

RESOLUTION NO. 18-31

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING GENERAL PLAN AMENDMENT CASE GPA-2-18, A REQUEST BY MCMILLAN MANUFACTURED HOME DEVELOPMENT COMPANY L.C., FOR A MAJOR LAND USE PLAN MAP AMENDMENT TO REDESIGNATE AN APPROXIMATELY 38 GROSS ACRES PROPERTY AT THE SOUTHWEST CORNER OF S. GOLDFIELD ROAD AND E. OLD WEST HIGHWAY, FROM "COMMUNITY COMMERCIAL" TO "MEDIUM DENSITY RESIDENTIAL".

WHEREAS, the mayor and city council, on September 7, 2010, adopted the City of Apache Junction General Plan, pursuant to Arizona Revised Statutes ("ARS") Section 9-461.06 Adoption and Amendment of General Plan; Expiration and Readoption; and

WHEREAS, the City of Apache Junction General Plan, Chapter 15: Amending the General Plan, defines a major amendment to include: "Any proposed land use plan map change from a commercial, business park, or industrial land use designation to a residential land use designation of 10 or more contiguous acres"; and

WHEREAS, proposed map amendment case GPA-2-18 for the 38-acre property falls within the definition of a request requiring a major general plan amendment; and

WHEREAS, the Apache Junction Planning and Zoning Commission, on August 28, 2018, and on September 11, 2018, held public hearings regarding GPA-2-18 and on September 11, 2018, voted to recommend (approval/denial) of case GPA-2-18 by a vote of ___ to ___; and

WHEREAS, this council has complied with the requirements for the preparation and adoption of a general plan amendment pursuant to ARS Section 9-461.06; and

WHEREAS, this 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 that the proposed amendment:

- 1) Proposes a land use designation that the land use plan map does not adequately provide optional sites to accommodate;
- 2) Constitutes an overall improvement to the general plan and is not solely for the benefit of a particular land owner at a particular point in time, and is consistent with the overall intent of the 2010 General Plan;
- 3) Is justified by an error in the 2010 General Plan, in that a lot of vacant land in the city is already zoned commercial and this property has been especially difficult to develop commercially because of its remote location;
- 4) Is generally consistent with goals, objectives and other elements of the 2010 General Plan;
- 5) Is justified by a change in community conditions or neighborhood characteristics since adoption of the 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) 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; and
 - 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 GPA-2-18, a general plan land use plan map amendment request by McMillan Manufactured Home Development Company L.C., to redesignate an approximately 38-gross-acres property at the southwest corner of S. Goldfield Road and E. Old West Highway, from "community commercial" to "medium density residential" be approved and adopted for the following generally described property:

That portion of the Northeast 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, which lies south and southwesterly of the south right-of-way line of E. Old West Highway, and except the east 50 feet thereof (a complete metes and bounds legal description of the property is available at the City of Apache Junction Development Services Department, Planning Division office).

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, ON THIS _____ DAY OF _____, 2018.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2018.

JEFF SERDY
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney

RESOLUTION NO. 18-31
PAGE 3 OF 3