

433 N. Virginia Street Prescott, AZ 86301 928-777-1130

September 10, 2021

Re: Final Plat Approval for Pinnacle Unit 1, Phase 1, 3 Lots Request for Increase in Allowable Groundwater Allocation

The City of Prescott requests the Arizona Department of Water Resources increase the City's allowable groundwater allocation based upon the recording of the final plat for Pinnacle Unit 1, Phase 1, recorded 6/26/1997, for 3 lots.

As specified in Condition 8 of Decision and Order of the Director, No. 86-401501.0001, the City submits the following information for the Department's review with regard to the above referenced subdivision:

Submittals Required as per Condition 8 of Decision and Order No. 86-401501.0001	Attachments
1. A request to increase the groundwater allocation.	This letter serves as the request.
2. Reference to the subdivision in Exhibit B of the D&O for this request.	Attachment 1
3. Preliminary Plat for Anasazi Subdivision, dated 1994, is submitted for 298 lots on 113.87 acres.	Attachment 2
 City Council approves the Preliminary Plat for Anasazi subdivision, 11/28/1995. 	Attachment 3
4. City Council Study Session held April 1, 1997, seeks approval of the replat of The Pinnacle at Prescott Lakes, Unit 1, Phase 1 for three residential lots on 1.1 acres.	Attachment 4
 Final Plat of The Pinnacle at Prescott Lakes, Unit 1, Phase 1, and a Replat of a Portion of Tract "D" of The Summit – Unit 1. Recorded June 26, 1997 	Attachment 5
 7. a) A calculation of projected groundwater use for the Final Plat b) Include landscaping plans for Open Space c) CC&Rs related to water use, and d) Any commercial properties included within the Subdivision. 	a) Attachment 6 b) Attachment 7 c) Attachment 7 d) N/A

Attachment B: Subdivisions Eligible to Receive the Groundwater Allowance

Subdivision Name	Number of Lots on Preliminary Plat	Number of Lots on Final Plats Submitted to ADWR	Remaining Lots that Can Receive Groundwater Allowance Increase
Cliff Rose, Unit 3	21	0	21
Dells at Prescott Lakes	167	101	66
Lakeside@ Prescott Lakes	240	35	205
Mason Ridge	14	0	14
Peaks Unit I @ Prescott Lakes	665	0	665
Peaks Unit II @ Prescott Lakes	150	124	26
Prescott Lakes: Estates Unit 2	239	163	76
Prescott Lakes: Estates Unit 3	12	0	12
Prescott Lakes: Pines	231	216	15
Prescott Lakes: Pinnacle Unit 1	62	0	62
Prescott Lakes: Pinnacle Unit 2	340	0	340
Summit Unit 2	227	133	94
The Club at Forest Trails	49	0	49
Yavapai Hills	1,632	239	1,393
Yavapai Hills in Prescott Valley	489	0	489
Total	4,538	1,011	3,527

Pinnaces Ward, PhI has 3 lots.



REGULAR COUNCIL MEETING - NOVEMBER 28, 1995 - continued:

SCHEDULED AGENDA BUSINESS

Mayor Rutkowski presented **Item A.,** to consider authorizing the submission of an application to the Arizona Criminal Justice Commission in the amount of \$372,628.80 for calendar year 1996 PANT grant.

Councilwoman Suttles <u>MOVED</u> to <u>AUTHORIZE</u> the submission of an application to the Arizona Criminal Justice Commission, in the amount of \$372,628.80, for the calendar year 1996 PANT grant, which was <u>SECONDED</u> by Councilman Barrett.

Mayor Rutkowski asked if statistics were kept on arrests and believed education was the answer and Police Chief Reed replied statistics were kept but he did not have them with him and there were 4 letters from the schools in appreciation of the time spent by the officers educating the students in the school system.

There being no further comments, Mayor Rutkowski called for the <u>VOTE ON THE MOTION</u>, which carried with Mayor Rutkowski casting a NAY vote.

Mayor Rutkowski presented Item B., to consider the Preliminary Plat for the Anasazi Subdivision, generally located off Willow Lake Road on Mogollon Drive, consisting of 298 residential lots on 113.87 acres, as recommended by the Planning & Zoning Commission, subject to the rescission of the approved Design Masters Plat, and to an approved development agreement prior to final plat. (SP-9503/Schirmer-Ball Co)

Councilman Barrett declared a conflict of interest due to owning property in the area.

Councilman Franyi MOVED to APPROVE the Preliminary Plat for the Anasazi Subdivision, generally located off Willow Lake Road on Mogollon Drive, consisting of 298 residential lots on 113.87 acres, as recommended by the Planning & Zoning Commission, subject to the rescission of the approved Design Masters Plat, and to an approved development agreement prior to final plat, which was SECONDED by Mayor Rutkowski.

Planning Manager Mattix presented some transparencies and explained the general area and the existing zoning and the other subdivisions surrounding this request.

Mike Haywood, agent, commented some of the concern was caused by the phase of the project that fronted on Lakeview Drive with 9,000 square foot lots being approved and the property across the street was divided into 2-5 acre lots, the developer was suggesting 298 lots instead of the possible 400 plus that the existing zoning allowed for, the Planning & Zoning Commission unanimously approved the project, there would be 10 acres of open space, and clarified no matter what happened with the Willow Hills development, there would be access provided to the adjoining property.

Councilman King remarked this was not the perfect solution, but felt this plan was acceptable and was in balance with the plan and what they hoped to happen for this area.

Councilwoman Holaday mentioned some concerns about Lakeview Drive and if there could be an internal street instead of so many driveways on Lakeview.

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CITY WOUNTER

Staff Memo Report Council Agenda



PLANNING & ZONING DIVISION

MEMORANDUM

TO:

Mark Stevens, City Manager

FOR:

Honorable Mayor and City Council

FROM:

Tom Guice, Community Development Director

Ramona Mattix, Assistant Community Development Director / Pan

Project Manager: 776.6287

SUBJECT:

A REPLAT of The PINNACLE at PRESCOTT LAKES - UNIT 2

(formerly Anasazi Subdivision).

REPLAT OF THE PINNACLE AT PRESCOTT LAKES, UNIT 1,

PHASE 1 and a REPLAT of a portion of TRACT "D" of THE SUMMIT -

UNIT 1.

DATE:

March 28, 1997

FILE NO.:

SP9503

APPLICANT:

M3 Builders, Inc.

OWNER:

Aiello/Pinnacle LLC

917 E. Gurley St. Ste. 1E.

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Prescott, AZ 86301

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SUMMARY: The proposal consist of two requests from M3 Builders: one is for a replat of Unit 1 of the Pinnacle at Prescott Lakes (formerly the Anasazi Subdivision); the other is for a replat of the Pinnacle at Prescott Lakes - Unit 2. (formerly the Summit Subdivision and prior to this the Anasazi Subdivision. The Anasazi Subdivision overall consisted of 113.87 acres with 298 residential lots. This request also includes housekeeping resolutions amending development agreements relating to this property.

PARCEL NO.

106-20-004D.

	The PINNACLE - PHASE II	The PINNACLE - PHASE I
NUMBER OF LOTS	38 residential lots	3 residential lots
PARCEL SIZE	20.25 ± acres	1.1 ± acres
AVERAGE LOT SIZE	.46 acre	15,949 sq. ft
MIN. LOT SIZE	.36 acres	14,037 sq. ft
MAX, LOT SIZE	.89 acres	17,563 sq. ft
CURRENT ZONING	RA-9	RA-9
<u>DENSITY</u>	RA-9 Planned Area Development (PAD) with a minimum lot size of 9,684 square feet.	
ALLOWED DENSITY	RA-9: minimum lot size 9,000 square feet per lot.	

SURROUNDING LAND

Direction	General Plan	Zoning	<u>Use</u>
North	Special Study	RA-12	Proposed church
South	Minimal	RA-35	Residences on Lakeview Drive
West	Moderate	RA9	Undeveloped Area
East	Moderate	RBMH	Proposed Willow Hills

GENERAL PLAN DESIGNATION AND CONSISTENCY

Generally intended as an area where the comprehensive impact on the setting and its citizens has a minimal effect. The proposed plat is consistent with the General Plan.

PREVIOUS COUNCIL ACTION

City Council Meetings (4/1/97 & 4/8/97) Replat Approval SP9503 Page 3

This area was part of a large annexation into the city on December 13, 1978. The preliminary plat of the 7 Phase Anasazi Subdivision was approved in November, 1995. Part of this subdivision was later renamed "The Summit" with the final plat approval of Unit 1 (Phase 1) of the Summit Subdivision given in November, 1996.

UTILITIES PROVIDED

Water x Sewer x Electric x Gas x

SITE LOCATION AND EXISTING CONDITIONS

Access to the site is off Willow Lake Road on Mogollon, with a secondary access off Willow Creek Road and Montana Drive.

The overall subdivision plat lies on large slopes which have grades that range from 5% to over 20%. Several drainage areas traverse the site. The property is mostly grassland, but contains some scrub oak, mountain mahogany and cliff rose in the drainage's. Views are to the north over looking the Willow Lake area.

At present the area north of the proposed subdivision, fronting Willow Lake Road has approval for an apartment complex. The future apartment complex would be separated from The Summit Subdivision by the extension of Mogollon Road. There are plans for a new Baptist Church on southeast corner of the Mogollon/Willow Lake Road intersection.

DEVELOPMENT PLAN

The PINNACLE - PHASE II - The proposed replat decreases the number of lots from 4 to 3 with increased sizes for each of the 3 proposed lots. The reason for decrease is to provide similar large lot sizes as a buffer to the proposed replat of The Pinnacle - Phase I located directly across the street from this replat.

The PINNACLE - PHASE I

The lot and road configuration has changed. The original approved final plat for this subdivision's Phase 2 and Phase 5 (as Anasazi) contained 71 lots which typically varied from about 8050 to 12,600 square feet in size. The proposed replat has combined these phases, decreased the number of lots to 38 and increased the average lot size to almost 1/2 acre.

These two phases were originally approved with an internal loop street (see attached Anasazi Preliminary Plat) which connected to another of the subdivision's streets. The proposed replat

now shown is to have a future external loop street connection to the east of the plat. The stub out on the southeast side of the proposed subdivision will connect to the Prescott Lakes Development.

Access: The construction and use of a new north-south connector road.

Trail Walk, in the first phase of the proposed plat will minimize traffic through existing neighborhoods and limit wear on existing roads due to construction traffic. This road will be an extension of

the existing White Mountain Road.

Connector Street Width: 24 feet pavement, 2' curb, gutter, and meandering sidewalk

sidewalk, ROW is 50'

Interior Street Width: 24 feet pavement on average with curb and gutter, sidewalk on one

side, ROW is 50'.

Financial Assurance: Financial assurances may have to be posted prior to the recordation

of these replats. These assurance amounts, if applicable, will be provided to Council as an addendum prior to the voting session.

Open Space and Trails: Open space and trails are proposed within the boundary of the

overall former "Anasazi" Subdivision. Trails are proposed as part of these two plat phases, however, the trail location in the Pinnacle at Prescott Lakes Unit 2 has changed (see attached Trails map). The trail was formerly located in 40 foot wide Tract "D" as part of the Ansazi Subdivision. It is now proposed as a 20 foot wide

drainage easement. The new trail location is a 10 foot wide easment which runs along the south side of Pagoda Peak Drive.

Agencies: Agency comments will be given to the City Council as an addendum

prior to the Voting Session.

DEVELOPMENT AGREEMENT and RESOLUTIONS

A development agreement for the plat was approved in February 1996 for the Summit Subdivision as well as changes to the development agreements with Prescott Lakes LLC. and Prescott Lakes De Cima 163 LLC. In addition to and including off-site improvements, contributions to the Willow Lake South traffic study, signalization of Mogollon and Willow

City Council Meetings (4/1/97 & 4/8/97) Replat Approval SP9503 Page 5

Lake Road, and a contribution to potential antelope relocation, these agreements also prohibited gated streets within the project.

Earlier this year The M3 Companies had previously presented to the Council the concept of placing some gates on some of the private streets within their projects, in particular "The Pinnacle". At a recent study Session, the Council, in its initial consideration of the foregoing, did not indicate any opposition to the concept. However, the current Development Agreement with M3 prohibits the gating of any private streets. Therefore, the attached resolution amend the M3 Development Agreement by allowing the gating communities, on a case-by-case basis, by the Council.

Also, M3 in a different partnership name, has purchased approximately 21 acres from the Summit (formerly Anasazi). At the request of M3, and with the permission of the owners of the Summit, M3 would like to remove these 21 acres from the provisions of the Summit's Development Agreement, and the M3 companies (under the partnership name of Aiello) has agreed to place these 21 acres under a new Development Agreement with the following stipulation: that the City shall take into account the cumulative amount of open space within the 21 acres, as well as the cumulative amount of open space within the Prescott Lakes property in determining compliance with the open space requirement of the PAD regulations and the Prescott Lakes master plan.

The Council now, therefore, has four items to review in addition to the proposal by M3 to amend their Development Agreement.

- > A new Development Agreement with Aiello for the 21 acres (attached) withesolution approving a resolution amending the Development Agreement of Prescott Lakes LLC with > a resolution approving sewer.
- > A resolution amending the Development Agreement with Prescott Lakes De Cima 163 LLC.
- > An amendment to the Summit's Development Agreement (attached) reducing the property description by 21 acres.

The Planning Commission voted unanimously to approve these changes at their January 23 meeting.

STAFF RECOMMENDATION:

City Council Meetings (4/1/97 & 4/8/97) Replat Approval SP9503 Page 6

Staff recommends approval of these replats.

RECOMMENDED MOTION:

Motion: Suggested motion would be:

MOVE TO APPROVE:

- REPLAT of The PINNACLE at PRESCOTT LAKES UNIT 2 (formerly Anasazi Subdivision); and the
- REPLAT OF THE PINNACLE AT PRESCOTT LAKES, UNIT 1, PHASE 1 and a REPLAT of a portion of TRACT "D" of THE SUMMIT UNIT 1.

MOVE TO APPROVE:

- AMENDMENT NO. 1 TO THE DEVELOPMENT AGREEMENT AT THE SUMMIT TO DELETE THE 21 ACRES TO BE PURCHASED BY AIELLO/PINNACLE, LLC; RESOLUTION 2956
- G. A NEW DEVELOPMENT AGEEMENT WITH AIELLO FOR THE 21 ACRES (ATTACHED) WITH RESOLUTION AMENDING THE DEVELOPMENT AGREEMENT OF PRESCOTT LAKES LLC. RESOLUTION 2957.
- H. AMEND THE DEVELOPMENT AGREEMENT WITH PRESCOTT LAKES DE CIMA 163 LLC. RESOLUTION 2958.
- AN AMENDMENT TO THE M3 DEVELOPMENT AGREEMENT RESOLUTION <u>3959</u>.

APPROVAL OF MINUTES:

A. Regular Council Meeting - March 25, 1997

CITY MANAGER:

A. RESOLUTION NO. 2955 - A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING RESOLUTION NUMBER 2551 BY AMENDING THE COUNCIL POLICY AS IT RELATES TO THE ANNUAL PERFORMANCE EVALUATIONS OF DEPARTMENT HEADS.

COMMUNITY DEVELOPMENT:

- A. Consider approving the assignment of the Aero Mechanics, Inc. lease to Robert Craner and Chuck McCoy at Ernest A. Love Field.
- B. Consider approving the replats for **Sierra Timbers**, consisting of 33 lots on 36.93 acres, **Sunrise Highlands**, consisting of 38 lots on 42.58 acres, and **Conifer Ridge**, consisting of 40 lots on 29.75 acres, in the **Hassayampa Villages Subdivision**, located off Thumb Butte Road, to place Conservation Open Space Easements on the plats and adjust various lot lines.
- C. ORDINANCE NO. 3608 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE XII OF THE PRESCOTT CITY CODE BY AMENDING SECTIONS 12-4-5 AND 12-9-2 OF THE SUBDIVISION REGULATIONS RELATING TO REVISIONS OF PLATS OR REPLATS.
- D. Consider approving the replat of The Pinnacle at Prescott Lakes, Unit 2, located off Willow Creek Road.
- E. Consider approving the replat of The Pinnacle at Prescott Lakes, Unit I, Phase 1 and a replat of a portion of Tract "D" of The Summit, Unit 1, located off Willow Creek Road.
- F. RESOLUTION NO. 2956 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING RESOLUTION NUMBER 2939 BY AMENDING A **DEVELOPMENT AGREEMENT** APPROVED THEREIN WITH **SCHIRMER-BALL COMPANY**, AS RECORDED IN BOOK 3326 AT PAGES 338 THROUGH 346, RECORDS OF THE YAVAPAI COUNTY RECORDER.

COMMUNITY DEVELOPMENT - continued:

- G. RESOLUTION NO. 2957 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO A **DEVELOPMENT AGREEMENT** WITH **AIELLO/PINNACLE**, **L.L.C.**, AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.
- H. RESOLUTION NO. 2958 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING RESOLUTION NUMBER 2854 BY AMENDING A DEVELOPMENT AGREEMENT APPROVED THEREIN WITH PRESCOTT LAKES/DECIMA 163, L.L.C.
- I. RESOLUTION NO. 2959 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING RESOLUTION NUMBER 2853 BY AMENDING A DEVELOPMENT AGREEMENT APPROVED THEREIN WITH PRESCOTT LAKES DEVELOPMENT, L.L.C.

ENVIRONMENTAL SERVICES:

- A. Consider approving an **effluent agreement** with Yavapai Materials, Inc. to provide 204 acre-feet per year for a period of five years with two one-year extensions for the **sand and gravel operation** located at Larry Caldwell Drive.
- B. ORDINANCE NO. 3609 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ACCEPTING A SEWER EASEMENT FROM ROBERT ALLEN TYLER. (Hassayampa Mountain Club Plat A)
- C. ORDINANCE NO. 3612 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ACCEPTING A PUBLIC UTILITY EASEMENT FROM ROY T. LACEY AND AUTHORIZING THE ABANDONMENT OF AN EXISTING PUBLIC UTILITY EASEMENT ON THE PLAT OF SUMMIT POINTE BY CRYSTAL CREEK.
- D. ORDINANCE NO. 3613 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, **ACCEPTING SEWER AND WATER EASEMENTS** FROM **HASSAYAMPA GOLF CLUB**, L.L.C. IN THE HASSAYAMPA VILLAGE PROJECT.

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PINNACLE AT PRESCOTT LAKES, UNIT

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Final Plat of

Maps & Plats, Pgs. 18 & 19, Y.C.R.O.

Located in a portion of Section 15, Township 14 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona.

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Containing 1.0984 acres, more or less.

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AZ LS. NO. 19941

CL MICHAEL HATTECOD

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TYPICAL SETBACKS

VICINITY MAP

145-605

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Attachment 6. Water Demand Analysis, Pinnacle Unit 1, Phase 1

No. of Accounts	No. of Accounts 60 months (5 Years)	No. of Vacant Lots	Annual Water Use Acre-feet / year	Average Use by Lot
				Acre-feet / year
			0.49	0.24

Attachment 7.

CC&Rs

Book	Page	Date	Description
3254	509-571	08/02/1996	FIRST AMENDED AND RESTATED MASTER DECLARATION OF CC&RS
			FOR PRESCOTT LAKES

