

RESOLUTION NO. 21-02

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A PRELIMINARY SUBDIVISION PLAT FOR THE "IRONWOOD STATION" SUBDIVISION, IN CASE SD-2-20, BY BELA FLOR COMMUNITIES, LLC, REPRESENTED BY REESE ANDERSON AND JON GILLESPIE OF PEW AND LAKE, PLC.

WHEREAS, the subdivider in Case SD-2-20 proposes to subdivide Pinal County Assessor parcel numbers 101-15-028A, 101-15-0290, 101-15-030A, 101-15-031A and 101-15-0320, approximately 7.01 net acres, located at the southeast corner of Ironwood Drive and Superstition Boulevard, (collectively, the "subject property"), into approximately 96 residential lots for a single-family homes subdivision to be called "Ironwood Station," 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 January 12, 2021, the planning and zoning commission held a public hearing regarding the preliminary plat for case SD-2-20 and recommended approval by a vote of 7-0, with conditions; 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 rezoning case PZ-10-20; and

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

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;

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

The preliminary subdivision plat for Ironwood Station, case SD-2-20, is approved subject to the following conditions:

- 1) The project shall be developed in accordance with the plans submitted and associated to this case and all the provisions of the zoning ordinance applicable to this case.
- 2) All conditions of approval for the RM-2/PD-zoned property as approved pursuant to planned development rezoning case PZ-10-20 shall govern the design and subsequent improvements of the final 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 Ironwood Station shall also include provisions to address the following: establishing a uniform system for garbage pick-up and mail delivery; and specifying that the homeowners association is perpetually responsible for the maintenance and upkeep of all common areas and facilities, fencing and landscape improvements both internal and along the outside perimeter of the subdivision.
- 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 extinguish and/or relocate utility easements as needed, prior to or upon final plat approval.

- 6) The co-mingling of onsite and offsite flows into a single retention basin will be allowed for the Ironwood Station project, with the condition that the hydrology/hydraulic analysis provided in the improvement plans and the final drainage report will demonstrate a non-adverse impact to upstream or downstream properties.
- 7) The existing 20 foot utility easement that runs north to south through the center of the property shall be extinguished.
- 8) 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 with the city's approved engineering standards that are in effect at the time of plan submittal.
- 9) Developer will be allowed to obtain an at-risk grading permit for the project subject to completing the following:
 - a. An approved Native Plant Preservation Plan ("NPPP") by city staff with a required cash, performance bond, letter of credit or other financial instrument acceptable to the city in the amount of \$2,600 per native plant to be preserved, up to a maximum of \$50,000. If the development does not proceed or there is a lack of onsite landscape care of the salvaged plants for a period of sixty (60) calendar days after the plants have been removed and placed into temporary storage, the city may utilize the provided financial assurance to transfer the recovered native plants to city property for city use as landscaping enhancements or care for the plants in place. The required financial assurance will be released by the city upon the installation or disposition of the salvaged plants as verified by the city. If the landscape architect determines that they are unable to utilize all recovered native plants, the city will have the option to use those plants at an offsite location at the city's expense and the city will work with the developer to donate the plants for city use to the Apache Junction Development Corporation; and
 - b. An approved Storm Water Pollution Prevention Plan ("SWPPP") by city staff, including Municipal Separate

Storm Sewer System ("MS4") inspection of the site prior to the issuance of the at-risk grading permit; and

- c. Making the first submittal for water and sewer Approvals to Construct ("ATC") to the Arizona Department of Environmental Quality ("ADEQ"); and
- d. Approval from city staff as to the evaluation of the level of final plat compliance to requirements, the grading and drainage plans accuracy and correctness to the proximity limits of finish grade elevations.

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 J. STERN
City Attorney