

RESOLUTION NO. 1926

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 (FDP15-003) FOR THE SUBDIVISION OF FIFTY (50) LOTS ON APPROXIMATELY THIRTY EIGHT (38) ACRES TO BE KNOWN AS "PRONGHORN RANCH UNIT XVI" LOCATED WITHIN THE PRONGHORN RANCH PLANNED AREA DEVELOPMENT (PAD); 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. 453, dated February 25, 1999, certain real property located in §§23 and 26, T.15 .N, R.1 W., G&SRB&M; and

WHEREAS, Ordinance No. 453 gave the annexed property a zoning district classification of RCU-70, being the zoning classification most comparable to its former Yavapai County zoning classification of RCU-2A; and

WHEREAS, at its regular meeting held August 9, 1999, after public hearing, the Prescott Valley Planning and Zoning Commission voted to recommend approving re-zoning of the property from RCU-70 to R1L-10 PAD, RS-3 PAD, PL-PAD and approved the related Preliminary Development Plan (Preliminary Plat) for the property; and

WHEREAS, the Developer subsequently applied to modify the Preliminary Development Plan by relocating certain roadways, lots and public uses without increasing the number of residential lots; and

WHEREAS, at its regular meeting on May 8, 2000, the Planning and Zoning Commission again considered the re-zoning request accompanied by a revised Preliminary Development Plan, and voted to recommend the re-zoning to the Town Council and approved the revised Preliminary Development Plan (said Plan retaining the same number of residential units, the same density and the same zoning district classifications); and

WHEREAS, at its regular meetings on May 11, 2000 and May 25, 2000, the Town Council considered the proposed re-zoning and voted to approve the same by passing this Ordinance No.486; and

WHEREAS, the project owners and developers finalized negotiations with the Town towards a Development Agreement pursuant to ARS Section 9-500.05; and

WHEREAS, by Resolution No. 963, dated May 11, 2000, the Town and Antelope Village, L.L.C., finalized an amended Development Agreement pursuant to ARS §9-500.05 which provided for the long-term development of the property; and

WHEREAS, on March 22, 2001, the Town Council adopted Resolution No. 1006 approving three (3) Final Development Plans (Final Plats) for Units I, IIA and IIIA of the Pronghorn Ranch development involving two hundred three (203) lots on ninety-seven (97) acres; and

WHEREAS, on August 8, 2002, the Town Council adopted Resolution No. 1109 approving two (2) Final Development Plans (Final Plats) for Units IIB and IIIB of the Pronghorn Ranch development involving fifty-four (54) lots on nineteen (19) acres; and

WHEREAS, on November 7, 2002, the Town Council adopted Resolution No. 1136 approving a Final Development Plan (Final Plat) for Unit V of the Pronghorn Ranch development involving fifty-four (54) lots on nineteen (19) acres; and

WHEREAS, on November 21, 2002, the Town Council adopted Resolution No. 1140 approving a Final Development Plan (Final Plat) for Unit VI of the Pronghorn Ranch development involving forty-two (42) lots on approximately sixteen (15.7) acres; and

WHEREAS, on December 19, 2002, the Town Council adopted Resolution No. 1146 approving a Final Development Plan (Final Plat) for Unit VII of the Pronghorn Ranch development involving sixty (60) lots on approximately twenty-six (25.7) acres; and

WHEREAS, on March 13, 2003, the Town Council adopted Resolution No. 1164 approving a Final Development Plan (Final Plat) for Unit VIII of the Pronghorn Ranch development involving sixty-two (62) lots on twenty-six (26) acres; and

WHEREAS, on April 24, 2003, the Town Council adopted Resolution No. 1178 approving a Final Development Plan (Final Plat) for Unit IV of the Pronghorn Ranch development involving sixty-six (66) lots on twenty-two (22) acres; and

WHEREAS, on January 22, 2004, the Town Council adopted Resolution No. 1241 approving a Final Development Plan (Final Plat) for Unit IX of the Pronghorn Ranch development involving forty-eight (48) lots on fifty-one (51) acres; and

WHEREAS, on February 26, 2004, the Town Council adopted Resolution No. 1253 approving an amended Final Development Plan (Final Plat) for Unit V of the Pronghorn Ranch development in order to change the dedication of Tract "22" from the Home Owners Association to the public in order to increase the area of public park development by combining the areas of Tract "22" with adjacent Tract "E"; and

WHEREAS, on April 8, 2004, the Town Council adopted Resolutions No. 1265 and No. 1266 approving Final Development Plans (Final Plats) for Units XI and XIII of the Pronghorn Ranch development involving eighty-seven (87) lots on approximately fifty-nine (59) acres and fifty-six (56) lots on approximately twenty-five (25) acres, respectively; and

WHEREAS, on June 10, 2004 , the Town Council adopted Resolution No. 1281 approving a Final Development Plan for Unit X of the Pronghorn Ranch development involving eighty five (85) lots on approximately twenty-two (22) acres; and

WHEREAS, on April 27, 2006 , the Town Council adopted Resolution No. 1426 approving a Final Development Plan for Unit XII of the Pronghorn Ranch development involving sixty (60) lots on approximately twenty-five (24.93) acres; and

WHEREAS, in October of 2006, Antelope Village, L.L.C., submitted a Final Development Plan (Final Plat) for Unit XIV of the Pronghorn Ranch development involving seventy five (75) lots on approximately thirty two (32) acres along with a Final Development Plan (Final Plat) for Unit XV of the Pronghorn Ranch development involving forty two (42) lots on approximately twenty three (23) acres; and

WHEREAS, on June 7, 2007 , the Town Council adopted Resolution No. 1508 approving a Final Development Plan (Final Plat) for Unit XIV of the Pronghorn Ranch development involving seventy five (75) lots on approximately thirty two (32) acres; and

WHEREAS, on June 7, 2007 , the Town Council adopted Resolution No. 1509 approving a Final Development Plan (Final Plat) for Unit XV of the Pronghorn Ranch development involving forty two (42) lots on approximately twenty three (23) acres; and

WHEREAS, on January 8, 2015 , the Town Council adopted Resolution No. 1900 approving a Final Development Plan (Final Plat) for Pronghorn Ranch Unit IX Tract 44 involving thirty three (33) lots on five (5) acres known as Rimrock Garden Home Community; and

WHEREAS, in March of 2015, Pronghorn Development LLC, submitted a request for a Final Development Plan (PDP15-003) for Unit XVI of the Pronghorn Ranch development involving fifty (50) single-family lots in approximately thirty eight (38) acres; and

WHEREAS, the Town Council finds that the Final Development Plan (Final Plat) for Pronghorn Ranch XVI meets or will meet the requirements for Planned Area Developments (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, THAT:

1. That certain Final Development Plan (Final Plat) for Pronghorn Ranch Unit XVI, submitted in March of 2015 by Pronghorn Development LLC is hereby approved and adopted as conditioned hereinafter.
2. Said approval is based upon the following findings and conclusions of the Mayor and Common Council:
 - (A) This development is consistent with the purpose and intent of the *General Plan 2025* and Zoning Code of the Town in promoting the health, safety, morals and general welfare of the public;
 - (B) This 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 containing residential units in this development do appear to have adequate access to public streets; and
 - (D) The average density, excluding open areas occupied by streets, is the density required by the pre-existing zoning district regulation otherwise applicable to the sites.
3. Pursuant to Town Code §§13-19-060(L) and 14-054-080(A), said approval is conditioned upon the following:
 - (A) Strict compliance by the Pronghorn Ranch developers, their successors and assigns, with the duties and obligations under that certain Amended Development Agreement dated May 11, 2000, between the Town and Antelope Village, L.L.C., particularly related to the development of a secondary access to State Route 89A based on the threshold of 1000 approved lots for development.
 - (B) Approval by the Town Engineer (or his designee) of the engineering plans for Pronghorn Ranch Unit XVI, including approval as to the form of each and adequacy of the subdivider assurances required in Town Code §14-04-080 and otherwise (including the financial assurances).
4. The Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plans (Final Plat) pursuant to Town Code §14-02-050(F)(2), (b) ensure that all other required certifications are on said Plan (Plat), (c) record the same in the Office of the Yavapai County Recorder, and (d) file the same as official Plan of the Town in the offices of the Town Clerk and Community Development Director only upon approval by the Town Engineer of the engineering plans and subdivider assurances for the developments [See Town Code §§13-19-060(O) and 14-02-050 (F) (3) & (4)].

5. 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 Pronghorn Ranch developers provide all needed financial and other assurances as to construction of required improvements.

6. The Town hereby accepts any property interests which may have been conveyed to the Town in relation to this Final Development Plan (Final Plat) by separate deeds prior to or contemporaneous with this approval.

7. 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 13th day of August 2015.

Harvey C. Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney