

## Staff Analysis - SUB19-09 Apex Condominium Plat

### REQUEST

**Subdivision Final Plat (SUB) 19-09:** John D. Hensler, LLC, on behalf of Apex Motorsports Club, is requesting the Condominium Plat for “Apex Motor Club Private Garage Condominiums”. The site is generally located at the northwest corner of Ralston Road and State Route 238, within the City of Maricopa incorporated limits. The site is zoned “CI-2” Industrial Zone.

### PROJECT INFORMATION

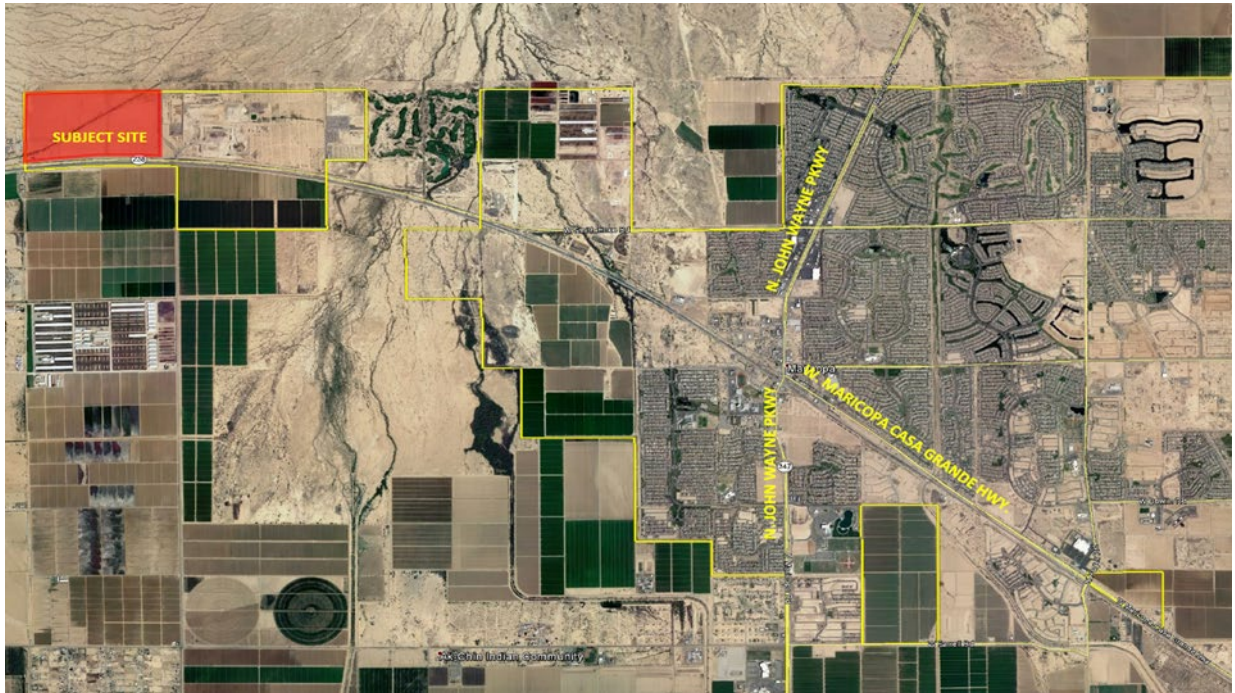
**Property Owner:**

Apex Landco LLC  
9035 E Pima Center Pkwy Ste 13  
Scottsdale, AZ 85258

**Applicant:**

John D. Hensler, LLC  
1130 E Missouri Ave, Ste 890  
Phoenix, AZ 85014

**Site Location Map:**



This request is for the Private Motorsports Group for the purpose of constructing and selling 48 Garage Condominiums as a portion of the previously approved Development Review Permit (DRP17-08) and in accordance with the approved Phasing Plan. Final Plats require water rights transferred from the water utility provider. The subject site anticipates water utility service by Global Water Resources (GWR) upon approval to extend their Certificate of Convenience and Necessity (CC&N) to provide service. This review and approval authority rests with the Arizona Corporation Commission.

**Conclusion:**

In order to uphold the requirements of the Subdivision Ordinance and requirements of the Arizona Groundwater Code, staff recommends approval of case SUB19-09 subject to the conditions of approval stated in this staff report.

### **Conditions of Approval:**

1. The improvement plans shall be constructed in accordance with plans approved by the City Engineer, State and County agencies, and utility companies.
2. Requested or required amendments to previously approved documents may be reviewed and approved by staff if determined by the City Engineer and Zoning Administrator the amendment is of a technical and objective nature. However, if the amendment is determined subjective to policy interpretation, amendments require review and approval by the same approving body (or bodies) as the previous approval(s).
3. In accordance to the City's Subdivision Code, Sec. 14-4-6 (G)(4), approval of the final plat is valid for a period of twelve (12) months from the date of City Council approval. If the developer fails to provide the required material or perform the necessary work that includes the required improvement plan approval as specified in Sec. 14-4-6(G)(3), within the twelve (12) month period, the final plat approval by City Council shall become null and void. Any further action on said plat, after the expiration of the approval, shall require a complete re-submittal of the plat.
4. In accordance to the City's Subdivision Code, Sec. 14-7-4 (E), within ninety (90) days from the date of City Council approval, and prior to the recording of the Final Plat, the following items must be submitted:
  - a. A project approval letter, signed by the City Engineer, stating that all of the subdivision improvement plans and reports have been approved by the City.
  - b. A project approval letter, signed by the Zoning Administrator, stating that any and all required agreements between the City and developer have been executed
  - c. The required "Financial Assurance for Construction" is submitted reviewed to the satisfaction by the City's Engineer and City Attorney.
  - d. A letter of agreement from the serving utilities stating the availability of utilities and the approval of improvement plans for the subdivision.
5. Prior to receiving City Approval Signatures for plat recordation of Condominium Plat for Apex Motor Club Private Garage Condominiums, the water provider, Global Water Resources, must obtain the approval of the Arizona Corporation Commission and have the ability to serve the subject site. Per Subdivision Code, Sec. 14-4-6(F), the Certificate of Assured Water Supply shall reference a DWR File Number.
6. After approval of the Final Plat, the applicant shall be responsible of applying for an address request for all single-family residential lots. Building permits for lots shall not be issued without the having assigned addresses appropriate for the structure.
7. All infrastructure improvements shall be in accordance with approved and current improvement plans, with a City-issued construction permit and a County-issued dust control permit prior to developer installation. The City Engineer and utility providers will perform a final inspection and, as applicable, review the final reports, as-built plans, and warranties prior to City-acceptance of infrastructure.

8. Prior to issuance of the final Certificate of Occupancy, the applicant shall submit and secure all required applications, plans supporting documents submittals, approvals and permits from the applicable federal, state, county and any other agencies as applicable.
9. The development and operation of the proposed Facility shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ) requirements, if applicable, and other regulatory agencies rules and regulations.
10. The applicant/property owner shall have met and complied with all applicable fire codes under the IFC 2012, including amendments, as well as related National Fire Protection Agency (NFPA) guidelines, to the satisfaction of the Maricopa Fire Department.

--End of Staff Analysis --