

RESOLUTION NO. 25-23

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A CONDITIONAL USE PERMIT IN CASE NO. P-25-28-CUP REQUESTED BY MEHMOOD MOHIUDDIN, REPRESENTED BY DANE ASTLE OF EDIFICE ARCHITECTURE, FOR AN EVENT CENTER AND VENUE ON PROPERTY ZONED GENERAL COMMERCIAL ("B-1").

WHEREAS, a conditional use permit ("CUP") application was submitted on April 8, 2025, to the planning division of the City of Apache Junction ("City"), by Mehmood Mohiuddin, represented by Dane Astle of Edifice Architecture, requesting approval of a CUP to permit the land use of an event center, as described in the materials submitted with case file no. P-25-28-CUP and as otherwise conditionally approved herein, for the property which is legally described below:

Parcel 100-25-043E:

A portion of the Northwest quarter of Section 15, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described: as follows:

COMMENCING at the Northeast corner of said Northwest quarter, being marked with a brass cap flush stamped LS 21773, and from which point the Northwest corner of said Northwest quarter, being marked with a brass cap in a hand hole, bears South 89 degrees 53 minutes 07 seconds West, 2642.19 feet distant therefrom;

Thence South 89 degrees 53 minutes 07 seconds West 40.00 feet, along the North line of said Northwest quarter;

Thence South 00 degrees 03 minutes 04 seconds East, 342.60 feet along a line that is 40.00 feet West of and parallel with the East line of said Northwest quarter to the POINT OF BEGINNING;

Thence North 89 degrees 31 minutes 32 seconds West, 229.98 feet, leaving said parallel line;

Thence North 87 degrees 58 minutes 44 seconds West,
168.38 feet;

Thence North 87 degrees 13 minutes 21 seconds West,
170:78 feet;

Thence North 07 degrees 56 minutes 37 seconds West, 43.78
feet, to a point on the Southeasterly right-of-way line
of Apache Trail as shown on the ADOT drawing D-11-E-496,
Project #088 PN 196 H8308;

Thence South 49 degrees 37 minutes 13 seconds West, 60.00
feet, along said right-of-way line to a point on the
West line of the Northeast quarter of the Northeast
quarter of said Northwest quarter;

Thence South 00 degrees 02 minutes 47 seconds East,
305.74 feet, along said West line to a point on a line
33.00 feet North of and parallel with the South line of
the Northeast quarter of the Northeast quarter of said
Northwest quarter;

Thence North 89 degrees 54 minutes 28 seconds East,
620.60 feet along said parallel line to a point on a
line that is 40.00 feet West of and parallel with the
East line of said Northwest quarter;

Thence North 00 degrees 03 minutes 04 seconds West,
284.13 feet, along last said parallel line to the POINT
OF BEGINNING.

Containing 4.173 acres gross and being subject to any
and all easements, rights-of-way, restrictions or
reservations of record or otherwise.

WHEREAS, on June 24, 2025, after holding a public hearing on
the application and hearing public testimony and the planning and
zoning commission voted 5:0 to recommend the approval of the
requested CUP to the city council; and

WHEREAS, on August 5, 2025, the city council 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 commission 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, 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 operating an event center on APN 100-25-043E at southeast corner of Lost Dutchman Boulevard and Apache Trail, subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans attached to and associated with case P-25-28-CUP. All development shall meet the requirements of the applicable city codes.
- 2) This CUP is conditionally approved pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-16: Administration, § 1-16-12, Conditional Use Permits, Administrative Use Permits and Building Permits.
- 3) To screen the event venue from future residential development, a 6-foot tall opaque fence shall be constructed along the south and western borders of the property and east of the event venue as depicted on the site plan.
- 4) All lighting shall comply with Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-10: Outdoor Lighting Regulations. Lighting shall be "Dark Sky" compliant, wherein all light sources shall be down-lit, fully shielded, and the correlated color temperature ("CCT") shall not exceed 3,000 Kelvins.
- 5) Outdoor music is not permitted at any time. The only exception is brief amplified sound during wedding ceremonies, which shall be strictly limited in duration and scope.

- 6) Any signage to be installed on the property must comply with Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-11: Sign Regulations. Signage should complement the building's architecture.
- 7) All music, audio, or noise shall not exceed 60 decibels when measured at 20 feet from the property's edge or from a complaining party's building footprint, as required in Apache Junction City Code, Volume I, Chapter 11: Noise, Article 11-1: Noise, § 11-1-6 Acts Or Conditions Declared As Excessive Noises.
- 8) Major deviations or proposed changes from the original plans associated with this case will require a major conditional use permit amendment. The Director or their 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 _____, 2025.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____ 2025.

WALTER "CHIP" WILSON
Mayor

ATTEST:

YVETTE MCKINNEY
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney