

### City of Apache Junction





Date:

January 24, 2018

To:

Honorable Mayor and City Council Members

Through:

Bryant Powell, City Manager

Larry Kirch, Development Services Director

From:

Rudy Esquivias, Senior Planner/Zoning Admin

Subject:

February 6, 2018, City Council Public Hearing Item:

SD-1-14 (Resolution No. 18-03) Bella Corona Final Plat

### Background

Bella Corona LLC, represented by Hudd Hassell, are requesting final plat approval for the proposed 83-lot, single-family residences subdivision called Bella Corona (final plat resolution and plat map attached). The 10.61-acre property is located about 480 feet west of S. Ironwood Drive on the south side of W.  $20^{\rm th}$  Avenue. Bella Corona will be a gated family subdivision with private internal streets and recreational amenities.

This property has gone through several conceptual changes since first receiving planned development zoning approval for a single-family subdivision back in 2007. The city council approved the most recent preliminary plat for Bella Corona back in 2014 (resolution and pre-plat also attached). Then in July of 2017, Mr. Hassell requested and was approved for a minor PD amendment; an administrative approval which staff believes ultimately yielded a better design for the subdivision (see July 27, 2017, minor PD amendment approval letter attached).

### Planning Division Recommendation

The final plat and improvement plans submittal has been reviewed by Planning, the Development Services Engineer and the City Engineer. All necessary approvals have been received from state agencies and the applicants have submitted their improvement bond. There are no outstanding items or approvals pending, except of course for final plat approval by the City Council. Planning staff recommends approval of the final subdivision plat for Bella Corona.

### Attachments:

- Resolution No. 18-03;
- Bella Corona Final Plat Map;
- Resolution No. 14-41 (pre-plat approval);
- Bella Corona approved Preliminary Plat;
- July 27, 2017 minor PD amendment approval;

### RESOLUTION NO. 18-03

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A FINAL SUBDIVISION PLAT FOR "BELLA CORONA" SUBDIVISION, IN CASE SD-1-14, BY BELLA CORONA LLC, REPRESENTED BY HUDD HASSELL.

WHEREAS, Bella Corona is a proposed single-family residence subdivision, approved in a High Density Multiple-family Residential by Planned Development ("RM-2/PD")-zoned, +/-10.6-acre property, located approximately 480 feet west of S. Ironwood Drive, on the south side of W.  $20^{th}$  Avenue; and

WHEREAS, the preliminary plat for Bella Corona, approved by Resolution No. 14-41, depicted a 78-lot subdivision with private streets and internal neighborhood amenity areas, including a retention and recreation area along the west side of the subdivision; and

WHEREAS, on July 27, 2017, a planned development minor amendment was approved for Bella Corona wherein the number of lots was allowed to increase to 83, the building heights were allowed to increase from 26 feet to 28 feet and a tot lot was eliminated from the west side recreation area among other minor changes, in exchange for the elimination of the "Z-lot" configurations, wider lots, larger minimum-sized lots, and more overall average parking within the development; and

WHEREAS the applicants in Case SD-1-14 propose to subdivide Pinal County Assessor parcel numbers 102-11-003E and 102-11-003F into 83 individual residential lots for single-family homes and common areas for amenities and infrastructure, pursuant to Arizona Revised Statutes ("A.R.S.") 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, Tables 1-5-1 and 1-5-2; and Article 1-4: Zoning Districts, Section 1-4-3 Planned Development ("PD") Overlay District; and Chapter 2: Subdivision Regulations; and

WHEREAS, all necessary off-site improvement plans have been reviewed and approved, and all necessary Arizona Department of

RESOLUTION NO. 18-03 PAGE 1 OF 2 Environmental Quality, Arizona Department of Water Resources, assured water supply, construction bond assurances and other approvals have been received; and

WHEREAS, a legal description for the unsubdivided subject properties is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the mayor and city council of the City of Apache Junction, Arizona, that:

The final subdivision plat for Bella Corona Subdivision, Case SD-1-14, is approved subject to the following condition:

1) Staff is directed pursuant to A.R.S. Section 9-463.01(R) to record the final plat with the Pinal County Recorder and to collect the final plat recording fee from the subdivider and remit such amount to the Pinal County Recorder.

PASSED AND ADOPTED BY THE MAPACHE JUNCTION, ARIZONA, T., 2018.				THE CI	TY OF
SIGNED AND ATTESTED TO THIS 2018.	S	DAY	OF		
		JEFF SEF Mayor	RDY		
ATTEST:					
KATHLEEN CONNELLY City Clerk	-				
APPROVED AS TO FORM:					
RICHARD J. STERN City Attorney					

RESOLUTION NO. 18-03 PAGE 2 OF 2

### **EXHIBIT "A"**

### Parcel No. 1

A parcel of land lying in and being a part of the Southeast quarter of Section 30, 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 Southeast corner of said Section 30, a found City of Apache Junction brass cap in hand hole, from whence the East quarter corner of said Section 30 bears North 00 degrees 14 miutes 45 seconds West a distance of 2641.57 feet;

Thence North 00 degrees 13 minutes 46 seconds West along the East line of said Section 30 a distance of 659.91 feet (M) and 660.35 feet (R);

Thence South 89 degrees 45 minutes 45 seconds West a distance of 533.76 feet (M) and 533.80 feet (R);

Thence North 00 degrees 13 minutes 11 seconds West a distance of 60.00 feet to the true point of beginning;

Thence South 89 degrees 43 minutes 00 seconds West a distance of 413.63 feet, a set 1/2 inch iron pin capped LS 17278;

Thence North 11 degrees 08 minutes 22 seconds West a distance of 359.65 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 77 degrees 58 minutes 09 seconds West a distance of 311.95 feet, a corner that falls within a block wall;

Thence North 00 degrees 13 minutes 41 seconds West a distance of 310.66 feet (M) and 310.62 feet (R), a corner that falls within a block wall;

Thence North 89 degrees 42 minutes 54 seconds West a distance of 285.40 feet, a set 1/2 inch iron pin capped LS 17278, to a point on a non-tangent curve, concave Northeasterly, with a radius of 70.00 feet;

Thence Southeasterly along said curve through a central angle of 45 degrees 03 minutes 35 seconds an arc length of 55.10 feet (M) and 54.61 feet (R) to a found hex bar LS 21765;

Thence, non-tagent to said curve, South 00 degrees 14 minutes 48 seconds East a distance of 1.16 feet, a found hex bar LS 21765;

Thence North 89 degrees 42 minutes 37 seconds East a distance of 338.03 feet (M) and 338.20 feet (R), a found 1/2 inch iron pin tagged LS 21765 to a point on a non-tagent curve, concave Northwesterly, with a radius of 425.00 feet;

Thence Northeasterly along said curve through a central angle of 16 degrees 16 minutes 14 seconds an arc length of 120.71 feet (M) and 120.52 feet (R) to a found PK nail in wall tagged LS 21765;

Thence, non-radial to said curve, South 00 degrees 13 minutes 11 seconds East a distance of 589.48 feet, a set 1/2 inch iron pin capped LS 17278 to the true point of beginning.

### Parcel No. 2

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Thence South 89 degrees 43 minutes 00 seconds West a distance of 413.63 feet to the true point of beginning;

Thence continue South 89 degrees 43 minutes 00 seconds West a distance of 312.37 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 00 degrees 14 minutes 11 seconds East a distance of 60.00 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 89 degrees 42 minutes 55 seconds West a distance of 61.02 feet, a corner that falls within a block wall;

Thence North 00 degrees 14 minutes 11 seconds West a distance of 349.70 feet, a corner that falls within a block wall;

Thence North 77 degrees 58 minutes 09 seconds East a distance of 311.95 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 11 degrees 08 minutes 22 seconds East a distance of 359.65 feet, a set 1/2 inch iron pin capped LS 17278 to the true point of beginning.

### "BELLA CORONA" **FINAL PLAT**

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FOR BELLACOTOR LLC.

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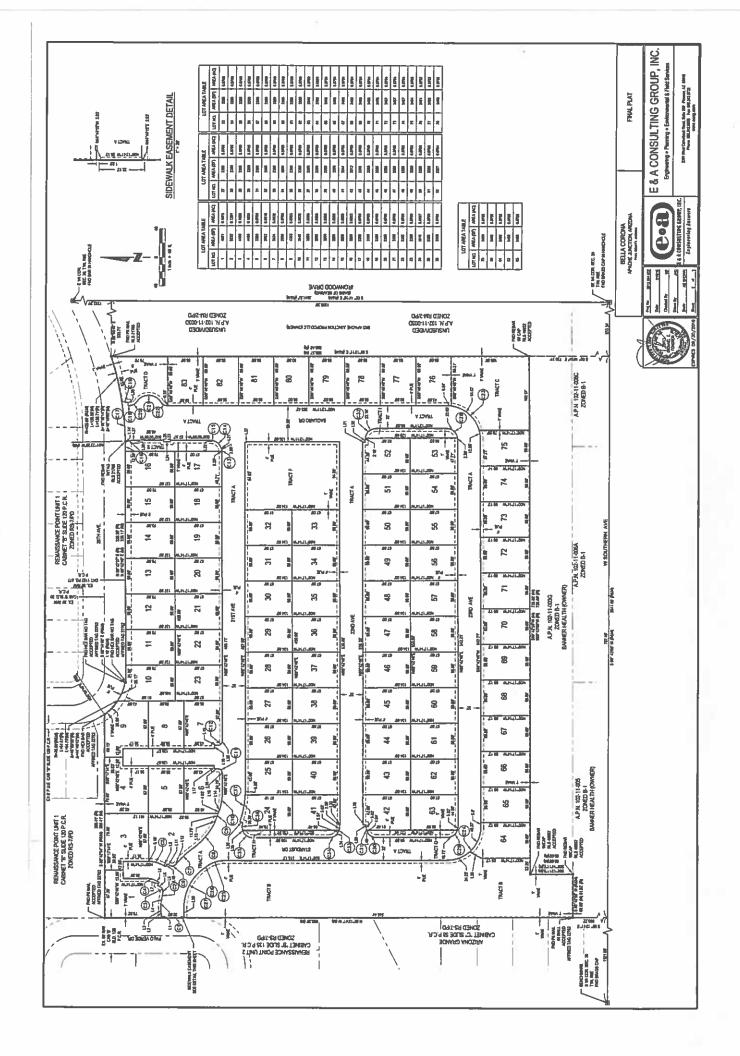
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E & A CONSULTING GROUP, INC. LINE/CURVE DATA TABLES

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### RESOLUTION NO. 14-41

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A PRELIMINARY SUBDIVISION PLAT FOR THE "BELLA CORONA" SUBDIVISION, IN CASE SD-1-14, BY IRONWOOD HEIGHTS LLC, REPRESENTED BY HUDD HASSELL.

WHEREAS, the applicant in Case SD-1-14 proposes to subdivide Pinal County Assessor Parcel Numbers 102-11-003E and 102-11-003F, approximately 10.61 acres (collectively, the "property"), into 78 residential lots for single-family homes, pursuant to Arizona Revised Statutes ("A.R.S.") Title 9, Chapter 4, Article 6.2, and pursuant to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Ordinance, Section 1-5-1, RM-2 Residential Use Regulations, Section 1-4-3, Planned Development ("PD") District, and Chapter 2, Subdivision Regulations; and

WHEREAS, the property was previously rezoned and preplatted for a subdivision to be called "The Foothills", pursuant to Ordinance No. 1306 and Resolution No. 07-35, respectively; which was later amended by Ordinance No. 1363 and Resolution No. 10-14, respectively; but the previous preliminary plat expired and the final plat was never processed; and

WHEREAS, approval of this resolution effectively approves a new preliminary plat for a new subdivision to be called "Bella Corona", but basically maintains a similar lot layout, street configuration, open space and amenities concept as the previous plats; and

WHEREAS, on September 23, 2014, the Planning and Zoning Commission held a public hearing regarding the preliminary plat for Case SD-1-14 and recommended approval of Case SD-1-14 by a vote of 7-0, with conditions; and

WHEREAS, the Council finds this preliminary subdivision plat to be in compliance with the <u>Apache Junction City Code</u>, Volume II, <u>Land Development Code</u>, Chapter 1, <u>Zoning Ordinance</u> and Chapter 2, <u>Subdivision Regulations</u>, and Ordinance No. 1363, which approved the most recent Planned Development concept plan for the property; and

RESOLUTION NO. 14-41 PAGE 1 OF 3 WHEREAS, the property proposed to be developed as the Bella Corona Subdivision is legally described as follows:

(See attached legal description Exhibit "A")

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

The preliminary subdivision plat for "Bella Corona" Subdivision, Case SD-1-14, is approved subject to the following conditions:

- 1) All conditions of approval for the RM-2/PD-zoned property, as approved pursuant to planned development rezoning and/or amendment cases PZ-9-07 (Ordinance No. 1306) and PZ-1-10 (Ordinance No. 1363) shall remain in full force and effect, along with any conceptual planned development plans, except as modified by the proposed preliminary plat, lot layouts, amenities and model exhibits for Bella Corona.
- 2) Within one year of preliminary subdivision plat approval, the developers shall submit for formal review, the final subdivision plat and improvement plans for the proposed subdivision.
- 3) Street improvements along W. 20<sup>th</sup> Avenue and S. Palo Verde Drive, including but not limited to, the extension of pavement and the provision of sidewalks, curbs, gutters, streetlights, fire hydrants, landscaping, etc., shall be designed and constructed according to the City of Apache Junction Engineering Guidelines and/or as otherwise determined by the City Engineer.
- 4) The Conditions, Covenants and Restrictions for Bella Corona shall also include provisions to address the following: prohibition on owners using garages for personal storage to the extent that two normal passenger vehicles cannot be accommodated in them at all times (with exception of the one car garage model); establishing a uniform system for garbage pick-up and mail-delivery; how the use and benefits easements will be applied; and specifying that the homeowners association is responsible for the maintenance and upkeep of the internal private streets, the common areas and the perimeter walls (including the decorative walls facing 20<sup>th</sup> Avenue) and landscape improvements both

RESOLUTION NO. 14-41 PAGE 2 OF 3 internal and along the outside perimeter of the subdivision.

- 5) The developers shall continue to work with police and fire personnel to provide emergency vehicle access into the subdivision through the controlled access gates.
- 6) The developers shall continue to coordinate and work with utility companies which serve Apache Junction, to establish proper utility easements throughout the subdivision, including underground power lines and adequate easements for dry and wet utilities.
- 7) The final subdivision plat and improvement plans shall be in substantial compliance with the design concepts presented with the preliminary plat and other exhibits for Bella Corona.
- 8) All of the models shall have four-sided architecture.

	AND ADOPTED BY THE MAYOR AND JUNCTION, ARIZONA, THIS	
SIGNED 2014.	AND ATTESTED TO THIS	DAY OF Nounder
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		and the second second
		JOHN S. INSALACO
		Mayor

ATTEST:

KATHLEEN CONNELLY

City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN

RICHARD J. STERN City Attorney

RESOLUTION NO. 14-41 PAGE 3 OF 3

### **EXHIBIT "A"**

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Thence North 00 degrees 13 minutes 46 seconds West along the East line of said Section 30 a distance of 659.91 feet (M) and 660.35 feet (R);

Thence South 89 degrees 45 minutes 45 seconds West a distance of 533.76 feet (M) and 533.80 feet (R);

Thence North 00 degrees 13 minutes 11 seconds West a distance of 60.00 feet;

Thence South 89 degrees 43 minutes 00 seconds West a distance of 413.63 feet to the true point of beginning;

Thence continue South 89 degrees 43 minutes 00 seconds West a distance of 312.37 feet, a set 1/2 inch Iron pin capped LS 17278;

Thence South 00 degrees 14 minutes 11 seconds East a distance of 60.00 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 89 degrees 42 minutes 55 seconds West a distance of 61.02 feet, a corner that falls within a block wall;

Thence North 00 degrees 14 minutes 11 seconds West a distance of 349.70 feet, a corner that falls within a block wall;

Thence North 77 degrees 58 minutes 09 seconds East a distance of 311.95 feet, a set 1/2 inch iron pin capped LS 17278;

Thence South 11 degrees 08 minutes 22 seconds East a distance of 359.65 feet, a set 1/2 inch iron pin capped LS 17278 to the true point of beginning.

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## **BELLA CORONA SUBDIVISION** PRELIMINARY PLAT

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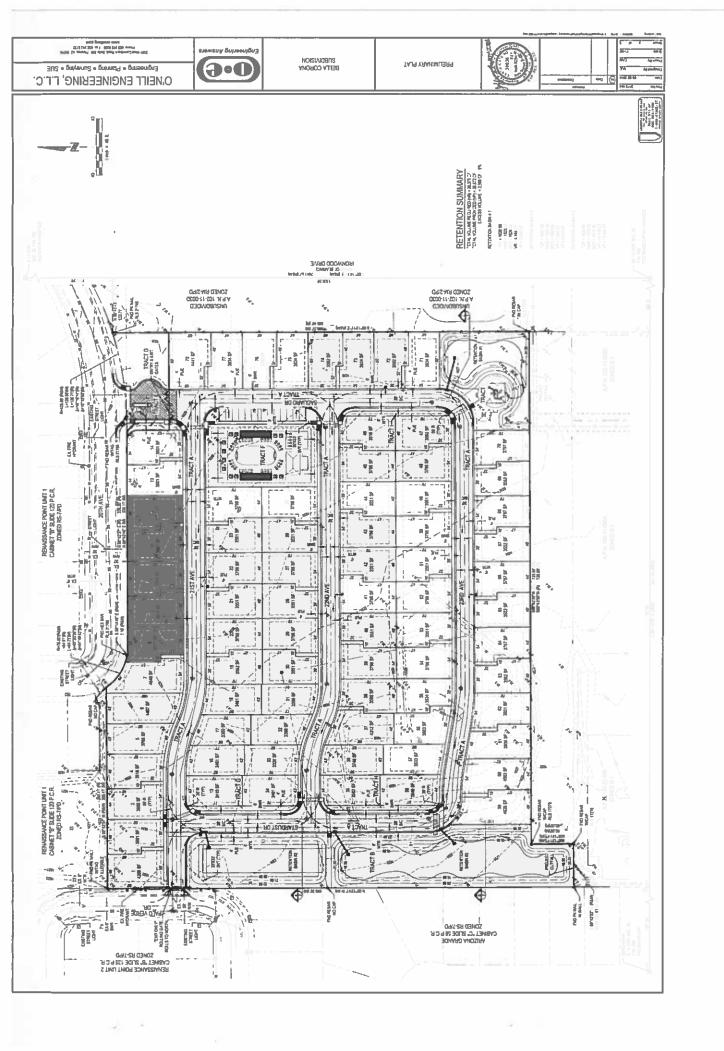
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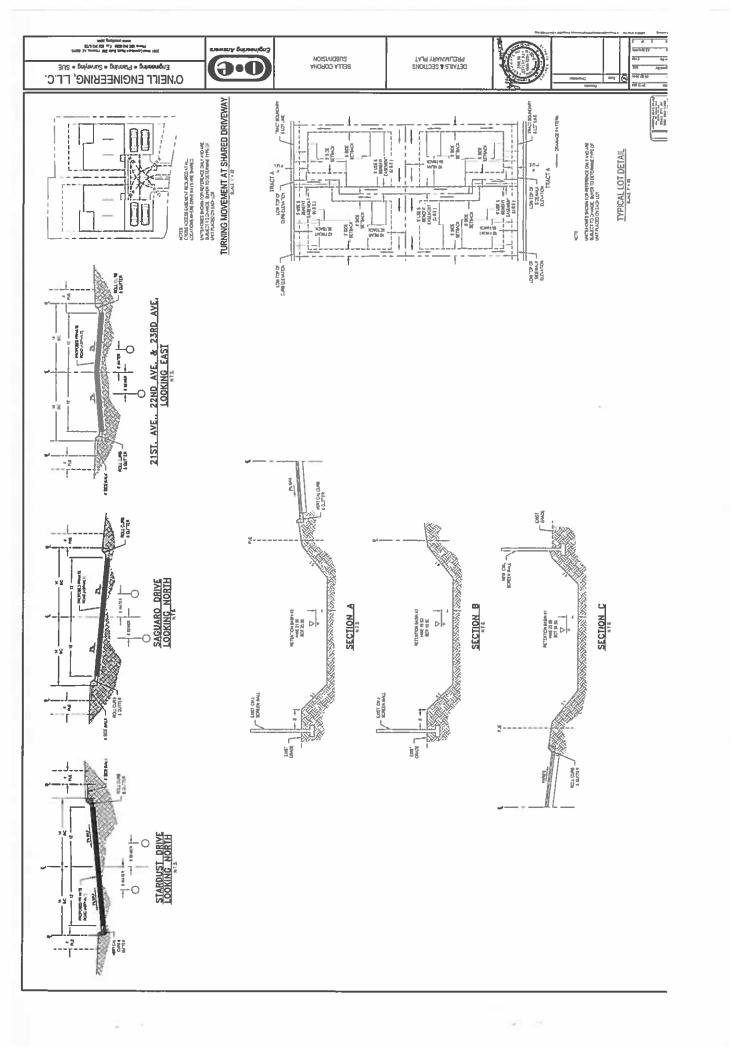
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### City of Apache Junction Development Services Department



### MINOR PLANNED DEVELOPMENT AMENDMENT BELLA CORONA

July 27, 2017

Mr. Hudd Hassell, Bela Flora Communities, Inc. 1635 N. Greenfield Road #115 Mesa, AZ 85205

Subject:

Minor Planned Development Amendment Approval- Bella Corona Subdivision (APN 102-11-003E; 102-11-003F)

Dear Mr. Hassell,

This letter is to approve a Minor Planned Development Amendment for the Bella Corona Subdivision, a 10.6 acre property currently owned by Ironwood Heights LLC. This approval is based on the analysis provided in the attached letter dated June 29, 2017. With this approval a new final plat may be submitted for review and approval. The following minor changes have been approved:

- The total number of lots will be 83 (an increase of five (5) lots)
- Seven (7) residential lots will utilize 20th Avenue frontage for access
- Nine (9) lots allowed to have a stub street access
- The Z-lot configuration has been eliminated
- Increase the height of the peak of the roof from 26 feet to 28 feet
- Reduce the minimum front yard setback to 5 feet for two of the models
- Keep all amenities offered except for the tot-lot in Tract C; however, the Planning and Zoning Commission and the City Council may require an additional amenity as a substitution for the tot-lot.

Along with the final plat, all other plans and applicable fees will need to be submitted for this new subdivision configuration of Bella Corona, please see the attached letter for more details. The City of Apache Junction thanks you for your cooperation and looks forward to a new subdivision that will bring more families into the community. If you have further questions please contact me.

Sincerely,

Lawrence J. Kirch, AIOP, Director of Development Services

cc. Rudy Esquivias, Senior Planner

Sam Jarjice, Development Services Project Engineer

Emile Schmid, City Engineer

Bella Corona Subdivision file SD-1-14

Attach to Ordinance No. 1363



### City of Apache Junction Development Services Department



June 29, 2017

Mr. Hudd Hassell, Bela Flora Communities, Inc. 1635 N Greenfield Road #115 Mesa, AZ 85205

SUBJECT: Minor PD Modification to Bella Corona and Final Plat Modifications

Dear Mr. Hassell.

This letter is a follow-up to our meeting of June 12, 2017. You have requested to change the approved preliminary plat of Bella Corona and to submit a final plat with the following changes:

- 1. do away with the Z-lot configuration,
- 2. increase the number of lots by five (5) from 78 to 83,
- 3. utilize 20th Avenue frontage to allow seven residential lots to access directly to the street,
- 4. allow nine (9) lots to have a stub street access,
- 5. eliminate the tot-lot in Tract C (landscape area, recreation and drainage and retention), but keep all other previously offered amenities including the perimeter subdivision wall,
- 6. increase the height of the homes from 26 feet to 28 feet to the top of peak of roof, and
- 7. reduce the minimum front yard setback to 5' for two of the four models.

You agreed to give the city a turning radius movement template for access into the stub access drives. The city also asked for "typical" details for site plans for the four model homes. The Development Services Project Engineer has communicated via email his submittal requirements for the revisions to the plat and include:

- Revised Final Plat.
- Revised Improvement Plans and Stormwater Management plans.
- Revised Street Lights plans.
- Revise Drainage Report.
- Revised Geotechnical Report, if applicable.
- Submit updated Title Report, no older than 30 days.
- Provide Boundary Closure Calculations with Error of Closure for each lot.
- Provide updated Engineer's Cost Estimate for the public improvements.

 Submit updated plans and plat to Arizona Water Company, Sewer District, and Fire District for their plan review and approvals.

Additional required documents shall be provided prior to final plan and plat approvals:

- Construction assurance/bond.
- Drainage and Retention Agreement to be signed by the property owner (City will provide the Form).
- Submit a copy of Assured Water Certificate issued by ADWR.
- Submit copies of Approval to Construct Water and Sewer issued by ADEQ.
- Submit an updated copy of NOI for the AZPDES issued by ADEQ.

Also, civil engineering review fees shall be re-paid prior to the release of the city's first engineering review comments.

Below is a table that chronicles the changes to the plat over time that also relate to the PD zoning.

Development Detail	Foothills 1	Foothills 2	Belia Corona SD 1-14	Bella Corona 2017
No. of lots	118	104	78	83
Min lot size	+/- 2220 sqft	+/- 2220 sqft	+/- 3320 sqft	+/- 3350 sqft
Min width	40'	40'	39'	50'
Front SB	10'/18' gar.	10'/18' gar.	10'varied	5'/18' varied
Side SB	3'/8' total	3'/8' total	5'/10' total	5'/10' total
Rear SB	5'	5'	10'	10'
Height	26' pk of roof	26' pk of roof	26' pk of roof	28' pk of roof
Lot Coverage	75%	75%	45%	45%
Density	10.16 du/ac	9.8 du/ac	7.35 du/ac	7.82 du/ac
Priv. Streets	yes	yes	yes	yes
Gated	yes	yes	yes	yes
Access points	2	2	2	2
Parking Avg.	2.38 per lot	2.33 per lot	2.77 per lot	3 per lot
Tandem ok	Yes/all models	Yes/all models	Yes/all models	Yes/ 1 model
On-street parking	Sidewalk side	Sidewalk side	Sidewalk side	Sidewalk side
Rec Amenities*	yes	yes	yes	Yes/eliminate tot lot on Tract C

The above requested changes constitute a Planned Development Change per Article 1-4 of the Zoning Code, Section 1-4-3, Planned Development ("PD") Overlay District, subsection E, PD Plan Changes. The question then is whether the change is a minor change (Staff approval) or a major modification (rezoning required).

Minor PD Modification to Bella Corona and Final Plat Modifications June 29, 2017
Page 2.

This subsection of the zoning codes states:

(E) PD plan changes.

(1) Minor modifications or alterations of the approved PD development plan shall be reviewed and approved by the Director or designee. Major modifications or alterations require Council approval and shall be processed in accordance with Vol. II. § 1-16-6.

(2) The Director or designee shall interpret the proposed modification to be major if, in the Director's opinion, the modified project density (i.e., units per acre), setbacks or height 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.

The changes proposed by the developer should be compared with "Foothills 2" as well as Bella Corona. It is determined that per (E) (2), overall, the development is of a lower density than Foothills 2 going from 9.8 du/ac to 7.38 du/ac, the lots are 1,130 square feet larger, have an increase in lot width from 40' to 50', increased rear setback by 5' to 10', have three parking spaces on each lot, rather than 2.33 spaces per lot. There is an elimination of the Z lot configuration that was proposed in the first iteration of Bella Corona which was not favored by the staff or some members of the P&Z Commission. The two single largest points of difference is the reduction of the front setback from 10'/18' gar to 5'/18' varied and the height of the peak of the roof is to go from 26 feet to 28 feet. The increase in roof height is two feet which is still below that of the underlying zoning and less than 10 percent of a height increase. The much smaller front yard setback is compensated for by increasing the rear yard setback to 10' from 5'. Additionally, two of the four models will have an 18' front setback. The developer is proposing an entirely new architectural style of homes with the four models.

Based on the criteria in (E) (2), the development modified project density remains much less than Foothills 2, the setback is reduced in the front yard by 5' (for two of the models but remains at 18' for two of the models), but is increased in the back yard by the same 5', the height is increased by less than 10 percent (26' to 28'), the quality of the design is improved (no Z – lots), and the architectural style of the homes is more contemporary, and there is no change in the types of proposed land uses and the overall character of the project is not contrary to the intent and spirit of the PD ordinance approval in Foothills 2. Therefor the PD amendment is considered to be a Minor modification.

The developer is also requesting to eliminate the tot lot in the retention basin and has offered to add a fenced in shade structure feature to the north of the pool. The developer feels that the shade structure will be utilized more than the tot lot in the retention basin. It is my recommendation that the the City Council Commission should make the final determination on this trade-off.

The City Engineer, Emile Schmid has approved, via email, an allowance of seven (7) lots to have direct access to 20th Avenue.

Minor PD Modification to Bella Corona and Final Plat Modifications June 29, 2017
Page 3.

If you have questions or disagree with the information contained in this letter or the determination, please contact me.

Sincerely,

Lawrence J. Kirch, AICP, Director of Development Services

cc. Rudy Esquivias, Senior Planner
Sam Jarjice, Development Services Project Engineer
Emile Schmid, City Engineer
Bella Corona Subdivision File
Attach to Ordinance 1363 in binder