

RESOLUTION NO. 1842

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 (FDP13-007) FOR DEVELOPMENT OF A FIVE THOUSAND AND SEVENTY (5,070) SQUARE FOOT OFFICE BUILDING FOR ARIZONA DEPARTMENT OF ECONOMIC SECURITY LOCATED ON AN EIGHT (8) ACRE SITE WITHIN THE PLANNED AREA DEVELOPMENT (PAD) GENERALLY LOCATED WEST SIDE OF BOB DRIVE, SOUTH OF YAVAPAI ROAD; 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, on January 26, 2006 the Town Council adopted a Minor Amendment to the *General Plan 2020* to change the designation of an approximately seven (7) acre parcel being that portion of Prescott Valley Unit 13, Tract "A" located on the west side of Bob Drive, from "Open Space" to "Public/Quasi-Public"; and the Amendment is otherwise consistent with the Vision, Guiding Principles, Goals and Policies of the *General Plan 2020*; and

WHEREAS, on December 22, 2005 Peter Burgois, agent, for Prevent Child Abuse Arizona (PCAA) applied for a Zoning Map Change (ZMC 05-013) from R2-3 (Residential; Multiple Dwelling Units) and PL (Public Lands) to PL-PAD (Public Lands – Planned Area Development) on approximately seven (7) acres generally located on Bob Drive, south of Yavapai Drive, west of Greg Drive; and

WHEREAS, on November 6, 2006 the Prescott Valley Planning and Zoning Commission held a public hearing on said request (ZMC 05-013) and recommended approval (subject to conditions) in that the request was consistent with the *General Plan 2020*; and

WHEREAS, the Town Council approved rezoning request ZMC 05-013 at its regular meetings held December 7, 2006 and January 11, 2007, and determined that such re-zoning (as conditioned) would be beneficial to the community and in conformity with the Prescott Valley *General Plan 2020*; and

WHEREAS, in July of 2008 Peter Burgois, agent for PCAA, submitted a Final Development Plan (FDP 08-011) for development of a sixty-eight thousand, eight hundred ninety (68,890) square foot office complex for various community service agencies, located on a eight (8) acre site west side of Bob Drive, south of Yavapai Road; and

WHEREAS, on July 24, 2008, FDP 08-011 was approved by Resolution No. 1593; and

WHEREAS, in June of 2013 Chris Browning, agent for Browning Family Trust, submitted a proposed Final Development Plan (FDP 13-007) for Phase II of the Arizona Department of Economic Security (ADES) facilities on the site; and

WHEREAS, the Town Council finds that this FDP for development of a five thousand and seventy (5,070) square foot building and associated parking for Phase II ADES offices on the site 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 (FDP13-007) submitted in June of 2013 by Chris Browning, agent for Browning Family Trust, for development of a five thousand and seventy (5,070) square foot building and associated parking for Phase II ADES offices on the site (said Plan being attached hereto as Exhibit "A" 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 site shall be developed in accordance with all Town Code requirements and more particularly all applicable Site Development Standards of Article 13-26.
4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan (Site Plan) 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 27th day of June, 2013.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

EXHIBIT "A"
Final Development Plan FDP 13-007