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AGENDA

COUNCIL HEARS PLANNING & ZONING MATTERS

MAYOR AND COUNCIL - COUNCIL CHAMBERS · 473 S. Main Street, Room #106

WEDNESDAY, APRIL 24, 2013 at 6:30 P.M.

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**
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:**
 - 1) Regular Session – April 3, 2013
 - b) **Set Next Meeting, Date and Time:**
 - 1) Friday, April 26, 2013 at 8:00 a.m. – Budget Work Session
 - 2) May 1, 2013 at 6:30 p.m. – Regular Session
 - 3) Friday, May 8, 2013 at 4:00 p.m. – Budget Work Session
 - 4) May 15, 2013 at 6:30 p.m. – Regular Session
 - 5) Friday, May 17, 2013 at 8:00 a.m. – Budget Work Session
 - 6) May 22, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters
5. **Special Announcements & Presentations.**- There are no Special Announcements or Presentations
6. **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.
7. **Call to the Public for items not on the agenda.**
8. **Public Hearing and discussion, consideration, and possible approval of Resolution 2013-889, a resolution of the Common Council of the Town of Camp Verde, Arizona, superseding Resolution 2002-537, for parcel 404-17-030A to continue operation of the Distant Drums RV Resort and allow for additional uses with no time limit. This property is located on parcel 404-17-030A at 583 W. Middle Verde Rd. Any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval.** Staff Resource: Mike Jenkins
 - Call for STAFF PRESENTATION
 - Declare PUBLIC HEARING OPEN
 - Declare PUBLIC HEARING CLOSED
 - Call for COUNCIL DISCUSSION
9. **Call to the Public for items not on the 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: v jones

Date/Time: 4-18-2013 11:00 a.m.

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.

DRAFT
MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, APRIL 3, 2013
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**

Vice Mayor Kovacovich, Councilors Whatley, George, Baker, Jones and German were present; Mayor Burnside was absent.

Also Present: Town Manager Russ Martin, Economic Development Director Steve Ayers, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper

3. **Pledge of Allegiance**

The Pledge was led by Tom Thurman.

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) March 20, 2013 – Regular Session

b) Set Next Meeting, Date and Time:

1) April 17, 2013 at 6:30 p.m. – Regular Session

2) April 24, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters

3) Friday, April 26, 2013 at 8:00 a.m. – Budget Work Session

On a motion by Kovacovich, seconded by Baker, the Consent Agenda was unanimously approved as presented.

5. **Special Announcements & Presentations**

- **Possible approval of a proclamation declaring April as *Fair Housing Month***

Vice Mayor Kovacovich formally proclaimed April as Fair Housing Month.

There were no other announcements or presentations.

6. **Council Informational Reports**

Whatley reported that she had attended the Archaeological Fair; it was very well attended, and she commented on the incredible vendors.

George said that on Friday he had attended the VRBP coordinating committee meeting, and noted the date of April 11 Grand Opening of the survey they are doing. On Saturday George served as a docent at the Archaeology Center.

7. **Call to the Public for items not on the agenda.**

There was no public input.

8. **Discussion, consideration, and possible approval of a consultant agreement between the Town of Camp Verde and Felipe Zubia, principal for ReSEED LLC, contracting Mr. Zubia to lobby the staff and members of the Arizona Department of Transportation State Transportation Board in regard to placing the widening of State Route 260 on ADOT's 5-Year Plan and seeing that the project is fully funded.** Staff Resource: Steve Ayers
On a motion by George, seconded by Whatley, the Council unanimously voted to authorize the Mayor's signature and direct staff to engage all possible partners in funding the agreement in a prorated way.

Economic Development Director Steve Ayers said that he had been approached by Felipe Zubia, a former member of the ADOT Transportation Board to serve as a consultant to lobby the Board, which makes the decisions on funding projects, in connection with the Hwy 260 project. Ayers explained that the ultimate price to totally fund that project is approximately \$40 million. ADOT has more than sufficient funds on hand, and having a lobbyist who has actually served on the Board and knows how to get the funding would be particularly advantageous. Felipe Zubia has submitted a performance-based contract, proposing to go before the State Board to lobby on behalf of the road for the entire Verde Valley, for the initial cost of a \$10,000 retainer. An additional \$20,000 would be paid if Mr. Zubia is successful in getting the project on the ADOT 5-year plan between now and 2018 fully funded. Not being included in the 5-year plan could delay the project into 2020, or later.

Town Manager Martin said the initial proposed contract was not looked upon favorably by the Town Attorney. Martin said he has now presented to Mr. Zubia a proposed standard services agreement that would end June 29, 2013, for a maximum of \$30,000. If he is not able to get the project on the 5-year plan, only the \$10,000 would be paid; if somewhere into 2018 or below, the additional \$20,000 would be paid. The Town Attorney has cautioned that there is a risk to the Town in case ADOT reversed its decision somewhere along the line before 2018 and removed the funding for the project; the additional \$20,000 will have been paid, with nothing to show for it. Martin said he believes the risk is worth it, economically. Martin outlined the design phase that has been discussed with the District Engineer; once that has been accomplished, the hope is to get the entire \$40 million project, and the request for the initial funding before the Council in essence represents the leverage for that project.

Supervisor Tom Thurman outlined his ongoing fight for funding for projects in rural Arizona; ADOT personnel have said they are not sure what funding is available, and what is coming. Thurman stressed that now is the time to get on the bandwagon, with the economy starting to come back, although he questioned whether that upturn will continue. He said it is extremely important to push ADOT right now and show that everyone is on the same page; that would include the property owners and the municipalities, Cottonwood and the County. Thurman said that he and Supervisor Davis are ready to help, once they see that everyone is promoting the 260 project and getting along, and that it is possibly feasible. He added that Mr. Zubia knows ADOT, and the timing now is right.

In response to questions from the Council members, Martin and Ayers confirmed that no other community had participated in the funding for the Marathon contract, and only Cottonwood and the County have been contacted regarding the new contract; no commitment has been sought from Cottonwood as yet. Other communities have indicated support, but ADOT and Cottonwood expect Camp Verde to take the lead; there is a possibility that Cottonwood will contribute toward the \$10,000. Martin acknowledged that the full \$30,000 that may be due by the end of June is a gamble. There was discussion about the crucial importance of getting the unanimous support of the property owners in order to be able to move forward. Martin said that the Attorney wanted to make sure that the Council is aware that the Town is taking the risk that others may not join in.

9. **Discussion, consideration, and possible approval of the Capital Improvements Plan.** Staff Resource: Russ Martin

On a motion by German, seconded by Baker, the Council unanimously voted to adopt the Capital Improvements Plan with the deletion of the Equestrian Center, as it is not in the 5-year plan, acquisition of the Sewer District, and the items that would be already taken care of under the lease agreement already agreed to for the vehicles.

Martin explained that some changes to the CIP have already been requested, and outlined his recommendations for deletions involving the vehicles, the Equestrian Facility, and the sanitary system. The members held a roundtable discussion on those recommendations further, generally acknowledging that the CIP basically is just a wish list.

10. **Discussion, consideration, and possible direction to staff to prepare a final draft of the revised Position Classification and Salary Plan for Council approval, to include job descriptions and pay ranges for Public Works Analyst and Plans Examiner.** Staff Resource: Russ Martin

On a motion by Jones, seconded by George, the Council **voted 3 to 3** to direct staff to make any changes to the Position Classification and Salary Plan, adding job descriptions for Public Works Analyst and Plans Examiner and

establishing the salary range for these positions, with **Whatley, Baker and German opposed**; the vote was tied; the motion did not pass.

Staff was directed to move forward on preparing a final draft for formal Council approval, and bring it back with more information for consideration, including the proposed addition of the two positions as discussed, and with more clarification than what is included in the agenda packet.

Martin said he was asking the Council to consider adding two particular proposed positions, Public Works Analyst and Plans Examiner; he outlined the skills, responsibilities and duties for each of the positions, already being performed in some instances by existing personnel in lower classifications. There was concern expressed about the possibility that approval of the new positions would enable the Manager to hire new employees, and that many Town employees are already performing more than their positions require. Martin explained that all that Council is being asked to do is to approve job descriptions, to be able to shift and better define responsibilities without adding more employees, but acknowledged that two new positions are being requested. During further discussion, staff was requested to bring back a final draft, with more information and clarification regarding the new positions and salary ranges, for consideration.

11. **Discussion, consideration, and possible direction to staff to prepare a final draft of the revised Personnel Policy Manual for Council approval by resolution.** Staff Resource: Russ Martin

Staff was directed to prepare a final draft of the revised Personnel Policy Manual, with Council members individually providing input to the Town Manager.

Martin said that approximately a year ago, meetings were held with department representatives regarding the Personnel Policy Manual, the result of which essentially is the proposed draft now before the Council. Martin reviewed and discussed with Council some of the changes and additions, including policies in connection with holiday and overtime pay, administrative time, vacation and sick leave pay, and tuition reimbursement. Martin invited a long-time employee, Debbie Hughes, to share her input. Ms. Hughes explained her concerns and observations about the proposed draft of the Manual, including the appeal process, requesting clarification of some of the issues. Following a roundtable discussion of the proposed draft and suggested revisions, with further input from Ms. Hughes and Martin, it was agreed that the Council members individually will provide their input to the Town Manager, and staff will then prepare a final draft for consideration and Council approval at a future meeting.

12. **Discussion, consideration, and possible direction to staff relative to updates and requested action(s) concerning proposed legislation, as described in the League of Arizona Cities and Towns Legislative Bulletins Issues #2 through #10. These bulletins are available at the Clerk's Office and on the web at <http://www.azleague.org/>.** Staff Resource: Russ Martin

Martin said that the Legislature is trying to work out the Transaction Privilege Tax issues, and there is some hope, after all. They are making progress. The Construction Tax is still in there, and protection of it is crucial for communities.

13. **Call to the Public for items not on the agenda.**

(Comments from the following individuals are summarized.)

Murray Lichty asked that two problems be addressed by the Town. He has found that the Tourist Information Office at the I-17 intersection is up to their "old tricks," diverting tourists away from Camp Verde and directing them to Sedona. He also noted that the parking spaces on Hollamon do not conform to the original plan, create a traffic/pedestrian hazard, and may not be according to Code.

David White complained that the Library appears to be a done deal, and the people have not yet had a chance to give their opinions.

Charlie German reminded everyone of the upcoming meeting next Thursday at which the USGS water model will be unveiled.

There was no further public input.

14. **Manager/Staff Report**
There was no Manager/staff report.

15. **Adjournment**
On a motion by Jones, seconded by Baker, the meeting was adjourned at 9:00 p.m.

Bob Burnside, 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 Session of the Town Council of Camp Verde, Arizona, held on the 3rd day of April 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2013.

Debbie Barber, Town Clerk



Town of Camp Verde

Exhibit A - Agenda Item Submission Form - Section I

Meeting Date: April 24, 2013

- Consent Agenda
- Decision Agenda
- Executive Session Requested
- Presentation Only
- Action/Presentation

Requesting Department: Community Development

Staff Resource/Contact Person: Jenna Owens and or Michael Jenkins

Agenda Title (be exact): Public Hearing and discussion, consideration, and possible approval of Resolution 2013 889, a resolution of the Common Council of the Town of Camp Verde, Arizona superseding Resolution 2002-537, for parcel 404-17-030A to continue operation of the Distant Drums RV Resort and allow for additional uses with no time limit. Any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval. This resolution is for Use Permit 20130046: and application submitted by Mr. Scott Carty – Attorney General and Ms. Rachel Hood – Manager, agents for the Yavapai-Apache Nation, owners of Distant Drums RV Resort. This Use Permit application, if approved will replace the expired Use Permit 2002-537 and allow for additional uses. This property is located at 583 W. Middle Verde Rd. and is requested in perpetuity. Staff Resource: Jenna Owens and or Michael Jenkins

List Attached Documents:

Applicant’s application submittal (For Use Permit 20130046 for Distant Drums RV Resort)

- Staff Report
- Draft Resolution 2013 889
- Attorney Comments
- Resolution 2002 537
- Resolution 2001 492
- Use Permit Application
- Letter of Intent
- Directions to Property
- Neighborhood Meeting Affidavit
- Yavapai County Assessor’s Office Parcel Information
- Site Plan
- Zoning Map
- Land Use Map
- Photos of property

Staff's Power Point attachments

- Photo no. 1: Resolution 2001-492
- Photo no. 2: Resolution 2002-537
- Photo no. 3: Photo of 1 acre in the northwest corner of the property
- Photo no. 4 Administration Building
- Photo no. 4: RV Spaces photo 1
- Photo no. 5. RV Spaces photo 2
- Photo no. 6 Land Use Map
- Photo no. 7 Zoning Map

Estimated Presentation Time: 20 minutes (Staff & Applicant)

Estimated Discussion Time: 20 minutes

Reviews Completed by:

Michael Jenkins (Community Development Director) and Jenna Owens (Assistant Planner/Admin. Asst.)

Department Head: Michael Jenkins

Town Attorney Comments: Attached

Recommended Action (Motion):

A Motion to approve Resolution 2013 889, Use Permit 20130046, submitted by Mr. Scott Canty – Attorney General and Ms. Rachel Hood Manager, agents for Distant Drums RV Resort owned by the Yavapai-Apache Nation. This Use Permit supersedes Use Permit 2002 537 to allow for additional requested uses and grant the Use Permit in perpetuity. The property is located on parcel 404-17-030A at 583 W. Middle Verde Rd. Any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval.

Instructions to the Clerk:

Power Point Presentation

Exhibit B – Agenda Item Submission Form – Section II (Staff Report)

Town of Camp Verde

Agenda Item Submission Form – Section II (Staff Report)

Department: Community Development

Staff Resource/Contact Person: Jenna Owens/Michael Jenkins

Contact Information: Michael Jenkins

Background Information:

In 2001 Dakota Branch Enterprises applied for and received a Use Permit via Resolution 2001-492. This request outlined the requests for a 181 space RV Resort with and Administration Building, Swimming pool and spa, Wastewater Treatment Plant, Laundry, Showers and Restrooms. In 2002, via Resolution 2002-537, the request was for the continued operation of the 181 space RV Resort with an additional request to include 50 Park Model Units, which have not been developed to date. This Use Permit was for a 10 year period expiring in 2012. The Town of Camp Verde has not received any complaints on this property.

The following list is the current use of the Resort:

The Resort has built out 158 of the 181 permitted RV spaces with electric, water, sewer, cable T.V. and Wi-Fi hookups as follows.

- 181 RV spaces are comprised of the following:
 - 112 Standard back-in sites
 - 28 Motorhome sites
 - 11 Pull-through sites
 - 7 Water/electric only sitesThe remaining 23 sites are available for build-out.
- Administrative & Community Recreation/Services Building (Community Building)

The park was purchased by the Yavapai-Apache Nation in 2005 and the current Use Permit expired in 2012. The Yavapai-Apache Nation is submitting an application for a new Use Permit with the following requests

These items are requested for this application

- Five (5) covered Ramada's to be located throughout the Resort. Each will be equipped with one or two propane grills and a number of picnic tables. (The exact locations are to be determined.)
- Restroom/Shower on one of the vacant pads located between RV sites 143-146 or 123-125. This will provide guests with the convenience of a restroom/shower located outside of the main Administration Building.
- A remaining vacant pad will be made into a Shuffle Board area or some other kind of outdoor recreation area.

- The resort also intends to add a dog bath area for use by their guests who own dogs.
- On the south side of the Administration Building, convert outdoor shower to be enclosed and add a keyed access.
- There is a one (1) acre portion of land located at the northwest corner of the property. This location was intended to be built out for the remaining 23 RV sites under the originally permitted 181 sites. As an alternative plan the Nation has the following possibilities:
 1. Construction of a storage facility wherein individual storage units can be rented to the public and/or as a site for RV seasonal storage.
 2. Construction of an array of solar panels to augment the electrical supply needs of the RV Resort.
 3. Development of a new multi-purpose building to accommodate group activities and meetings that are in addition to or are overflow of activities occurring in the central Administrative Building.
 4. Installation of a number of park model units to serve as individual overnight rental accommodations or as overflow accommodations for RV guests requiring additional space for their guests.

Note: The Nation would like to include these alternative development plans for the one-acre site as permitted uses under the new Use Permit, along with the continuing option of building out the remaining 23 RV sites. Whichever options are selected by the Nation, staff will preview & permit per the requirements of the Planning & Zoning Ordinance and Building Codes. An updated Site Plan will be required showing the development of the selected option or options.

Staff has reviewed the submitted application and Site Plan for compliance with the Planning and Zoning Ordinance RV Park standards and has found that all requirements have been met per Section 306.C Recreational Vehicle Park Standards.

Neighborhood Meeting: As required, a neighborhood meeting was held by the applicant on February 13, 2013 at the Distant Drums RV Resort meeting room. The meeting was held from 3:30 pm to 4:00 pm. and there were no neighbors in attendance. (Attached: Affidavit of the Neighborhood Meeting, Sign in Sheet & Questions and Answers).

Agencies were notified, the responses are as follows:

Town of Camp Verde Building Official – Any possible build out option listed would need to be properly permitted and approved under the current Building Code in place at the time of application.

Yavapai County Environmental Services – No concerns or objections

Yavapai County Flood – No objections.

Town of Camp Verde Town Engineer – No Comments on Use Permit.

Camp Verde Fire District – No Concerns

Town of Camp Verde Community Development Director - The current development is within Town Requirements.

Statement of the Problem or Opportunity: *The opportunity has been taken by the Yavapai-Apache to look forward and envision what uses they would possibly like for the future.*

Alternatives/Options/Solutions: *Option of setting a time limit on the Use Permit for another 10 or 15 years. The solution would be to grant this Use Permit in perpetuity and should any changes outside of the proposed uses occur, Distant Drums RV Resort would have to submit before the Planning & Zoning Commission and Council for a new Use Permit.*

Comparative Analysis: *Allowing the Distant Drums RV Resort to have options on allowed uses assists them in not having to come back to the P&Z Commission and Town Council. Fiscal Impact to the Town: None*

Other Impacts: *None*

Conclusion: *All of the proposed uses are allowed under the Planning & Zoning Ordinance. Distant Drums RV Resort is aware that all new construction of any of the proposed uses will require Building Permits.*

Recommendation by the Planning & Zoning Commission:

Public Hearing, Discussion and Possible Recommendation to Council on Use Permit 20130046, an application submitted by Mr. Scott Canty – Attorney General and Ms. Rachel Hood – Manager, agents for the Yavapai-Apache Nation, owners of Distant Drums RV Resort. This Use Permit will replace the expired Use Permit 2002 537. Distant Drums is requesting additional uses to be approved. There is a request for Use Permit 20130046 to be in perpetuity. The property is located on parcel 404-17-030A at 583 W. Middle Verde Road. On a motion by Hough, seconded by Blue, the Commission unanimously recommended to the Council approval of Use Permit 20130046 as submitted.

Recommended Motion:

A Motion to approve Resolution 2013 889, Use Permit 20130046, submitted by Mr. Scott Canty – Attorney General and Ms. Rachel Hood Manager, agents for Distant Drums RV Resort owned by the Yavapai-Apache Nation. This Use Permit supersedes Use Permit 2002 537 to allow for additional requested uses and grant the Use Permit in perpetuity. The property is located on parcel 404-17-030A at 583 W. Middle Verde Rd. Any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval.

DRAFT



RESOLUTION 2013 889

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, SUPERCEDING RESOLUTION 2002-537, FOR PARCEL 404-17-030A TO CONTINUE OPERATION OF THE DISTANT DRUMS RV RESORT AND ALLOW FOR ADDITIONAL USES WITH NO TIME LIMIT. THIS PROPERTY IS LOCATED ON PARCEL 404-17-030A AT 583 W. MIDDLE VERDE RD. ANY CHANGES TO THESE USES MUST COME BEFORE THE PLANNING & ZONING COMMISSION AND TOWN COUNCIL FOR APPROVAL.

The Common Council of the Town of Camp Verde hereby resolves as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 20130046 was filed by The Yavapai-Apache Nation, Mr. Scott Canty – Attorney General and Ms. Rachel Hood Manager, agents for Distant Drums RV Resort owned by the Yavapai-Apache Nation on parcel 404-17-030A located at 583 W. Middle Verde Rd. This parcel is zoned PAD (Planned Area Development) and the proposed uses are permitted under such zoning.
 - B. The request was reviewed by the Planning and Zoning Commission on April 04, 2013 and by the Common Council on April 24, 2013 in public hearings that were advertised and posted according to state law.
 - C. A neighborhood meeting was held on February 13, 2013 by the applicant as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e.
 - D. The purpose of the Use Permit is to renew and update uses (Exhibit A) on parcel 404-17-030A and the continued operation of the Distant Drums RV Resort. All of the current and proposed uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 (Zoning Decisions), C. 1 & 2 of the Town of Camp Verde Planning & Zoning Ordinance.

The Common Council of the Town of Camp Verde hereby approves Use Permit 20130046 for the purpose of renewal and update uses (Exhibit A) and continuing the operation of the Distant Drums RV Resort located on parcel 404-17-030A with no time limit on this Use Permit, but subject to Part 6, Section 601 (Zoning Decisions), C 1 & 2 of the Town of Camp Verde Zoning Ordinance. Any changes to the allowed use will have to come before the Planning & Zoning Commission and the Town Council.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON APRIL 24, 2013.

Bob Burnside, Mayor

Approved as to form: _____

Town Attorney

Date: _____

Attest: _____

Deborah Barber, Town Clerk

Exhibit "A"

- 181 RV spaces comprised of the following:
 - 112 Standard back-in sites
 - 28 Motorhome sites
 - 11 Pull-through sites
 - 7 Water/electric only sitesThe remaining 23 sites are available for build-out.
- Administrative & Community Recreation/Services Building (Community Building)
- Five (5) covered Ramada's to be located throughout the Resort. Each will be equipped with one or two propane grills and a number of picnic tables. (The exact locations to be determined.)
- Restroom/Shower on one of the vacant pads located between RV sites 143-146 or 123-125. This will provide guests with the convenience of a restroom/shower located outside of the main Administration Building.
- A remaining vacant pad will to be made into a Shuffle Board area or some other kind of outdoor recreation area.
- The resort also intends to add a dog bath area for use by their guests who own dogs.
- On the south side of the Administration Building, convert outdoor shower to enclosed and add a keyed access.
- There is a one (1) acre portion of land located at the northwest corner of the property. This location was intended to be built out for the remaining 23 RV sites under the originally permitted 181 sites. As an alternative plan the Nation has the following possibilities:
 1. Construction of a storage facility wherein individual storage units can be rented to the public and/or as a site for RV seasonal storage.
 2. Construction of an array of solar panels to augment the electrical supply needs of the RV Resort.
 3. Development of a new multi-purpose building to accommodate group activities and meetings that are in addition to or are overflow of activities occurring in the central Administrative Building.
 4. Installation of a number of park model units to serve as individual overnight rental accommodations or as overflow accommodations for RV guests requiring additional space for their guests.

Note: Whichever options are selected by the Nation, staff will review & permit per the requirements of the current Planning & Zoning Ordinance and the current Building codes. An updated site plan will be required showing the development of the selected option or options.

Bill Sims

From: Bill Sims
Sent: Thursday, April 11, 2013 12:08 PM
To: 'Jenna Owens'
Subject: Town Attorney Review of Resolution 2013-899

Fax: 928-567-7401

Jenna:

I have reviewed and approved Resolution 2013-899 regarding the Use Permit to be reviewed and approved by Council. I note, however, that the Resolution authorizes staff to make certain decisions regarding options for the development of a one acre portion of the parcel located in the northwest corner of the property. For that delegation to be effective, Council must give staff direction as to the factors to consider when electing any of the four options for the development of the one acre parcel

William J. Sims III
Sims Murray, Ltd.
2020 N. Central Avenue, Suite 670
Phoenix AZ 85004
Direct: 602-772-5501
Fax: 602-772-5509
Cell: 602-524-0575
Legal Assistant: 602-772-5502
wsims@sismurray.com

Use Permit Check List

Pre-Application Conference with staff and the Acting Community Development Director

***Staff Report**

Will include summary of agency & citizen's comments, Traffic Impact Analysis or ADOT approval of site access (if applicable), Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved. (if any)

*** Current Resolution for reference (if applicable)**

***Resolution (for Council Hears Planning & Zoning)**

Reviewed and approved by Town Attorney (For Council Hears P & Z)

*** Application including:**

1. *Directions to Property

2. *Letter of Intent (Narrative)

3. *Consent or Approval letter from property owner (if applicable)

4. *Public Participation, Neighborhood meeting, completed. Date: FEB.13, 2013

- ***Affidavit of summary of meeting**
- ***Statement of how the applicant addressed neighborhood concerns.**
- Copy of letter sent to neighbor's within 300'
- Posting of Property by applicant (photo)
- Affidavit attesting to notification of neighbors
- Sign in sheet

***Site Plan**

***Vicinity Map**

***Adjacent land use**

Legal Description

Advertising & Posting has been completed & meet State Law Requirements.

Off Premise Signs - ADOT outdoor advertising permit (if applicable) for commercial signage

Traffic Impact Analysis or ADOT approval of site access (if applicable)

NOTE: *Indicates included in packet

RESOLUTION 2002 537

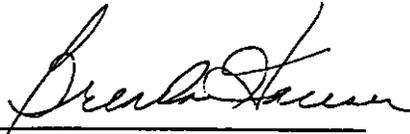
A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING AN AMENDMENT TO USE PERMIT 2001-492 THAT ALLOWS FOR THE OPERATION OF A 181 SPACE RV PARK WHICH WILL INCLUDE NO MORE THAN 50 PARK MODELS ON TAX PARCEL 404-17-030A LOCATED AT 583 WEST MIDDLE VERDE ROAD FOR A PERIOD OF 10 YEARS.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for a Use Permit amendment (2002-02) was filed by Dave Blauert, agent for Dakota Branch Enterprises, L.L.C. owners of parcel 404-17-030A.
 - B. The request was reviewed by the Planning Commission on October 3, 2002 and by the Common Council on October 23, 2002 in public hearings that were advertised and posted according to state law.
 - C. The purpose of the Use Permit amendment is to allow for the placement of up to 50 park models in the RV Park.
 - D. The proposed use is an allowed use in the PAD Use District but requires a use permit. This use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
 - E. The Common Council of the Town of Camp Verde hereby approves Use Permit amendment 2002-02 for the purpose of the placement of up to 50 park models in the RV Park on tax parcel 404-17-030A with the following stipulations:
 1. All conditions and stipulations in the original use permit 2001-492 still apply except the 90-day limitation on stay for the park models.
 2. Park Models shall be limited to one-year leases;
 3. All Park Models must be hooked up to the resort's sewer system;
 4. Prohibit the installation or placement of decking, fencing, hot tub, freezer, refrigerator, washer & dryer, clothesline, household furniture, large free standing propane tank, or other such items outside of the park model homes;
 5. Prohibit the use of generators;
 6. Prohibit hanging clothes from trees or park model homes;
 7. Prohibit parking on the interior streets of the park model section;
 8. The Town is to receive approval of construction of the water

- system as per ADEQ;
9. The Town is to receive approval from Yavapai County Environmental Health of the Waste Water Treatment Plant;
 10. Developer to provide ADOT traffic requirements; and
 11. Developer to commit to pay their numerically factual share of a traffic signal requirement when appropriate to do so.

II. PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON OCTOBER 23, 2002.



Mayor

Date: _____

10-24-02

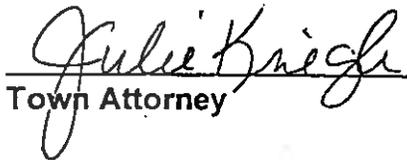
APPROVED AS TO FORM:

Attest:

Town Clerk



Town Attorney



RESOLUTION 2001-492

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING USE PERMIT 2001-04, FOR THE OPERATION OF A 181 SPACE RV PARK ON TAX PARCEL 404-17-030A LOCATED ON MIDDLE VERDE ROAD FOR A PERIOD OF 10 YEARS.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for a Use Permit (2001-04) was filed by Dakota Branch Enterprises, owners of tax parcel 404-17-030A for the purpose of operating an RV Park.
 - B. The request was reviewed by the Planning Commission on October 4, 2001 and by the Common Council on November 7th, 2001 in public hearings that were advertised and posted according to state law.
 - B. The purpose of the Use Permit is to allow for the operation of a 181 Space RV Park with the following accessory uses:
 1. An administration building
 2. Swimming pool and spa
 3. Wastewater treatment plant.
 4. Laundry, showers, and restrooms
 - C. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
 - D. The Common Council of the Town of Camp Verde hereby approves Use Permit 2001-04 for the purpose of the operation of an RV park on tax parcel 404-17-030A.
- II. PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 7, 2001 WITH THE FOLLOWING STIPULATIONS:
 - A. Limit the RV parking to 90-day stay.
 - B. All lighting will meet the Town's Lighting standards.
 - C. The Town must be notified of any changes, additions or deletions of uses or buildings on site.

- D. Plans on phasing and landscaping as presented are incorporated as conditions for which applicant will follow in a manner substantially similar to the plans.
- E. This Use Permit is not transferable except as needed for financing.

Brenda Hauser

Mayor

Attest: Deborah Barber

Town Clerk

APPROVED AS TO FORM:

Julie Kuegh
Town Attorney

Maureen Buckel
Planning and Zoning Division

RECEIVED
FEB 0 2013



BY: [Signature]

Land Use

Project #: 20130046

Application Form

Receipt # 4948

Case 2013-02

1. Application is made for:

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

2. Project Name: Distant Drums RV Resort - Use Permit (In Perpetuity)
Please print or type legibly

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

Owner Name: Yavapai-Apache Nation (YAN) Applicant Name: David Kwail - Chairman

Address: 2400 W. Datsi Street Address: 2400 W. Datsi Street

City: Camp Verde State: AZ Zip: 86322 City: Camp Verde State: AZ Zip: 86322

Phone: 928-567-1021 Phone: 928-567-1021

E-mail: dkwail@yan-tribe.org E-Mail: dkwail@yan-tribe.org

554-8000
RACHAEL Hood

4. Property Description: Parcel Number 404-17-030A Acres: 16.78

Address or Location: 583 W. Middle Verde Road, Camp Verde AZ 86322

Existing Zoning: PAD Existing Use: Recreational Vehicle Park

Proposed Zoning: PAD Proposed Use: Recreational Vehicle Park

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

Applicant wishes to obtain a Use Permit for the continued use of the above referenced property as a Recreational Vehicle Park. The prior permit has expired.

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: (for YAN) [Signature] Date: Jan 28, 2013 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: (for YAN) [Signature] Date: Jan 28, 2013

**TOWN OF CAMP VERDE
LAND USE APPLICATION – USE PERMIT DISTANT DRUMS RV RESORT
JANUARY 28, 2013**

Additional Contact Information:

The above referenced Land Use Application is submitted on behalf of the Yavapai-Apache Nation. The Yavapai-Apache Nation is the owner of the 16.78 acre parcel identified in the Application as Parcel Number 404-17-030A. David Kwail is the Chairman of the Yavapai-Apache Nation and is signing on behalf of the Nation as “Owner” and “Applicant.” Additional contacts with the Yavapai-Apache Nation in connection with the Land Use Application include:

Rachael Hood
Manager – Distant Drums RV Resort
583 W. Middle Verde Rd.
Camp Verde, AZ 86322
Phone: 928-554-8000
E-mail: manager@distantdrumsvresort.com

Scott Canty
Attorney General
Yavapai-Apache Nation
2400 West Datsi Street
Camp Verde, AZ 86322
Phone: 928-567-1040
E-mail: acanty@yan-tribe.org

Distant Drums RV Resort – Use Permit Application

Letter of Intent



YAVAPAI-APACHE NATION

Executive Office

Chairman Kwait ~ Vice-Chairman Jackson

Phone (928)567-1021

Fax (928)567-1048

2400 W. Datsi Street, Camp Verde, AZ 86322

January 28, 2013

Town of Camp Verde
Planning Commission
473 S. Main Street
Camp Verde, Arizona 86322

Re: Letter of Intent – Distant Drums RV Resort Application for Use Permit in Perpetuity

Dear Commissioners:

Introduction

This Letter of Intent is submitted in support of the Yavapai-Apache Nation's (the "Nation") Application to the Town of Camp Verde (the "Town") for a Use Permit for the Distant Drums RV Resort (the "Resort"), a wholly owned Subordinate Economic Organization of the Nation. The Resort is located at 583 W. Middle Verde Road, within the Town boundaries of Camp Verde, Arizona. The Nation requests that the Town approve the Application and issue the Use Permit for a term in perpetuity. The Nation's Application and this Letter of Intent are submitted under authority of Section 601 of the Planning and Zoning Ordinance of the Town of Camp Verde.

Description of Location and Current Permitted Use

The Resort is located on a parcel of land including 16.78 acres and is entirely surrounded by lands owned by either the Yavapai-Apache Nation in fee status, lands held in trust status by the United States for the benefit of the Yavapai-Apache Nation, or lands owned by the United States and set aside as part of the Coconino National Forest. A review of the 300-foot buffer required by Section 601 A 3(c) of the Town's Planning and Zoning Ordinance shows that the only non-United States owned lands falling within the 300-foot buffer are the 4.09 acres of fee land owned by the Yavapai-Apache Nation within Parcel 404-17-032H, and the 7.72 acres of trust land held by the United States for the benefit of the Yavapai-Apache Nation within Parcel 404-17-030E, both as designated on the Tax Parcel Map of Yavapai County. The location of these lands is shown on the tax parcel maps and the buffer map included in the Nation's Application for Use permit. All of the surrounding parcels are undeveloped and remain rural in character. The proposed continuing use of the subject parcel as an RV Resort is entirely compatible with the nature of the surrounding land.

The Resort was built in 2002 and currently operates under a ten-year Use Permit issued by the Town on October 24, 2002 under Resolution 2002-537. The current Use Permit authorizes the Resort to operate a 181 space RV Park within Yavapai County Tax Parcel 404-17-030A. The Resort is accessed from Middle Verde Road via a turn-out approved by the Arizona Department of Transportation in connection with the 2002 construction of the Resort. The current use permitted for the Resort is an allowed use under the local PAD Use District but a Use Permit is required. The layout of the Resort is shown on the Site Plan included as part of the Nation's Application for Use Permit.

The Resort has built out 158 of the 181 permitted RV spaces with electric, water, sewer, cable T.V. and Wi-Fi hookups as follows:

- a) 112 Standard Back-in Sites
- b) 28 Motorhome Sites
- c) 11 Pull-through Sites, and
- d) 7 Water/electric only sites

The remaining 23 Sites are available for build-out but are awaiting a build-out plan and budget. The Nation requests that the new Use Permit continue to include an allocation for all 181 RV sites.

The Resort includes a central administrative and community recreation/services building (Community Building). In addition to the Resort's lobby and office, the Community Building has meeting rooms, a full kitchen, a covered patio equipped with two propane grills, laundry facilities, exercise room, and private showers. There are also restroom facilities with access both inside and outside of the community building, a pool, a hot tub, and two maintenance buildings. All of these amenities are for the use of the Resort's guests.

The resort operates under defined policies and restrictions intended to establish and maintain certain functional and aesthetic standards for the Resort and its guests. These policies/restrictions include:

- 1) All site rentals are made on a daily, weekly or monthly basis.
- 2) Guests are prohibited from installing, either temporarily or permanently, any of the following within the resort: decking, fencing, hot tubs, freezers, refrigerators, washers & dryers, clotheslines, household furniture, large free-standing propane tanks, or any other similar items.
- 3) Guest are prohibited from using on the sites any outside appliances, storage units, non-folding tables and chairs, or any other appliances, fixtures or furnishings that cannot be easily packed in an RV for travel. Only outdoor recreational style furnishings may be used within the Resort.
- 4) The use of generators is restricted or prohibited depending on capacity and noise issues.
- 5) Guests are prohibited from hanging clothes from trees, clotheslines, other devices, or otherwise outside of their RV.
- 6) Parking is prohibited on the interior streets of the Resort.

maintained and intended to present the Resort as an integrated and aesthetically pleasing location within the picturesque Verde Valley.

Planned Future Uses and Improvements

Approximately one-acre of the developable land associated with the Resort within Parcel 404-17-030A remains undeveloped. This land is situated across the wash directly northwest of the Resort. A water line has been extended to this part of the property as a precursor to building out the remaining 23 RV sites under the originally permitted 181 sites. The Nation has not yet decided when to build out these remaining sites. As an alternative development plan, the Nation and the Resort are considering a number of options for developing the one-acre site, including the following possibilities: (1) construction of a storage facility wherein individual storage units can be rented to the public and/or as a site for RV seasonal storage; (2) construction of an array of solar panels to augment the electrical supply needs of the RV Resort; (3) Development of a new multi-purpose building to accommodate group activities and meetings that are in addition to or are overflow of activities occurring in the central administrative building; and (4) installation of a number of park model units to serve as individual overnight rental accommodations or as overflow accommodations for our RV guest requiring additional space for their guest. The Nation would like to include these alternative development plans for the one-acre as permitted uses under the new Use Permit, along with the continuing option of building out the remaining 23 RV sites.

Aside from future development of the one acre site just mentioned, there are several other improvements that should be included in the permitted uses. First, the Resort intends to build up to five (5) covered Ramadas to be located throughout the Resort (exact locations to be determined), each of which will be equipped with one or two propane grills and a number of picnic tables. The Ramada areas will provide a gathering place for our guests to hold cookouts or other functions and will provide shade from the sun and cover from the rain. The Resort intends to build a restroom/shower on one of the vacant pads located between RV sites 143-146 or 123-125. This will provide our guest with the convenience of a restroom/shower located outside of the main administrative building. The remaining vacant pad will be made into a shuffle board area or some other kind of outdoor recreation area. The resort also intends to add a dog bath area for use by our guest who own dogs. Finally, the existing pool and hot tub area on the south side of the administrative building has an existing open shower (not enclosed and open to the elements). Depending on budgets and feasibility, the Resort may convert this shower to an enclosed facility with keyed access for our guest on a 24-hour basis.

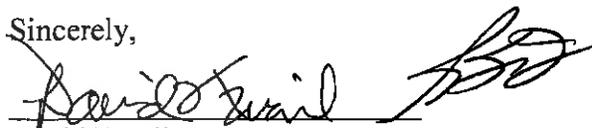
Conclusion

The Yavapai-Apache Nation wishes to continue its operation of the Distant Drums RV Resort as a wholly owned Subordinate Economic Organization of the Nation. In furtherance of this objective, the Nation has submitted an application to the Town of Camp Verde for the approval and issuance of a Use Permit for the Resort in perpetuity. The Resort currently operates under a Use Permit issued by the Town in 2002 and the proposed uses for the Resort under the application for a new Use Permit do not vary substantially from the uses permitted under the 2002 Permit.

Camp Verde for the approval and issuance of a Use Permit for the Resort in perpetuity. The Resort currently operates under a Use Permit issued by the Town in 2002 and the proposed uses for the Resort under the application for a new Use Permit do not vary substantially from the uses permitted under the 2002 Permit.

The review of the Nation's application by the Town of Camp Verde and its favorable action in approving the proposed permit are greatly appreciated. As always, the Yavapai-Apache Nation values its relationship with the Town of Camp Verde.

Sincerely,

A handwritten signature in black ink, appearing to read "David Kwail", written over a horizontal line. To the right of the signature is a large, stylized flourish or scribble.

David Kwail
Chairman, Yavapai-Apache Nation

Distant Drums RV Resort – Use Permit Application

Directions to the Distant Drums Property

**Directions from Camp Verde Town Hall to Distant Drums RV Resort at 583 W. Middle Verde Road, Camp Verde, AZ -
Approximately 3.5 miles total distance**

- 1) Head north on South Main Street toward Montezuma Castle Highway**
- 2) Make a slight Right turn at Pecan Lane and down the hill onto S. Montezuma Castle Highway**
- 3) Continue northwest on S. Montezuma Castle Highway about 2.5 miles**
- 4) Continue on straight as Montezuma Castle Highway turns into W. Middle Verde Road at the stop sign**
- 5) At the two traffic circles, continue through both circles straight on W. Middle Verde Road**
- 6) After crossing the I-17 bridge turn at the first left and enter Distant Drums RV Resort**

Affidavit

I Rachel Hood / Yavapai-Apache Nation owner of parcel 404-17-030 E have notified my neighbors within 300' of my residence, by sending letters on February 4 to notify them of the neighborhood meeting that I conducted on the 13 day of February 2013.

I posted my property with meeting date and time on the 6 day of February 2013

I Rachel Hood / Yavapai-Apache Nation owner of parcel 404-17-030 E, PM ~~404-17-030 E~~ have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 13 day of February 2013

Summary

Statement:

No Attendance

If Summary statement is too long, attach a copy.

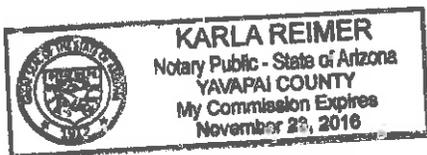
State of Arizona}

County of Yavapai}

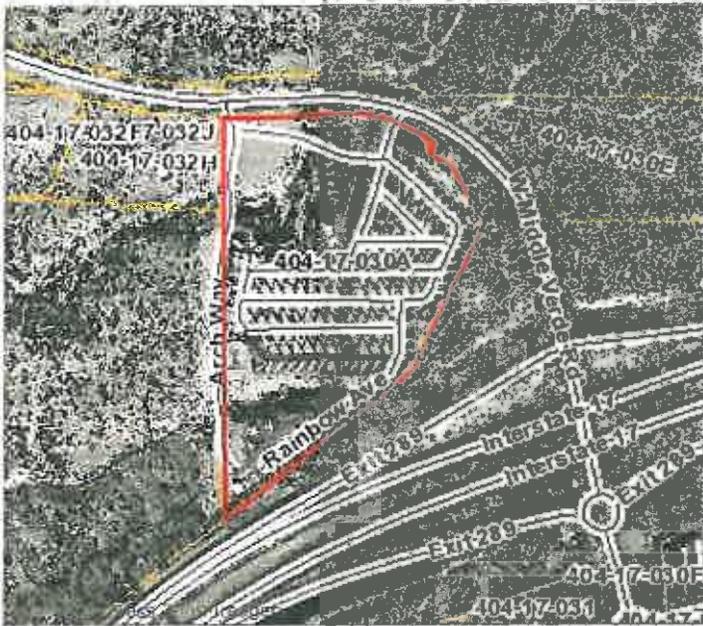
[Signature]
Signature of Document Signer No. 1

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 27th day of February 2013.



Karla Reimer
Signature of Notary



Parcel ID 404-17-030A
Check Digit 3
Owner YAVAPAI APACHE NATION
Owner's Mailing Address 2400 W DATSI ST, CAMP VERDE, AZ 86322
Secondary Owner N/A
Recorded Date 2002-08-28
Last Transfer Doc Docket 3953
Last Transfer Doc Page 507
Physical Address 583 W Middle Verde Rd
Incorporated Area Town of Camp Verde

Assessor Acres 16.78
School District Camp Verde Unified SD #28
Subdivision (Recorded Docs) Rainbows American Dream Park
Subdivision Type M
Fire District Camp Verde FD
County Zoning Violation No Zoning Violation

Improvements (4)
Type: Storage Warehouse
Floor area: 576
Effective/constructed: 2003

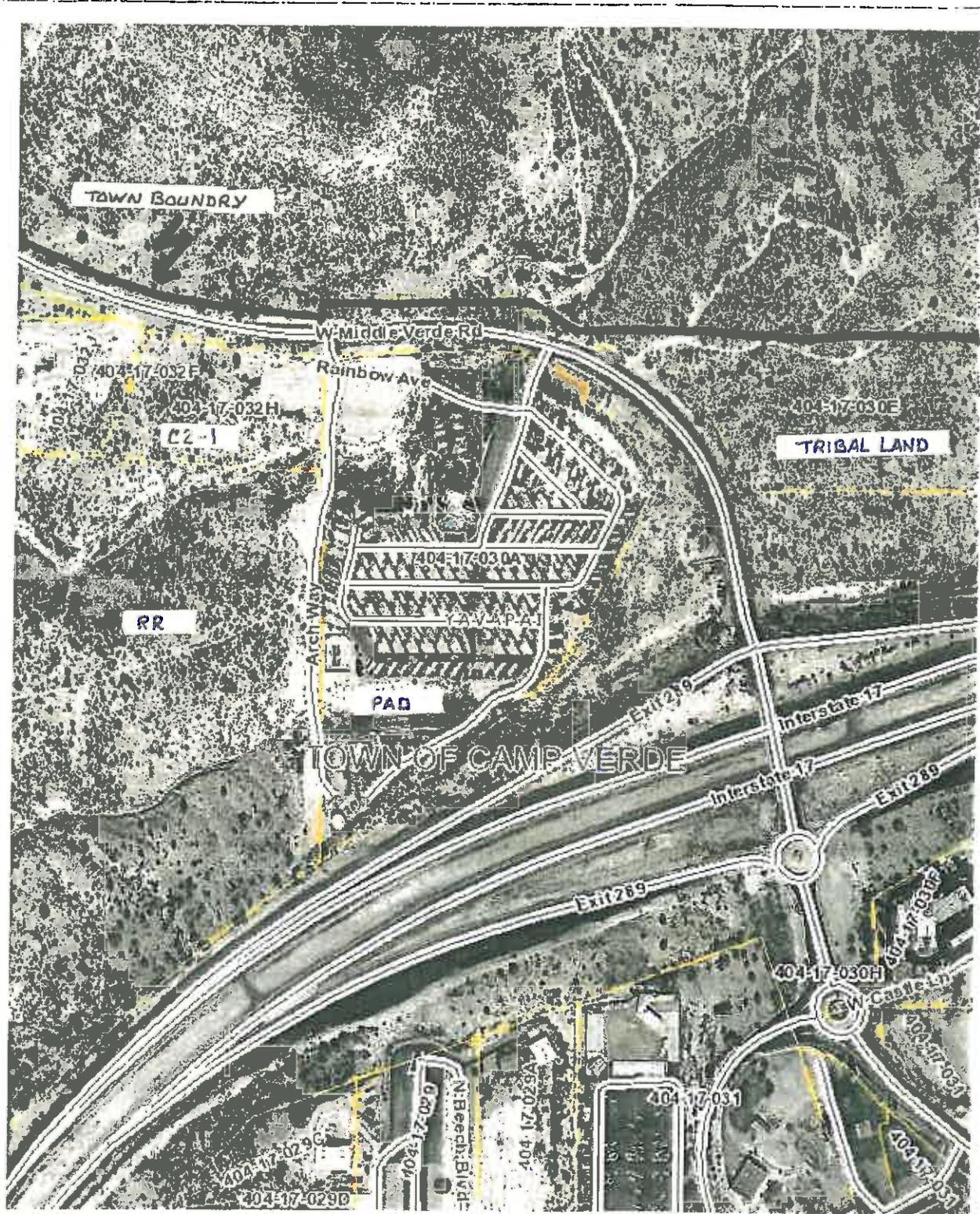
Type: Clubhouse
Floor area: 8409
Effective/constructed: 2002

Type: Recreational Vehicle Parks
Floor area: 158
Effective/constructed: 2002

Type: Commercial Yard Improvements
Floor area: 1
Effective/constructed: 2002

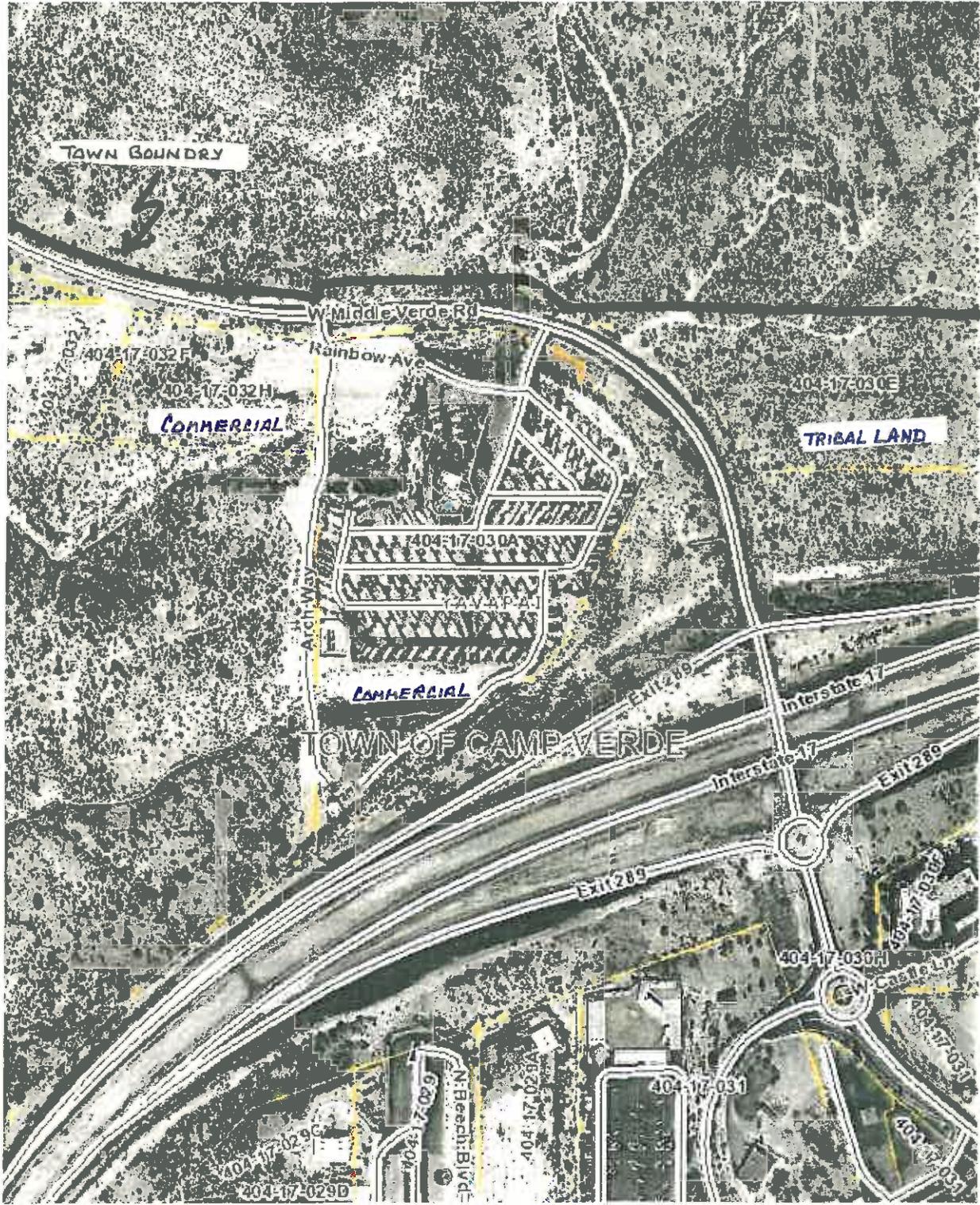
Assessment	
2014 Full Cash Value	2013 Full Cash Value
\$1,170,359	\$2,153,242
2014 Limited Value	2013 Limited Value
\$1,170,359	\$2,153,242
2014 Assessment Ratio	2013 Assessment Ratio
18.4	19
2014 Legal Class	2013 Legal Class
Mixed	Mixed
2014 Net Assessed Full Cash Value	2013 Net Assessed Full Cash Value
\$215,830	\$408,444
2014 Net Assessed Limited Value	2013 Net Assessed Limited Value
\$215,830	\$408,444

Zoning Map



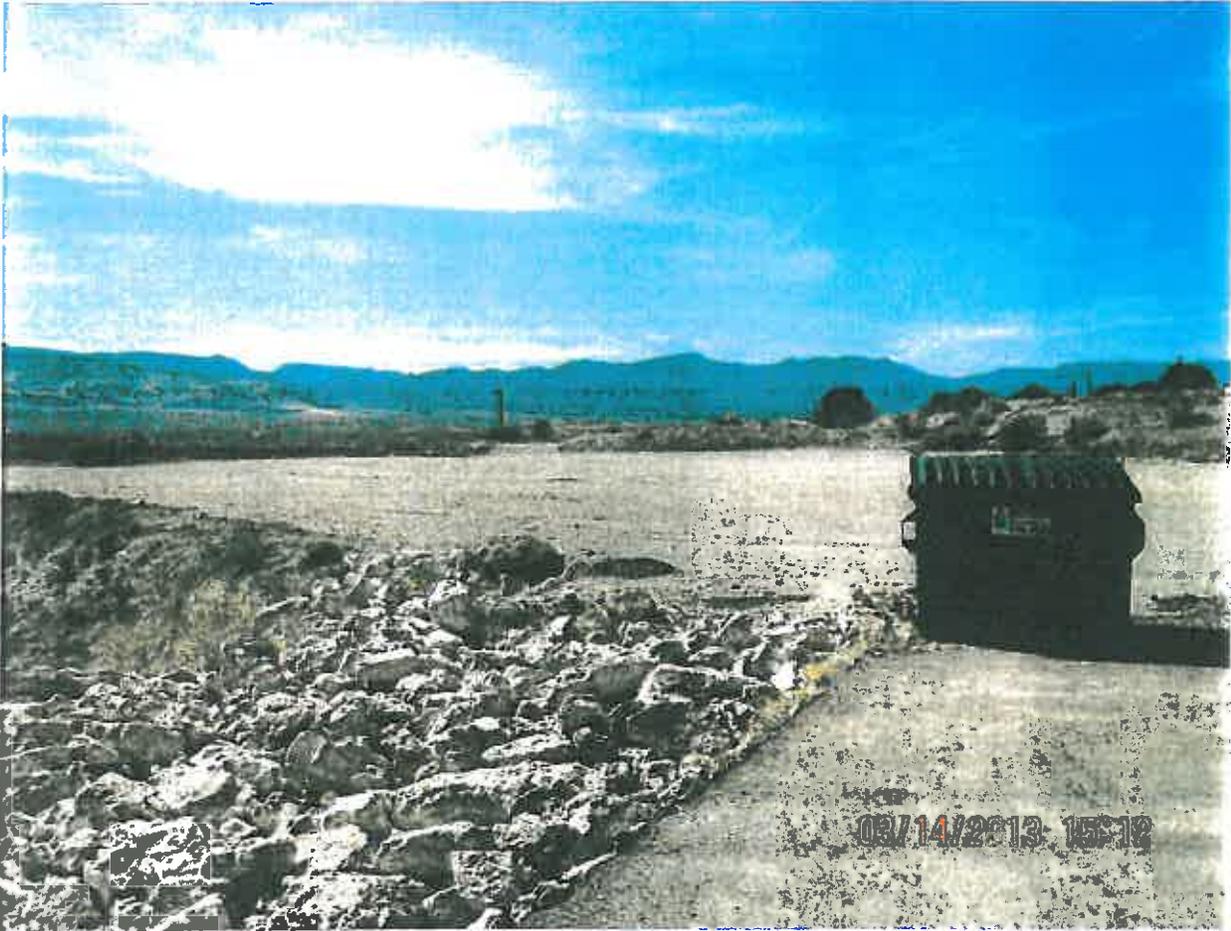
Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Land Use Map

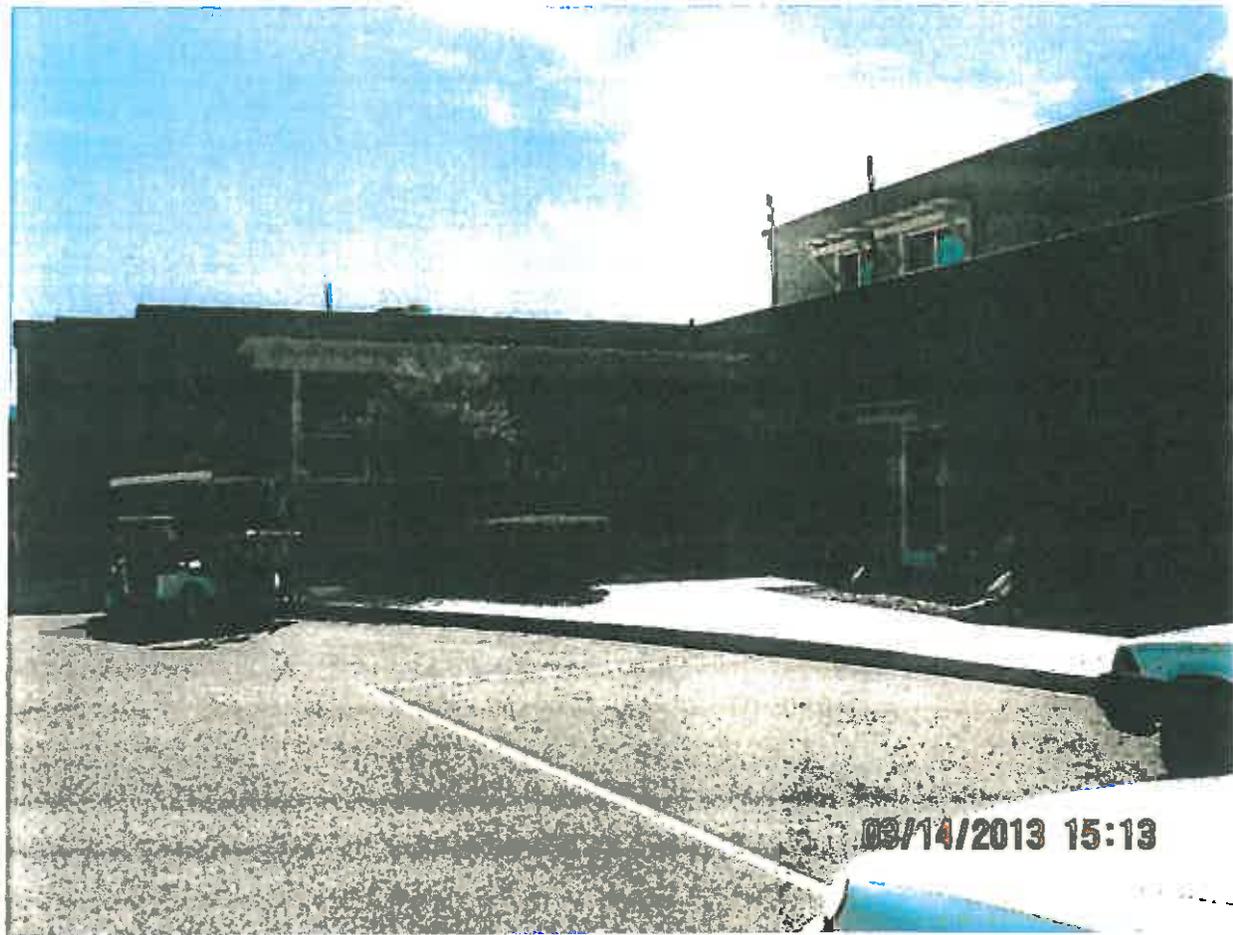


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One Acre Northwest Portion of the Property



Office/Administration Building



Typical RV Spaces (1)



Typical RV Spaces (2)

