



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: April 26, 2022

CASE NUMBER: P-21-96-SD "Goldfield Estates; Amendment to PD Ordinance 1132"

OWNERS: David Joseph McHenry Trust,
Gary & Judy Feland

APPLICANT: BFH Group, LLC, represented by David Bohn

REQUEST: Proposed preliminary plat to subdivide 12.64 gross acres (103-23-032A, 103-23-0200, 103-23-033A, 103-23-031A, 103-23-031B, 103-23-0220, 103-23-021A, and 103-23-021B) into a 209-unit townhome subdivision

BACKGROUND

The properties involved have historically been vacant, and no development history is available.

Most recently, the BFH Group has formally expressed interest in developing parcels 103-23-032A, 103-23-0200, 103-23-033A, 103-23-031A, 103-23-031B, 103-23-0220, 103-23-021A, and 103-23-021B into a 209-unit townhome subdivision.

Parcels 103-23-032A, 103-23-0200, and 103-23-033A are zoned B-1/PD "General Commercial by Planned Development" and are tied to the Planned Development Ordinance 1132 previously approved in June 2000 under the PD Rezoning PZ-03-00. In order to allow for this development the Planned Development Major Amendment to modify PD Ordinance 1132 must be approved through case P-21-94-PZ.

Parcels 103-23-031A, 103-23-031B, 103-23-0220, 103-23-021A, and 103-23-021B are zoned RS-GR "General Rural Low Density Single-

Family Detached Residential,” and must be rezoned to B-1/PD through the rezoning by planned development case P-21-95-PZ in order for the parcels to be joined and subdivided.

PROPOSALS

P-22-96-SD is a proposed preliminary plat to subdivide 12.64 gross acres (103-23-032A, 103-23-0200, 103-23-033A, 103-23-031A, 103-23-031B, 103-23-0220, 103-23-021A, and 103-23-021B) into a 209-unit townhome subdivision.

The subdivision proposed in the Preliminary Plat consists of a 12.64 gross acres divided into 209-lots with typical lot sizes of approximately 1,008 square feet (42' x 24' lots), and with all homes sizes being two-story homes of approximately 1,265 square feet.

PLANNING DIVISION RECOMMENDATION

Staff is supportive of the proposed project and respectfully recommends to the Commission that they include the following conditions of approval as part of a favorable recommendation to the City Council. As always, Commissioners may recommend changes or additional conditions which they feel will improve the development plan.

RECOMMENDED MOTION FOR PRELIMINARY PLAT

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of Preliminary Plat, case P-21-96-SD a request BFH Group, LLC, represented by David Bohn (applicant), for a 209-lot residential subdivision tentatively to be named Goldfield Estates, located approximately at the northwest corner of Goldfield Road and the US-60 Highway, subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans attached and associated to this case and all the provisions of the Zoning Ordinance applicable to this case.
- 2) All conditions of approval for the B-1/PD-zoned property as approved pursuant to the planned development major amendment case P-21-94-PZ and the planned development rezoning case P-21-95-PZ shall govern the design and subsequent improvements of the Final Subdivision Plat.
- 3) Within one year of Preliminary Subdivision Plat approval, the developer shall submit for formal review, the Final

Subdivision Plat and improvement plans for the proposed subdivision. Said final plat and improvement plans shall reflect substantial compliance with the preliminary plat insofar as general layout, number of lots, location of natural and man-made amenity features and areas, and internal and external streets and connectivity.

- 4) The Conditions, Covenants and Restrictions for Goldfield Estates shall also include provisions to address and specify that the homeowners association is perpetually responsible for the maintenance and upkeep of all common areas and facilities, drainage and retention areas, fencing and landscape improvements both internal and along the outside perimeter of the subdivision. Should the homeowners association ever dissolve or become defunct, the maintenance of such areas shall be the responsibility of the abutting lot, tract, or parcel owner.
- 5) The developer shall work with and coordinate separately with all known utility companies which serve Apache Junction, to provide necessary services to the site and to relinquish and/or relocate utility easements as needed, prior to or upon final plat approval.
- 6) The developer's engineer shall meet the civil engineering improvement plans and document requirements in accordance of the city's approved engineering standards that are in effect at the time of plan submittal.
- 7) The following right of way dedications shall be made:
 - a) A 20 foot by 20 foot triangular corner cut-off visibility triangle shall be dedicated as public right-of-way at the intersections of Starr Road and 28th Avenue.
 - b) 30 feet of right-of-way shall be dedicated on the south side of 28th Avenue.
 - c) 30 feet of right-of-way shall be dedicated on the east side of Starr Road.
- 8) Other than the portion to be dedicated to the city as right-of way, all Federally Patented Easements located within the development site shall be extinguished through both the city and the utility companies' extinguishment procedures. No construction can be permitted within active easements.

Nick Leftwich
Prepared by Nicholas Leftwich
Associate Planner

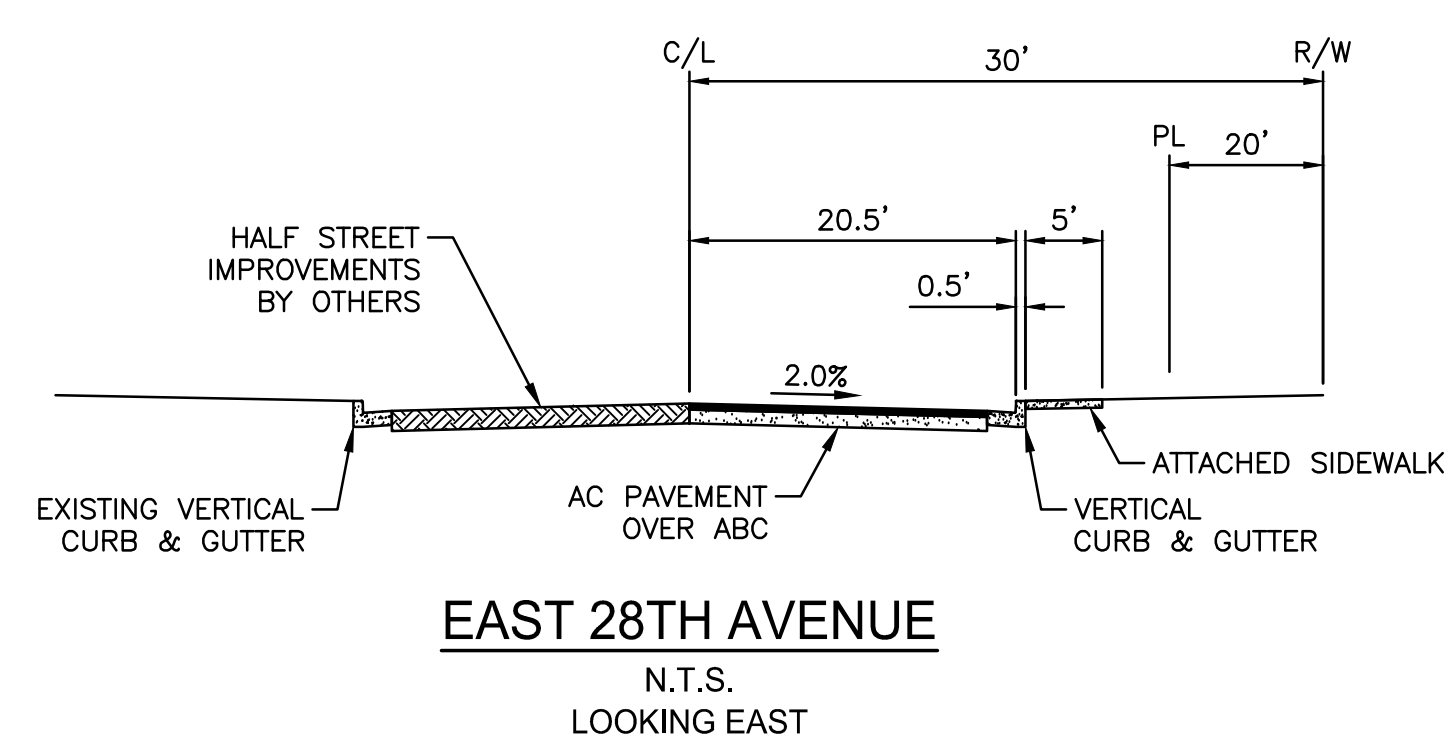
Attachments:
Exhibit #1 - P-21-96-SD Preliminary Plat

E:\002021\101205FH GOLDFIELD EST\STATES\DWG\CIVL\PRELIMINARY\PREPLAT\021822\PRELIMINARY PLAT\PRELIM PLAT.dwg. 03/23/2022 5:05:28 PM

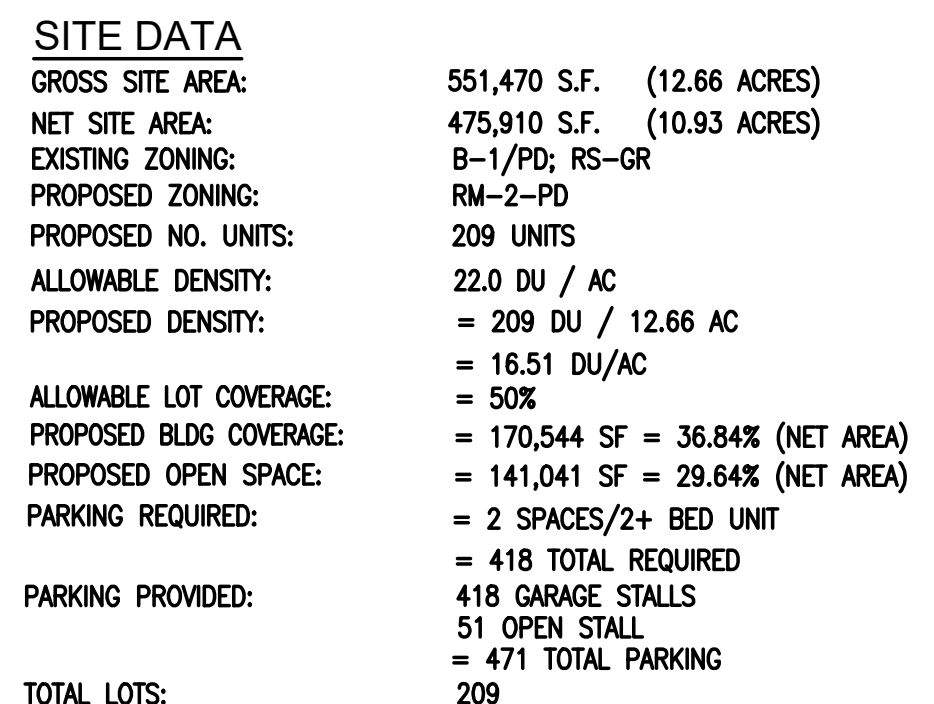


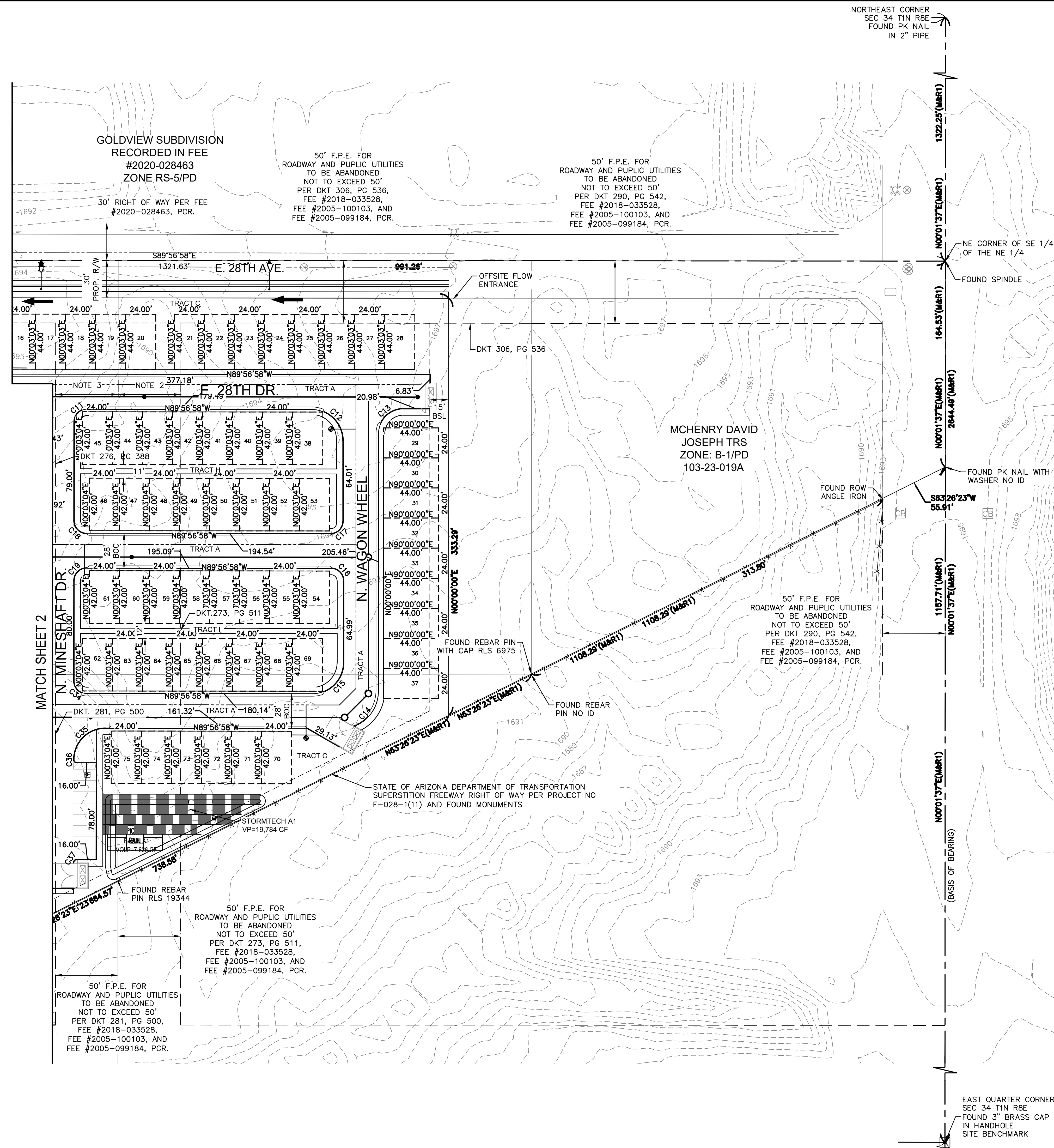
CONTAINING 627,528.89 SQUARE FEET OR 14.4061 ACRES, MORE OR LESS.

- a. ALL TRACTS NOT DEDICATED TO THE CITY OF APACHE JUNCTION SHALL BE IMPROVED IN ACCORDANCE WITH THE APPROVED PLANS AND DEEDED TO THE HOMEOWNERS' ASSOCIATION UPON RECORDATION OF THE FINAL PLAT. TRACTS SHALL NOT BE CONVEYED TO ANY PRIVATE OR PUBLIC ENTITY WITHOUT PRIOR CITY COUNCIL APPROVAL.
- b. THE MAINTENANCE OF LANDSCAPE AND DRAINAGE AREAS EITHER WITHIN THE PUBLIC RIGHT-OF-WAY AND/OR UP TO A PERIMETER WALL OR FENCE OR PRIVATE YARD SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION OR THE ABUTTING LOT, TRACT OR PARCEL OWNER.
- c. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, FENCES AND DRIVEWAYS.
- d. NO STRUCTURES, EARTHWORK OR OTHER CONSTRUCTION SHALL BE CARRIED OUT IN DRAINAGE PATHS OR RETENTION BASINS AS SHOWN ON THE APPROVED IMPROVEMENT PLANS AND, EXCEPT AS MAY BE APPROVED BY THE DEVELOPMENT SERVICES PROJECT ENGINEER, FENCING SHALL BE LIMITED TO WIRE-STRAND OR BREAK-AWAY SECTIONS THAT CANNOT IMPEDE WATER FLOW OR COLLECT DEBRIS WHICH WOULD IMPEDE THE WATER FLOW. VEGETATION SHALL NOT BE PLANTED NOR ALLOWED TO GROW WITHIN DRAINAGE PATHS, EASEMENTS OR RETENTION BASINS WHICH WOULD IMPEDE THE FLOW OF WATER.
- e. MAINTENANCE OF THE DRAINAGE AREAS WITHIN THE TRACTS AND EASEMENTS SHALL BE THE RESPONSIBILITY OF GOLDFIELD SUBDIVISION HOMEOWNERS' ASSOCIATION, SHOULD THE ASSOCIATION NOT ADEQUATELY MAINTAIN THE GOVERNING ENTITY HAVING JURISDICTION OVER THE AREA IN WHICH THE TRACT OR THE EASEMENT IS LOCATED AT ITS DISCRETION, MAY ENTER UPON AND MAINTAIN THE DRAINAGE AREAS, AND ASSESS THE HOMEOWNERS' ASSOCIATION, ITS SUCCESSORS AND/OR BENEFITING PROPERTIES THE COST OF MAINTENANCE.
- f. THE OVERHEAD UTILITY LINES ON OR ADJACENT TO THE SITE SHALL BE UNDERGROUND AS OUTLINED IN § 1-8-6(k), RELOCATION OF OVERHEAD WIRES AND EQUIPMENT, ZONING ORDINANCE, VOL. II, APACHE JUNCTION CITY CODE. ALL EXISTING AND PROPOSED OVERHEAD UTILITY LINES SHALL BE PLACED UNDERGROUND.
- g. THE CITY OR ANY GOVERNING ENTITY HAVING JURISDICTION OVER THE FINAL PLAT SHALL HAVE THE RIGHT TO ENFORCE ALL NOTES SHOWN AND ASSOCIATED WITH THE FINAL PLAT ON THE HOMEOWNERS' ASSOCIATION OR ALL FUTURE OWNERS, ASSIGNS AND SUCCESSORS IN INTEREST AND/OR BENEFITING PROPERTIES.
- h. SHOULD THE HOMEOWNERS' ASSOCIATION NOT PAY PROPERTY TAXES ON ANY TRACT OWN WITHIN THE SUBDIVISION AT ANY TIME IN THE FUTURE AND LOSE THE PROPERTY THROUGH TAX FORECLOSURE OR FORFEITURE OR DISSOLVE, THE CITY OR THE GOVERNING ENTITY HAVING JURISDICTION OVER THE AREA IN WHICH THE TRACT OR THE EASEMENT IS LOCATED, SHALL ASSESS, LIEN, AND/OR COLLECT FROM ANY SUCCESSOR IN INTEREST AND/OR BENEFITING PROPERTIES THE COST OF MAINTENANCE OF ALL IMPROVEMENTS, DRAINAGE FACILITIES, LANDSCAPING AND AMENITIES.



FLOOD INSURANCE RATE MAP (F.I.R.M.) INFORMATION					
COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	FIRM DATE (INDEX DATE)	FIRM ZONE	BASE FLOOD ELEVATION (IN AO ZONE USE DEPTH)
040120	0020	E	12/04/07	X	N/A



















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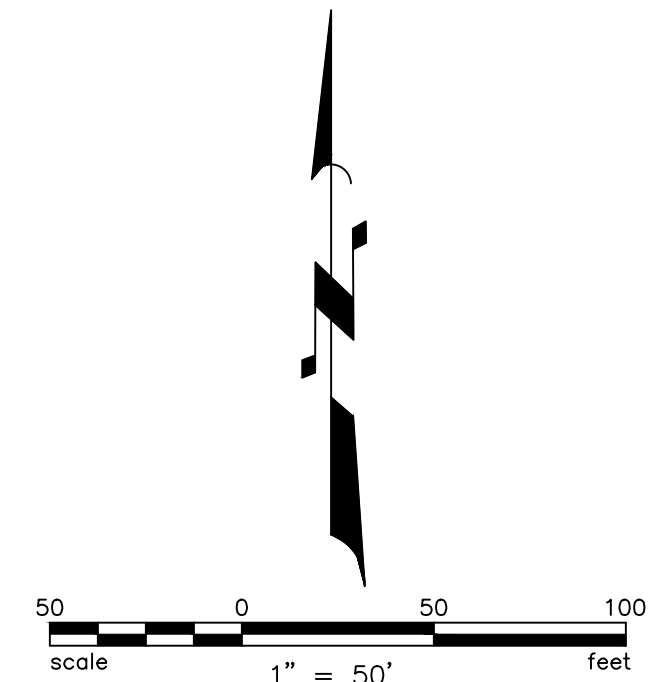


NOTE 2:
50' F.P.E RIGHT OF WAY FOR
ROADWAY AND PUBLIC UTILITIES
NOT TO EXCEED 50'
PER DKT 306, PG 536,
FEE #2018-033528,
FEE #2005-100103, AND
FEE #2005-099184, PCR.
TO BE ABANDONED.

NOTE 3:
50' F.P.E RIGHT OF WAY FOR
ROADWAY AND PUPLIC UTILITIES
NOT TO EXCEED 50'
PER BK 14, PG 181,
FEE #2018-033528, AND
FEE #2005-100103, PCR.
TO BE ABANDONED.

LEGEND

- | | |
|---|--------------------------------|
|  | BOUNDARY LINE |
|  | RIGHT OF WAY (R/W) |
|  | EASEMENT LINE |
|  | CENTER LINE |
|  | PROPOSED CURB |
|  | SIDEWALK LINE |
|  | VALLEY GUTTER |
|   | SURVEY MONUMENT |
|   | EXISTING WATER |
|   | EXISTING SEWER |
|  | SEWER LINE |
|  | FIRE HYDRANT |
|  | WATER LINE |
|  | WATER VALVE |
|  | F.P.E. FEDERAL PATENT EASEMENT |



TRACT TABLE			
TRACT	ACRES	AREA SQ. FT.	DESCRIPTION OF USE
TRACT A	3.08	133958.41	INGRESS, EGRESS, PUBLIC UTILITY, REFUSE COLLECTION, DRAINAGE EASEMENT
TRACT B	0.39	16873.90	OPEN SPACE/LANDSCAPE/EASEMENT
TRACT C	1.23	53769.29	OPEN SPACE/LANDSCAPE/EASEMENT
TRACT D	0.45	19749.06	OPEN SPACE/LANDSCAPE/AMENITIES
TRACT E	0.23	10035.05	OPEN SPACE/LANDSCAPE/AMENITIES
TRACT F	0.27	11940.23	OPEN SPACE/LANDSCAPE
TRACT G	0.14	6177.46	OPEN SPACE/LANDSCAPE
TRACT H	0.11	4910.12	OPEN SPACE/LANDSCAPE
TRACT I	0.12	5085.38	OPEN SPACE/LANDSCAPE

CURVE TABLE				
CURVE#	LENGTH	RADIUS	DELTA	CHORD
C1	12.13	10.00	69.51	11.40
C2	16.14	30.00	30.83	15.95
C3	8.96	10.00	51.32	8.66
C4	8.96	10.00	51.32	8.66
C5	16.14	30.00	30.83	15.95
C6	12.13	10.00	69.51	11.40
C7	3.14	2.00	90.00	2.83
C8	3.14	2.00	90.00	2.83
C9	10.47	10.00	60.00	10.00
C10	4.19	2.00	120.00	3.46
C11	15.71	10.00	90.00	14.14
C12	39.25	25.00	89.95	35.34
C13	31.43	20.00	90.05	28.30
C14	36.26	30.00	69.26	34.10
C15	39.29	25.00	90.05	35.37
C16	15.70	10.00	89.95	14.14
C17	15.72	10.00	90.05	14.15
C18	15.71	10.00	90.00	14.14
C19	15.71	10.00	90.00	14.14
C20	15.71	10.00	90.00	14.14

CURVE TABLE				
CURVE#	LENGTH	RADIUS	DELTA	CHORD
C21	11.86	10.00	67.98	11.18
C22	3.91	2.00	112.02	3.32
C23	15.70	10.00	89.97	14.14
C24	14.46	10.00	82.84	13.23
C25	3.39	2.00	97.19	3.00
C26	3.39	2.00	97.17	3.00
C27	14.45	10.00	82.79	13.23
C28	39.28	25.00	90.03	35.36
C29	39.26	25.00	89.97	35.35
C30	3.39	2.00	97.18	3.00
C31	14.46	10.00	82.85	13.23
C32	15.71	10.00	90.00	14.14
C33	15.71	10.00	90.00	14.14
C34	15.71	10.00	90.00	14.14
C35	39.27	25.00	90.00	35.36
C36	3.14	2.00	90.00	2.83
C37	3.14	2.00	90.00	2.83
C38	39.27	25.00	90.00	35.36
C39	39.27	25.00	90.00	35.36
C40	15.71	10.00	90.00	14.14

CURVE TABLE				
CURVE#	LENGTH	RADIUS	DELTA	CHORD
C41	84.82	54.00	90.00	76.37
C42	39.27	25.00	90.00	35.36
C43	28.81	30.00	55.03	27.72
C44	15.70	10.00	89.97	14.14
C45	3.14	2.00	90.00	2.83
C46	3.39	2.00	97.18	3.00
C47	14.46	10.00	82.85	13.23
C48	14.45	10.00	82.79	13.23
C49	3.39	2.00	97.18	3.00
C50	39.26	25.00	89.97	35.35
C51	39.28	25.00	90.03	35.36