

RESOLUTION NO. 25-24

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A CONDITIONAL USE PERMIT IN CASE NO. P-25-38-CUP REQUESTED BY ROERS COMPANIES, REPRESENTED BY GREG DAVIS OF IPLAN CONSULTING, FOR A 300-UNIT, THREE-STORY, RESIDENTIAL RENTAL COMMUNITY ON PROPERTY ZONED CITY CENTER ("B-3").

WHEREAS, a conditional use permit ("CUP") application was submitted on April 30, 2025, to the planning division of the City of Apache Junction ("City"), by Greg Davis of Iplan Consulting on behalf of Roers Companies, requesting approval of a CUP to permit a 300-unit, three-story residential rental community, as described in the materials submitted with case file no. P-25-38-CUP and as otherwise conditionally approved herein, for the property with Pinal County:

Assessor Parcel Numbers ("APNs") 101-19-014B, 101-19-0130, 101-19-015B and 101-19-015D (also known as Parcel 3 of the 88 North Land Plat), legally described as follows:

A PORTION OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 21, BEING AN ARIZONA DEPARTMENT OF TRANSPORTATION ALUMINUM CAP, FROM WHICH THE NORTHWEST CORNER THEREOF, BEING A COTTON PICKER SPINDLE, BEARS NORTH 0 DEGREES 14 MINUTES 10 SECONDS WEST, 2636.87 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, BEING COINCIDENTAL WITH THE MONUMENTED CENTERLINE OF IDAHO ROAD NORTH 0 DEGREES 14 MINUTES 10 SECONDS WEST, 659.22 FEET TO A POINT ON SAID WEST LINE & SAID MONUMENTED CENTERLINE;

THENCE, DEPARTING SAID WEST LINE & SAID CENTERLINE NORTH 89 DEGREES 37 MINUTES 03 SECONDS EAST, 50.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF IDAHO ROAD, BEING COINCIDENTAL TO LYING 50.00 FEET EAST OF THE WEST

LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE NORTH 0 DEGREES 14 MINUTES 10 SECONDS WEST, BEING 50.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 AND SAID MONUMENTED CENTERLINE, 1,260.00 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE LYING 50.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 & SAID MONUMENTED CENTERLINE;

THENCE, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 89 DEGREES 45 MINUTES 50 SECONDS EAST, 1,400.00 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE LYING 60.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 & SAID MONUMENTED CENTERLINE;

THENCE, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 0 DEGREES 14 MINUTES 10 SECONDS WEST, BEING 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 & SAID MONUMENTED CENTERLINE, 821.12 FEET TO A POINT LYING 60.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 & SAID MONUMENTED CENTERLINE;

THENCE, DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE NORTH 89 DEGREES 36 MINUTES 57 SECONDS EAST, 59.48 FEET;

THENCE NORTH 0 DEGREES 23 MINUTES 03 SECONDS WEST, 104.50 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SCENIC STREET BEING 33.00 FEET SOUTH OF THE MONUMENTED CENTERLINE OF SAID SCENIC STREET;

THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS EAST, BEING 33.00 FEET SOUTH OF AND PARALLEL WITH THE MONUMENTED CENTERLINE OF SAID SCENIC STREET, 872.11 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE LYING 33.00 FEET SOUTH OF SAID MONUMENTED CENTERLINE;

THENCE, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 0 DEGREES 13 MINUTES 34 SECONDS EAST, 628.64 FEET;

THENCE SOUTH 89 DEGREES 37 MINUTES 03 SECONDS WEST, 941.21 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF IDAHO ROAD, BEING COINCIDENTAL TO LYING 50.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION AND THE POINT OF BEGINNING;

CONTAINING 13.3464 ACRES, MORE OR LESS;

WHEREAS, on October 28, 2025, after holding a public hearing on the application and hearing public testimony, the planning and zoning commission voted 4:1 to recommend the approval of the requested CUP to the city council; and

WHEREAS, on December 2, 2025, the city council again held a public hearing on the application and heard public testimony;

WHEREAS, based on public testimony and the applicant's and staff's presentations, the council found that the proposed use, the manner of its conduct on the property will not be detrimental to people residing or working in the area, to adjacent property, to the neighborhood or the public welfare in general based on the factors set forth in the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-16: Administration, § 1-16-12 (D) (3), subsections (a) through (g).

NOW, THEREFORE, BE IT RESOLVED by the mayor and city council that the applicant be granted a CUP for a 300-unit, three-story, residential rental community on APNs 101-19-014B, 101-19-0130, 101-19-015B, and 101-19-015D at the southeast corner of Idaho Road and Scenic Street, subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans and staff comments attached and associated with case no. P-25-38-CUP, associated design review case no. P-25-39-DR, and all the provisions of the zoning ordinance and city codes applicable to this case.
- 2) The proposed development will not be age-restricted.

- 3) Landscaping along Idaho Road shall be coordinated with the future development to the south to ensure a cohesive and unified streetscape design.
- 4) Landscaping, screening and irrigation improvements, located within a minimum 10-foot deep strip inside the net property line along the west perimeter of the property along Idaho Road (west) and the Scenic Street alignment (north), shall be provided in compliance with the city's landscape and screening requirements contained in Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-8: Landscape Regulations. All required trees along Idaho Road shall be 36" box and all others shall be a minimum of 24" box. All required shrubs shall be 5-gallon in size.
- 5) Landscape and irrigation improvements that are located within the Idaho Road and Scenic Street right-of-way must comply with the Apache Junction public works department requirements including the spacing away from streetlights. Maintenance, replacement and any relocation of the landscaping within the adjacent right-of-way shall remain the responsibility of the property owner and its successors pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-8: Landscape Regulations.
- 6) All applicable permits shall be applied for and plans shall be designed to current city codes prior to any lot grading or construction.
- 7) The developer's engineer shall meet the civil engineering improvement plans and document requirements, as outlined in the previously provided pre-application and review comments and in accordance of the city's approved engineering standards that are in effect at the time of plan submittal.
- 8) All common and amenity areas within the proposed development, including perimeter walls and fences, and interior and exterior common area landscaping, shall be owned and maintained in good condition at all times by the

developer or owner of the community or property management company.

- 9) Apartment management will participate in the Apache Junction Crime Free Multi-Housing Program and shall provide proof of such participation to the development services department director or designee on the anniversary of the grand opening each year.
- 10) Major deviations or proposed changes from the original plans associated with this case will require a major CUP amendment. The development services director or designee shall interpret the proposed modification to be significant/major if, in the director or designee's opinion, the quality of project design is diminished, and/or the overall character of the project is contrary to the intent and spirit of the original city council approval.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2026.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____ 2026.

WALTER "CHIP" WILSON
Mayor

ATTEST:

YVETTE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney