

**AGENDA**  
**Special Session**  
**THE PLANNING AND ZONING COMMISSION**  
**TOWN OF CAMP VERDE 473 S. MAIN STREET**  
**CAMP VERDE, AZ. 86322**  
**COUNCIL CHAMBERS STE. 106**  
**THURSDAY JULY 02, 2015**  
**6:30 PM**

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

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 Commission so requests.
  - a. **Approval of Minutes:**  
No minutes for approval
  - b. **Set Next Meeting, Date and Time:**  
As Needed
5. **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.)*
6. **Public Hearing, Discussion and Possible Recommendation for approval (or denial) to Council on Zoning Map Change 20150170, an application submitted by Chester – Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1L-175 (Residential: single-family limited) to PUD (Planned Unit Development). The property is located at 30 E. State Route 260.**

**1. Staff Presentation**

2. **Declare PUBLIC HEARING OPEN**  
Call for APPLICANT'S STATEMENT  
Call for COMMENT FROM OTHER PERSONS (either in favor or against)  
Call for APPLICANT'S REBUTTAL (if appropriate)
3. **Declare PUBLIC HEARING CLOSED**  
Call for Commission DISCUSSION (may ask questions of applicant)  
Call for STAFFCOMMENTS  
Call for MOTION  
Call for DISCUSSION OF MOTION  
Call for QUESTION  
ANNOUNCE ACTION TAKEN with Findings of Fact

**There will be no Public input on the following items:**

7. **Commission Informational Reports:** Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities.  
*The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.*
8. **Staff Comments**
9. **Adjournment**

**Please note:** The Planning and Zoning Staff makes every attempt to provide a complete agenda packet for public review. However, it is not always possible to include all information in the packet. You are encouraged to check with The Community Development Department prior to a meeting for copies of supporting documentation, if any that were unavailable at the time agenda packets were prepared.

Posted by: J. Smith Date/Time: 6-25-15 3:00PM

*Note: Pursuant to A.R.S. §38-431.03A.2 and A.3, the Planning & Zoning Commission 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.



**Agenda Item Submission Form - Section I**

**Meeting Date: July 2, 2015**

**Planning & Zoning Commission**

Consent Agenda       Decision Agenda       Executive Session Requested

Presentation Only       Action/Presentation

**Requesting Department:** Community Development

**Staff Resource/Contact Person:** Michael Jenkins, Community Development Director

**Agenda Title (be exact):** Public Hearing, Discussion and possible Recommendation for approval (or Denial) to Council on Zoning Map Change 20150170, an application submitted by Chester – Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1L-175 (Residential: single family limited) to PUD (Planned Unit Development). The property is located at 30 E. State Route 260.

**List Attached Documents:** Application, Directions to Property, Letter of Intent, Neighborhood meeting affidavit, Letter of Support, Exhibit "A" (Site Plan), Exhibit "B" (Flood Map), Exhibit "C" (Consent to Conditions/Waiver for Diminution of Value), Land Use Map & Zoning Map of Adjacent Properties, copy of Section 203, Item L (Planned Unit Development) from the Planning & Zoning Ordinance.

**Estimated Presentation Time:** 15 minutes

**Estimated Discussion Time:** 30 minutes

**Reviews Completed by:** Michael Jenkins, Community Development Director

Department Head:       Town Attorney Comments:

Building Official

**Background Information:** Over the years, the subject property has been used for several things such as Residential Housing, Charter School, a Park and back to Residential. The Town had leased the East side of the subject property as a Park which was called the Sunnyside Park. The Charter School's name was the Chester – Newton Montessori School.

Currently, the subject parcel (404-02-005C) exists as a single parcel which was created from a parcel combination of parcels 404-02-05B & 404-02-97B. Both parcels were in the R1L Zoning District with a density of 35 on the West parcel and a density of 175 on the East Parcel. On sheet 1 of 2 of Exhibit "A" (Site Plan) Drawings, a note is provided showing the "Old Record Lot Line". This is the division line between the previous East and West Parcels.

Proposal as meeting requirements of the Current General Plan:

The previous East parcel is shown as Open Space and the previous West Parcel is shown as Rural Residential on the current General Plan Land Use Map. Per the requested zone change to a PUD District, the area of the East parcel would remain as open space and the area of the West Parcel would have an existing density of one dwelling per 2.47 Acres, which is less dense by one half dwelling unit per acre density than the current Land Use Map recommends. The proposed Land Uses per this PUD District Zoning Map Change meet the requirements and recommendations of the current Town of Camp Verde General Plan.

This is the first Planned Unit Development that has been processed since the re-write of the Planning & Zoning Ordinance in 2011. Provided below is a cursory review of the requirements and the intent with interpretive comments from the Director for the PUD District: *Note: All interpretive comments will be in italicized text.*

Per Section 203 (USE DISTRICTS), Item L.2 (PUD) Planned Unit Development, the following "PURPOSE" is provided:

- "A Parcel of land planned as a single unit for residential uses rather than as an aggregate of individual lots and may also provide for various types and combinations of land uses (such as commercial centers, industrial complexes, and public or common spaces with single and multifamily housing), with increased flexibility in site regulations (such as setbacks) or land use restrictions (such as mixed residential use). The greater flexibility in locating buildings and combining residential uses make it possible to achieve economies of construction as well as preserving open space."

*A common term for what the above "Purpose" describes is "Cluster Development". Consolidating residential, commercial or industrial structures in a specific area and leaving the remaining properties for common uses such as open space and recreation.*

Also, under Item 2 (Scope) of subsection "L" it advises that; " The Planned Unit Development regulations that follow shall apply generally to the initiation and regulation of all Planned Unit Development Districts. However, each approved PUD development plan shall be specific to that particular property as approved by Town Council." (*Site Plan specific*)

Further, requirement "a", underneath "Scope" explains that: "Where there are conflicts between PUD regulations and the general zoning, subdivision or other regulations, these regulations shall apply in PUD Districts unless the Council shall find, in the particular case, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, subdivision or other regulations."

The subject parcel comes before the Commission and Council with already existing structures and uses. Not all of these existing structures meet the current dimensional requirements (Set Backs) for the R1L Zoning District.

Since the property is very large, +-12.35 Acres, and since the actual existing development on the property is consolidated to the West side of and on +- 2.07 Acres of the property, the proposed PUD District can accommodate the existing conditions as well as provide for an Open Space requirement.

Requirement "e" underneath "Scope" explains that an Open Space dedication of 25% of a Development Project is preferred. The actual Open Space provided is 12.35 Acres – 2.07 Acres = +-10.28 Acres Open Space provided.

10.28 Acres = 83% of the total Development. Well over the preferred 25%.

The West end of the subject parcel 404-02-005C is primarily in the flood plain and is in part of the Verde River Meander Land. (See Exhibit "B") showing only a small portion of the West end of the property out of the flood plain and the major portion of the East end of the property in either the flood way or the flood plain. The flood way areas are particularly difficult and expensive to develop due to flood plain regulations such as engineering studies showing that there is no equivalent blockage to flood stage flows. This then makes properties such as these ideal for the P.U.D. District provisions by preferring 25% of the total development area to be designated as Open Space which includes for uses such as Recreation and Agriculture & Cultivation. These uses are being proposed for this Zone Change request.

**The following has been completed by the applicant and staff:**

- The applicant mailed out letters to the neighboring property owners within 300' of the subject property and invited them to a meeting to express concerns and comments. (Questions and comments included in packet.)
- The meeting was held on June 1<sup>st</sup>, 2015 at the subject property located at 30 State Route 260 from 6:00 pm until 6:45 pm. There was one neighbor in attendance.
- Community Development received one (1) letter of support due to the need of rental properties in Camp Verde.
- Staff mailed out 10 letters to properties within 300' of the subject parcel on June 11, 2015. This letter advised the neighbors of the Planning & Zoning Commission and Town Council meeting times and dates.
- Letter of support included in packet.

**Agencies were notified and the responses are as follows:**

- **Town of Camp Verde Building Official:** The Building Division has no comments or concerns on the zoning change. However, prior to any of the structures being used as rental units or single family residences, building permits will need to be issued for each building. They will need to be changed from and E (Educational) Occupancy and Use to an R-3 (Residential) Occupancy and Use and meet requirements of Life, Safety and Health under the 2012 International Residential Code and the 2012 International Existing Building Code.

- **Town of Camp Verde Community Development Director:** The proposed zone change from R1L-35 & R1L-175 to (PUD) Planned Unit Development with a proposed density of one dwelling per 2.47 Acres and a proposed 83% of the development being dedicated as Open Space meets the recommendations of the current General Plan. Staff is in support of the proposed zone change.
- **Camp Verde Fire District:** Kristi Gagnon (Fire Marshal)  
Two things are needed: (1.) I need to know the surface of the fire apparatus access roadway and ensure that it meets our standard, and they need to put no parking signs up on the sides of the fire apparatus access roadway. (2.) I need to know the numbering or lettering system of the buildings since they will all be on the same physical address, and they need to indicate that they will provide identification of the buildings.
- **Yavapai County Flood Control:** This parcel is substantially impacted by the floodplain and floodway of the Verde River. The Revised Study of the Verde River, which will become effective October 16, 2015, could have additional impacts on existing structures. Any future structures must comply with Floodplain Guidelines.
- **Yavapai County Development Services:** The Yavapai County Development Services – Environmental Unit has no comments or concerns concerning the requested zoning map change. The subject property is currently being served by the Camp Verde Sanitary District and the Camp Verde Water Co.
- **Camp Verde Water System:** We have reviewed plans and talked to property owner. Property is served by a 5/8" x 3/4" water service. There is a 2" water line to the property with approximately 100psi on it. If in the future the Customer needs additional services, we have the ability to serve.
- **Camp Verde Sanitary District – Division:** This property is located within the sewer system boundaries. All structures on the property are currently connected to the sewer system. The sewer department is only responsible for the sewer lines up to the property line. The property owner is responsible for all lines on his property. It is the property owner's responsibility to know where all of the lines are before doing any construction work or digging. The Sewer Department Manager (Jan Grogan) has no conflicts with the application. A new fixture count will need to be done after the remodeling is completed.

**Recommended Motion:** A motion to recommend to Council, for approval or denial, Zoning Map Change 2015-170, an application submitted by Chester – Campbell, LLC, Betty Chester & Dowling Campbell owners of parcel 404-02-005C, which is 12.35 acres. The property owner is requesting to go from a zoning of R1L-35 & R1L-175 (Residential: single family limited) to PUD (Planned Unit Development). The property is located at 30 E. State Route 260.

NEW PARCEL NO. 404-02-005C  
ZONING EXISTING: RIL-175  
FRONT  $\rightarrow$  RIL-35



**ORDINANCE**

2015 A410

PROJECT# 20150170

CASE# 15-22

# Land Use Application Form

**1. Application is made for:**

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

2. Project Name: Sunnyside Farm

3. Contact information: (a list of additional contacts may be attached) Please print or type legibly

Owner Name: Chester Campbell LLC Applicant Name: Betty J. Chester

Address: 30 HWY 260 E Address: 126 Salt Mine Rd.

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

Phone: 928-300-1077 Phone: 928-567-7137

E-mail: \_\_\_\_\_ E-Mail: dowlingcampbell@nav.edu

4. Property Description:

Address or Location: 30 HWY 260 E. PARCEL: 404-02-005C

Existing Zoning: RIL-35 Existing Use: RESIDENTIAL

RIL-175 Existing Use: RESIDENTIAL

Proposed Zoning: PUD Proposed Use: RESIDENTIAL

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

The purpose is to use existing buildings as leased or rental buildings. (housing)

This property was used for a school. Includes 5 bldgs.

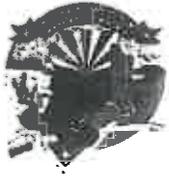
6. Certification:

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: Betty J. Chester Date: April 1, '15 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: Betty J. Chester Date: April 1, '15



## Directions to Property

Assessor's Parcel Number 404-02-005C

Applicants Name Chester Campbell LLC

Property Address 30 Hwy 260 E. Camp Verde, AZ  
86322

### Directions To Property:

Turn left from city parking lot onto Main Street.  
Turn left at stop light onto Hwy 260 E. Turn left  
at shell station onto E. Salt Mine Rd. Property is  
on right side of road.

# LETTER OF INTENT

PO Box 2166  
Camp Verde, AZ 86322

DATE: 05/12/15

SUBJ: Zoning change for our property at 30 HWY 260 E in Camp Verde

We are writing you, as a resident/property owner within the 300 foot limit of our property, asking for your approval of a zoning change we need for our property at 30 HWY 260 E. It is the area across the dirt lane, actually E. Salt Mine Road, from the Shell Station, where our charter school operated until the past year. Since the school has closed, we now need to convert some of the classroom buildings into rental properties, so we need to change our zoning to a Planned Unit Development.

We have very nice buildings and most were houses to begin with. We are not adding any buildings, or making any major changes. Just things like new flooring, revamping a kitchen area, and adding a couple of showers. There will be no visible change to the property as it has been since we have owned it for the last 18 years.

Changing from our school zoning to a Planned Unit Development will also help the traffic situation. The entrance from HWY 30 that ADOT put in when they widened the highway has always been a worry to us. Left turns into the campus from eastbound traffic are illegal and a little chancy. To be legal, you have to drive across the bridge toward Payson, turn around at Quarter Horse Lane, and come back and make a right turn. That, of course, is more than most drivers want to do. In spite of our repeated verbal and written warnings, a huge number of parents, teachers, staff, and the public in general turned left into the campus. This access point is now gated and open only on pre-arranged occasions, like propane and other occasional deliveries. Also, the number of vehicles itself and the number of people will be reduced to something like 5 % of what it had been during our school years. So traffic will be greatly reduced and much safer.

Everyone will use the East Salt Mine Rd. between the Shell station and the pump station. We plan to use the parking area behind the pump station for our renters.

Another issue is the beauty of the place. We want to keep the river and its riparian shoreline and the lower field intact. No development. We already have a small farming program in place for the lower field, which is in keeping with the Camp Verde tradition. We also want to preserve the historic house, barn, and outbuildings. They are irreplaceable. Keep the place just like it looks right now.

We have been told that there is a shortage of rental homes in our area. So this zoning change will also help fill a growing need in the town itself. *JUNE 1, 2015*

We will be having a meeting on Thursday, ~~May 21~~, at 6:00 p.m. on our property to answer any of your questions. Pull in at the Shell station and park behind the pump station. Hope you will be there. We will meet in the school office. If you have questions, please call us at 928-567-7137 or 928-300-1077. We appreciate your consideration.

Sincerely,

Betty J. Chester and Dowling G. Chester

*Betty J. Chester, Dowling G. Campbell*

# Affidavit

Betty Chester members of Chester Campbell LLC  
I Douglas Campbell owner of parcel 404-02-005C have notified my neighbors within 300' of my residence, by sending letters on May 14, '15 to notify them of the neighborhood meeting that I conducted on the 1<sup>st</sup> day of June 2015.

I posted my property with meeting date and time on the 15 day of June 2015.

Betty Chester members of Chester Campbell LLC  
I Douglas Campbell owner of parcel 404-02-0053 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 1 day of June 2015

Summary  
Statement: See attached

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If Summary statement is too long, attach a copy.

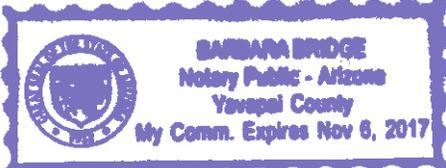
State of Arizona}  
County of Yavapai}

Betty J. Chester  
Signature of Document Signer No. 1

Douglas Campbell  
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 18<sup>th</sup> day of June 2015.

Barbara Bridge  
Signature of Notary



DATE: 6/17/15

FR: Betty Chester

BCC

RE: Minutes of neighborhood meeting

On June 1, 2015, the Chester-Campbell LLC members held a meeting for the neighborhood to answer questions about a zoning change for property at 30 HWY 260 E. in Camp Verde.

Present were Betty Chester, Dowling Campbell, Keven Chester, Marshal Miglin, and Jenna Owens. One person, Brenda Houser, attended from the neighborhood.

Ms. Hauser asked three questions—1) are any new buildings going to be built, 2) why is there a desire for the PUD type of zoning, and 3) how will highway access be worked out.

All questions were discuss and answered, with display maps and informed personnel on site. The meeting was convened at 6:00 p.m., and the representatives remained until 7:00, at which time the meeting was concluded.



February 18, 2015

To whom it may concern,

This letter is to inform you that Camp Verde Realty is seeking rental properties to accommodate our growing community. We currently send many rental seekers away due to the lack of rental property.

Bridgett Bowers

Camp Verde Realty

Property Management



EXHIBIT C

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 20150170 for parcel 404-02-005C. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 18<sup>th</sup> day of JUNE, 2015

OWNER:

OWNER:

Betty Chester  
Print Name

Douglas C. Campbell  
Print Name

Betty J. Chester  
Signature

Douglas C. Campbell  
Signature

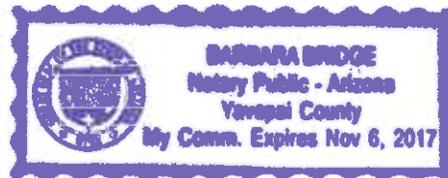
members of Chester Campbell LLC

STATE OF ARIZONA )  
County of YAVAPAI ) ss.

On this 18<sup>th</sup> day of June, 2015, before me, the undersigned Notary Public, personally appeared BARBARA BRIDGE, who acknowledged that this document was executed for the purposes therein contained.

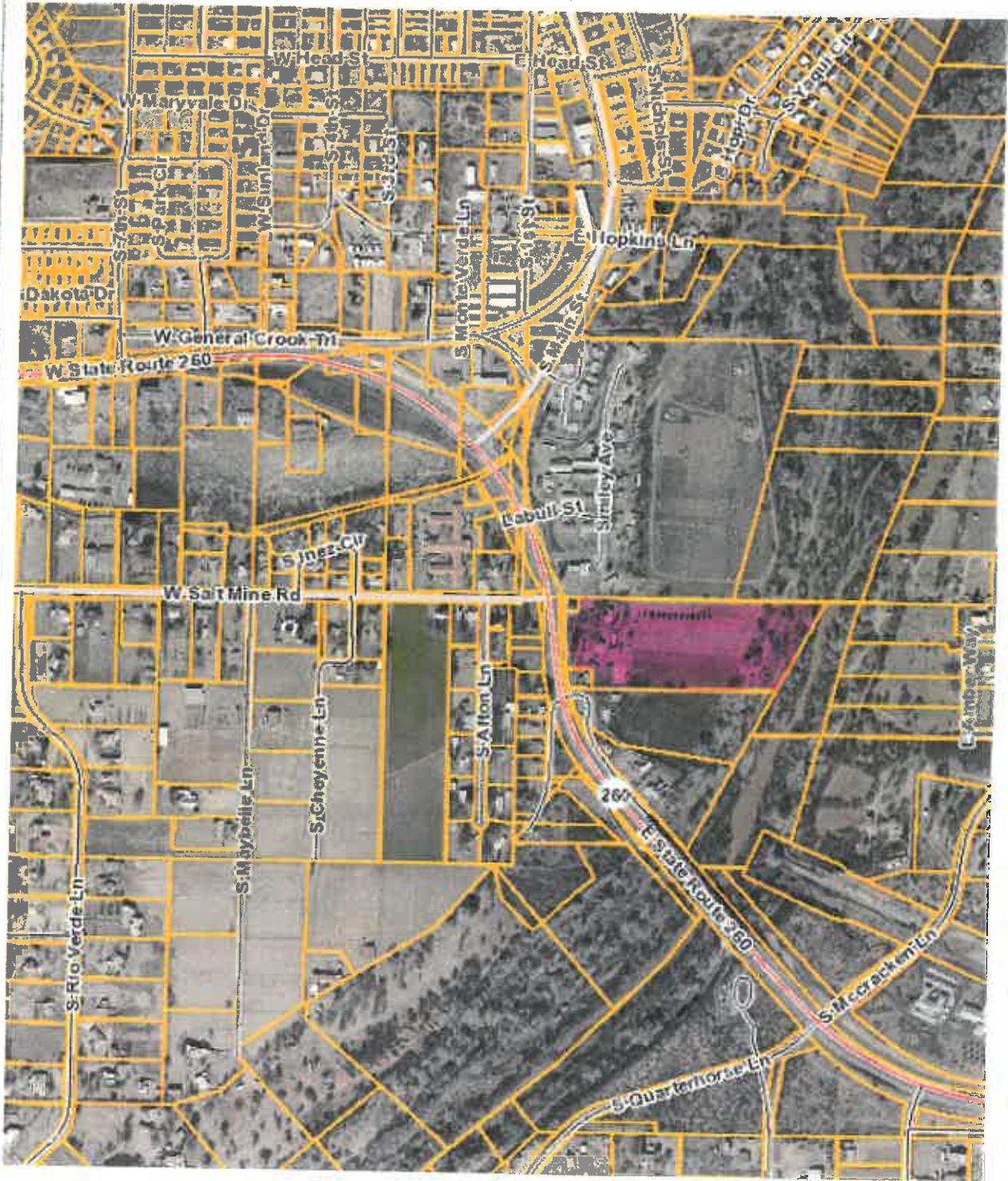
Barbara Bridge  
Notary Public

My Commission Expires: Nov. 6 2017





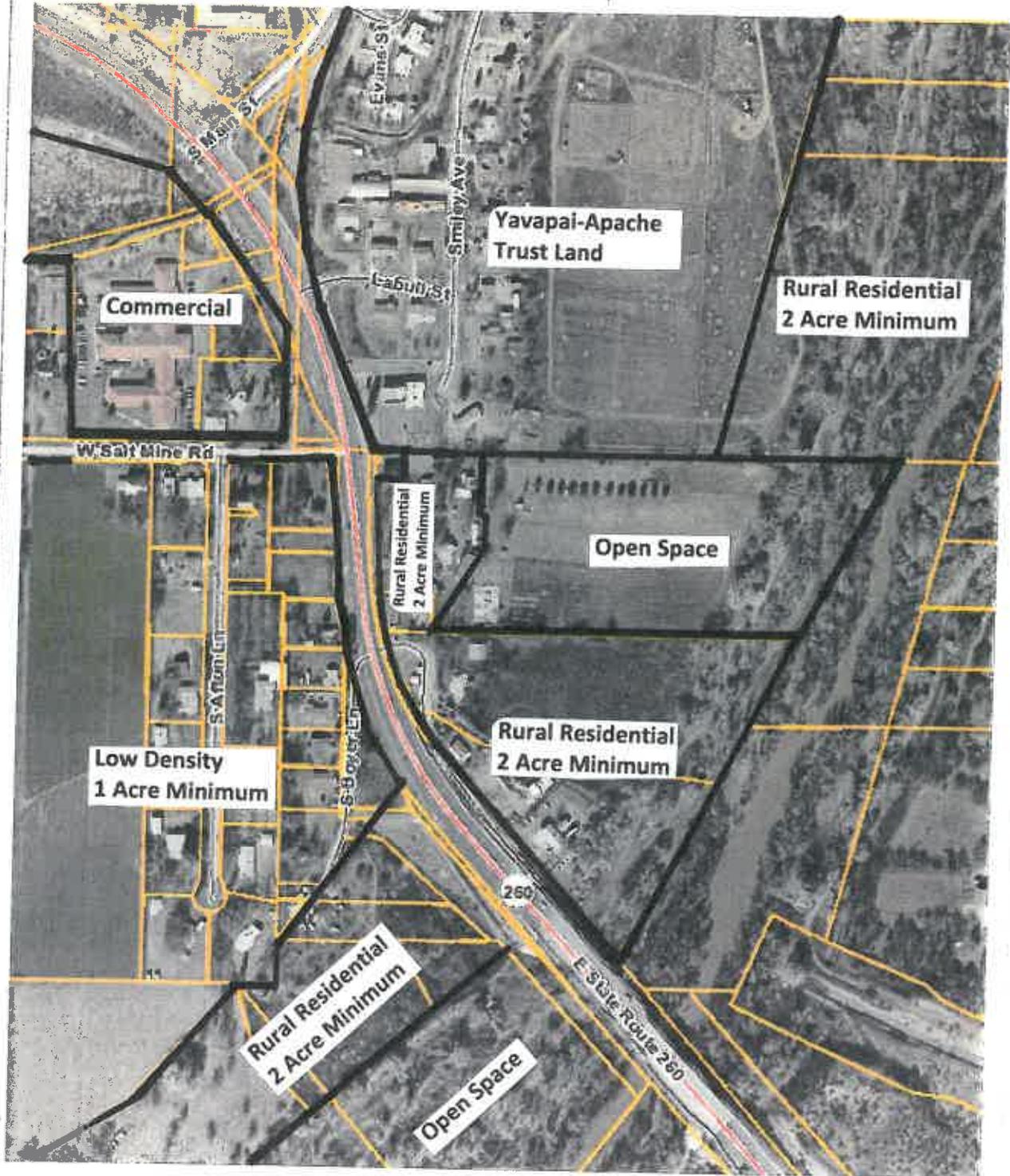
# Vicinity Map



*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.*

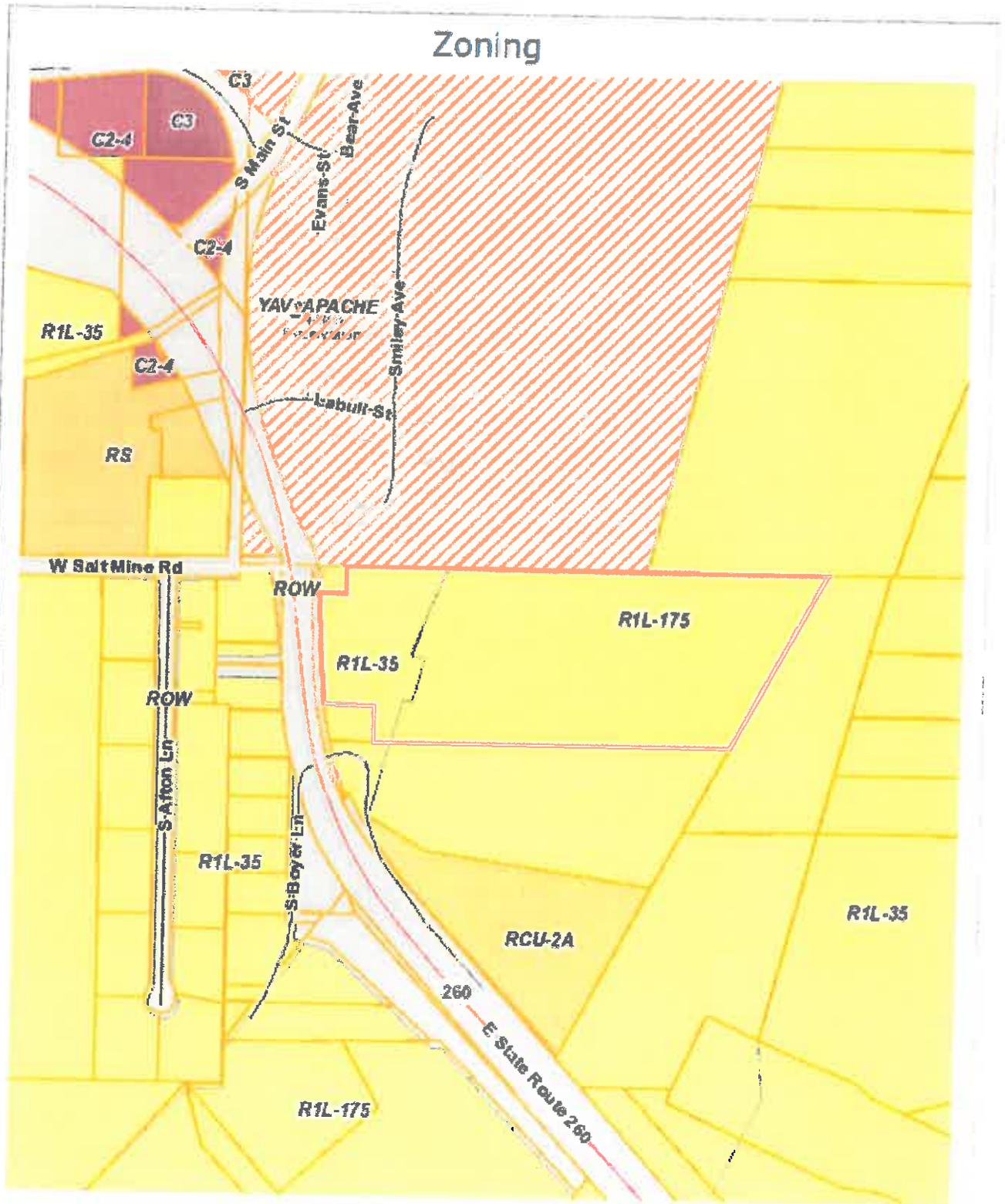
Map printed on 5/14/2015

# Land Use 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.*

Map printed on 5.14.2015



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Map printed on 5/14/2015

## L. PUD (Planned Unit Development)

The Planned Unit Development designation allows the site planner to propose the best use and arrangement of the land, with fewer constraints than those imposed by the existing zoning. Site planners can arrange buildings in any desirable manner, eliminate setbacks to save natural features, reduce the length and width of roads, cluster without side yards, and similar design adjustments.

1. Purpose: A parcel of land planned as a single unit for residential uses rather than as an aggregate of individual lots and may also provide for various types and combinations of land uses (such as commercial centers, industrial complexes, and public or common spaces with single and multifamily housing), with increased flexibility in site regulations (such as setbacks) or land use restrictions (such as mixed residential use). The greater flexibility in locating buildings and combining residential uses make it possible to achieve economies of construction as well as preserving open space.
2. Scope: The Planned Unit Development regulations that follow shall apply generally to the initiation and regulation of all Planned Unit Development Districts. However, each approved PUD development plan shall be specific to that particular property as approved by Town Council.
  - a. Where there are conflicts between P.U.D. regulations and the general zoning, subdivision or other regulations, these regulations shall apply in P.U.D. Districts unless the Council shall find, in the particular case, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, subdivision or other regulations.
  - b. Where actions, designs or solutions are not literally in accordance with applicable P.U.D. or general regulations, but the Council makes a finding in the particular case that the public purposes are satisfied to an equivalent or greater degree, the Council may make specific modification of the regulations in the particular case (other than area or off-street parking).
  - c. It is intended to permit establishment of new Planned Unit Development Districts for specialized purposes where tracts suitable in location, area, and character for the uses and structures proposed are to be planned and developed on a unified basis. Suitability of tracts for the development proposed shall be determined primarily by reference to the General Plan, but due consideration shall be given to existing and prospective character of surrounding development.
  - d. Within P.U.D. Districts, regulations adapted to such unified planning and development are intended to accomplish purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.
  - e. Open Space Dedication: open space shall be included in all developments. A dedication of open space equal to twenty-five percent (25%) of a development project is preferred.
3. Permitted Uses and Structures:

Buildings, structures, or premises within the Planned Unit Development shall be used only for the following uses:

  - a. Accessory uses and structures; such uses and structures may be located in the front one-half of a lot, provided they are not nearer the front lot line than the main building or buildings.
  - b. Clubs not operated primarily for commercial purposes.

- c. Community facilities, such as schools, parks, and playgrounds.
- d. Home occupations or cottage industries when indicated as part of the development plan or when in accordance with the provisions of Section 303.
- e. Industrial uses when designed in accordance with the provisions of the PM District requirements, Section 202-1.
- f. Manufactured home and recreational vehicle parks and subdivisions in accordance with the provisions of this Zoning Ordinance and any additional requirements the Council may deem necessary to fulfill the intent of the requirements herein.
- g. Neighborhood retail uses and other non-residential uses limited to those enumerated in the C1 and C2 districts may be specifically and selectively authorized as to type and size only when integrated by design as an essential element of the development, and only in an area proposed to be appropriately zoned for said use and approved as provided herein.
- h. Public utility installations.
- i. Single-family dwelling, two-family, multi-family; detached, semi-detached, and attached. (Manufactured, Modular or Site Built.) Mobile Homes Prohibited See Part 3 Section 306 B.2.c