

RESOLUTION NO. 1694

A RESOLUTION OF THE MAYOR AN COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF THE ARIZONA, APPROVING AND ADOPTING A FINAL DEVELOPMENT PLAN (FDP10-002) TO AMEND PREVIOUSLY ADOPTED FDP 05-019 TO PROVIDE FOR THE CONSTRUCTION OF AN ADDITIONAL FLOORPLAN UPON SPECIFIC LOTS WITHIN UNIT 4, PARCEL 14, LOCATED WITHIN THE GRANVILLE PLANNED AREA DEVELOPMENT; PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SUBSECTION 13-19-060(K); PROVIDING CONDITIONS FOR SUCH APPROVAL PER SUBSECTION 13019-060(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. 441, approved July 9, 1998, one thousand two hundred sixty-eight (1,268) acres of real property located in Sections 3, 10, and 15, R1W, T14N, G&SRB&M; and given a zoning classification of RCU-70 at annexation as the most comparable to Yavapai County zoning classification RCU2-A; and

WHEREAS, a Development Master Plan was introduced to the Planning Commission in August of 1998 for the purpose of developing three thousand four hundred (3,400) units on one thousand, two hundred forty-three (1,243) acres; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission to consider an application to rezone said property from RCU-70 to R1L-PAD, R2-PAD, and C1-PAD and to consider a preliminary development plan for said property, which the Planning and Zoning Commission affirmatively recommended approval to Town Council; and

WHEREAS, on December 16, 1999, Town Council adopted Resolution 931, approving a Development Agreement and effluent use agreement with the project developer(s) and property owner(s), and also approved Ordinance No. 482, adopting the rezoning of said property from RCU-70 to R1L-PAD, R2-PAD, and C1-PAD with conditions; and

WHEREAS, a special election referendum was held in Prescott Valley on May 16, 2000 to determine whether Ordinance No. 482 would become law, which passed affirmatively; and

WHEREAS, on April 27, 2006, Town Council adopted Resolution No. 1424, approving Final Development Plan 05-019, allowing for the development of 102 lots on approximately 33 acres to be known as "Granville Unit IV"; and

WHEREAS, on February 16, 2010 Granville Development Co. of Prescott Valley, Inc. submitted a request to amend the previously approved FDP 05-019 to allow for an

encroachment not to exceed 4' in the front setback of the following thirty-five (35) lots in Unit 4, Parcel 14: 1045, 1046, 1048, 1049, 1050, 1051, 1055, 1056, 1057, 1059, 1060, 1061, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1092, 1093, 1094, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1119, 1120, 1121, 1122, 1123, and 1124 as indicated on the map entitled "Granville Unit 4 Parcel 14 Final Development Plan Amendment" attached hereto and made a part herewith; and

WHEREAS, the Town Council finds that this Final Development Plan for thirty-five lots in Granville Unit 4, Parcel 14 meets or will meet the requirements for Planned Area Developments (PAD's) 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 for Granville Unit 4, Parcel 14, submitted on February 16, 2010 by Granville Development Company of Prescott Valley, Inc., 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 2020* 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 does 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 site.
3. Pursuant to Town Code 13-19-060(L) and 14-054-080(A), said approval is conditioned upon the following:
  - (A) This amendment applies only to the following thirty-five (35) lots in Unit 4, Parcel 14: 1045, 1046, 1048, 1049, 1050, 1051, 1055, 1056, 1057, 1059, 1060, 1061, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1092, 1093, 1094, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1119, 1120, 1121, 1122, 1123, and 1124 as indicated on the map entitled

“Granville Unit 4, Parcel 14 Final Development Plan Amendment” attached hereto and made a part herewith;

- (B) Encroachment in the front setback is not to exceed four (4) feet on any lot indicated above;
- (C) The twenty foot (20’) setback for the garage shall be maintained on all lots;
- (D) The encroachment is to accommodate living space only;
- (E) All other applicable codes remain in full force and effect;
- (F) Any and all previous development agreements remain in full force and effect;
- (G) The project will be developed in substantial conformance with the attached map entitled “Granville Unit 4, Parcel 14 Final Development Plan Amendment attached hereto and made a part herewith;

4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan (Final Plat) 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 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 11th day of March, 2010.

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Harvey Skoog, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney

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