

RESOLUTION NO. 1874

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 (FDP14-001) AND FINAL CONDOMINIUM PLAT FOR THE CREATION OF EIGHT (8) CONDOMINIUM UNITS AND A COMMON AREA WITHIN AN EXISTING MEDICAL BUILDING COMPLEX LOCATED APPROXIMATELY FOUR HUNDRED (400) FEET NORTH OF FLORENTINE ROAD AND BOUNDED ON THE EAST BY WINDSONG 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. 287, dated November 12, 1992, certain described real property located in Section 14 R1W, T14N, G&SRB&M; and

WHEREAS, Ordinance No. 287 gave the property annexed in 1992 a zoning classification of RS; and

WHEREAS, on February 1, 2002, an application was submitted by Otwell Associates, Agent, requesting the re-zoning of a two (2) acre site located on the west side of Windsong Drive 400 feet north of Florentine Road, from RS to RS-PAD to allow for flexibility in site development in conjunction with approval of a Final Development Plan per the provisions of Town Code §13-19-060; and

WHEREAS, the Prescott Valley Planning and Zoning Commission held a public hearing on said application at its regular meeting on March 11, 2002, and voted to forward the application to the Town Council with a recommendation of approval (with conditions); and

WHEREAS, at its regular meetings held November 7, 2002 and November 21, 2002, the Town Council considered the proposed re-zoning and voted to approve the same by Ordinance No. 536; and

WHEREAS, Ordinance No. 536 gave the property a zoning classification of RS-PAD (Planned Area Development); and

WHEREAS, on or about July 18, 2005, Windsong Medical Park, L.L.C., Owner, submitted a Final Development Plan proposing the development of a twelve thousand, four hundred eighty-four (12,484) square foot medical office on an approximately 2 acre parcel within the Planned Area Development; and

WHEREAS, on August 11, 2005, the Town Council adopted and approved Resolution No. 1373 for a Final Development Plan (FDP05-017) for development of the medical office; and

WHEREAS, on November 18, 2013, Windsong Medical Park, LLC, applied for a Preliminary Development Plan, PDP13-005, for creation of eight (8) condominium units and a common area within the existing medical building complex, comprising 17,750 total exterior square feet at 3200 N. Windsong Drive; and

WHEREAS, on March 10, 2014, the Planning and Zoning Commission held a public hearing on PDP13-005 and approved the same (subject to conditions) in that the request was consistent with the *General Plan 2025*; and

WHEREAS, on March 28, 2014, Windsong Medical Park L.L.C., applied for a Final Development Plan and Condominium Plat, FDP14-001 which created 8 condominium units and a common area within the existing medical building complex, comprising of 17,750 total exterior square feet of office area, and amended FDP05-017 to increase the leaseable square footage by 416 square feet as required by Town Code §13-19-080(1)(b)(1); and

WHEREAS, the Town Council finds that FDP14-001 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 certain Final Development Plan and Condominium Plat FDP14-001 submitted by Windsong Medical Park L.L.C., on March 28, 2014, for creation of 8 condominium units and a common area within an existing medical building complex, comprising 17,750 total exterior square feet and amending FDP05-017 to increase the leaseable square footage by 416 square feet per Town Code §13-19-080(1)(b)(1) (said Plan 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 conclusions of the Town Council:

- (A) This commercial development is consistent with the purpose and intent of the adopted *General Plan 2025* 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) Recording of a master declaration in conjunction with an approved Plat.

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 Staff [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 10th day of April, 2014.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney