

ORDINANCE NO. 1500

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING THE APACHE JUNCTION, ARIZONA, ZONING ORDINANCE, BY AMENDING THE ZONING DISTRICT MAP, CITY OF APACHE JUNCTION, ARIZONA, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR A PROPOSED NEW SUBDIVISION NAMED "IRONWOOD STATION" TO BE LOCATED ON THE PROPERTY DESCRIBED IN REZONING CASE PZ-10-20, A REQUEST BY BELA FLOR COMMUNITIES LLC, REPRESENTED BY REESE ANDERSON AND JON GILLESPIE OF PEW AND LAKE, PLC, FROM GENERAL COMMERCIAL ("B-1") AND MEDIUM DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-20M") TO HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL BY PLANNED DEVELOPMENT ("RM-2/PD"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the submitted planned development ("PD") plan and preliminary plat proposes a future 96-lot residential subdivision, located at the southeast corner of N. Ironwood Drive and W. Superstition Boulevard, tentatively called "Ironwood Station," on an approximately 7.01-net acre subject property, in an area designated Commercial and Medium Density Residential ("MDR") by the city's General Plan and said PD plan complies with the MDR designation; and

WHEREAS, on January 12, 2021, the Apache Junction planning and zoning commission voted 7-0 to recommend approval of rezoning case PZ-10-20, subject to the submitted conceptual PD plans and the conditions prescribed herein; and

WHEREAS, the city council hereby determines that the proposed PD rezoning request conforms to all of the general criteria as specified in 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 (except as otherwise conditioned herein), including integration with the surrounding neighborhood, adequate traffic accommodation, adequate public facilities, extension of infrastructure, and that the design and uses should result in enhancements to the social, built and natural environments in the city.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

The zoning district classification on the Zoning District Map, City of Apache Junction, Arizona, for the parcels of land legally described as:

Lots 10, 11, 12, 13, 14, 15, 16, 17, and 18, Block 2, of Apache Addition Acres, according to the plat of record in the office of the county recorder of Pinal County, Arizona, recorded in book 5 of maps, page 32;

Also known as parcels 101-15-028A, 101-15-0290, 101-15-030A, 101-15-031A, and 101-15-0320, located in the Northwest quarter of Section 20, Township 1 North, Range 8 East, of the Gila and Salt River Base and Meridian, Apache Junction, Pinal County, Arizona;

be and hereby is amended from General Commercial ("B-1") and Medium Density Single-Family Detached Residential ("RS-20M") to High Density Multiple-Family Residential by Planned Development ("RM-2/PD") subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans and elevations attached and associated to this case and all the provisions of the zoning ordinance applicable to this case.
- 2) The preliminary and final plats shall reflect substantial compliance and consistency with the PD presented with case PZ-10-20, incorporated by reference herein, and as otherwise specified through these conditions of approval, to include general layout, lot sizes, setbacks (13' front to home along Ironwood Dr., 15' front to home along Superstition Blvd. and Gold Dr., 14.5' rear, 0' sides, 5' street sides), public and private rights-of-ways, easements and tracts, amenities, perimeter and interior lot separation walls, model types, landscaping and other improvements.
- 3) The proposed development will not be age-restricted.

- 4) Street improvements include but are not necessarily limited to, extension of pavement, sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, landscaping, subject to review and approval by the city engineer.
- 5) Landscape, screening and irrigation improvements, planted within a minimum 8-foot deep strip inside the net property line (but outside of required walls) along the perimeters of the property, shall be provided in compliance with the city's landscape and screening requirements contained in Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-8: Landscape Regulations. All required trees shall be 24" box and all required shrubs shall be 5-gallon in size and a decorative 6-foot-tall fence shall be constructed.
- 6) All elevations shall include a uniform application of materials on all buildings. Different color palettes shall be used to differentiate and vary building elevations. Allocation of materials shall be consistent throughout the site.
- 7) All applicable permits shall be applied for and plans shall be designed to current city codes prior to any lot grading or construction on the lots. Inclusively, all applicable development fees shall be paid at the time of permits issuance on a four or six unit basis.
- 8) All common areas, amenity areas, and tracts within and immediately adjacent to the proposed development, including perimeter walls and fences, and interior and exterior common area landscaping, shall be owned and maintained in good condition at all times by the owners or homeowners association of the proposed subdivision.
- 9) The developer's engineer shall meet the civil engineering improvement plans and document requirements, as outlined in the previously provided pre-application and review comments and in accordance of the city's approved engineering standards that are in effect at the time of plan submittal.
- 10) The existing 20 foot utility easement that runs north to south through the center of the property shall be extinguished.

- 11) Any major deviation or proposed changes from the original plans associated with this case will require a major PD amendment per Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-4: Zoning Districts, Section 1-4-3, Planned Development ("PD") Overlay District, Section 1-4-3(E).

SECTION II REPEALING ANY CONFLICTING PROVISIONS:

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY:

If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2021.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2021.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney