

ORDINANCE NO. 868

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING THE TOWN ZONING MAP (ZMC19-008) BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATELY NINETEEN (19) ACRE PARCEL GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF STATE ROUTES 69 AND 169 FROM C2-PAD (COMMERCIAL; GENERAL SALES AND SERVICE – PLANNED AREA DEVELOPMENT) ZONING TO RS-PAD (RESIDENTIAL AND SERVICES-PLANNED AREA DEVELOPMENT) ZONING; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Prescott Valley annexed by Ordinance No. 585, dated April 29, 2005, a total of two hundred twenty-four (224) acres of real property located in §34, T14N, R1E, and in §§2 and 3, T13N, R1E, G&SRM; and

WHEREAS, the Prescott Valley zoning classifications assigned at annexation (R1L-70 and C2) were the most analogous to the existing Yavapai County zoning for the subject property of R1L-70 and C2; and

WHEREAS, at its November 13, 2006 meeting, the Planning and Zoning Commission recommended approval of a Major General Plan Amendment (GPA 06-001) that, among other things, included expansion of the Tier II boundary and the PAD 5II boundary to include all the annexed area along with other State Trust Lands, and GPA 06-001 was subsequently approved by the Town Council at its December 7, 2006 meeting; and

WHEREAS, in January of 2007, Cavan Opportunity Fund submitted a request for a Zoning Map Change (ZMC 07-002) from R1L-70 (Residential; Single-Family Limited) and C2 (Commercial; General Sales and Service) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) on approximately twenty-five (25) acres generally located at the northeast intersection of State Routes 69 and 169; and

WHEREAS, the Planning and Zoning Commission held a public hearing on said application (ZMC 07-002) at its regular meeting on March 12, 2007 and voted to recommend approval of ZMC 07-002, along with approving the related Preliminary Development Plan, inasmuch as the requested rezoning was in conformance with the *Prescott Valley General Plan 2025*; and

WHEREAS, the Town Council held a second public hearing and read Ordinance No. 685 for the first time at its regular meetings on April 12, 2007, and approved Ordinance No 685 on April 26, 2007, concluding that such re-zoning (as conditioned) would be beneficial to the community and was in conformity with the *General Plan 2020*; and

WHEREAS, in August of 2019, Cavan Opportunity Fund submitted a request for a

Zoning Map Change (ZMC 019-008) from C2 (Commercial; General Sales and Service) to C2-PAD (Commercial; General Sales and Service – Planned Area Development) to RS-PAD (Residential and Services -Planned Area Development) on approximately nineteen (19) acres generally located at the northeast intersection of State Routes 69 and 169; and

WHEREAS, the Planning and Zoning Commission held a public hearing on said application (ZMC19-008) at its regular meeting on September 9, 2019 and voted to recommend approval, along with approving the related Preliminary Development Plan, concluding that such re-zoning was in conformance with the *Prescott Valley General Plan 2025*; and

WHEREAS, the Town Council has now held a second public hearing and has considered this recommendation at its regular meetings on October 10, 2019 and October 24, 2019, and has determined that such re-zoning (as conditioned) will be beneficial to the community and is in conformity with the *General Plan 2025*; and

WHEREAS, the Town Council finds that the procedures required by ARS §§9-462.03 and 9-462.04 (and by Article 13-30 of the Prescott Valley Town Code) have been complied with in connection with this zoning action;

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

SECTION 1. That the Zoning Map of the Town of Prescott Valley be hereby amended from C2 (Commercial; General Sales and Service) to RS-PAD (Residential and Services – Planned Area Development) for approximately nineteen (19) acres generally located at the northeast intersection of State Routes 69 and 169, as described and shown on Exhibit “A” (attached hereto and expressly made a part hereof):

SECTION 2. That this amendment is hereby expressly conditioned as follows:

1. Development shall generally occur consistent with the circulation patterns as illustrated on the Preliminary Development Plan, and uses of the property shall be consistent with uses permitted in the RS PAD Zoning District and storage requirements for Multi-Family residences.
2. Approval by the Town Council of a Final Development Plan (FDP) as required by Town Code Article 13-19 for each phase of construction, prior to issuance of construction permits, and including engineered drainage and grading plans and all off site street and drainage improvements as recommended by the Town Engineer and Public Works Director.
3. The Planning Commission shall first review and recommend approval of any Final Development Plans prior to being submitted to the Town Council.
4. The developer shall be responsible for any infrastructure needed to serve the site; however, the developer may seek to distribute or reimburse cost through creation of

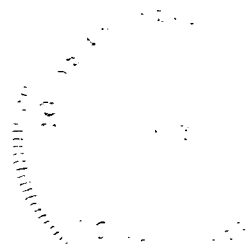
public improvement reimbursement agreements per Town Code §14-04-070, a Development Agreement with the Town per ARS §9-500.05, or other voluntary processes or arrangements with the Town or other parties.

5. Compliance with the Traffic Impact Analysis (TIA) as approved by ADOT.
6. The developer shall participate in roadway improvements commensurate with traffic generated by the project as determined by the Public Works Director and approved by the Town Council in conjunction with each subsequent Final Development Plan approval.
7. Remitting to the Town, on a monthly basis, all monies collected as a result of the proposed multifamily development, and/or its successors and assigns, applying a “surcharge” against all rents collected from occupation and use of units within any phase of the apartment complex, with said surcharge being two percent (2%). Such remittances shall be made no later than the 15th day of the following month to the Town Clerk, and shall begin no later than sixty (60) days after the issuance by the Town of any certificate permitting occupancy of any phase of the apartment complex.

In the event of non-compliance with any of the above conditions, the zoning designation for the described property shall revert from RS-PAD back to the original designations of C2-PAD, in accordance with the procedures set forth in ARS §9-462.01(E).

SECTION 3. That this Ordinance shall be effective thirty (30) days 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 24th day of October, 2019.




Kell Palguta, Mayor

ATTEST:


Diane Russell, Town Clerk

APPROVED AS TO FORM:


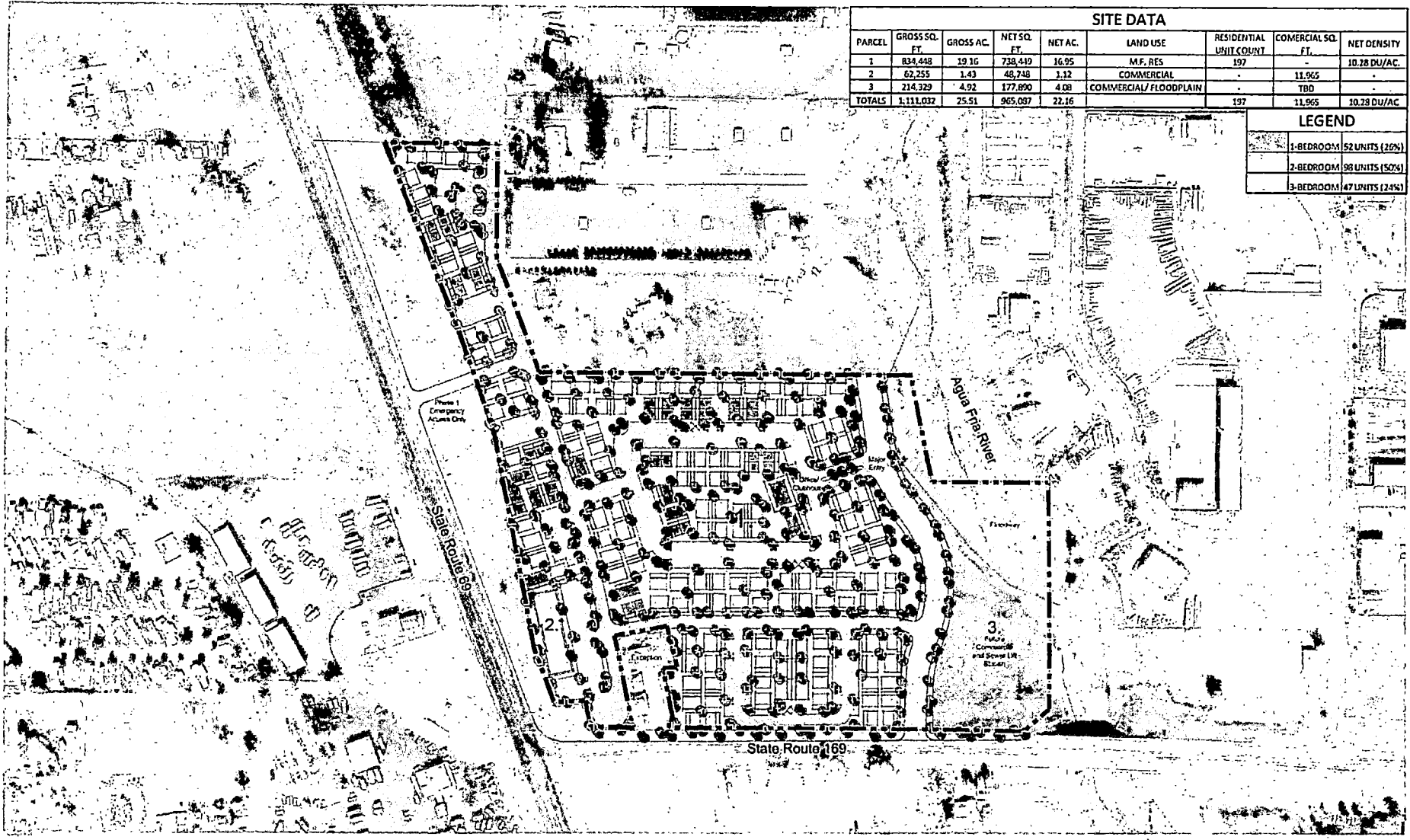

Ivan Legler, Town Attorney

EXHIBIT "A"

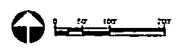
Property Description



SITE DATA								
PARCEL	GROSS SQ. FT.	GROSS AC.	NET SQ. FT.	NET AC.	LAND USE	RESIDENTIAL UNIT COUNT	COMMERCIAL SQ. FT.	NET DENSITY
1	834,448	19.16	738,449	16.95	M.F. RES	197	-	10.78 DU/AC.
2	62,255	1.43	48,748	1.12	COMMERCIAL	-	11,065	-
3	214,329	4.92	177,890	4.08	COMMERCIAL/ FLOODPLAIN	-	TBD	-
TOTALS	1,111,032	25.51	965,087	22.16		197	11,965	10.29 DU/AC

LEGEND	
[Symbol]	1-BEDROOM 52 UNITS (20%)
[Symbol]	2-BEDROOM 98 UNITS (50%)
[Symbol]	3-BEDROOM 47 UNITS (24%)

RVI
 PRESCOTT VALLEY CROSSING • CONCEPTUAL SITE PLAN
 PRESCOTT VALLEY, ARIZONA
 2019-05-31
 # 1537.1
 ▲ CAVAN



PRESCOTT VALLEY CROSSING

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel No. 1:

That portion of the North half of the Southeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Beginning at a point on the West side of the right-of-way of the Prescott and Eastern Railway 110.00 feet North of the Cherry Creek and Verde Valley County Roads where said road crosses said railway at Dewey, Yavapai County, Arizona;

Thence North, 130.00 feet along said railway right-of-way;

Thence West, 130.00 feet to the Northwest corner of said piece of land;

Thence South, 125.00 feet to the Southwest corner of said piece of land; Thence East, about 150.00 feet to the Point of Beginning;

Excepting therefrom any portion lying within the Arizona State Highway No. 69 and right-of-way; And

All that portion of the Southeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Beginning at an Arizona Department of Transportation right-of-way monument at Station 1+74.00 on the Southerly right-of-way of State Route 169 and the Easterly right-of-way of State Route 69;

Thence North 11 degrees 32 minutes 52 seconds West (basis of bearing), 179.57 feet along the Easterly right-of-way of State Route 69 and the Westerly right-of-way of the abandoned A.T.& S.F.R.R. to a one- half inch rebar at an ADOT angle iron right-of-way marker and the True Point of Beginning. Said one- half inch rebar lays North 55 degrees 02 minutes 52 seconds West, 1373.74 feet from the Southwest corner of Section 3, a GLO brass cap;

Thence North 11 degrees 32 minutes 52 seconds West, 140.30 feet along the Westerly line of the abandoned railroad right-of-way;

Thence North 78 degrees 27 minutes 08 seconds East, 50.00 feet to the centerline of the abandoned railroad right-of-way;

Thence South 11 degrees 32 minutes 52 seconds East, 217.97 feet along said centerline to the Northerly right-of-way of State Route 169;

Thence North 89 degrees 42 minutes 11 seconds West, 51.09 feet along the Northerly right-of-way of State Route 169 to the Easterly right-of-way of State Route 69;

Thence North 11 degrees 32 minutes 52 seconds West, 67.19 feet along the highway right-of-way to the True Point of Beginning;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 2:

All that portion of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Commencing at the Southeast corner of Section 3 marked with a found General Land Office (GLO) brass cap monument and from which a found GLO brass cap at the South quarter corner of Section 3 bears North 89 degrees 46 minutes 36 seconds West, 2689.54 feet (basis of bearings);

Thence North 51 degrees 14 minutes 27 seconds West, 1478.67 feet to a point on the Easterly right-of-way line of State Route 69 and the Westerly right-of-way line of the abandoned, Atchison, Topeka and Santa Fe (ATSF) Railway Company and marked with a found one-half inch rebar RLS 16844 at the base of an Arizona Department of Transportation (ADOT) angle iron right-of-way marker and the Point of Beginning;

Thence South 83 degrees 28 minutes 57 seconds West, 97.60 feet to a found one-half inch rebar RLS 16844 at the base of an ADOT angle iron right-of-way marker;

Thence North 10 degrees 21 minutes 17 seconds West, 528.08 feet to a found one-inch rebar RLS 16844 at the base of an ADOT angle iron marking the West line of the Southeast quarter of the Southeast quarter of Section 3;

Thence North 00 degrees 10 minutes 05 seconds East, 155.65 feet to a found one-half inch rebar at the base of an ADOT angle iron marking the intersection of the West line of the Southeast quarter of the Southeast quarter and the Westerly right-of-way line of the abandoned ATSF Railway;

Thence Southeasterly 691.51 feet along said ATSF Railway Company right-of-way line on a non-tangent curve to the right with a radius of 5679.65 feet, an included angle of 06 degrees 58 minutes 33 seconds and a chord bearing of South 16 degrees 04 minutes 51 seconds East, 691.09 feet to the Point of Beginning;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 3:

All that portion of the Southeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

A parcel of land 60.00 feet wide adjoining and running parallel with the centerline of the abandoned A.T. and S.F.R.R. right-of-way, laying 50.00 feet on the Westerly side and 10.00 feet on the Easterly side, described as follows:

Beginning at an Arizona Department of Transportation right-of-way monument at Station 1+74.00 on the Southerly right-of-way of State Route 169 and the Easterly right-of-way of State Route 69;

Thence North 11 degrees 32 minutes 52 seconds West (basis of bearing), 179.57 feet along the Easterly right-of-way of State Route 69 and the Westerly right-of-way of the abandoned A.T.&S.F.R.R. to a one-half inch rebar at an ADOT angle iron right-of-way marker, said one-half inch rebar lays North 55 degrees 02 minutes 52 seconds West, 1373.74 feet from the Southeast corner of Section 3, a GLO brass cap;

Thence North 11 degrees 32 minutes 52 seconds West, 140.30 feet along the Westerly line of the abandoned railroad right-of-way to a one-half inch rebar at an A.D.O.T. angle iron;

Thence North 78 degrees 27 minutes 08 seconds East, 50.00 feet to the centerline of the abandoned railroad right-of-way and the True Point of Beginning;

Thence North 11 degrees 32 minutes 52 seconds West, 2.05 feet to the beginning of a curve;

Thence Northwesterly, 298.00 feet along the centerline of a curve to the left with a radius of 5729.65 feet and a chord of North 13 degrees 02 minutes 16 seconds West 297.97 feet to the END of this description;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 4:

All that portion of the Southeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Beginning at an Arizona Department of Transportation right-of-way monument at Station 1+74.00 on the Southerly right-of-way of State Route 169 and the Easterly right-of-way of State Route 69;

Thence North 11 degrees 32 minutes 52 seconds West (basis of bearing), 112.38 feet along the Easterly right-of-way of State Route 69 and the Westerly right-of-way of the abandoned A.T.&S.F.R.R. to a one-half inch rebar at the intersection of the Northerly right-of-way of State Route 169 and the Easterly right-of-way of State Route 69;

Thence South 89 degrees 42 minutes 11 seconds East 51.09 feet along the Northerly right-of-way of State Route 169 to a one-half inch rebar at the centerline of the abandoned Railroad and True Point of Beginning;

Thence South 89 degrees 42 minutes 11 seconds East, 51.09 feet to a one-half inch rebar on the Easterly right-of-way of the abandoned railroad;

Thence North 11 degrees 32 minutes 52 seconds West, 228.46 feet along the Easterly line of the abandoned railroad right-of-way;

Thence South 78 degrees 27 minutes 08 seconds West, 50.00 feet to the centerline of the abandoned railroad right-of-way;

Thence South 11 degrees 32 minutes 52 seconds East, 217.97 feet along the said centerline to the Northerly right-of-way of State Route 169 to the True Point of Beginning;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 5:

All that portion of the abandoned Atchison, Topeka and Santa Fe (ATSF) Railway Company right-of-way located in the Southeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Commencing at the Southeast corner of Section 3 marked with a found General Land Office (GLO) brass cap monument and from which a found GLO brass cap at the South quarter corner of Section 3 bears North 89 degrees 46 minutes 36 seconds West, 2689.54 feet (basis of bearings);

Thence North 51 degrees 14 minutes 27 seconds West, 1478.67 feet to a point on the Easterly right-of-way line of State Route 69 and the Westerly right-of-way line of the abandoned Atchison, Topeka and Santa Fe (ATSF) Railway Company, and marked with a found one-half inch rebar RLS 16844 at the base of an Arizona Department of Transportation (ADOT) angle iron right-of-way marker;

Thence North 77 degrees 24 minutes 12 seconds East, 60.00 feet (North 78 degrees 27 minutes 08 seconds East, 60.00 feet record) to a point on a line laying 10.00 feet Easterly from the centerline of the said ATSF railway marked with a one-half inch rebar and the True Point of Beginning;

Thence North 77 degrees 24 minutes 12 seconds East, 40.00 feet to a point on the Easterly right-of-way of the ATSF railway marked with a one-half inch rebar;

Thence Northwesterly 970.85 feet along said right-of-way on a non-tangent curve to the left with a radius of 5779.65 feet, an included angle of 09 degrees 37 minutes 28 seconds and a chord bearing North 17 degrees 24 minutes 32 seconds West, 969.71 feet to a point on the West line of the Southeast quarter of the Southeast quarter of said Section 3 marked with a one-half inch rebar;

Thence South 00 degrees 13 minutes 04 seconds East, 283.11 feet along said West line to the intersection with the Westerly right-of-way line of said ATSF railway marked with a one-half inch rebar;

Thence Southeasterly 392.01 feet along said right-of-way on a non-tangent curve to the right with a radius of 5679.65 feet, an included angle of 03 degrees 57 minutes 16 seconds and a chord bearing of South 17 degrees 35 minutes 42 seconds East, 391.93 feet to a one-half inch rebar;

Thence North 74 degrees 22 minutes 57 seconds East, 60.00 feet along a radial line a point on a line lying 10.00 feet Easterly from the centerline of the said ATSF railway marked with a one-half inch rebar;

Thence Southeasterly 302.63 feet along a curve to the left with a radius of 5739.65 feet, an included angle of 03 degrees 01 minutes 15 seconds and a chord bearing South 14 degrees 06 minutes 26 seconds East, 302.59 feet to the True Point of Beginning;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 6:

All that portion of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Commencing at the Southeast corner of said Section 3;

Thence North 00 degrees 25 minutes 00 seconds West, along the East line of said Section 3, record 766.64 feet to a found one-half inch rebar, L.S. 33876 and the True Point of Beginning and a point on the North right-of-way line of State Route 169;

Thence South 48 degrees 00 minutes 21 seconds West, along said North right-of-way line, 83.87 feet to a found highway monument and a point on a non tangent, 22973.31 foot radius curve, concave Southerly;

Thence Westerly, along the arc of said curve, 447.68 feet, a chord bears North 89 degrees 21 minutes 52 seconds West, 447.67 feet to a set one-half inch rebar, L.S. 23383;

Thence North 89 degrees 46 minutes 54 seconds West, 408.91 feet to a found one-half inch rebar, L.S. 27738 and the Southeast corner of that parcel shown on Record of Survey recorded in Book 52 of Land Surveys, page 9, records of Yavapai County, Arizona;

Thence leaving said North right-of-way line, North 02 degrees 54 minutes 21 seconds West, along the East line of that parcel, per said Record of Survey, 22.99 feet to a set one-half inch rebar, L.S. 23383;

Thence North 87 degrees 02 minutes 02 seconds East, 9.73 feet to a found one-half inch rebar, L.S. 27738;

Thence North 11 degrees 40 minutes 34 seconds West, 125.06 feet to a found one-half inch rebar, L.S. 27738 and the Northeast corner of that parcel per said Record of Survey;

Thence North 85 degrees 24 minutes 14 seconds East, 34.80 feet to a found one-half inch rebar, L.S. 27738;

Thence North 14 degrees 34 minutes 45 seconds West, 103.95 feet to a found one-half inch rebar, L.S. 27738;

Thence South 78 degrees 44 minutes 59 seconds West, 128.96 feet to a found one-half inch rebar, L.S. 27738 and a point on the East line of Dunivin Lane, as shown on Map, recorded in Book 29 of Maps and Plats, page 50, records of Yavapai County, Arizona, also being a point on a non-tangent, 5779.65 foot radius curve, concave Southwesterly;

Thence Northwesterly, along the arc of said curve, 294.65 feet, a chord bears North 14 degrees 12 minutes 16 seconds West, 294.62 feet to a found one-half inch rebar with set cap, L.S. 23383 and a point on said East line of Dunivin Lane, also being a point on a non-tangent, 5779.65 foot radius curve, concave Southwesterly;

Thence Northwesterly, along the arc of said curve, 97.91 feet, a chord bears North 15 degrees 59 minutes 25 seconds West, 97.91 feet to a set lead and disk in concrete fence footing, L.S. 23383;

Thence North 89 degrees 59 minutes 09 seconds East, 1148.83 feet to a found three-eighths inch rebar, L.S. 33876 and a point on the East line of said Section 3;

Thence South 00 degrees 25 minutes 00 seconds East (basis of bearings for this legal description), along said East line, 554.61 feet to the True Point of Beginning;

Except all coal, oil, gas and other minerals as reserved from said land.

Parcel No. 7:

All that portion of the Northeast quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Beginning at a point on the South line of the Northeast quarter of the Southeast quarter of Section 3 from which the Southeast corner of said Northeast quarter of the Southeast quarter of Section 3 bears South 89 degrees 47 minutes 40 seconds East 279.50 feet;

Thence North 11 degrees 51 minutes 30 seconds West 240.10 feet;

Thence North 0 degrees 51 minutes West 25.35 feet;

Thence North 89 degrees 47 minutes 40 seconds West 905.75 feet to the Easterly right of way line of the California, Arizona and Santa Fe Railway Company;

Thence Southerly 274.32 feet along said right of way line to the South line of said Northeast quarter of the Southeast quarter of Section 3;

Thence South 89 degrees 47 minutes 40 seconds East 871.03 feet to the Point of Beginning.

Parcel No. 8:

All that portion of the Northwest quarter of the Southeast quarter of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Commencing at the South quarter corner of said Section 13, from whence the Southeast section corner of said Section 13 bears North 89 degrees 56 minutes 16 seconds East, a distance of 2,689.71 feet, said line being the basis of bearing for this description;

Thence North 89 degrees 56 minutes 16 seconds East along the South line of said Section 13, a distance of 1,335.02 feet;

Thence North, a distance of 1,427.99 feet to a boat spike marking the South corner of the herein described parcel and the True Point of Beginning, said True Point of Beginning being on the Easterly right of way of State Route 69 and on a non-tangent curve to the left having a radius of 5,629.65 feet, a central angle of 04 degrees 08 minutes 50 seconds, a chord bearing of North 20 degrees 09 minutes 06 seconds West and a chord length of 407.39 feet;

Thence Northwesterly along said curve and said Easterly right of way, an arc distance of 407.48 feet to an iron pin tagged LS 15904;

Thence North 22 degrees 31 minutes 22 seconds West and continuing along said Easterly right of way, a distance of 359.35 feet to an iron pin tagged LS 5362 (being a point on the North line of the Green parcel as described in Book 1938 of Official Records, page 927, records of Yavapai County, Arizona);

Thence South 89 degrees 57 minutes 56 seconds East, a distance of 275.12 feet to an iron pin tagged LS 15904 (being the Northeast corner of said Green parcel);

Thence South 00 degrees 13 minutes 52 seconds East (along the East line of said Green parcel), a distance of 714.23 feet to the True Point of Beginning.

Parcel No. 9:

All that portion of Section 3, Township 13 North, Range 1 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being more particularly described as follows:

Commencing at the Southeast corner of Section 3 being a U.S. G.L.O. brass cap;

Thence along the East line of the Southeast quarter North 00 degrees 16 minutes 45 seconds West, a distance of 768.68 feet to a 14 inch rebar and cap, RLS 33768;

Thence continue along the East line of the Southeast quarter, North 00 degrees 14 minutes 28 seconds West, a distance of 554.65 feet to a 14 inch rebar and cap, RLS 33768, said point being the True Point of Beginning;

Thence North 89 degrees 50 minutes 29 seconds West, a distance of 1,148.83 feet to a nail and tag, RLS 23383 in a base of fence;

Thence North 16 degrees 20 minutes 25 seconds West, a distance of 4.50 feet to a point on the North line of the Southeast quarter of the Southeast quarter;

Thence along said North line of the Southeast quarter of the Southeast quarter, South 89 degrees 37 minutes 35 seconds East, a distance of 1,150.12 feet to the True Point of Beginning.

Attachment-1

**THE CAVAN OPPORTUNITY FUND LLC (COF)
ZONING MAP CHANGE AND SITE PLAN
“ZMC19-008/PDP19-005 – Cavan”**

**Re-Zoning of Parcels located at the Northeast corner of Hwy 69 and SR 169
located in the Town of Prescott Valley AZ**

Neighborhood Meeting: 8/8/2019

Location: Prescott Valley Town Hall
Room 331 (Community Room)
7501 E Skoog Blvd
Prescott Valley, Arizona 86314

Attendance: 7 individuals signed in. Sign in sheet attached.

The COF representatives were as follows:

Gary Burton – The Cavan Opportunity Fund
Vickey Morris – The Cavan Opportunity Fund
George Krall – Hilgart Wilson Engineering
Diego Ortiz – Hilgart Wilson Engineering
Jeff Farr – RVI

Signage for the meeting was posted beginning on Thursday, July 25, 2019. Signage was posted on the corner of the site; however the sign was removed or destroyed prior to the meeting. The postcards were mailed to the neighbors and interested parties on Friday, July 26, 2019.

Neighborhood Participants: As identified on the Sign-in sheets attached hereto. A complete list of the post card recipients is attached, as well.

An Open House/Charette was held on Thursday, August 8, 2019. The public was invited to participate in an initial presentation of the site plan layout contemplated by COF. The participants were provided with a copy of the preliminary site plan and a comment sheet. Only one participant provided a written comment, and as of the date of this writing, no participants provided any further comment.

The meeting started at 2:00 p.m. and ended at 3:30 pm. Those who attended were given an overview of the intended development and the elevations of the buildings under consideration. The presentation material included a preliminary traffic circulation map for the site plan, as well as an enlarged map showing the entire area adjacent to the subject property and all the owners along Dunivin Lane, and the preliminary elevations of the buildings.

COF discussed the future sewer and road alignment along the Agua Fria River in general terms since no plans have been presented to the Town as of yet. We understand from the Town that

“Village Way” will be a requirement for the developer to construct and the main entrance from SR 169. This information was presented to the attendees as such.

The overall concern for development on the subject property is the state of the traffic as it exists today. The neighbors are concerned that any new development will further exacerbate the traffic and their current access from SR 169 via Dunivin Lane will be terminated. COF spoke to the attendees in general terms regarding the driveway on SR 169 and deferred to ADOT’s control of the access to the State Route.

Some neighbors would prefer to see commercial development on the parcels and yet others believed the property should not be developed at all.

The owner of the 3 commercial properties located on the south end of Dunivin Lane, Randy Savage, attended and was concerned about parking and continued access for his tenants’ clients. He was assured that future access and their allotted parking will not be hindered. He is also aware of the driveway access on SR 169 and ADOT’s consideration of continuing future access.

A residential owner north of the subject property (Danielle Patterson) was very excited about the opportunity to connect to a sewer line and enter her property from a paved road on the eastern side as opposed to the gravel road that currently exists off Dunivin Lane.

COF spoke to the attendees in general terms regarding the need for easements along the Agua Fria River side for a dual-line sewer connection. One resident, Estella Carlson, did not want to give up her septic tank system and connect to the sewer.

Some random comments/questions asked are as follows:

- Property values will go down due to rentals.
- Renters are bad neighbors as evidenced by current rentals in area.
- Large vehicles with horse trailers need access 24/7 directly from SR 169 and not through narrow streets in a neighborhood. (Bassett)
- Have we considered the traffic impact at the intersection?
- Have we considered commercial development instead of residential?
- The residents along Dunivin Lane have a “right of way”.

Each of the attendees was given as much time as necessary to share their thoughts, concerns and future needs with the COF team. The attendees were also informed of the target date for the Planning and Zoning Commission meeting, and encouraged to attend.

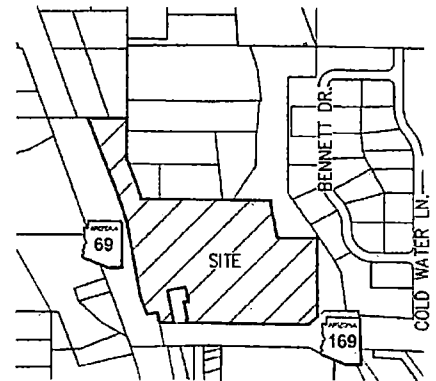
Notice of Neighborhood Meeting / Open House

Place: Rm 331 (Community Room) Prescott Valley Townhall
7501 E. Skoog Blvd., Prescott Valley AZ 86314

Date/Time: Thursday, August 8, Open House 2:00 p.m. – 3:30 p.m.*
You may attend at any time during the scheduled meeting time.

Contact Owner/Applicant: Vickey Morris Phone: 480-747-9408

You are cordially invited to attend a Neighborhood Meeting to discuss with the owners and/or representatives a request to the Town of Prescott Valley for a Zoning Map Change from C2-PAD (Commercial; General Sales and Services-Planned Area Development) to RS-PAD (Residential, Sales and Services-Planned Area Development) for development of 197 single story Bungalows for rent on approximately 17 acres, located on the northeast corner of Hwy 69 and SR 169.



VICINITY MAP
NTS

**In lieu of a formal presentation, the Development Group will be available to engage with interested parties and answer questions.*

NOTE: This is not an official meeting of the Town of Prescott Valley, but is being conducted by the property owners to provide information and receive comments from interested persons regarding this proposed Rezoning prior to going before the Town of Prescott Valley Planning and Zoning Commission. General information regarding planning and zoning issues can be obtained from the Town of Prescott Valley Community Development Department by calling (928) 759-3050.