

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: August 13, 2015**

SUBJECT: Amended Final Development Plan (FDP15-009) Viewpoint Unit 15

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Joe Scott, Planner, for Richard T. Parker, Community Development Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Location Map; b) FDP

SUMMARY/BACKGROUND: A request by Viewpoint North I, LLC to Replat Viewpoint North-Unit Fifteen, Lots 1377,1378, 1381 through 1386, 1398 & 1399 to add a twenty foot (20') Maintenance Easement to Lots 1377, 1378, 1381 through 1386, 1398 & 1399 and to vacate a fifteen foot (15') Type 2 Drainage Easement on Lots 1398 and 1399. Generally located south of View Crest Drive and east of Rainbow Vista.

Viewpoint North-Unit Fifteen was approved by Resolution No. 1418 on April 13, 2006 comprising ninety-seven (97) lots. The FDP (Plat) indicated a 54' Type 2 Drainage Easement along the rear of subject Lots 1377, 1381 through 386 and a fifteen (15') foot Type 2 Drainage Easement on Lots 1398 and 1399. A Type 2 Drainage easement is defined as:

“Type 2 Drainage Easements” are granted by the plat to the Town of Prescott Valley for the purpose of storm water runoff conveyance. The responsibility for cosmetic or aesthetic maintenance, such as weeding or landscaping belongs to the property owner of the particular lot which includes a Type 2 Drainage Easement. The Town of Prescott Valley assumes the responsibility for repair or replacement of major elements of the constructed drainage facilities.”

The drainage channel that lies in the easement is entirely on the rear portion of the subject lots. The center of the channel is twenty feet (20') into the rear of the subject lots and includes the slope of both sides of the channel. When residential construction recently started on adjacent Lots 1387 through 1399 it was determined by the developer that the rear portions of the adjacent lots 1387 through 1399 needed to be filled in order to provide full level lots and to be able to place a wall at the rear lot line of those lots.

Filling the lots to build a wall requires that fill also be added at a 3:1 slope for about twenty feet (20') into the down slope of the channel, which is in the Drainage Easement on the rear of the subject lots. The added fill to allow the walls, and the channel bank stabilization features are for the benefit of the adjacent Lots 1387 through 1399. As such a Maintenance Easement of twenty feet (20') is being added to portion of the Type 2 Drainage Easement where the bank has been filled. Also, the Town does not want to assume the responsibility of maintenance of the newly restructured channel bank. The purpose as stated on the plat is:

“A 20' MAINTENANCE EASEMENT. DEDICATED BY THIS PLAT FOR THE PURPOSE OF MAINTAINING THE SOUTHERLY DRAINAGE CHANNEL BANK. THE OWNERS OF LOTS 1387 – 1399 ARE RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY OF SAID BANK”

This FDP(Plat) for amended Lots 1377,1378, 1381 through 1386, 1398 & 1399 to add a twenty foot (20') Maintenance Easement to Lots 1377, 1378, 1381 through 1386, 1398 & 1399 and to vacate a fifteen foot (15') Type 2 Drainage Easement on Lots 1398 and 1399 has been reviewed and approved by the Public Works Department. The Planning & Zoning Commission recommended approval of FDP15-009 at the August 10, 2015 meeting.

OPTIONS ANALYSIS: The Town Council may approve the Reversionary Plat, direct staff to address additional concerns prior to approval, or decline to approve the Reversionary Plat.

ACTION OPTION: Motion to approve FDP15-009. **VOTE.**

RECOMMENDATION: Staff recommends approval of FDP15-009.

FISCAL ANALYSIS: There is no financial impact from this action.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____