

RESOLUTION NO. 1795

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 (FDP12-001) 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 the adoption of Resolution 1169 on April 10, 2003 between the TOWN OF PRESCOTT VALLEY, a municipal corporation of Arizona; the PRESCOTT VALLEY WATER DISTRICT; EMPIRE LAND LLC, a California limited liability company; JOHN B. ROUWENHORST and DEBORAH ROUWENHORST, husband and wife; and the FAIN FAMILY LIMITED PARTNERSHIP, an Arizona limited partnership, the NORMAN W. FAIN, II AND NANCY L. FAIN REVOCABLE TRUST, NORMAN W. FAIN II, personally, and the FAIN LAND AND CATTLE COMPANY, an Arizona corporation, for the master planned community commonly known as Quailwood Meadows; and

WHEREAS, in accordance with that development agreement, The Town of Prescott Valley annexed by Ordinance No. 562, adopted by Town Council 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 a Land Use Designation of PAD 5-II within Growth and Development Tier II as previously set forth in the existing *General Plan 2020* ; 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 R1L-10 PAD; and

WHEREAS, Dorn Homes, Successor-in-interest to Empire Land L.L.C., submitted a Final Development Plan on May 15, 2012 for six (6) lots in Unit 4, four (4) to be developed as model homes and two (2) to be developed as concomitant parking for the model homes;

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 (Final Plat) submitted in May of 2012 for the Dorn Model Homes by Sherry Savage, on behalf of Dorn Homes, encompassing lots 547, 548, 549, 550, 551, and 552 of Unit 4 of the Quailwood Meadows Master Planned community (said Plan being attached hereto and made a part hereof), is hereby approved and adopted as conditioned hereinafter.

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 all applicable Town Code and adopted building codes.

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 14th day of June, 2012.

HARVEY C. SKOOG, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney