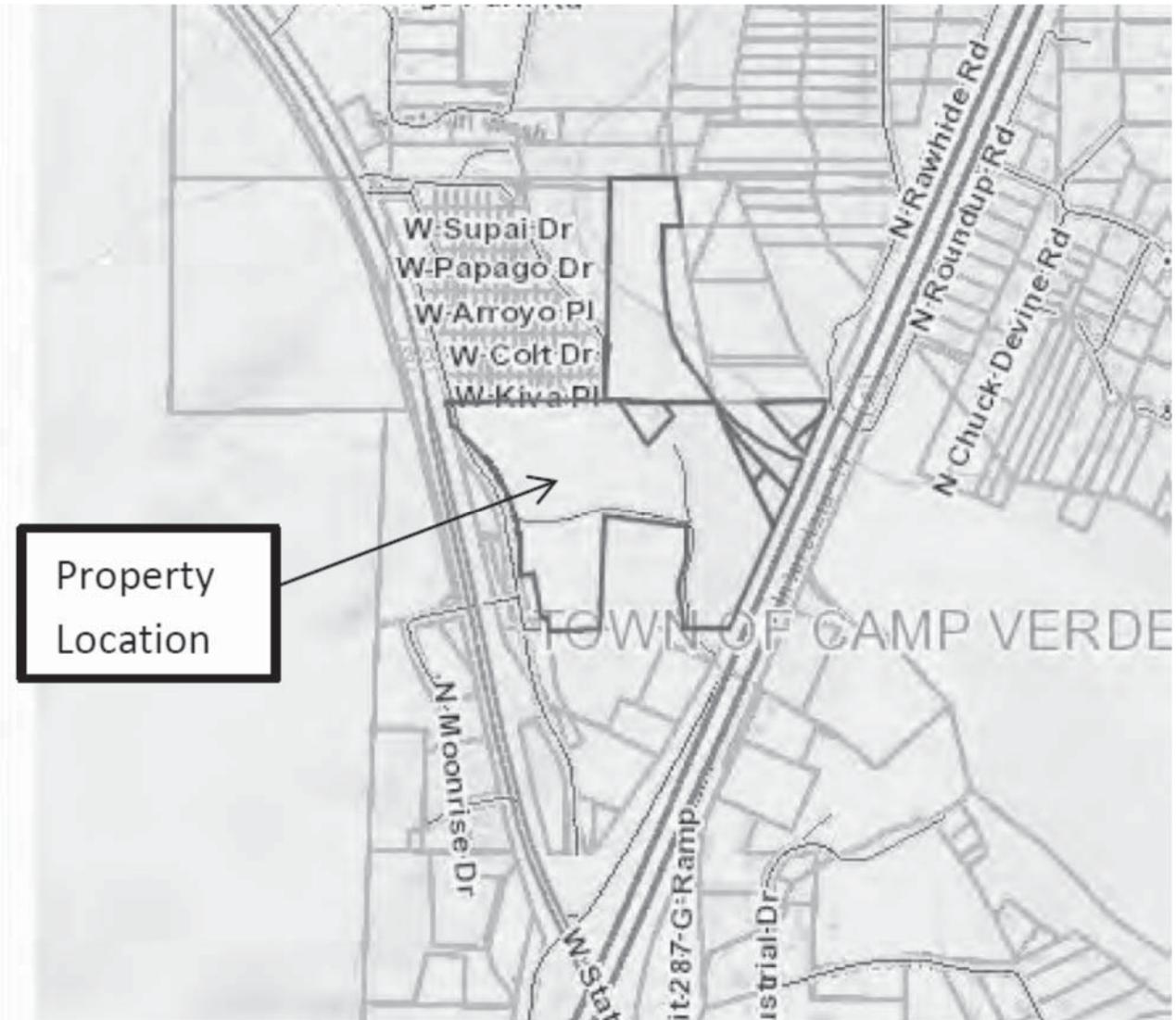


Exhibit C

When Recorded Return To:
Town of Camp Verde
473 S. Main St
Camp Verde, Arizona 86322

**AGREEMENT
TO WAIVE CLAIM FOR DIMINUTION IN VALUE
REGARDING ACTION
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner (“Agreement”) made as of this 19th day of January, 2018, by and between the Town of Camp Verde, a municipal corporation of Arizona (“Town”) and:

Edwin Erck, (“Owner(s)”);

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, “land use law” includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

WHEREAS, the Town (through its Common Council) has, on the date first-above written, duly considered and approved this Agreement with the Owner(s) to waive any claims said Owner(s) may have for diminution in value that may result, now or in the future, from the land use law action(s) proposed by the Town or requested by the Owner(s) as more fully set forth herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein (and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

SECTION ONE. This Agreement applies to that private real property described in **Exhibit “A”** attached hereto and expressly made a part hereof (“Property”) and the recitals set forth above are true and correct and are incorporated herein by reference. Owner has independently determined and believes that the application of the Town’s land use laws to the Property will not reduce the fair market value of the Property.

SECTION TWO. The land use law action(s) proposed by the Town or requested by the Owner(s) to which this Agreement applies have been designated as follows by the Town’s Community Development Department:

2018-0001

Town Application Number

and, are based on certain application(s), copies of which (“Applications”) are shown as **Exhibit “B”** attached hereto and expressly made a part hereof (“Action(s)”).

SECTION THREE. By signing this Agreement, the Owner(s) expressly agree(s) and acknowledge(s) that the Owner(s) hereby waive(s) any right to claim diminution in value or claim just compensation for diminution in value of the Property under ARS §12-1134, now or in the future, in relation to the Action(s). This includes (but is expressly not limited to) agreement and consent by the Owner(s) to all conditions that may ultimately be imposed as part of the Action(s).

SECTION FOUR. It is expressly understood by the parties that this Agreement does not add to, detract from, or otherwise modify any discretion, right, power, authority, obligation, or duty of the Town under applicable law with respect to any legislative, administrative, or quasi-judicial action(s).

SECTION FIVE. This Agreement (including any exhibits attached hereto and any addendum) constitutes the entire understanding and agreement of the Owner(s) and the Town and shall supersede all prior agreements or understandings between the Owner(s) and Town regarding the Property. This Agreement may not be modified or amended except by written agreement of the Owner(s) and the Town.

SECTION SIX. This Agreement is made and entered into in Yavapai County, Arizona, and will be construed and interpreted under the laws of the State of Arizona.

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

TOWN OF CAMP VERDE, a municipal corporation of Arizona, (Town)

Charles German, Mayor

ATTEST:

Judith Morgan, Town Clerk

APPROVED AS TO FORM:

William Sims, Town Attorney

Dated this 19th day of January, 2018

OWNER:

Edwin E Erck

Print Name

Edwin E Erck

Signature

OWNER:

Print Name

Signature

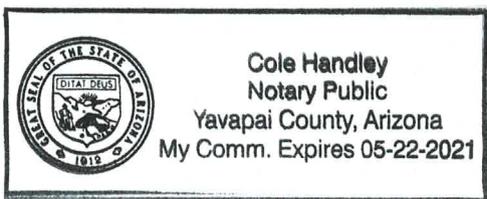
STATE OF ARIZONA)
County of Yavapai) ss.
)

On this 19th day of January, 2018, before me, the undersigned Notary Public,
personally appeared Edwin Erck, who acknowledged that this document was
executed for the purposes therein contained.

Cole Handley

Notary Public

My Commission Expires: 05-22-2021



When Recorded Return To:
Town of Camp Verde
473 S. Main St
Camp Verde, Arizona 86322

**AGREEMENT
TO WAIVE CLAIM FOR DIMINUTION IN VALUE
REGARDING ACTION
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner ("Agreement") made as of this 12 day of JAN, 2018, by and between the Town of Camp Verde, a municipal corporation of Arizona ("Town") and:

Gregory W Baldwin ("Owner(s)");

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, "land use law" includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

WHEREAS, the Town (through its Common Council) has, on the date first-above written, duly considered and approved this Agreement with the Owner(s) to waive any claims said Owner(s) may have for diminution in value that may result, now or in the future, from the land use law action(s) proposed by the Town or requested by the Owner(s) as more fully set forth herein;

contained herein (and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

SECTION ONE. This Agreement applies to that private real property described in Exhibit "A" attached hereto and expressly made a part hereof ("Property") and the recitals set forth above are true and correct and are incorporated herein by reference. Owner has independently determined and believes that the application of the Town's land use laws to the Property will not reduce the fair market value of the Property.

SECTION TWO. The land use law action(s) proposed by the Town or requested by the Owner(s) to which this Agreement applies have been designated as follows by the Town's Community Development Department:

#20180001
Town Application Number

and, are based on certain application(s), copies of which ("Applications") are shown as Exhibit "B" attached hereto and expressly made a part hereof ("Action(s)").

SECTION THREE. By signing this Agreement, the Owner(s) expressly agree(s) and acknowledge(s) that the Owner(s) hereby waive(s) any right to claim diminution in value or claim just compensation for diminution in value of the Property under ARS §12-1134, now or in the future, in relation to the Action(s). This includes (but is expressly not limited to) agreement and consent by the Owner(s) to all conditions that may ultimately be imposed as part of the Action(s).

SECTION FOUR. It is expressly understood by the parties that this Agreement does not add to, detract from, or otherwise modify any discretion, right, power, authority, obligation, or duty of the Town under applicable law with respect to any legislative, administrative, or quasi-judicial action(s).

SECTION FIVE. This Agreement (including any exhibits attached hereto and any addendum) constitutes the entire understanding and agreement of the Owner(s) and the Town and shall supersede all prior agreements or understandings between the Owner(s) and Town regarding the Property. This Agreement may not be modified or amended except by written agreement of the Owner(s) and the Town.

SECTION SIX. This Agreement is made and entered into in Yavapai County, Arizona, and will be construed and interpreted under the laws of the State of Arizona.

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

and through their authorized representatives the day and year first-above written.

TOWN OF CAMP VERDE, a municipal
corporation of Arizona,
(Town)

Charles German, Mayor

ATTEST:

Judith Morgan, Town Clerk

APPROVED AS TO FORM:

William Sims, Town Attorney

Dated this 12 day of JAN, 2018

OWNER:

OWNER:

GREENE W BALDWIN
Print Name

Print Name

[Signature]
Signature

Signature

On this ____ day of _____, 20____, before me, the undersigned Notary Public,
personally appeared _____, who acknowledged that this document was
executed for the purposes therein contained.

Notary Public

My Commission Expires: _____

Exhibit "A" Property Description and Map
(Can be included as separate document)

Exhibit "B" Town Application
(Copy of completed Town Application)

Page 2 of 6

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Solano)

On 1/12/2018 before me, Kathleen Welch, Notary
Date Here Insert Name and Title of the Officer

personally appeared Gregory W. Baldwin
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agreement to Waive Claim for Diminution in Value

Document Date: 1/12/2018 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Town of Camp Verde: February 28, 2018

BACKGROUND:

Brad Woodruff, Red Moon Development & Construction, Inc., intends to purchase approximately 67 acres just northwest of the intersection of Interstate 17 and State Route 260. The property transfer between Red Moon Development and two property owners, C.H. Baldwin and Edwin Erck, are contingent upon successful rezoning. This application is a request to change the zoning from R1L-70 (Residential: Single Family Limited, 70K-Square-Foot Minimum Lot Sizes) to C2-PAD (Commercial: General Sales & Services, Planned Area Development).

Mr. Woodruff's proposal includes the development of an approximately 440-space Recreational Vehicle (RV) Park with amenities such as a convenience store, clubhouse, swimming pool, laundry and shower facilities, open space picnic area with trails, a large pond, and limited larger spaces for park models for extended stays.

The request for a C2 District with a PAD overlay will accommodate the mixed use that is being proposed, as well as the flexibility in site design the RV spaces and associated amenities. The design takes advantage of existing features such as terrain, existing water rights, the Verde River and associated flood plain. There will be three sizes of RV spaces offered for various types of units, ranging from 2,587 square feet to 1,380 square feet.

During the evaluation process, the applicant purchased an additional property from Edwin Erck, which caused the rescheduling of the public hearing from February 1st to February 8th. Since there was no change to the surrounding property owners, there was no need to conduct a second neighborhood meeting or public notification. The public hearing notices, however, were revised, republished and reposted, accordingly.

All parties have designated agents to work on their behalf. Mr. Woodruff and Mr. Erck have designated Krishan Ginige with SEC, Inc., and Mr. Baldwin has designated Cris Ballard, Coldwell Banker. All of the parties involved have been in discussion with various Town departments and other agencies, including a conceptual plan review and pre-application meetings.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- The applicant posted the subject property and mailed out letters to property owners within 300 feet, which invited them to the neighborhood meeting on December 22, 2017.
- The meeting was held at the Town of Camp Verde Library. There were (5) attendees at the meeting; (2) of which were associated with the applicant and (1) associated with one of the property owners and (2) members from the public.
- Staff complied with all State and Local regulations relating to rezoning actions.
- The Planning Commission reviewed the request on February 8, 2018 and forwarded a recommendation of approval to the Town Council.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff has received no comments from the public regarding this request.

The following agencies were present and participated at the December 12, 2017 Conceptual Meeting:

Ron Long, Director, Public Works
Robert Foreman, Building Official
Melinda Lee, Planner
Rick Tackett, Camp Verde Water
Justin Bullard, Camp Verde Water

Carmen Howard, Director, Community Development
Steve Ayers, Director, Economic Development
Kristi Gagnon, Copper Canyon Fire & Medical
April Mattox, Yavapai County Flood Control

CONFORMITY TO THE GENERAL PLAN:

The subject property straddles the 260 West and Middle Verde Character Areas; however, the main portion of the project is within the 260 West Character Area – this is the area that was used as the primary reference. The 260 West Area has a strong focus on mixed use; a variety of residential, commercial, and industrial uses.

The proposal complies with the following areas of the General Plan:

- Goal A: Promote regional commercial and employment opportunities.
 - Implementation A.3: “Facilitate the development of a corridor overlay plan to coordinate access, design, circulation, and utilities”. *The discussions with Town departments and other agencies has resulted in the coordination of a proposed access road along State Route 260 (Dreamcatcher Drive) and the extension and upgrade of wastewater facilities; both of which will benefit this and future projects along this corridor.*
 - Implementation A.4: “Promote commercial and mixed use development adjacent to State Route 260”. *This project has a mixed use component to it by offering lodging, commercial, and recreational facilities.*
- Goal E: Encourage the implementation of a Verde River Recreation Management Plan as defined by its Citizens. (This is the same as Goal C in the Middle Verde Character Area).
 - Implementation E.2: “Encourage plan features, such as parks and a trail system that allow people to recreate at the river and connect with other points of interest”. *The design includes areas of open space with trails and picnic areas for the visitors.*
 - “Encourage recreation that is compatible with the natural and cultural environment”. *The proposed trail system and picnic areas take advantage of the natural topography and environment within the property. On the other side of the Verde River, a portion of the applicant’s property is being considered for trade with the Town of Camp Verde to add public park space, which is accessed from Rawhide Road.*

STAFF RECOMMENDATION:

Staff recommends approval of the request for an application for a Zoning Map Change, from R1L-70 to C2-PAD, which would allow for the development of an approximately 440-space RV Park and associated amenities.

RECOMMENDED MOTION:

A motion to recommend approval Ordinance 2018-A432, approving a Zoning Map Change from R1L-70 (Residential: Single Family Limited, 70,000 Square-Foot Minimum Lot Size) to C2-PAD (Commercial: General Sales & Services, Planned Area Development).

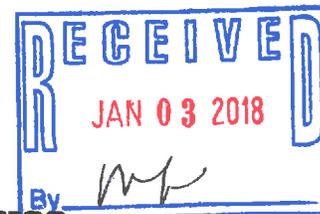
Exhibit B: Red Moon Development
Applications for Zoning Map Change & Letter of Intent

Revised 10/12/17

Application #: 20180001



Land Use Application Form



1. Application is made for:

- | | | |
|---|------------------------------------|------------------------|
| Zoning Map Change | Use Permit | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Zoning | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Verification of Non-Conforming Use | |
| Development Standards Review (Commercial) | Other: _____ | |

2. Project Name: Red Moon RV Resort

3. Contact information: (a list of additional contacts may be attached)

Owner Name: CHBALDWIN, LLC
 Address: 330 W H St
 City: Benicia State: CA Zip: 94510
 Phone: 707-751-1694
 E-mail: _____

Applicant Name: Red Moon Development and Construction, Inc
 Address: 10025 E Dynamite Blvd., Suite B140
 City: Scottsdale State: AZ Zip: 85262
 Phone: 480-947-9253
 E-Mail: info@RedMoonHomes.com

4. Property Description: Parcel Number See address/location Acres: 58
 Address or Location: 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-21-021
 Existing Zoning: R1L-70 Existing Use: Vacant
 Proposed Zoning: PAD-C2 Proposed Use: RV Resort

5. Purpose: (describe intent of this application in 1-2 sentences)

Change zoning to accommodate an RV park

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: Cara Ballard agent Date: 01-03-2018 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: Krishan Ginige-agent Date: 1/3/18



JAN 22 '18 PM 2:46

Land Use Application Form

1. Application is made for:

- | | | |
|--|------------------------------|-------------------------------|
| <u>Zoning Map Change</u> | Use Permit | Temporary Use Permit |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Site Plan Review | Variance | General Plan Amendment |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Verif. of Non-Conforming Use | Zoning Verif. / Admin. Review |
| Development Standards Review (Commercial) | | |
| Other: <u>Addendum to Pending Application for Red Moon Development</u> | | Fees: \$14.42 |

2. Project Name: Red Moon RV Resort

3. Contact information: (a list of additional contacts may be attached)

Owner Name: Edwin Erck
 Address: PO Box 1065
 City: Camp Verde State: AZ Zip: 86322
 Phone: 928-300-5177
 E-mail: _____

Applicant Name: Red Moon Development and Construction, Inc
 Address: 10025 E Dynamite Blvd., Suite B140
 City: Scottsdale State: AZ Zip: 85262
 Phone: 480-947-9253
 E-Mail: info@RedMoonHomes.com

4. Property Description: Parcel Number 403-22-018C Acres: 6.6

Address or Location: 980 feet due east from the intersection of Wilshire Blvd and State HWY 260

Existing Zoning: R1L-70 Existing Use: Vacant

Proposed Zoning: PAD-C2 Proposed Use: RV Resort

5. Purpose: (describe intent of this application in 1-2 sentences)

Change zoning to accommodate an RV park

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: Date: 1-19-18 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: Date: 1/19/18



**SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.**

www.sec-landmgt.com
info@sec-landmgt.com

CORPORATE OFFICE:
20 STUTZ BEARCAT DRIVE #6
SEDONA, ARIZONA 86336
(928) 282-7787

BRANCH OFFICE:
825 COVE PARKWAY
COTTONWOOD, ARIZONA 86326
(928) 634-5889

ADDITIONAL LOCATIONS:
PRESCOTT, ARIZONA
COUNCIL, IDAHO

January 19, 2018

Planning and Zoning Commission
473 South Main St. Suite 102
Camp Verde, AZ 86322

Re: Letter of Intent for Red Moon RV Park – Zoning Amendment

Project Team

Red Moon Development and Construction, Inc – Developer/Applicant
SEC, Inc. – Planning, Engineering and Surveying
Krishan Ginige (SEC, Inc.) – Authorized Agent (Applicant)
Cris Ballard (Coldwell Banker Realty) – Authorized agent (Owner)

To whom it may concern:

Red Moon Development and Construction, Inc. is in the process of purchasing property situated in parcels 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, 403-22-018C (approximately 67 acres) in the Town of Camp Verde adjacent to US Highway 17 and Arizona Highway 260. The property is currently vacant and is surrounded on the north and east sides by residential (R1L-70) properties, commercial (C2) properties and US Highway I-17 Right of Way to the south, and State Route 260 Right of Way to the west.

The proposed development will consist of constructing and operating a 300+ space RV Park. The business will operate year-round, seven days per week. RV spaces will be rented, not sold, on both a short term and long term basis. There will potentially be some park model homes for longer term rental as well. There will be an office and small convenience store offering commonly needed items. There will also be a clubhouse, pool, dog-park and separate shower and laundry facilities for park guests.

Town of Camp Verde sewer and water services are currently available for the site. Electric supply will be by APS. Access to the development will be through Wilshire Road. The property will be landscaped with a variety of trees and bushes for screening purposes. The property has rights to the existing Verde/Woods irrigation ditch running through the site which may be utilized for landscape irrigation as well as for a pond for the enjoyment of the guests. A portion of the site also abuts the Verde River. The facility will be designed to preserve the natural environments along the river and irrigation ditch as open space and picnic sites for the guests.



Affidavit

I, Krishan Ginige (Agent for applicant), owner/agent of parcel 403-21-021M and others have notified the neighbors within 300' of above property, by sending letters on 12/7/2017 to notify them of the neighborhood meeting that I conducted on the 22 day of December 2017.

I posted my property with meeting the date, time, and place, on the 13th day of December 2017, and taken a photograph of such posting.

I, Krishan Ginige (Agent for applicant), owner/agent of parcel 403-21-021M and others will provide a summary of neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde with the associated application submittal, attesting to the issues and concerns discussed at the above neighborhood meeting.

Summary

Statement: The public meeting was conducted at the Camp Verde public library at 4 pm on December 22, 2017.

Only two members of the public attended the meeting. Neither of the attendees expressed any concerns or opposition.

The discussions were mainly regarding details for the proposed development and past history of the site.

If Summary statement is too long, attach a copy.

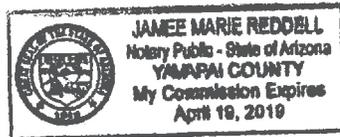
State of Arizona}

County of Yavapai}

Krishan Ginige - agent
Signature of Document Signer No. 1

Signature of Document Signer No. 2

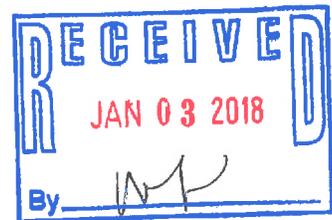
Subscribed and sworn to (or affirmed) before me this 28th day of December 2017.



Jamee Marie Reddell
Signature of Notary

List of property owners notified by mail for public meeting on 12/22/17

403-23-150A	BRLS Properties I LLC	627 S 48th St Ste 100	Tempe	AZ	852812352
403-21-143	Camp Verde 119 LLC	607 N Date Cir	Buckeye	AZ	853262212
403-21-250C	CH Baldwin LLC	330 W H St	Benicia	CA	945103063
403-21-019	Clear Channel Outdoor Inc	20880 Stone Oak Pkwy	San Antonio	TX	782587460
403-22-018C	Edwin E Erck	Po Box 1065	Camp Verde	AZ	86322
403-21-017J	GH Management Group LLC	9248 E Lupine Ave	Scottsdale	AZ	852605840
403-22-018E	J & M Company	Po Box 87420	Phoenix	AZ	850807420
403-21-015H	Randon Lee Miller	8248 N Mockingbird Ln	Paradise Valley	AZ	852532504
403-21-226A	Luke E Rose	775 Poseidon Pl	Lake Havasu City	AZ	864043265
403-21-017M	Salt River Project Agr Im & Power Dist	Po Box 52025	Phoenix	AZ	850722025
403-21-015F	State Of Arizona	205 S 17th Ave	Phoenix	AZ	850073212
403-21-021C	Town Of Camp Verde	473 S Main St Ste 102	Camp Verde	AZ	863227246
403-21-015K	Water Gap Enterprises LLC	Po Box 1619	Cottonwood	AZ	863261619
403-21-010L	Xpress Dirt LLC	9120 Doney Park Ln	Flagstaff	AZ	860041100



Notice of Public Meeting

Thursday, December 07, 2017



Re: Request to change zoning of parcels 403-21-014F, 403-21-021E, 403-21-014K, 403-21-014L, 403-21-250C and 403-22-021 (approximately 53 acres).

Dear Property Owner:

The Yavapai County Assessor's Office identifies you as an owner of property located within 300 feet of the above referenced parcels. You are being contacted regarding a request for a zone change for these properties from the current R1 Residential district to a PAD-C2 district. The applicant is requesting this change to allow the development of an RV park. Current zoning does not permit this use as proposed and the applicant would like to rezone to PAD to support this project.

The properties to be considered are situated adjacent to the east side of State Route 260 at the east end of Wilshire Road in the Town of Camp Verde city limits. The property is currently vacant and undeveloped.

A meeting to review this proposal will be held on **December 22, 2017, 4:00 pm, at the Camp Verde Public Library, Terra Cotta Room, 130 Black Bridge Rd, Camp Verde, Arizona 86322.** The meeting is open to the public.

Inquiries about this meeting may be directed to **SEC, Inc, 825 Cove Parkway, Cottonwood, AZ 86326, Attn: Neil Wilson, 928-340-4217.**

Sincerely,

Neil Wilson-Senior Designer
SEC, Inc

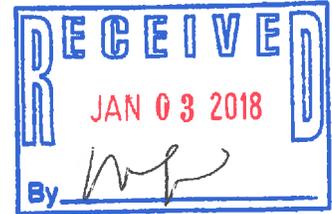


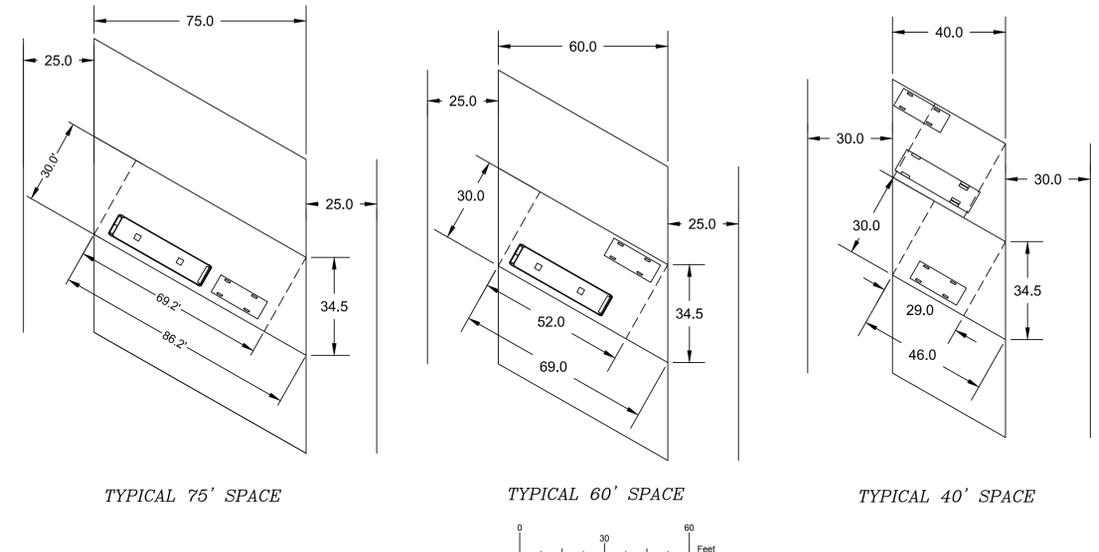
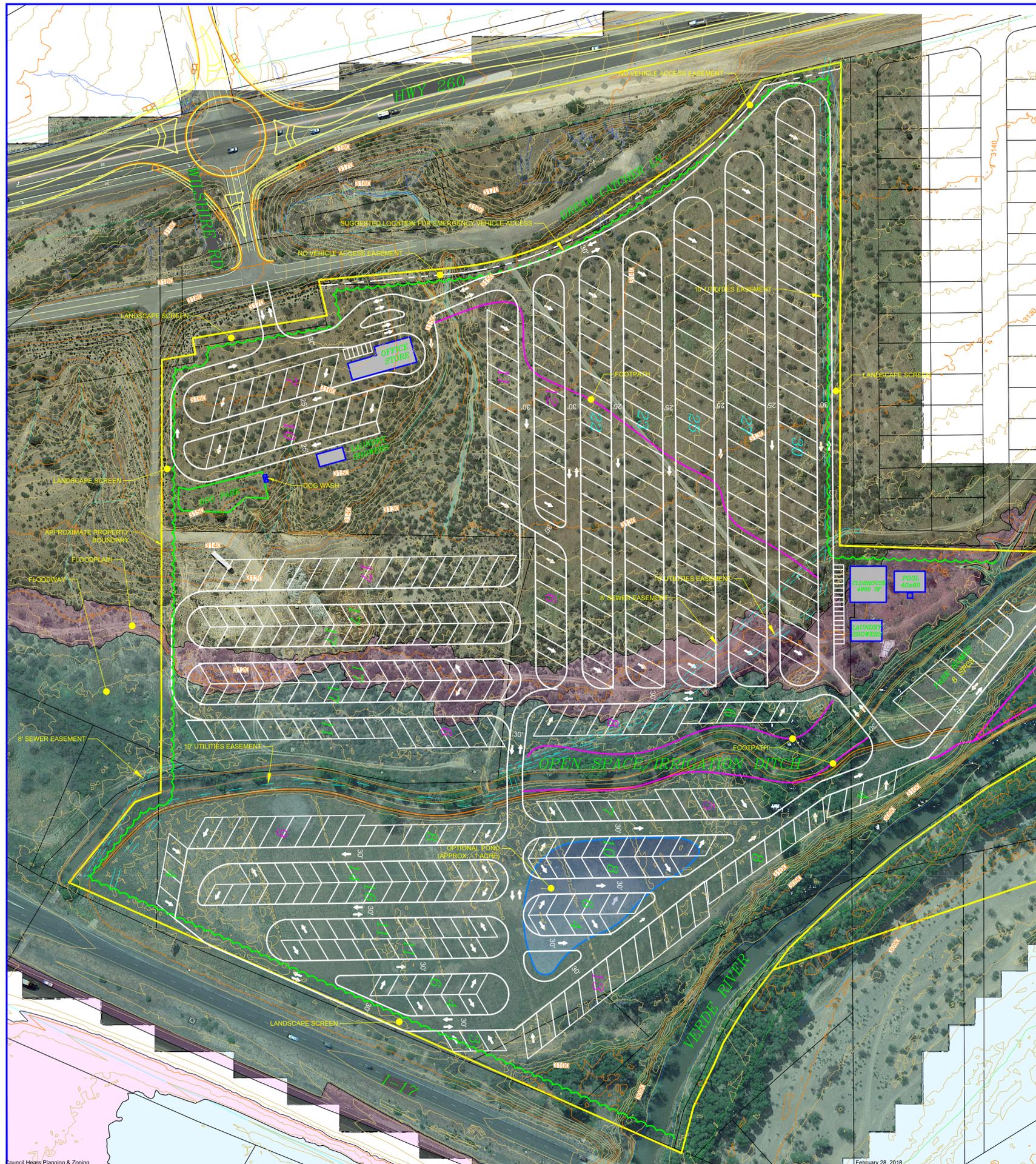
Supplement to summary of public meeting

The meeting was attended by 2 members of the public. Because of the low attendance the meeting was conducted informally with conversations between the attendees and the host team. The highlights of the project were presented as having 300+ RV spaces, a clubhouse, open space along the river and irrigation ditch. Access is proposed to be from an extension of Wilshire Road. Slides from a power point presentation and paper exhibits were used to show the proposed development in the discussions.

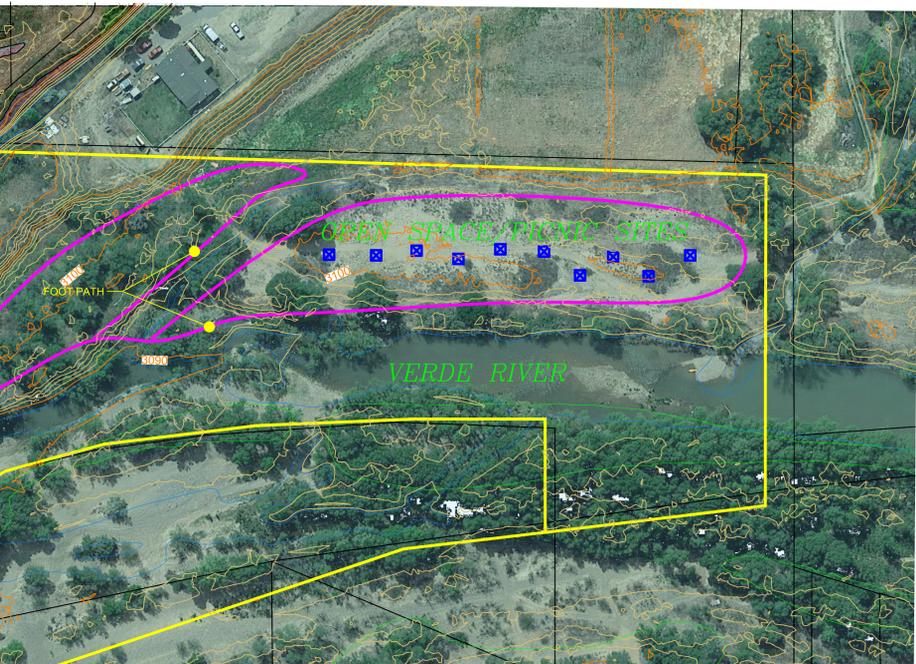
One of the attendees mentioned that there is an easement from the west side of Highway 260 that was used in the past to provide access to the river for cattle. Due to changes over time the easement is no longer used or needed.

One of the attendees was an adjacent property owner. He and the developer had conversations about the possibility of purchasing an additional parcel to be added to the project.





PROPERTY SITUATED IN PARCELS 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, 403-22-018C



Total RV Spaces	75' Spaces	60' Spaces	40' Spaces
1	27	17	14
2	30	17	8
3	25	7	16
4	22	12	11
5	23	11	11
6	12	6	4
7	17	5	17
8	13	11	11
9	9	17	17
10	8	17	7
11	3	5	8
12	8	10	10
13	14	6	9
14	9	9	6
15	16	13	4
16	6	7	4
17	4	6	6
18	11	4	3
19	11	4	4
20	12	6	6
21	19	104	203
22	7		
23	27		
24	13		
25	30		
26	23		
27	5		
28	17		
29	8		
30	6		
31	6		
32	17		
33	17		
34	11		
35	17		
36	11		
37	17		
38	448		

NORTH

0 100' 200'

PRELIMINARY

49109

GEVINDA KDS

GINICE

REGISTERED PROFESSIONAL ENGINEER

ARIZONA, U.S.A.

EXPIRES 3/31/2018

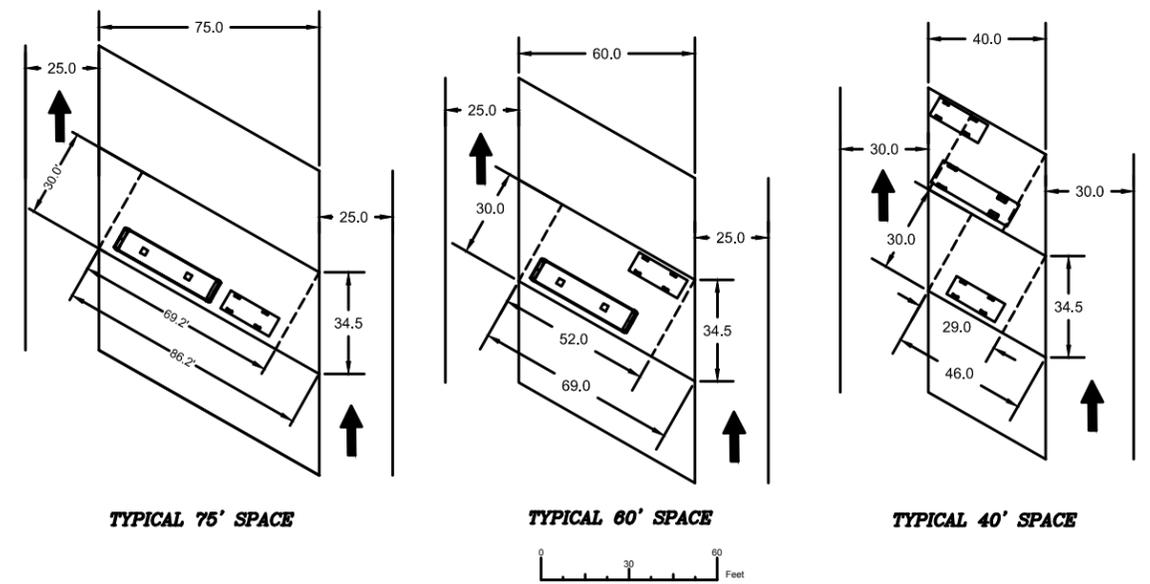
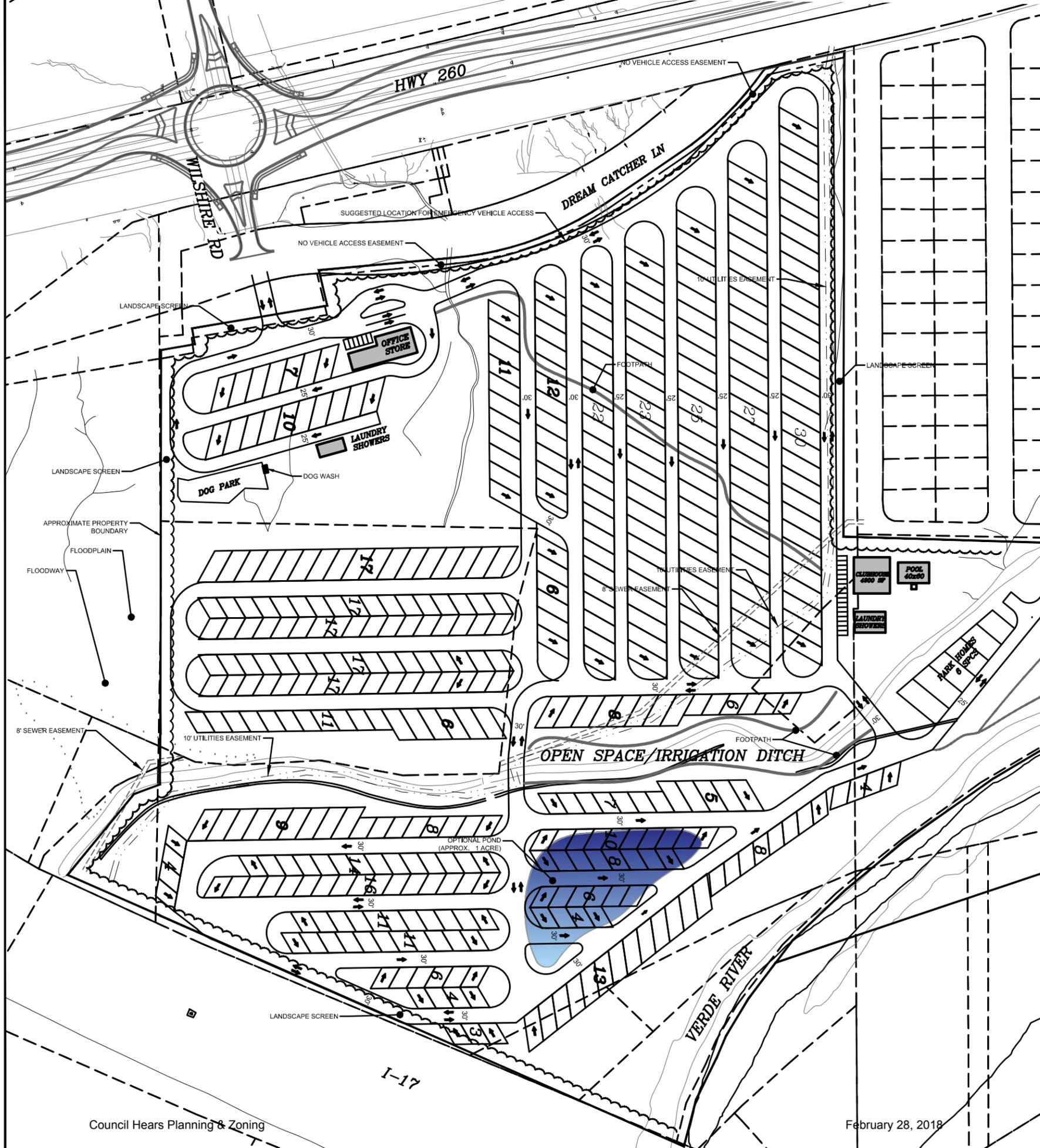
NOT FOR CONSTRUCTION. FOR AGENCY REVIEW ONLY.

RED MOON RV PARK
CONCEPT 2

SITE PLAN

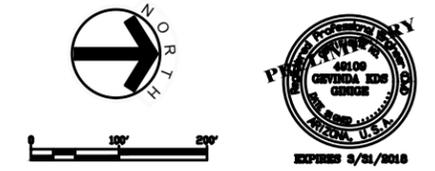
825 COVE PARKWAY
COTTONWOOD, ARIZONA 86326
(928) 634-5889

DATE 1/19/18	DRAWN NMW	SHEET 1 OF 1
SCALE AS SHOWN	CHECKED KG	PROJECT NO. 17-1003CE



PROPERTY SITUATED IN PARCELS 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, 403-22-018C

Total RV Spaces	75' Spaces	60' Spaces	40' Spaces
1	27	17	14
2	30	17	14
3	25	17	14
4	22	17	14
5	23	17	14
6	23	17	14
7	23	17	14
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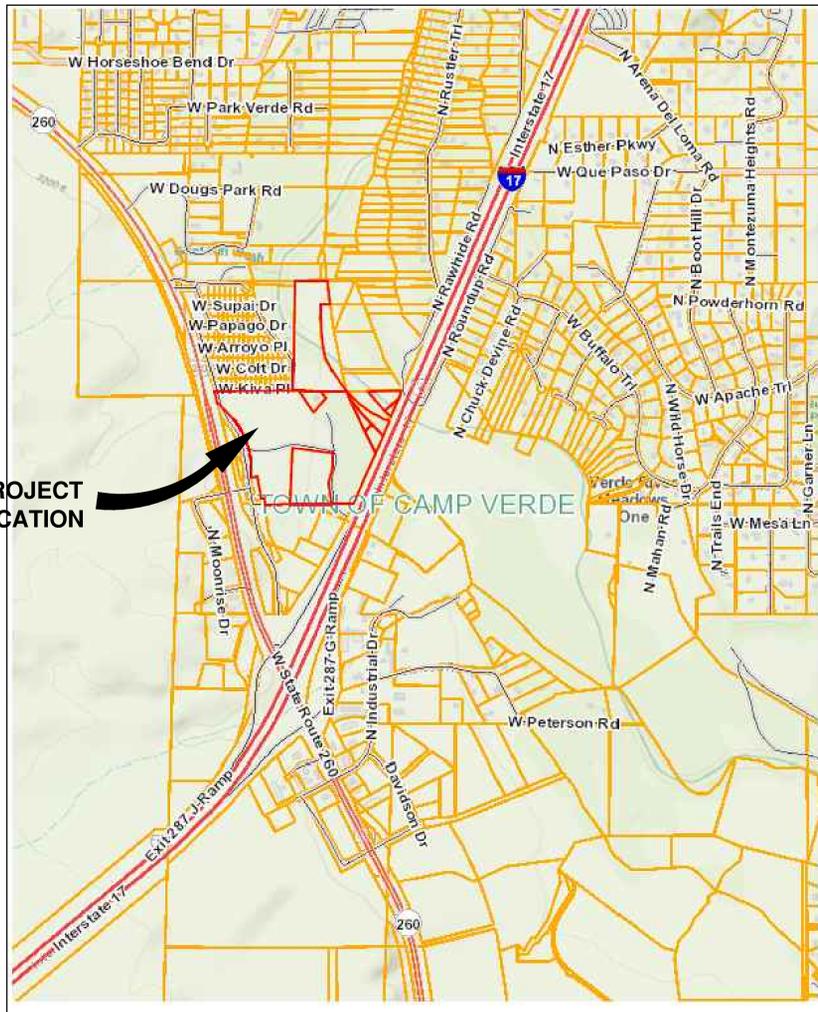


NOT FOR CONSTRUCTION. FOR AGENCY REVIEW ONLY.

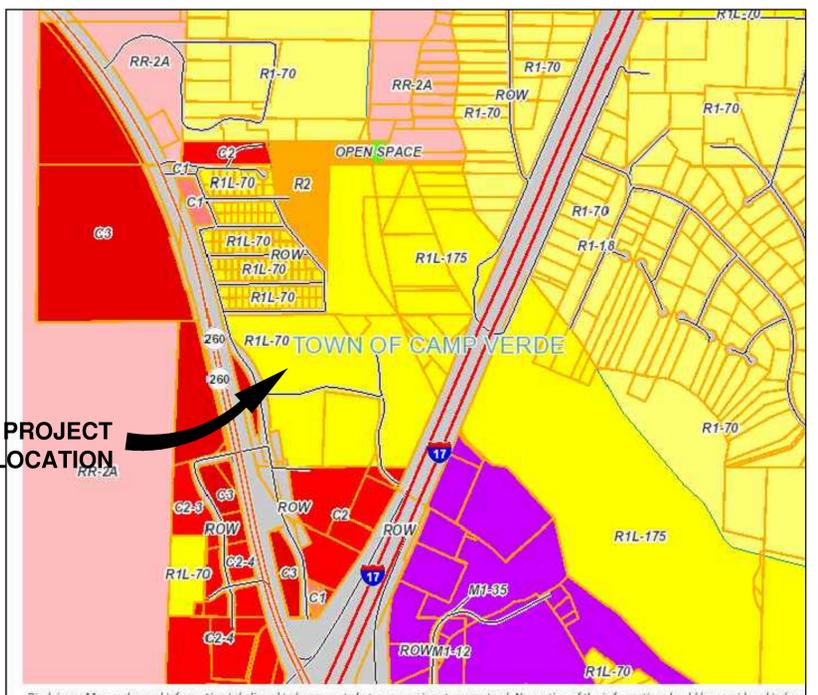
**RED MOON RV PARK
CONCEPT 2**

SITE PLAN		
<p>SEC INC.</p> <p>825 COVE PARKWAY COTTONWOOD, ARIZONA 86326 (928) 634-5889</p>	DATE 1/19/18	SHEET 02 of 37
	SCALE AS SHOWN	CHECKED KG
PROJECT NO. 17-1003CE		1 OF 1

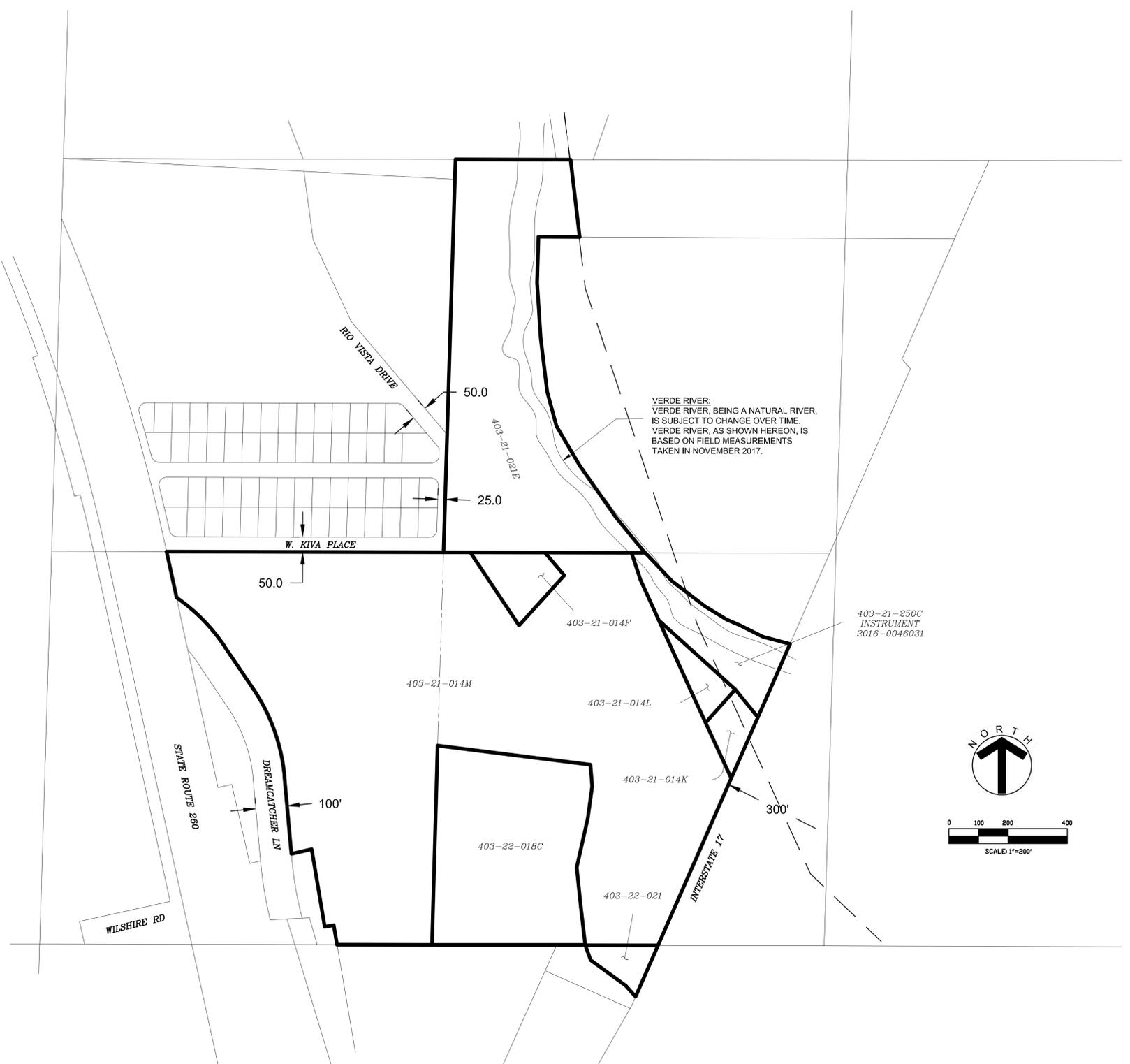
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VICINITY MAP
NO SCALE



ZONING MAP
NO SCALE



SITE PLAN

Parcel Acreage per Yavapai County

403-21-014K	0.60
403-21-014L	0.60
403-21-250C	2.88
403-21-014F	0.99
403-21-014M	37.47
403-21-021E	17.02
403-21-021	0.58
403-22-018C	6.6
Total	66.74 Acres

EXHIBIT. NOT FOR CONSTRUCTION. FOR AGENCY REVIEW ONLY

**RED MOON RV RESORT
ZONE AMMENDMENT APPLICATION**

SEC Inc.

825 COVE PARKWAY
COTTONWOOD ARIZONA 86326
(928) 282-7787

SITE PLAN		
DATE	DRAWN	SHEET
1/19/18	NMW	1 OF 1
SCALE	CHECKED	PROJECT NO.
AS SHOWN	KG	17-1003CE

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DRAFT MINUTES
Work Session and Regular Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY, FEBRUARY 8, 2018 at 6:00 PM

All Commission meetings will end at 9 PM; any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

Chairman B.J. Davis called the meeting to order at 6:00 p.m.

2. Roll Call

Chairman B.J. Davis, Vice Chairman Teresa Helm, Commissioners, Greg Blue, Bruce George, Steve Vanlandingham and Chip Norton were -present. Jim Hisrich was -absent.

Staff Present

Community Development Director Carmen Howard, Town Planner Melinda Lee and Recording Secretary Jennifer Reed.

3. Work Session to Discuss Criteria for the Following Application for a Zoning Map Change Actions:

Opened Work Session at 6.02 pm

Community Development Director Carmen Howard started the discussion with an overview of the -PAD process and how it works. She explained the Commission will be considering a re-zoning action tonight which will include a supporting -Concept Plan. The next steps in the PAD process after rezoning is to review -the Site Plan for the actual planned development. She went on to explain how the zoning code works with development. She explained that a PAD allows the developer to be more creative with their plan.

Commissioner Blue supports the PAD process. He stated that RV Park applicants in the past had difficulty getting financing for the use when the approval was with a Use Permit. He stated a lender will not lend on a Use Permit.

Ms. Howard explained the difference between a Use Permit vs. a PAD. With a PAD, the applicant has to have a Site Plan approved, that spells out what the development will be. If there are major changes to the design, the applicant has to come back in with a revised Site Plan.

Commissioner Norton asked Ms. Howard if she worked with cluster developments in Prescott Valley, using a PAD; he was curious about Open Spaces and reducing lot sizes. Ms. Howard stated there weren't any that came in while she was there, but she said it is the tool of a PAD -- to bring development closer together and leave more open space.

Commissioner George stated there are some cluster developments in Flagstaff, and aren't there some incentives to the developer? Ms. Howard stated the developer could get breaks with infrastructure and fees; and that can also be accomplished with _—individual Development Agreements. Camp Verde does not have any cluster developments here yet.

Chairman Davis asked if the underlying zoning stays when a PAD is applied? Ms. Howard stated it depends; if the zoning fits the project then you can leave it. He stated the zoning is changing for this project, does this allow RV Parks without a Use Permit? Ms. Howard explained that all zoning districts must have one or the other for an RV Park. He asked if the underlying zoning just stays if the project does not get completed. Ms. Howard explained that there could be verbiage that states it will revert back to the original zoning if a project takes too long to come to fruition.

Chairman Davis asked if a PAD have separate set of guidelines. Ms. Howard stated it has some guidelines; there was discussion regarding PADs requiring Open Space, eliminating the need for units per acre, and flexibility in setbacks, which would be approved on the site plan and affected by building and fire code separations.

Chairman Davis asked about the cost. Ms. Howard said PAD (rezoning) and a Use Permit are both \$1,800, but a

PAD Final Site Plan Review is an additional \$500. He asked, other than flexibility, what are other advantages of going with a PAD? Ms. Howard stated that it allows phasing and it is a hard zoning and held to a site plan. There are certain requirements. Once approved, the use is granted.

Chairman Davis asked if they did not do PAD with this project would they would be bound to the setbacks that are already set for each parcel? Ms. Howard said they would be asked to combine the all of parcels. He stated he is a fan of PADs.

Commissioner Vanlandingham asked if in the past this would have been a Use Permit not a PAD? Ms. Howard explained it would have been a Use Permit and would have been something that could have been be taken away; this makes projects hard to finance. Chairman Davis added Use Permits are granted for a limited time and the applicants are required to come back and renew the permit. Commissioner Vanlandingham asked if it is the Town's desire to get rid of Use Permits? Ms. Howard stated no -- there are certain instances where they are appropriate to use.

Work Session Closed at 6:29 pm

Regular Meeting Opened at 6:30 pm

4. Pledge of Allegiance

Commissioner Blue led the Pledge.

5. 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 Commission so requests.*

a. Approval of Minutes:

January 11, 2018 – Regular Session

b. Set Next Meeting, Date and Time:

As needed.

Motion was made by Commissioner Blue to accept the consent agenda as presented. Second was made by Commissioner Norton. **Motion** carried unanimously.

6. Call to the Public for Items Not on the Agenda: *Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.*

There were no comments from the Public.

7. Public Hearing and Discussion for an application, submitted by Red Moon Development, prospective buyer of approximately 65 acres just northwest of the interchange for Interstate 17 and State Route 260, which encompasses parcel numbers 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, and 403-22-018C, for a Zoning Map Change from R1L-70 (Residential: Single Family Limited, 70,000 Square-Foot Minimum Lot Size) to PAD-C2 (Planned Area Development, Commercial: General Sales & Services) to develop a Recreational Vehicle Park, in Camp Verde, Yavapai County, Arizona.

Actions:

Public Hearing Declared Open at 6:32 pm

Call for Staff Presentation:

Town Planner Melinda Lee stated the applicant was not able to be at the meeting tonight, but the applicant's agent was present. She pointed out a discrepancy in the staff report relating to the number of proposed RV The applicant was in escrow on an adjacent seven-acre parcel, which increased the total number of spaces from 300+ to 400+ and required changes to the applicants application, the Staff report and hearing date The property is located near the intersection of Interstate 17 and State Route 260. The proposed C2 District is a better transitional use for the property, with the mix of commercial and residential zones in the area. Ms. Lee reviewed the amenities that are planned for the park the benefits for the community:

- Proposed frontage road connecting the roundabout and Dickison Circle, for access to State Route 260.
- Trails and picnic areas are proposed along the river for open space and recreation.

- A new Town park is across the river and may receive some property from the project.
- The Town is going to put in a sewer lift station and the property owner is granting an easement.
- Proposed pond/lake may be used by the fire department.

Chairman Davis asked about the Flood Plain. Ms. Lee explained that RV Parks are a good use of flood plain property because if there is a flood, RV's can be moved out of area. She pointed out a section of the plan that may be turned into a pond/lake, which would be useful for firefighting. Commissioner Norton noted this area would be either be a lake or spaces.

Ms. Lee pointed out the current Town Ordinance states RV spaces must be 1500 Sq. Ft and a PAD allows the developer to propose spaces that accommodate the different sizes of RV's and that many of the proposed spaces are larger than what is required by the Zoning Ordinance .

Staff believes this is a good use for the property and expects it to be a high-end RV park.

Commissioner VanLandingham asked how they determined the trade value for the Town park proposal. Ms. Howard stated this will be done with an appraisal.

Call for Applicant Presentation:

Krishan Ginige, SEC (Southwest Environmental Consultants) introduced himself to the Commission.

Commissioner Vanlandingham asked if the developer has owned similar projects before. Mr. Ginige stated the developer has several RV Park properties in different stages of completion. There is one in Sun City, AZ and the CA/AZ border. Mr. Ginige doesn't have all the information about the appraisal with him tonight but can bring back the information.

Chairman Davis asked who attended the neighborhood meeting. It was confirmed that there were two people from the public at the neighborhood meeting, Mr. Ed Erck and Mr. Andy Groseta.

Chairman Davis asked why the applicant was proposing a pond, it doesn't economically make sense. Mr. Ginige explained that it is to preserve their irrigation water rights -- this is one way of securing it and they don't want to lose it. Commissioner Norton stated that a Water Attorney needs to be involved to make sure they don't jeopardize their water rights.

Chairman Davis stated that landscaping is critical and asked what is intended for the property. Mr. Ginige reviewed the amenities that are planned for the development. Chairman Davis stated that with the river access, is a great opportunity to make a high-end RV Park.

Commissioner Norton stated that an RV recreation master plan-property will help the property values along river. Mr. Ginige agreed that it is a beautiful property.

Call for Comments from the Public:

None.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate:

None needed.

Public Hearing Declared Closed at 7:04 pm

Call for Commission Discussion:

None.

Call for Staff Comments:

None.

8. Possible Recommendation to the Town Council regarding an application, submitted by Red Moon Development, prospective buyer of approximately 65 acres just northwest of the interchange for

Interstate 17 and State Route 260, which encompasses parcel numbers 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22- 021, and 403-22-018C, for a Zoning Map Change from R1L-70 (Residential: Single Family Limited, 70,000 Square-Foot Minimum Lot Size) to PAD-C2 (Planned Area Development, Commercial: General Sales & Services) to develop a Recreational Vehicle Park, in Camp Verde, Yavapai County, Arizona

Actions:

Call for Motion:

Motion was made by Commissioner George to recommend approval of an application for a Zoning Map Change from R1L-70 (Residential: Single Family Limited, 70,000-Square-Foot Minimum Lot Size) to PAD-C2 (Planned Area Development, Commercial: General Sales & Services), as requested by Red Moon Development to develop a Recreational Vehicle Park. The property is located just northwest of the interchange for Interstate 17 and State Route 260, and encompasses parcel numbers 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21- 021E, 403-22-021, and 403-22-018C. Second was made by Commissioner Blue.

Call for Discussion of Motion:

None needed.

Call for the Question:

Motion passed unanimously.

9. Current Events:

None.

10. Staff Comments

None.

11. Adjournment

Motion was made by Commissioner Blue to adjourn the meeting. Second was made by Vice Chairman Helm. **Motion** carried unanimously. Meeting was adjourned at 7:07 PM

Chairman B.J. Davis, Chairman

Carmen Howard, CD Director

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Work Session & Regular Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 8th day of February 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of February 2018.

Jennifer Reed

Jennifer Reed, Recording Secretary