

ORDINANCE NO. 798

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC14-005) BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 9,200 SF PARCEL LOCATED ON THE WEST SIDE OF TAPADERO DRIVE, 100-FEET NORTH OF PRESCOTT COUNTY CLUB BLVD, FROM R2-PAD (RESIDENTIAL: MULTIPLE DWELLING UNITS-PLANNED AREA DEVELOPMENT) TO C2-PAD (COMMERCIAL; GENERAL SALES AND SERVICES-PLANNED AREA DEVELOPMENT) ZONING; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on Feb 13, 2014, the Town of Prescott Valley annexed by Ord No. 787 approximately 135 acres located in the Prescott County Club that included property in the Tapadero Wastewater Improvement District and adjacent portions of the golf course operated by Prescott Golf & Country Club; and

WHEREAS, in accordance with Arizona Revised Statutes, Ord No. 787 gave the annexed property zoning classifications of R2-PAD and C2-PAD (being the Town classifications most similar to those Yavapai County classifications which existed on the property at the time of annexation); and

WHEREAS, on Sep 9, 2014, an application was submitted by Desert Development & Design (Agent) for a Zoning Map Change (ZMC14-005) from R2-PAD (Residential: Multiple Dwelling Units-Planned Area Development) to C2-PAD (Commercial; General Sales and Services-Planned Area Development) (in addition to a related Minor General Plan Amendment) for a 9,200 SF parcel on the west side of Tapadero Drive, 100' north of Prescott County Club Blvd (Exhibit "A" attached hereto and expressly made a part hereof) for the purpose of allowing construction thereon of a parking facility for private golf carts (and leasing spaces therein to persons other than the facility owner); and

WHEREAS, the Prescott Valley Planning and Zoning Commission held public hearings on said Minor General Plan Amendment (GPA14-005) and re-zoning application (ZMC14-005) at its regular meeting on Oct 13, 2014, and recommended approval of each (subject to conditions) to the Town Council; and

WHEREAS, the Town Council has previously held a public hearing to consider GPA14-005; and

WHEREAS, the Council has now held a public hearing on Nov 6, 2014, and has then considered this Ordinance on Nov 6, 2014 and Nov 20, 2014, and has determined that re-zoning ZMC14-005 (as conditioned) will be beneficial to the community and is in conformity with the Prescott Valley *General Plan 2025*; and

WHEREAS, the Town Council finds that the procedures required by ARS §§9-462.03 and 9-462.04 (and by Article 13-30 of the Prescott Valley Town Code) have been complied with in connection with this zoning action;

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

SECTION 1. That the Zoning Map of the Town of Prescott Valley be hereby amended from R2-PAD to C2-PAD zoning for the following-described real property:

An approximately 9,200 SF parcel located on the west side of Tapadero Drive, 100' north of Prescott County Club Blvd (as described in Exhibit "A").

SECTION 2. That this amendment is hereby expressly conditioned as follows:

1. Approval of a Final Development Plan that includes the new golf cart storage accessory use.
2. Approval of a Reversionary Plat to split out the subject 50-feet of Parcel 1 and then join the remainder of Parcel 1 with adjacent Parcel 2 (or, alternatively, approval of a Reversionary Plat which creates 2 parcels of at least 100ft in width from the total frontage of Parcels 1 and 2, Fairway Patio Home Subdivision).
3. The property shall only be used for Golf Cart Storage as an accessory use to the Prescott Golf and Country Club.

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from C2-PAD back to the original designations of R2-PAD in accordance with the procedures set forth in ARS §9-462.01(E).

SECTION 3. That this Ordinance shall be effective 30 days 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 20th day of November, 2014.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

Exhibit "A"

The South 50 feet of PARCEL 1, FAIRWAY PATIO HOMES, parallel with the South Line thereof, according to the plat of record in Book 23 of Maps and Plats, Page 30, on file in the office of the Yavapai County Recorder, Yavapai County, Arizona.

