

## RESOLUTION NO. 1976

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING A MINOR AMENDMENT TO THE TOWN'S *GENERAL PLAN 2025* (GPA16-004) PURSUANT TO ARS §9-461.06; AMENDING THE LAND USE PLAN (EXHIBIT LU-5) IN CHAPTER 4 "LAND USE ELEMENT" OF THE GENERAL PLAN TO CHANGE THE DESIGNATION OF AN APPROXIMATELY NINE AND ONE-HALF (9.5) ACRE PARCEL FROM "COMMUNITY COMMERCIAL" TO "MEDIUM-HIGH DENSITY RESIDENTIAL"; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town Council considered the "*Prescott Valley General Plan 2025*" at a public hearing on August 9, 2012 and adopted the same by Resolution No. 1802 [subject to ratification' by the voters per ARS §9-461.06(L)]; and

WHEREAS, on March 12, 2013, the Prescott Valley *General Plan 2025* was ratified by the voters; and

WHEREAS, the subject property was part of the original Incorporation of the Town of Prescott Valley on August 31, 1978; and

WHEREAS, the Subject Property was part of approximately sixty (60) acres approved for C2-PAD zoning in 1981 (with said approval being revised in October, 1981) and is currently zoned C2-PAD per Ordinance No. 66; and

WHEREAS, the Subject nine (9) acres is part of a twenty-six (26) acre parcel located north of Florentine Road, between Navajo Drive and Majesty Drive, owned by Slade Investments; and

WHEREAS, In March of 2005 Slade Investments submitted to the Town a Preliminary Development Plan for the development of the a twenty-six (26) acre commercial/retail subdivision known as Navajo Commons, consistent with its C2-PAD zoning and in accordance with Article 13-19 of the Town Code; and

WHEREAS, PDP05-001 was approved by the Town's Planning & Zoning Commission on April 11, 2005; and

WHEREAS, on December 7, 2006 the Town Council approved a Final Development Plan for the 26 acre PAD to be known as "Navajo Commons" which delineated the roadways, along with necessary public utility easements on the property; and

WHEREAS, on December 7, 2006, Council also approved a Development Agreement which provided for the owner making interim improvements (i.e., the left turn lane into the project) on Florentine Rd. and providing cash payment of \$148,476.30 for “Deferred Improvement” costs when Florentine is widened by the Town at a future date; and

WHEREAS, the first development in Navajo Commons was a 9,100 square foot Dollar General store approved as FDP09-007 by Resolution No. 1683 on December 17, 2009, on an approximately one (1) acre site located at the northeast corner of the intersection of Navajo and Florentine Roads; and

WHEREAS, the owner now wishes to develop a 198 unit apartment complex on the approximately nine and one-half (9.5) acre parcel located north of Florentine Road, between Commons Circle and Majesty Drive; and

WHEREAS, a General Plan Amendment from “Community Commercial” to “Medium-High Density Residential” and a Zoning Map Change from C2-PAD to R2-PAD are first required for the project before approval of a Preliminary Development Plan; and

WHEREAS, at its October 10, 2016 meeting, the Planning and Zoning Commission held a public hearing and considered a request by Slade Investments for a General Plan Amendment (GPA16-004) from “Community Commercial” to “Medium-High Residential” on approximately nine and one-half (9.5) acres located north of Florentine Road, between Commons Circle and Majesty Drive for development of 198 apartment units (APN 103-31-279); and

WHEREAS, at the October 10, 2016 meeting, the Planning and Zoning Commission also considered a separate request by Slade Investments for a Zoning Map Change (ZMC16-006) from C2-PAD (Commercial; General Sales and Services – Planned Area Development) to R2-PAD (Residential; Multiple Dwelling Units – Planned Area Development) on the subject property and also approved a Preliminary Development Plan (PDP16-004) for development of a complex of three (3) apartment “clusters” with 198 total units; and

WHEREAS, the criteria for determining whether a proposed amendment to the *General Plan 2025* is a Major or Minor Amendment is set forth in Sections 10.2.1 and 10.2.2 of the *General Plan 2025*, in accordance with A.R.S. §9-461.06; and

WHEREAS, the Community Development Director has made the determination that this requested amendment is a Minor Amendment in accordance with Section 10.2.1; and

WHEREAS, in accordance with the requirements for Minor Plan Amendments, the Planning and Zoning Commission held a public hearing on said amendment (GPA16-004) at its regular meeting on October 10, 2016, and voted to forward the same to the Town Council with a recommendation of approval; and

WHEREAS, at its regular session meeting on October 27, 2016, the Council subsequently held a public hearing on this requested Minor Amendment to the *General Pan 2025* (GPA16-004) as set forth in Sections 10.2.1 and 10.2.2 of the *General Plan 2025*, in accordance with A.R.S. §9-461.06; and

WHEREAS, the Town Council finds that this Minor Amendment to the *General Plan 2025* is appropriate in this location and will allow for future residential land uses (with acceptable means of mitigating impacts through a subsequent re-zoning action so as not to adversely impact the community), and the Amendment is otherwise consistent with the Vision, Guiding Principles, Goals and Policies of the *General Plan 2025*;

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

1. That the Prescott Valley *General Plan 2025* be hereby amended as follows:

The Land Use Plan (Exhibit LU-5) in Chapter 4 “LAND USE ELEMENT” shall be amended to change the designation of approximately none and one-half (9.5) lying in Section 23, T.14 N., R.1 W., G&SRM from “Community Commercial” to “Medium-High Density Residential” as described and shown in “Exhibit A” (attached hereto and expressly made a part hereof).

2. 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 27<sup>th</sup> day of October, 2016.

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Harvey C. Skoog, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney