

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

September 10, 2021

Re: Final Plat Approval for Falcon Point, 118 Lots
Request for Increase in Allowable Groundwater Allocation

The City of Prescott requests the Arizona Department of Water Resources to increase the City's allowable groundwater allocation based upon the recording of the final plat for Falcon Point at Prescott Lakes, recorded December 14, 2006, for 118 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
A request to increase the groundwater allocation.	This letter serves as the request.
Reference to the subdivision in Exhibit B of the D&O for this request.	Attachment 1
 A copy of the Preliminary Plat, The Peaks at Prescott Lakes, dated 6/18/1999 	Attachment 2
 City Council Agenda Memo, dated 7/28/1998, seeks approval of the PP Of Prescott Lakes' The Peaks I and II. CC Voting Session limits Unit 1 to 665 lots, and Unit 2 to 150 lots. 	Attachment 3
 City Council Study Session / Special Meeting, held June 6, 2006, seeks approval of Final Plat of Falcon Point at PL, consisting of 118 lots on 27.4 acres. 	Attachment 4
5. Final Plat of Falcon Point at Prescott Lakes, recorded 2/14/2006.	Attachment 5
7. a) A calculation of projected groundwater use for the Final Plat	a) Attachment 6
b) Include landscaping plans for Open Space	b) Attachment 7
c) CC&Rs related to water use, and	c) Attachment 7
d) Any commercial properties included within the Subdivision.	d) N/A

Attachment B: Subdivisions Eligible to Receive the Groundwater Aliowance

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

* FALCOU POINT includes Areas GD, VE from the Peaks PT.

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Resolution No. 3077 - continued:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

THAT, the said estimates of revenue and expenditures shown on the accompanying schedules as now increased, reduced or changed by and the same are hereby adopted as the budget of the City of Prescott for the fiscal year 1998-99.

PASSED, APPROVED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 28th day of JULY, 1998.

-s-PAUL S. DALY, Mayor

ATTEST: -s-MARIE L. WATSON, City Clerk

APPROVED AS TO FORM: -s-JOHN R. MOFFITT, City Attorney

Mayor Daly presented Item C., a report on the status of the Amended Designated Water Provider Application and Review of the revised public report on moratorium.

City Manager Mark Stevens reported the city had received a response from ADWR regarding the amended application for designated water provider requesting up to 12,000 acre feet and the decision had been to give the city 11,200 acre feet, that some items in the decision letter needed to be clarified as yet and that would be done in the next few days.

Mr. Stevens continued the Council could now act on the plats that were on the agenda today, however, there would have to be a reduction in the committed demand, that some of the units and lots would be adjusted on some of the plats, such as on Prescott Lakes' The Peaks I and II, and no action would be taken on plats that would take the city above 11,200 acre feet, that the plats on today's agenda would commit 700 acre feet.

Mr. Stevens continued ADWR also provided the ramifications for the future if the city were to pump 11,200 acre feet of water out of the wells and city staff did not agree with their calculations and assumptions, and the decision letter made the assumption the city would start pumping that amount tomorrow, which was not true, and it was not the city's goal to ever pump that amount, that it would take more than 40 years of buildout to ever come close, so there were several points that needed clarification.

Councilman Cooper suggested looking at raising the amount of effluent recharge credits to make up the difference between the 8,200 acre feet first requested and the 11,200 acre feet that was granted.

Environmental Services Director Brad Huza replied the city currently received recharge credits for 54% of the water used and as more people moved in and more subdivisions were added to the sewer system that percentage would increase.

Mayor Daly presented Item L., to consider approving the Preliminary Plat for Cliff Rose, Unit 3, Phase D, consisting of 21 single family (PAD) lots and one open space lot on 8.1± acres, located west of Highway 89 and west of Boardwalk Avenue, with condition(s) as noted. (Savage) (SP-9821)

Planner Bacon reiterated the reason for not allowing access from the residential area into the commercial area.

Paddie Braden of the Cliff Rose Homeowners Association commented the group was not aware of a revision in the Master Plan showing the commercial property.

Mr. Bacon replied at the time of the final plat there would be a condition that there be no access into the commercial property from the residential property.

There being no further comments, Mayor Daly <u>MOVED</u> to <u>APPROVE</u> the Preliminary Plat for Cliff Rose, Unit 3, Phase D, consisting of 21 single family (PAD) lots and one open space lot on $8.1\pm$ acres, located west of Highway 89 and west of Boardwalk Avenue, with condition(s) as noted, which was <u>SECONDED</u> by Councilman Wise.

Councilwoman Bell asked about the requirement for open space, and Mr. Bacon replied this phase met the 20% open space requirement that Unit 6 of Cliff Rose did not.

There being no further comments, Mayor Daly called for the <u>VOTE ON THE MOTION</u> to approve the Preliminary Plat, which carried unanimously.

Mayor Daly recessed the meeting at 4:45 P.M. and reconvened at 4:50 P.M.

Mayor Daly referred to Items T. U., V., W & X. which were all preliminary plats pertaining to the **Prescott Lakes** area.

City Manager Stevens briefly explained the condition to delete provisions for phasing and Items W. & X. had added conditions to change the maximum number of lots to 665 and 150 respectively and this reduction of over 400 lots would help with the 11,200 acre foot allotment as received by ADWR and developer Bill Brownlee had agreed to this reduction.

City Manager Stevens briefly explained **Item Y.** to consider the **Preliminary Plat** for **North Lake**, did not have any outstanding issues but the phasing could be eliminated and the correct number of lots was 129 instead of 127.

Mayor Daly MOVED to APPROVE Agenda Items T. through Y, with conditions as noted, and to delete from the plats all provisions for phasing and for Item W. the number of lots would be reduced to 665 and for Item Y. the lots would be reduced to 150, which was SECONDED by Councilman King, and carried unanimously.

T. Preliminary Plat for The Estates at Prescott Lakes, Unit III, consisting of 12 lots on 12± acres, located off Highway 89 and Willow Lake Road, and accessed from The Estates Unit II, with condition(s) as noted, and delete phasing provisions. (M₃ Companies) (SP-9822)

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- U. Preliminary Plat for Lakeside at Prescott Lakes, consisting of 240 lots on 18.4± acres, located at the juncture of Power Drive, Smoke Tree Lane, and Prescott Lakes Parkway, with condition(s) as noted, and delete phasing provisions. (M₃ Companies) (SP-9823)
- V. Preliminary Plat for The Dells at Prescott Lakes, consisting of 167 lots on 53.3 ± acres, located off Blooming Hills Drive, adjacent to lots in the Cliff Rose Subdivision, with condition(s) as noted, and delete phasing provisions. (M₃ Companies) (SP-9824)
- W. Preliminary Plat for The Peaks at Prescott Lakes, Unit 1, consisting of 710 lots on 80± acres, with condition(s) as noted, delete phasing provisions, and number of lots shall not exceed 665 lots. (M₃ Companies) (SP-9826)
- Preliminary Plat for The Peaks at Prescott Lakes, Unit 2, consisting of 518 lots on 23.6± acres, with condition(s) as noted, delete phasing provisions, and the number of lots shall not exceed 150 lots. (M₃ Companies) (SP-9833)
- Y. **Preliminary Plat for North Lake**, consisting of 127 lots on 30± acres, located off Willow Lake Road and Samaritan Way, with condition(s) as noted, and delete phasing provisions. (Vista Del Lago/SP-9812).

Mayor Daly presented Item Z., Resolution No. 3075 for consideration regarding a development agreement with Hamblin Bowditch concerning the Palmer Family project.

City Manager Stevens briefly explained this agreement and the following plat had been held from last meeting until the water provider designation issue was settled and they were now ready to proceed.

City Attorney Moffitt explained there was one change in the preliminary plat conditions that the final plat show building envelopes no larger than 50% of each lot. (natural open space)

Mayor Daly MOVED to ADOPT Resolution No. 3075, which was <u>SECONDED</u> by Councilman King and carried unanimously.

RESOLUTION NO. 3075

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 HAMBLIN BOWDITCH, L.L.C., AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

ITEM W - THE PEAKS AT PRESCOTT LAKES, UNIT 1 - REVISED WORDING FOR CONDITION OF APPROVAL:

MOVE to Approve the Preliminary Plat for The Peaks at Prescott Lakes, Unit 1, consisting of 710 lots on 80 +/- acres, with conditions as noted, and subject to the following additional conditions: 1) to delete from said plats all provisions for phasing; and 2) that the total number of lots in the Final Plat for The Peaks at Prescott Lakes, Unit 1, shall not exceed 665 lots.

ITEM X - THE PEAKS AT PRESCOTT LAKES, UNIT 2 - REVISED WORDING FOR CONDITION OF APPROVAL:

MOVE to Approve the Preliminary Plat for The Peaks at Prescott Lakes, Unit 2, consisting of 518 lots on 23.6 +/- acres, with conditions as noted, and subject to the following additional conditions: 1) to delete from said plats all provisions for phasing; and 2) that the total number of lots in the Final Plat for The Peaks at Prescott Lakes, Unit 2, shall not exceed 150 lots.

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Councilman Roecker inquired about the previously discussed intent to maintain trail access and Mr. Guice explained the preliminary plat was more of a PAD with smaller lots and more open space and the final plat had larger lots. The development would have sidewalks instead of trails.

M. Approval of Final Plat for North Forty comprising 31 lots on approximately 31.76 acres located generally west of Williamson Valley Road and south of Le Loup Rd., FP06-002.

Community Development Director Tom Guice explained the property was south of Granite Shadows and consisted of 31 lots on 31.76 acres and was not proposed as a PAD and no open space tract was proposed. The project complies with subdivision regulations and off-site improvements would be required and fair-share costs for upgrades to sewer and water infrastructure (\$49,969.20) would be paid before the final assurance release acceptance of the subdivision was granted. Staff recommended approval of the subdivision.

Councilman Blair asked if the property owner provided right-of-way for the Williamson Valley Road widening project and Mr. Nietupski responded the City acquired the right-of-way needed prior to this plat.

N. Approval of Final Plat for Falcon Point at Prescott Lakes, A Planned Area Development (PAD), consisting of 118 lots on 27.4 acres, located generally west of Highway 89 and east of Prescott Lakes Parkway. FP05-021.

Community Development Director Tom Guice explained the plat was consistent with the amended Prescott Lakes master plan which was approved by Council on August 29, 2005; access aligned with Blooming Hills Drive; this was a gated community with private streets and a 4-foot wide sidewalk on one side of he street; and the Planning and Zoning Commission approved the Slope Mitigation, Grading and Erosion Control Plan.

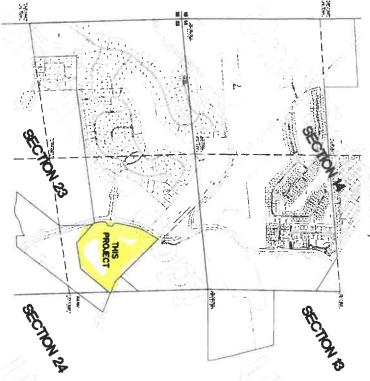
Councilman Luzius inquired about the retaining walls up to 24 feet high and Mr. Guice explained it wouldn't be a vertical wall, but would be stepped and plantings would soften the appearance of the 4 walls.

Speaker:

Patty Braden, Cliff Rose — expressed concern about a boulevard stop at Blooming Hills Drive and explained it was difficult to get out and she hoped for a four-way stop.

Mr. Guice responded that would be a Public Works decision and a warrant study would be done and staff would look at that during the week.

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APPROVALS

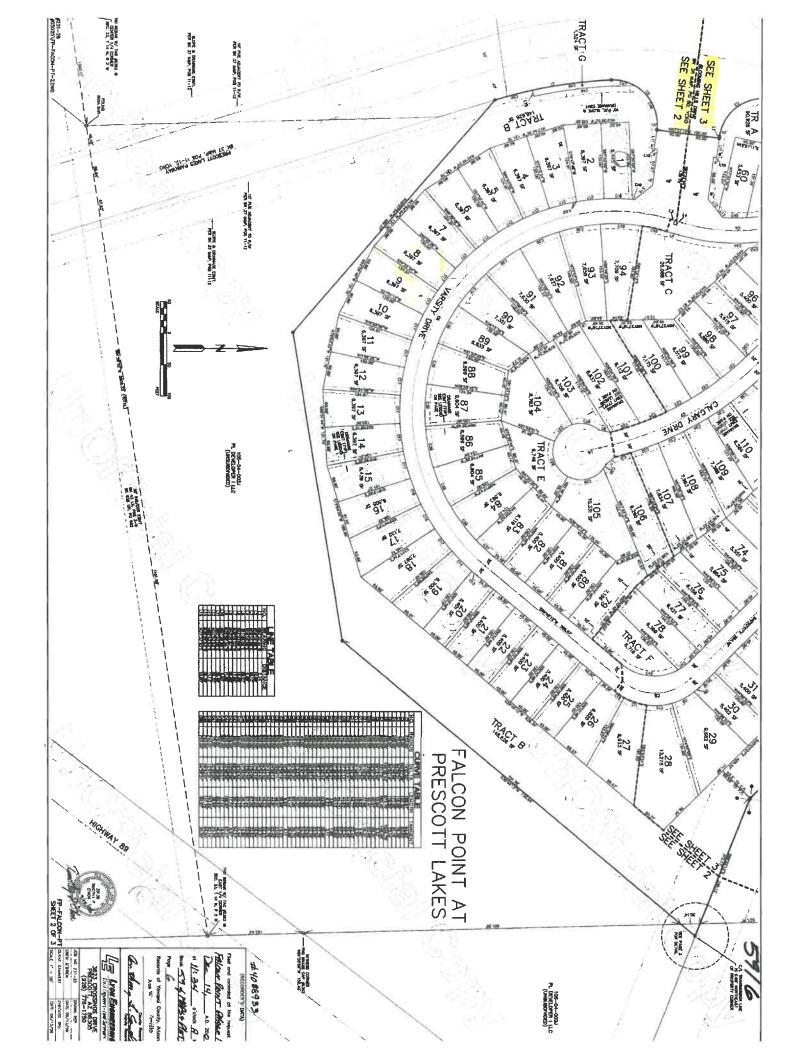
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LE LYON ENGINEERS 3823 CROSSINGS DRIVE PRESCOTT, AZ 86305 (928) 776-1750

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Attachment 6, Falcon Point Water Demand

No. of Accounts	No. of Accounts 60 months (5 Years)	Annual Water Use acre-feet / year	Average Use by Lot acre-feet / year
122	20	7.03	0.35

Attachment 7, Falcon Point CC&Rs

Book	Page	Recorded	Description
2021-0048738	ARES	07/07/2021	Prescott Lakes Community Association, Inc.
			Initial Restrictions and Rules
			References CC&Rs from 2/25/1999
			Lists restricted activities (no animal breeding, no firearms,
			no trash, etc.)
			Exhibit A Legal Description includes Falcon Point,
			118 lots, Tracts A-G.