

RESOLUTION NO. 22-18

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A PRELIMINARY SUBDIVISION PLAT FOR THE SUBDIVISION TENTATIVELY KNOWN AS "GOLDFIELD ESTATES," IN CASE P-21-96-SD, A REQUEST BY BFH GROUP, LLC.

WHEREAS, the subdivider in Case P-21-96-SD proposes to subdivide Pinal County Assessor parcel numbers 103-23-0200, 103-23-032A, 103-23-033A, 103-23-0220, 103-23-021A, 103-23-021B, 103-23-031B, 103-23-031A, approximately 12.64 acres, located at the northwest corner of northwest corner of S. Goldfield Road and the US-60 Highway, (collectively, the "subject property"), into 209 residential lots for a townhome subdivision tentatively known as "Goldfield Estates," pursuant to Arizona Revised Statutes ("ARS") Title 9, Chapter 4, Article 6.2, and pursuant to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-5: Zoning Bulk and Use Regulations, Section 1-5-1, Residential Use Regulations and Article 1-4: Zoning Districts, Section 1-4-3, Planned Development ("PD") Overlay District, and Chapter 2: Subdivision Regulations; and

WHEREAS, on April 26, 2022, the Apache Junction Planning and Zoning Commission held a public hearing and voted 7-0 to recommend approval of preliminary plat case P-21-96-PZ, subject to the conditions prescribed therein; and

WHEREAS, the council finds this preliminary subdivision plat to be in compliance with the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance and Chapter 2: Subdivision Regulations, and subject to the conditions recommended by the city's planning and zoning commission in the planned development major amendment case P-21-94-PZ and rezoning case P-21-95-PZ; and

WHEREAS, the property proposed to be developed is legally described as follows:

The Northwest quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-0200); and

The Southeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except that portion thereof which lies Southeasterly of the following described line:

Beginning at the Northeast corner of said Section 34;

Thence South 00 degrees 03 minutes 52 seconds East along the East line thereof, a distance of 1486.89 feet;

Thence South 63 degrees 23 minutes 33 seconds West, a distance of 1108.18 feet to the point of ending at the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 34 (also known as parcel 103-23-032A); and

The Southwest quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona;

Except that portion which lies Southeasterly of the following described line:

Beginning at the Northeast corner of said Section 34;

Thence South 00 degrees 03 minutes 52 seconds East along the East line thereof, a distance of 1486.89 feet;

Thence South 63 degrees 23 minutes 33 seconds West, a distance of 1000 feet to the point of ending (also known as parcel 103-23-033A);

The Northwest quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-0220); and

The West half of the Northeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-021A); and

The East half of the Northeast quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-021B); and

The North half of the Southwest quarter of the Northwest quarter of the Southeast quarter of the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-031B); and

The South half of the Southwest quarter of the Northwest quarter of the Southeast quarter the Northeast quarter of Section 34, Township 1 North, Range 8 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona (also known as parcel 103-23-031A);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Apache Junction, Arizona, that:

The preliminary subdivision plat for Goldfield Estates, case P-21-96-SD, is approved subject to the following conditions:

- 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.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2022.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____,
2022.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney