

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION**

Date: April 8, 2010

SUBJECT: Final Plat (FP10-001) – Copper Creek Condominiums

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Joseph Scott, A.I.C.P., Planner, for Richard T. Parker, Community Development Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Location Map, b) Final Plat

SUMMARY BACKGROUND: Upon the application of Alan R. & Amy N. Snyder, Revocable Trust, a request for a Final Plat (FP10-001) for a four (4) unit condominium comprised of two (2) duplexes located at 8360 and 8372 E. Lakeshore Drive, Prescott Valley Unit 11, Lots 3349 and 3350. APNs 103-28-134 and 103-28-135; respectively. The two (2) duplexes currently share a common driveway between the two (2) lots. The current zoning on the subject lots is R2-4 (Residential; Multiple Dwelling Units), which allows Multiple Family Dwelling Units as a matter-of-right at one (1) unit per four thousand (4,000) square feet of land area.

This Final Plat is subject to the recording of Reversionary Plat RP09-004 that will combine Lots 3349 and 3350 to create a new Lot 3349A to accommodate the four (4) units on an approximately twenty-four (24) thousand square foot new lot. Upon approval of this Final Plat and the Recording of Reversionary Plat 09-004, a Final Plat for the Condominium can be recorded along with the required Condominium Declaration. Reversionary Plat 09-004 and Preliminary Plat 10-001 for the Copper Creek Condominiums were approved at the February 8, 2010 Planning and Zoning Commission Meeting. Reversionary Plat 09-004 was subsequently approved at the March 11, 2010 Town Council Meeting.

Condominium development is regulated by Title 33, Chapter 9 of Arizona Revised Statutes (ARS), requiring, among other things, review and approval of a plat by the local jurisdiction. Town Code Section 14-03-060 also regulates condominium development in Prescott Valley and follows the procedures set forth for subdivision plats. ARS Chapter 9, Article 1, prohibits imposition of requirements for a condominium which would not be imposed on a physically identical development under a different form of ownership; however, all Town zoning and building codes must be met along with any state requirements.

The condominium is not considered a division of real property. Rather, an individual owns only a portion of the rights to the property (i.e. interior space of individual units) and shares the remainder as common area with other owners. Enforcement and regulation of the common areas is accomplished through a master declaration recorded in conjunction with an approved Plat. This project is consistent with the goals of the *General Plan 2020* and Housing Element for providing a mix of housing types and ownership.

OPTIONS ANALYSIS: Council may approve this Final Plat, direct staff to make modifications to the Plat prior to approval, or decline approval.

ACTION OPTION: Motion to approve a Final Plat (FP10-001), AND to sign any agreement under Proposition 207. **VOTE.**

RECOMMENDATION: Staff recommends approval of Final Plat (FP10-001).

FISCAL ANALYSIS: There is no direct fiscal impact related to approval of this Condominium Plat. However, it will provide a desirable housing product for the Town.

REVIEWED BY:

Management Services Director _____ Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____