

RESOLUTION NO. 1768

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 (FDP11-003) FOR A PARCEL OF LAND LOCATED IN SECTION 34, TOWNSHIP 14 NORTH, RANGE 1 EAST, GILA & SALT RIVER BASE & MERIDIAN; PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SECTION 13-19-060(K); PROVIDING CONDITIONS FOR SUCH APPROVAL PER TOWN CODE 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 entered into a development agreement upon adoption of Resolution No. 1169 on April 10, 2003, for a master-planned community known as Quailwood Meadows; and

WHEREAS, in accordance with that development agreement, the Town Council annexed by Ordinance No. 562 on June 12, 2003, approximately 560 acres lying in Sections 27, 34, and 35 Township, 14 North, Range 1 East, giving it a zoning classification of R1L-70 (Residential; Single-Family Limited); and

WHEREAS, the community as planned included a commercial area between State Route 69 and the residential area to provide services to the community and to adjacent areas of Prescott Valley; and

WHEREAS, upon approval of Ordinance No. 766 on October 13, 2011, Town Council approved Zoning Map Change ZMC11-002 reclassifying the property from R1L-70 (Residential; Single Family Limited) to C2 PAD (Commercial; General Sales and Services; Planned Area Development); and

WHEREAS, on or about May 5, 2011, Jeff Kost, agent for Glenwood Development Company, submitted an application for a Final Development Plan (FDP11-003) encompassing an approximately 1.75 acre site generally located at the southeast corner of the intersection of State Route 69 and Bradshaw Mountain Road, the legal description for said site being attached hereto and made a part hereof; and

WHEREAS, the Planning and Zoning Commission, during its regular meeting held on September 12, 2011, after providing statutory notice, approved a Preliminary Development Plan depicting an eight thousand three hundred square foot commercial building (8,300) as well as the requisite parking, drive aisles, landscaping and other requirements set forth in the Town Code;

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

SECTION 1. That the Final Development Plan (FDP11-003) submitted in May of 2011 by Jeff Kost, on behalf of Greenwood Development, encompassing approximately one and three-quarters (1.75) acres situated at the intersection of State Route 69 and Bradshaw Mountain Road, be hereby approved.

SECTION 2. That said approval is based upon the following findings and conclusions of the Town Council:

- (A) That that certain Final Development Plan for the proposed Family Dollar Retail Store (said Plan being attached hereto and made a part hereof), is hereby approved and adopted as conditioned hereinafter, and this 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 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 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.

SECTION 3. That, pursuant to Town Code Section 13-19-060 (L), this approval is conditioned upon the following:

- (A) Substantial conformance with the building finishes and materials set forth in the letter dated August 17, 2011 from Jeff Kost of Greenwood Development to Stacy Maule on behalf of the Quailwood Community Association (attached hereto and made a part hereof);
- (B) Substantial conformance to the Technical Memo dated October 3, 2011 as written by Joseph F. Spadafino of Y.S. Mantri & Associates regarding the findings in the Traffic Impact Analysis (TIA) by RBF Consultants dated March 6, 2003 (attached hereto and made a part hereof);
- (C) Construction of a monument sign rather than a pole-mounted sign in accordance with the standards set forth in Article 13-23-040(B); and
- (D) Site development in accordance with all Town requirements and in substantial conformance to the attached site plan.

SECTION 4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan pursuant to Town Code Section 14-02-055 (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 Department Director [See Town Code Section 13-29-060 (O)].

SECTION 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 developers provide all needed financial and other assurances as to construction of required improvements.

SECTION 6. That this Resolution shall be effective after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 13th day of October, 2011.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney