

RESOLUTION NO. 25-22

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING GENERAL PLAN AMENDMENT CASE P-25-10-GPA, A REQUEST BY SUNDT CONSTRUCTION, INC., REPRESENTED BY BRENNAN RAY OF RAY LAW FIRM, FOR A MAJOR AMENDMENT TO THE GENERAL PLAN LAND USE MAP TO REDESIGNATE APPROXIMATELY 36.6 ACRES AT THE NORTHWEST CORNER OF CACTUS ROAD AND AUTO CENTER DRIVE, FROM "COMMERCIAL" TO "LIGHT INDUSTRIAL / BUSINESS PARK AND INDUSTRIAL."

WHEREAS, the City of Apache Junction General Plan was adopted, pursuant to Arizona Revised Statutes ("A.R.S.") § 9-461.06 Adoption and Amendment of General Plan; Expiration and Readoption; and

WHEREAS, the City of Apache Junction General Plan, Chapter 13: Amending the General Plan, also defines a major amendment to include: "Any proposed land use plan map change from a commercial land use designation to a business park / industrial land use designation of 10 or more contiguous acres"; and

WHEREAS, proposed map amendment case P-25-10-GPA for the 36.6-acre property and the proposed companion rezoning case P-25-11-PZ for the same 36.6-acre property, both fall within the definitions of requests requiring a major general plan amendment; and

WHEREAS, the Apache Junction planning and zoning commission on June 10, 2025, and on June 24, 2025, held public hearings regarding P-25-10-GPA, and on June 24, 2025, voted to recommend approval of case P-25-10-GPA as presented by the applicant by a vote of 5:0; and

WHEREAS, the city council has complied with the requirements for the preparation and adoption of a general plan amendment pursuant to A.R.S. § 9-461.06; and

WHEREAS, the city council finds that the action taken on this general plan amendment is necessary for sound and orderly community development, for the preservation of community values and for the promotion of the general health, safety, convenience and welfare of the citizens of Apache Junction; and

WHEREAS, the city council also finds the amendment:

- 1) Proposes a land use designation that adequately provides optional sites to accommodate.
- 2) Constitutes an overall improvement to the general plan, will not solely benefit a particular landowner or owners at a particular point in time, and is consistent with the overall intent of the 2020-2050 general plan.
- 3) Is justified by an error in the 2020-2050 general plan as originally adopted.
- 4) Is generally consistent with goals, objectives, and other elements of the 2020-2050 general plan.
- 5) Is justified by a change in community conditions or neighborhood characteristics since adoption of the general plan.
- 6) Will not adversely impact a portion of, or the entire community, by:
 - a. Significantly altering acceptable existing land use patterns, especially in established neighborhoods.
 - b. Significantly reducing the housing to jobs balance in the planning area.
 - c. Substantially decreasing existing and future water supplies.
 - d. Replacing employment with residential uses.
 - e. Requiring additional and more expensive improvements to infrastructure systems and/or proximity to municipal facilities and / or services than are needed to support the prevailing land uses and which, therefore, may impact the level of service for existing and proposed developments in other areas.
 - f. Increasing traffic (without mitigation measures) on existing roadways beyond the planned level of service, and that negatively impact existing and planned land uses.
 - g. Negatively affecting the existing character (i.e., visual, physical and functional) of the immediate area.
 - h. Increasing the exposure of residents to aviation generated noise, safety and/or flight operations.
 - i. Materially diminishing the environmental quality of the air, water, land, or cultural resources.
 - j. Significantly altering recreational amenities such as open space, parks, and trails.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THAT:

Case P-25-10-GPA, a general plan land use plan map amendment request by Sundt construction, Inc., represented by Brennan Ray of Ray Law Firm, to redesignate approximately 36.6-acres at the northwest corner of Cactus Road and Auto Center Drive, from "commercial" to "light industrial/business park and industrial," be approved and adopted for the following generally described property:

Parcel 1 (102-20-008C): The West half of the Northwest quarter of the Southeast quarter of Section 33, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except any portion, thereof, lying within the right-of-way of the Superstition Freeway (U.S. Highway 60); and

Except the West 60 feet, thereof, which was conveyed to the State of Arizona in Warranty Deeds recorded November 28, 1988 in Docket 1569, Page 223 and Docket 1569, Page 225, records of Pinal County Arizona.

Parcel 2 (102-20-008A): The East half of the Northwest quarter of the Southeast quarter of Section 33, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except any portion, thereof, lying within the right-of-way of the Superstition Freeway (U.S. Highway 60); and

Except that portion which was conveyed to the City of Apache Junction, an Arizona municipal corporation in Warranty Deed recorded April 16, 2002, in Recording No. 2002-0019494, records of Pinal County, Arizona, described as follows:

Beginning at the most Southeasterly corner of the parcel of land described above;

Thence Westerly, along the South line of said parcel of land, 40.00 feet;

Thence Northerly and parallel to the East line of said parcel of land, 623.50 feet, more or less;

Thence Northwesterly, 25.46 feet to a point which is 36.50 feet South of the South line of the North half of said parcel of land and being 58.00 feet from the East line of said parcel of land;

Thence Northerly, 80.00 feet;

Thence Easterly, 18.00 feet to a point which is 40.00 feet East of the East line of said parcel of land and being 43.50 feet North of the South line of the North half of said parcel of land;

Thence Southerly, 43.50 feet to a point on the South line of the North half of said parcel of land;

Thence Easterly, 40.00 feet to the intersection of the South line of the North half of said parcel of land and the East line of said parcel of land;

Thence Southerly, 660.00 feet, more or less to the point of beginning.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ON THIS 15TH DAY OF JULY, 2025.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2025.

WALTER "CHIP" WILSON
Mayor

ATTEST:

EVIE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney