

RESOLUTION NO. 1701

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 (FDP10-004) FOR DEVELOPMENT OF DRIVE-THROUGH BANKING SERVICE FOR COMPASS BANK LOCATED NORTH OF FRONTAGE ROAD AND SOUTH OF FLORENTINE ROAD EAST OF LAKE VALLEY ROAD AND WEST OF WINDSONG DRIVE AND PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SUBSECTION 13-19-060(K); PROVIDING CONDITIONS FOR SUCH APPROVAL PER TOWN CODE PER SECTION 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 certain described retail property located in Sections 14 and 23, R1W, T14N, G&SRB&M upon the adoption of Ordinance No. 47 on December 11, 1980; and

WHEREAS, the Planned Area Development (PAD) overlay zone and underlying C2 (Commercial; General Sales and Services) zoning was most recently established with the adoption of Ordinance 143 on September 11, 1986; and

WHEREAS, on or about May 6, 2010, Jack Kienast, Agent for BBVA Compass Bank submitted a request for a Final Development Plan (FDP10-004) for the addition of drive-through service lanes as an expansion of the BBVA Compass Bank; and

WHEREAS, the Town Council finds that this Final Development Plan meets or will meet the requirements for commercial 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, as follows:

1. That the certain Final Development Plan (FDP10-004) for drive-through service lanes located behind the existing BBVA Compass Bank, located South of Florentine Road, West of Windsong Drive, North of Frontage Road, and West of Lake Valley Road, submitted on or about May 6, 2010 by Jack Kienast, Agent for BBVA Compass Bank (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 conclusions of the Town Council:
 - (A) This commercial development is consistent with the purpose and intent of the adopted General Plan 2020 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 has 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 project will be developed in substantial conformance with the approved FDP and in compliance with all applicable Town Code;
 - (B) Relocating existing landscaping as indicated on the attached FDP will be adequate to meet the standard set forth in section 13-26-040.
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 27th day of May, 2010.

Harvey Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney