RESOLUTION NO. 1822

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, APPROVING AND ADOPTING A FINAL DEVELOPMENT PLAN (FDP12-006) FOR A SUBDIVISION INVOLVING THIRTY (30) LOTS ON APPROXIMATELY SIX (6) ACRES TO BE KNOWN AS "GRANVILLE UNIT VIII" LOCATED WITHIN THE GRANVILLE PLANNED AREA DEVELOPMENT (PAD); PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SUBSECTION 13-19-060(K); PROVIDING CONDITIONS FOR SUCH APPROVAL PER SUBSECTION 13-19-060(L); AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Prescott Valley annexed by Ordinance No. 441 (dated July 9, 1998) some one thousand, two hundred sixty-eight (1,268) acres of real property located in §§3, 10, and 15, R1W, T14N, G&SRB&M; and

WHEREAS, said real property was given a zoning classification of RCU-70 at annexation, being the zoning classification most comparable to its former Yavapai County zoning classification of RCU-2A; and

WHEREAS, in August 1998 the owners of said property introduced to the Prescott Valley Planning & Zoning Commission a Development Master Plan for the property, proposing to develop three thousand, four hundred (3,400) units on one thousand, two hundred forty-three (1,243) acres; and

WHEREAS, on March 8, 1999, the Planning and Zoning Commission held a public hearing on an application to change the zoning district designation of said property from RCU-70 to R1L-10 PAD, R2 PAD and C1 PAD, and to consider a Preliminary Development Plan for the property; and

WHEREAS, at the public hearing, the Commission considered protests, support, and other public comments, including a stipulation by the project developer, worked out with adjoining property owners, which minimized the impact of the development on adjoining properties, then voted to forward the application to the Town Council with a recommendation of approval, with conditions [impliedly approving the Preliminary Development Plan per Town Code §13-19-060(E) and (F)]; and

WHEREAS, the project developer and property owners finalized negotiations with the Town towards a Development Agreement pursuant to ARS §9-500.05, and an effluent use agreement mandated by the Arizona Department of Water Resources as a condition of providing the project with a certificate of assured water supply; and

WHEREAS, on November 23, 1999, the project developer and its agent met again with property owners residing along Lone Cactus Drive, and refined the earlier stipulations which were incorporated into the conditions of approval; and

WHEREAS, by Resolution No. 931 (dated December 16, 1999), the Town Council adopted a Development Agreement and an effluent use agreement with the project developer and the property owners; and

WHEREAS, on December 16, 1999, the Council also held a public hearing to consider further public comments regarding the application for rezoning of the property; and

WHEREAS, at its regular meetings held December 16, 1999 and January 13, 2000, the Town Council approved Ordinance No. 482 adopting the requested rezoning, with conditions; and

WHEREAS, a special referendum election was held in Prescott Valley on May 16, 2000 to determine whether Ordinance No. 482 would become law, and a majority of those voting voted that it would become law; and

WHEREAS, on December 6, 2002, the Town Council adopted Resolution No. 1053 approving a Final Development Plan (Final Plat) for Granville Unit I, involving two-hundred, thirty-six (236) lots on approximately seventy-three (72.9) acres; and

WHEREAS, on August 8, 2002, the Town Council adopted Resolution No. 1107 approving a Final Development Plan (Final Plat) for Granville Unit IA, involving ninety-one (91) lots on twenty-five (25) acres; and

WHEREAS, on July 31, 2003, the Town Council adopted Resolution No. 1206 approving a Final Development Plan (Final Plat) for Granville Unit II, involving two hundred fifty (250) lots on ninety-four (94) acres; and

WHEREAS, on November 11, 2003, the Town Council adopted Resolution No. 1230 approving a Final Development Plan (Final Plat) for Granville Unit IIA, involving one hundred nineteen (119) lots on forty (40) acres; and

WHEREAS, on December 2, 2004, the Town Council adopted Resolution 1306 approving a Final Development Plan (Final Plat) for Granville Unit III, involving three hundred, thirty-nine (339) lots on ninety-four (94) acres; and

WHEREAS, on March 23, 2006, the Town Council adopted Resolution 1415 approving a Final Development Plan (Final Plat) for Granville Unit V, involving one hundred fifty six (156) lots on approximately thirty (30) acres; and

WHEREAS, on April 27, 2006, the Town Council adopted Resolution 1424 approving a Final Development Plan (Final Plat) for Granville Unit IV, involving one hundred and two (102) lots on approximately thirty three (33) acres; and

WHEREAS, on July 13, 2006, the Town Council adopted Resolution 1449 approving a Final Development Plan (Final Plat) for Granville Unit VI, involving two hundred and six (206) lots on approximately sixty-eight (68) acres; and,

WHEREAS, on June 7, 2007, the Town Council adopted Resolution 1512 approving a Final Development Plan (Final Plat) for Granville Unit VII, involving VII involving three hundred and forty four (344) lots on approximately one hundred and twenty five (125) acres; and,

WHEREAS, in December of 2012, a Final Development Plan (Final Plat) was submitted for Granville Unit VIII involving thirty (30) lots on approximately six (6) acres; and,

WHEREAS, the Town Council finds that this Final Development Plan (Final Plat) for Granville Unit VIII meets or will meet the requirements for Planned Area Developments (PAD's) under the Town Code [particularly the requirements under Town Code §§13-19-060(K) (L) and (M), 14-020-050(F), and 14-04-080] upon compliance with certain conditions set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, THAT:

1. That certain Final Development Plan (Final Plat) for Granville Unit VIII involving thirty (30) lots on approximately six (6) acres submitted in December of by Granville Development Co., Inc., is hereby approved and adopted as conditioned hereinafter.

2. Said approval is based upon the following findings and conclusions of the Mayor and Common Council:

(A) This development is consistent with the purpose and intent of the *General Plan 2020* and Zoning Code of the Town in promoting the health, safety, morals and general welfare of the public;

(B) This development appears to be designed to produce an environment of stable and desirable character and the property adjacent to this proposed development will not be adversely affected thereby, particularly with regard to property values;

(C) Every structure containing residential units in this development does appear to have adequate access to public streets; and

(D) The average density, excluding open areas occupied by streets, is the density required by the pre-existing zoning district regulation otherwise applicable to the site.

3. Pursuant to Town Code §§13-19-060(L) and 14-054-080(A), said approval is conditioned upon the following:

(A) Strict compliance by the Granville developers, their successors and assigns, with the duties and obligations under that certain Development Agreement dated December 16, 1999, between the Town of Prescott Valley and Universal Homes Inc.);

(B) Approval by the Town Engineer (or his designee) of the engineering plans for the Granville Unit VIII development, including approval as to the form and adequacy of the subdivider assurances required in Town Code §14-04-080 and otherwise (including the financial assurances).

4. The Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan (Final Plat) pursuant to Town Code §14-02-050(F)(2), (b) ensure that all other required certifications are on said Plan (Plat), (c) record the same in the Office of the Yavapai County Recorder, and (d) file the same as an official Plan of the Town in the offices of the Town Clerk and Community Development Director only upon approval by the Town Engineer of the engineering plans and subdivider assurances for the development [See Town Code §§13-19-060(O) and 14-02-050 (F) (3) & (4)].

5. The Mayor (or, in his absence, the Vice-Mayor) is hereby authorized to sign any and all agreements and other documents necessary to ensure that the Granville developers provide all needed financial and other assurances as to construction of required improvements.

6. This Resolution shall be effective after its passage and approval according to law.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 10th day of January, 2013.

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Harvey C. Skoog, Mayor

ATTEST:

_____
Diane Russell, Town Clerk

APPROVED AS TO FORM:

_____
Ivan Legler, Town Attorney