

RESOLUTION NO. 1979

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 (FDP16-015) FOR A RESIDENTIAL APARTMENT COMPLEX ON A 3.87 ACRE PARCEL LOCATED WITHIN THE GLASSFORD HILL REGIONAL MARKET PLACE ON THE WEST SIDE OF CROWNPOINTE DRIVE; 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. 244 (November 8, 1990) certain real property located in Section 21, Range 1 West, Township 14 North, Gila & Salt River Meridian, giving the property a zoning classification of RCU-70, being the zoning classification most comparable to its former Yavapai County zoning classification of RCU-2A; and

WHEREAS, by Ordinance No. 465 (June 10, 1999) approximately eighty-two (81.73) acres were re-zoned from RCU-70 to C2-PAD after the Prescott Valley Planning and Zoning Commission approved a Preliminary Development Plan (PDP) for the acreage on May 10, 1999; and

WHEREAS, Resolution No. 900 (July 8, 1999) approved a Development Agreement with Glassford Partners, L.L.C., owners of the approximately eighty-two (81.73) acres, to develop a regional shopping center; and

WHEREAS, Resolution No. 954 (April 27, 2000) approved a Final Development Plan (FDP) for the "Glassford Regional Market Place", showing revised roadway access and designating the acreage into Tracts "A", "B", and "C"; and

WHEREAS, by Ordinance No. 819 (September 22, 2016) approximately three and eighty seven hundredths (3.87) acres were re-zoned from C2-PAD to RS-PAD after the Prescott Valley Planning and Zoning Commission forwarded a recommendation of approval to the Town Council and the Town Council approved the subject rezoning and supporting Preliminary Development Plan (PDP) with conditions; and

WHEREAS, a condition was made on the rezoning of this parcel to remit to the Town, on a monthly basis, all monies collected as a result of the owners and/or operators of any apartment complex developed on the described real property (including any successors and assigns) applying a 2% "surcharge" against gross rents collected from occupation and use of units within any phase of the complex. Such remittance shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty

(60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the complex; and

WHEREAS, in October of 2016, Marketplace Partners, LLC, requested consideration and approval of a Final Development Plan (FDP16-015) for development of a complex of eight (8) apartment “clusters” with 96 total units, and a Clubhouse on a total of approximately 3.87 acres comprising the Crown Pointe Lofts in the Glassford Regional Market Place, generally located between E. Market Street, and Crownpointe Drive; and

WHEREAS, the site is being developed in substantial conformance with existing Town Code requirements; and

WHEREAS, The Town Council finds that FDP16-015 for the Crown Pointe Lofts Apartments, 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 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 (FDP16-015) submitted in October of 2016 by Marketplace Partners, LLC., for the purpose of developing a complex of eight (8) apartment “clusters” with 96 total units, and a Clubhouse on a total of approximately 3.87 acres in the Glassford Regional Market Place (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 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 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 (Site 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 27th day of October, 2016.

HARVEY C. SKOOG, Mayor

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney