

RESOLUTION NO. 1796

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 (FDP12-002) OF A SPORTS FACILITY ON A 2.5 ACRE PARCEL LOCATED WITHIN THE GLASSFORD HILL REGIONAL MARKET PLACE LOCATED ON THE EAST SIDE OF CROWNPOINTE DRIVE; PROVIDING FINDINGS OF FACT IN SUPPORT OF SUCH APPROVAL PER TOWN CODE SUBSECTION (13-19-060(K)); PROVIDING CONDITIONS FOR SUCH APPROVAL PER SUBSECTION 13-19-060(L); AND PROVIDING THAT THIS RESOLUTIONS SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, The Town of Prescott Valley annexed by Ordinance No. 244 (November 8, 1990) certain real property located in Section 21, Range 1 West, Township 14 North, Gila & Salt River Meridian, giving the property a zoning classification of RCU-70, being the zoning classification most comparable to its former Yavapai County zoning classification of RCU-2A; and

WHEREAS, by Ordinance No. 465 (June 10, 1999) approximately eighty-two (81.73) acres were re-zoned from RCU-70 to C2-PAD after the Prescott Valley Planning and Zoning Commission approved a Preliminary Development Plan (PDP) for the acreage on May 10, 1999; and

WHEREAS, Resolution No. 900 (July 8, 1999) approved a Development Agreement with Glassford Partners, L.L.C., owners of the approximately eighty-two (81.73) acres, to develop a regional shopping center; and

WHEREAS, Resolution No. 954 (April 27, 2000) approved a Final Development Plan (FDP) for the "Glassford Regional Market Place", showing revised roadway access and designating the acreage into Tracts "A", "B", and "C"; and

WHEREAS, in May of 2012, Lucky Dog L.L.C., and Malouff & Company, Inc. requested consideration and approval of a Final Development Plan (FDP12-002) for the Full Swing Sports Center, a sports facility with batting cages and other similar activities on a two and one-half (2.5) acre parcel located on Crownpointe Drive; and

WHEREAS, the site is being developed in substantial conformance with existing Town Code requirements; and

WHEREAS, The Town Council finds that FDP12-002 for the Full Swing Sports Center, meets or will meet the requirements for commercial PADs under the Town Code [particularly the requirements under Town Code 13-19-060(K), (L), 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 certain Final Development Plan (FDP12-002) submitted in May of 2012 by Lucky Dog, L.L.C. and Malouff & Company, Inc., for the purpose of developing a sports facility on a two and one-half (2.5) acre parcel located on Crownpointe Drive in the Glassford Regional Market Place (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 conclusion 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 does have 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 site shall be developed in accordance with all Town requirements and in substantial conformance to the attached plan.

4. That the Town Clerk is hereby directed to (a) transcribe a certificate of approval upon this Final Development Plan (Site Plan) 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 14th day of June, 2012.

HARVEY C. SKOOG, Mayor

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney