RESOLUTION NO. 1907

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 (FDP15-001) TO DEVELOP A NORTHERN ARIZONA REGIONAL RV SALES CENTER ON APPROXIMATELY ELEVEN (11) ACRES IN THE EASTRIDGE COMMUNITY FACILITIES DISTRICT LOCATED IN SECTION 24, T14N R1W, G&SRM ON THE SOUTH SIDE OF STATE ROUTE 69; 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); AN PROVIDING THAT THIS RESOLUTION BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, by order dated August 28, 1978, the Yavapai County Board of Supervisors incorporated The Town of Prescott Valley, which incorporated area included all of Section 24, T14N, R1W, G&SRM ; and

WHEREAS, upon adoption of Resolution 881 on April 15, 1999, the Town Council approved a development agreement that set forth the zoning designation of C2-3 PAD (Commercial; General Sales and Services, Planned Area Development) for the subject property; and

WHEREAS, upon adoption of Resolution No. 885 on May 6, 1999, the council amended that earlier agreement to reapportion assessments for the area; and

WHEREAS, upon adoption of Resolution 891 on May 27, 1999, the Town performed certain activities set forth in the prior Development Agreement; and

WHEREAS, in further performance of the Town's obligations under the Development Agreement (as amended), Town Council adopted Ordinance No. 480 on November 18, 1999, re-zoning the property identified in said development agreement from C2-3 PAD to C3 PAD (Commercial, Minor Industrial, Planned Area Development);

WHEREAS, no written agreement was reached regarding the formation of the requisite taxing district as set forth in ARS Title 48 in accordance with the terms of the Development Agreement (as amended), and the town took no action to revert the zoning back to its original classifications of RCU-18 and C2-3 PAD, essentially leaving the zoning and related Preliminary Development Plan in place; and

WHEREAS, upon adoption of Resolution 1153 on January 23, 2003, the Town Council rescinded the prior development agreement (as amended) and approved a

subsequent Development Agreement (the term of which expires on July 1, 2015) which leaves in place the previous zoning, among other things; and

WHEREAS, said Development Agreement inures the benefits and obligations to subsequent successors-in-interest; and

WHEREAS, upon adoption of Resolution 1902 on January 22, 2015, the Town Council approved a development agreement between the Town and Prescott Valley Investment Group, LLC, to develop a Northern Arizona Regional RV Sales Center

WHEREAS, the Town Council finds that this Final Development Plan for development of A Northern Arizona Regional RV Sales Center meets or will meet the requirements for Planned Area Developments (PAD's) under the Town Code (particularly the requirements under Town Code 13-19-060(K)(L) and (M), 14-202(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, THAT:

1. That certain Final Development Plan for Little Dealer Little Prices submitted February 4, 2015 by Prescott Valley Investment Group LLC, is hereby approved and conditioned hereinafter.

2. Said approval is based upon the following findings and conclusions of the Mayor and Common Council:

   (A) This commercial development is consistent with the purpose and intent of the 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 requirements and in substantial conformance to the attached plan.

4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan pursuant to Town Code 14-02-050(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 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 12th day of March, 2015.

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HARVEY C. SKOOG, Mayor

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney