

LEGAL DESCRIPTIONS AND ZONING CONDITIONS OF CASE
NO. P-23-63-PZ

- A) The mayor and council passed Ordinance No. 1547 on May 21, 2024, which approved the planned development rezoning of the approximately 18-acre property, located at the southeast corner of US-60 and Goldfield Road, legally described as follows:

Parcel 1 (103-01-0110): LOT 1 SUPERSTION FALLCOMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 2 (103-01-0130): LOT 3 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 3 (103-01-0140): LOT 4 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 4 (103-01-0150): LOT 5 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 5 (103-01-0160): LOT 6 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 6 (103-01-0170): LOT 7 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

Parcel 7 (103-01-0180): LOT 8 SUPERSTION FALLS COMMERCIAL CAB G - SLD 066 SEC 35 1N-8E

- B) The approval is subject to the following zoning conditions:

STANDARD CONDITIONS

- 1) All the provisions of the zoning ordinance are applicable to this case.
- 2) The development shall reflect substantial compliance and consistency with the planned development presented with case P-23-63-PZ, P-23-64-GPA and P-23-65-DR incorporated by reference herein, and as otherwise specified through these conditions of approval, to include site layout, elevations, setbacks, public and private rights-of-ways, easements and tracts, amenities (including proposed pool and clubhouse), perimeter and interior lot separation walls, model types, landscaping and other improvements.
- 3) Landscape, screening and irrigation improvements, planted within a minimum 10-foot-deep strip inside the

net property line (but outside of required walls) along the perimeters of the property, 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 shall be 24" box and all required shrubs shall be 5-gallon in size and a decorative 6-foot-tall wall shall be constructed on all roadway frontages.

- 4) Street improvements include but not necessarily limited to, extension of pavement and the provision of sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, landscaping shall be required as part of this planned development project, and subject to review and approval by the city engineer.
- 5) All applicable permits shall be applied for and plans shall be designed to current city codes prior to any lot grading or construction on the lots. Inclusively, all applicable development fees, including, but not limited to, public art fees, shall be paid at the time of permit issuance. Development fees shall be paid on a per unit basis.
- 6) All common areas, amenity areas, and tracts within and immediately adjacent to 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 owners or homeowners association of the proposed subdivision.
- 7) The developer's engineering 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) Minor PD modifications or alterations of the approved architecture designs, floor plans, open space, unit mix, unit count, clubhouse location or development plan, shall be administratively reviewed and approved by the development services director or his or her designee.

- 9) Major deviations or proposed changes from the original plans associated with this case will require a Major PD Amendment. The director or his or her designee shall interpret the proposed modification to be significant/major, if, in his or her opinion, the modified project density (i.e., units per acre) is proposed to be increased by more than 10%, the quality of project design is diminished, the types of proposed land uses are significantly altered and/or the overall character of the project is contrary to the intent and spirit of the original city council PD ordinance approval.

PROJECT SPECIFIC CONDITIONS

- 1) The maximum height for the site shall be limited to 30-feet.
- 2) A reduced rear setback of 8' shall be permitted on the parcels north of Resort Boulevard.
- 3) The proposed development will not be age-restricted.
- 4) Resort Boulevard will remain a private road and will not be dedicated as public right-of-way.
- 5) The City will transfer ownership, maintenance, and payment of all existing streetlights along Resort Boulevard to the adjacent property owners/commercial homeowner's association.
- 6) The four curb returns along the intersection of Goldfield Road and Resort Boulevard and Chevron Gas Station shall be updated to current American Disabilities Act standards.
- 7) Concrete sidewalk shall be added from the north existing access drive heading north to tie into the existing sidewalk located within the Arizona Department of Transportation right-of-way as required by the city engineer.
- 8) Any other future improvements to existing public facilities in Goldfield Road will be per city standards and as required by the city engineer.