

## **RESOLUTION NO. 1831**

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 (FDP13-006) FOR A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTIONS 23 AND 26 TOWNSHIP 15 NORTH RANGE 1 WEST, GILA & SALT RIVER BASE & MERIDIAN, PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SECTION 13-19-060(K); PROVIDING CONDITIONS FOR SUCH APPROVAL PER TOWN CODE SUBSECTION 13-19-060(L); AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, Upon the approval and adoption of Ordinance No. 453 on February 25, 1999 by Town Council, approximately 640 acres lying in the east half of Section 23 and Section 26, Township 15 North, Range 1 West were annexed into the Town of Prescott Valley and given a zoning classification of RCU-70, which was most comparable to its former County zoning classification of RCU-2A; and

WHEREAS, an Amended and Restated Development Agreement for Antelope Village (now known as Pronghorn Ranch) was approved and adopted by Town Council on May 11, 2000 which approved the Development Master Plan and Preliminary Development Plan, among other things; and

WHEREAS, On May 25, 2000, The Prescott Valley Town Council approved and adopted Ordinance No. 486, assigning zoning classifications of R1L-10 PAD (Residential; Single Family Limited, Planned Area Development), RS-3 PAD (Residential and Services; Planned Area Development), PL PAD (Public Lands, Planned Area Development), and C2 PAD (Commercial; General Sales and Services, Planned Area Development) to the subject property; and

WHEREAS, Said development agreement requires the Developer to obtain all permits, inspections, and approvals required by Town Code; and

WHEREAS, the use proposed herein meets the definition of Model Home Complex as set forth in Town Code Chapter 13-02;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, as follows:

SECTION 1. That the Final Development Plan (Final Plat) submitted in April of 2013 for Mandalay Homes Pronghorn Ranch Model Homes by Jim Reed, Agent for Mandalay Homes, encompassing lots 61, 62, and 63, of Unit IIA of the Pronghorn Ranch Master Planned community (said Plan being attached hereto and made a part hereof), is hereby approved and adopted as conditioned hereinafter.

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

- (A) That that certain Final Development Plan for the proposed Mandalay Homes at Pronghorn Ranch Model Homes complex (said Plan being attached hereto and made a part hereof), is hereby approved and adopted as conditioned hereinafter, and this development is consistent with the purpose and intent of the adopted *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 has 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.

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

- (A) Substantial conformance with all applicable Town Code and adopted building codes.

SECTION 4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan pursuant to Town Code Section 14-02-055 (F) (2), (b) ensure that all other required certifications are on said Plan, and (c) file the same as an official Plan of the Town in the offices of the Town Clerk and Community Development Department Director [See Town Code Section 13-29-060 (O)].

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

SECTION 6. That this Resolution shall be effective after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 9<sup>th</sup> day of May, 2013.

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HARVEY C. SKOOG, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney