

RESOLUTION NO. 1971

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 (FDP16-010) FOR THE DEVELOPMENT OF APPROXIMATELY SIX THOUSAND EIGHT HUNDRED AND EIGHTY (6,880) FT OF RETAIL SPACE ON APPROXIMATELY .86 ACRE LOCATED IN THE GLASSFORD HILL MARKETPLACE PLANNED AREA DEVELOPMENT BETWEEN GLASSFORD HILL ROAD AND PINE VIEW DRIVE, SOUTH OF LAKESHORE DR; 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, on May 24, 2005, the Prescott Valley Town Council adopted Resolution No. 1351 approving a Development Agreement with the Fain Signature Group, L.L.C., for development of a new commercial center west of Glassford Hill Road and north of Florentine Road; and

WHEREAS, the Town Council subsequently approved Ordinance No. 625 (May 26, 2005) annexing approximately fifty-two (52) acres affected by the Development Agreement (ANX04-G), continuing the Yavapai County zoning classification of RCU-2A; and

WHEREAS, in March 2006, Sean Lake, Agent, applied for a Zoning Map Change (ZMC06-003) from RCU-70 zoning (Residential; Conditional Use Permits) to C2-PAD zoning (Commercial; General Sales and Services – Planned Area Development) on approximately nineteen and one-half (19.5) acres generally located on the southwest corner of Lakeshore and Glassford Hill Road; and

WHEREAS, on June 12, 2006, the Prescott Valley Planning and Zoning Commission held a public hearing on said request (ZMC06-003) and recommended approval (subject to conditions) in that the request was consistent with the *General Plan 2025*; and

WHEREAS, on July 27, 2006, the Town Council approved a Zoning Map Change from RCU-70 (Residential; Conditional Use Permits) to C2-PAD zoning (Commercial; General Sales and Services – Planned Area Development) by passage of Ordinance No. 662 as recommended by the Planning and Zoning Commission; and

WHEREAS, on January 14th, 2008, the Prescott Valley Town Council adopted and approved Resolution No. 1563 for Final Development Plan (FDP08-003) for development of approximately sixty-two thousand (62,000) square feet of retail, office and restaurant space on approximately seven (7) acres located in the Glassford Hill Marketplace, north of Kohl's Department store; and

WHEREAS, on January 9, 2014, the Prescott Valley Town Council adopted and approved Resolution No. 1563 for minor modifications to Final Development Plan FDP08-003, increasing the leasable square footage of the buildings to be located on Outlots 2 & 3 in the Glassford Hills Marketplace located in the Glassford Hill Power Center Planned Area Development between Glassford Hill Road and Pine View Drive, north of Florentine Road; and

WHEREAS, in December of 2015, the Prescott Valley Town Council adopted and approved a Final Development Plan (FDP15-019) for the development of approximately six thousand six hundred and sixty four (6,664) square feet of leasable retail space and associated parking on approximately one (1) acre located in the Glassford Hill Marketplace, north of Kohl's Department store; and

WHEREAS, in June of 2016, Garrett Johnson, agent for Advanced Auto Parts, applied for a Final Development Plan (FDP16-010) for the development of approximately six thousand eight hundred and eighty (6,880) square feet of retail space and associated parking on approximately .86 acre located in the Glassford Hill Marketplace, south of Lakeshore Dr. known as Outlot 4; and

WHEREAS, the Town Council finds that Final Development Plan (FDP16-010) for the development of approximately six thousand eight hundred and eighty (6,880) square feet of retail space and associated parking on approximately .86 acre located in the Glassford Hill Marketplace, south of Lakeshore Dr. known as Outlot 4, 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 (FDP16-010) submitted by Garrett Johnson, agent for Advanced Auto Parts, applied for a Final Development Plan (FDP16-010) for the development of approximately six thousand eight hundred and eighty (6,880) square feet of retail space and associated parking on approximately .86 acre located in the Glassford Hill Marketplace, south of Lakeshore Dr. known as Outlot 4, (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 conclusion 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) The site shall be developed in accordance with all Town requirements and in substantial conformance to the attached site plan.

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 14th day of July, 2016.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney