

ORDINANCE NO. 1505

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A PLANNED DEVELOPMENT MAJOR AMENDMENT, CASE P-21-6-PZ, A REQUEST BY AUM INVESTMENTS LLC., REPRESENTED BY SRIDHAR KRISHNAN, ALLOWING THE ADDITION OF 7 APARTMENT UNITS FOR A TOTAL OF 13 UNITS ON THE 1 ACRE, HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL BY PLANNED DEVELOPMENT ("RM-1/PD") PROPERTY; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the subject property located at 512 N. Valley Drive, Apache Junction, AZ, has been developed as a multiple-family residential property with structures on it, since prior to the city adopting its March 1985 zoning ordinance; and

WHEREAS, pursuant to case PZ-5-16, Ordinance No. 1430, on May 3, 2016, at the request of previous owner, Gene Rodaway, the property was rezoned from Medium Density Single-Family Detached Residential ("RS-20M") to High Density Multiple-Family Residential by Planned Development ("RM-1/PD") to property zone and allow the continued use as apartment rentals; and

WHEREAS, pursuant to Ordinance No. 1430, condition no. 8, any expansion to the number of rental units will be subject to a major planned development ("PD") amendment; and

WHEREAS, the current property owner, AUM Investments LLC., submitted a rezoning application to amend the PD to allow the addition of 7 apartment units; and

WHEREAS, on June 8, 2021, the Apache Junction planning and zoning commission voted 6-0 to recommend approval of planned development major amendment case P-21-6-PZ, subject to the conditions prescribed herein; and

WHEREAS, the city council hereby determines that the proposed PD amendment 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 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

That all applicable conditions of ordinance no. 1430 remain in full force and effect; and to allow additional apartment units, for the parcel of land legally described as:

LOT 21, BLOCK 3 OF APACHE ADDITION ACRES IN BOOK 05 OF MAPS
PAGE 32 SEC 20-01N-08E 43,581.05 SQUARE FEET 1.00 ACRE.

(Pinal County Assessor parcel 101-15-063A)

be and hereby is approved, subject to the following conditions of approval:

- 1) All construction proposed on the property shall be subject to proper permits and inspection and be constructed in substantial compliance with the conceptual plan presented in case P-21-6-PZ.
- 2) All rental units shall be compliant with all other adopted city codes and ordinances, including but not necessarily limited to, the city's zoning ordinance, engineering guidelines and landscape and screening requirements.
- 3) Landscape, screening and irrigation improvements, shall be constructed pursuant to 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.
- 4) 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 lot.
- 5) Applicable development fees for the new units shall be paid at the time of building permit issuance.

- 6) Street improvements include but are not limited to, extension of pavement, sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, landscaping, subject to review and approval by the city engineer.
- 7) Applicant shall enter into Crime Free Multi-Family Housing Program and shall make management company contact information available to neighbors.

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