

When Recorded, Return to:
Town of Prescott Valley
P.O. Box 25456
Prescott Valley, AZ 86312

RESOLUTION NO. 1825

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 (FDP 13-003) FOR A COMMERCIAL DEVELOPMENT WITHIN THE C-2 PAD (COMMERCIAL: GENERAL SALES AND SERVICES, PLANNED AREA DEVELOPMENT) LOCATED AT 2544 STONERIDGE DRIVE; 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. 244 (November 8, 1990) approximately seven hundred sixty five (765) acres located in Sections 17, 20, 21, 22, and 28 T14N, R1W, G&SRB&M; and

WHEREAS, said property was given a zoning classification of C1-2 at annexation (which classification was comparable to its former County zoning classification of C-1); and

WHEREAS, by Ordinance No. 427 (November 6, 1997) the Town Council approved re-zoning of approximately 3.66 acres to C2 Planned Area Development (PAD); and

WHEREAS, on February 14, 2013, a Final Development Plan (FDP 13-003) was submitted for an area of approximately two (2) acres within the PAD for a Culver's Restaurant; and

WHEREAS, the Council finds that FDP 13-003 meets or will meet the requirements for commercial PADs 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, as follows:

1. That that certain Final Development Plan (Final Plat) for the proposed Culver's Restaurant, submitted on February 14, 2013 by Dianne Mayer, owner (said FDP 13-003 being attached hereto and made a part hereof), is hereby approved and adopted as conditioned hereinafter.

2. That said approval is based upon the following findings and conclusion of the Town Council:

- (A) This commercial development is consistent with the purpose and intent of the adopted General Plan and Zoning Code of the Town in promoting the health, safety, morals and general welfare of the public;
- (B) This commercial 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 does have adequate access to public streets; and
- (D) The average density, excluding open areas occupied by streets, is the density required by the underlying zoning district regulations otherwise applicable to the site.

3. That, pursuant to Town Code §§13-19-060(L), this approval is conditioned upon the following:

- (A) The access/egress point from StoneRidge Drive to the site is to be in a location no more than 80' from Copperhill Road, and use of the access/egress point may be restricted to a right-turn-only at some future time by the Town Engineer;
- (B) Improvements for curb/gutter/sidewalk along the Copper Hill Drive frontage are to be installed upon development of the undeveloped portion of APN 103-09-085D that lies between the subject development and Copper Hill Drive;
- (C) The landscaping plan included as "Exhibit A" and the signage plan included as "Exhibit B" are hereby incorporated into FDP 13-003 and made a part thereof; and
- (D) All other stipulations in Ordinance No. 427 have been met or will be met prior to the issuance of a Certificate of Occupancy and approved by appropriate Town staff.

4. That 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), and (c) file the same as an official Plan of the Town in the offices of the Town Clerk and Community Development Director [See Town Code §13-19-060(O)].

5. That 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 developers provide all needed financial and other assurances as to construction of required improvements.

6. That 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 28th day of February, 2013.

Harvey C. Skoog
Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney