

RESOLUTION 74-2009

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA APPROVING A MAJOR AMENDMENT TO THE GENERAL DEVELOPMENT PLAN CHANGING APPROXIMATELY 148 ACRES FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND COMMERCIAL

WHEREAS, San Pedro Partners, L.L.C. and the Harlan Trust, the owners of approximately 105 acres of undeveloped land within the City's planning jurisdiction have requested a change to the City's General Development Plan designating their parcels to be a mix of High Density Residential and Commercial from its present designation of Low Density Residential and Commercial; and

WHEREAS, the City's General Development Plan defines the requested change to be a Major Plan Amendment; and

WHEREAS, the procedures for public notice and hearings for Major Plan Amendments set forth in state law and the City's General Plan have been complied with; and

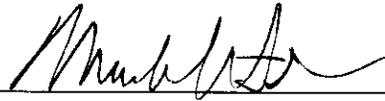
WHEREAS, the City's Planning and Zoning Commission has recommended approving the application with the stipulation that the area be designated Medium Density Residential; and

WHEREAS, after publishing notice, the City Council has held a public hearing this date on the proposed Major Plan Amendment and heard from all interested parties, including neighboring parcel owners who have no objections to the proposed major plan amendment but who have requested that their parcels be designated similarly under the General Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Benson, Arizona that the proposed Major Amendment to the City's General Development Plan requested by San Pedro Partners, L.L.C. and the Harlan Trust, set forth in the map attached hereto as Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED that the parcels owned by Mahlon MacKenzie, Michael McDonald and Triple L Management, L.L.C. are hereby designated High Density Residential and Commercial under the General Development Plan, as set forth in the map attached hereto as Exhibit B.

PASSED AND ADOPTED by the Mayor and City Council of Benson, Arizona
this 23rd day of November, 2009.



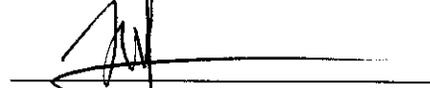
Mark M. Fenn, Mayor

ATTEST:



Vicki L. Vivian, City Clerk

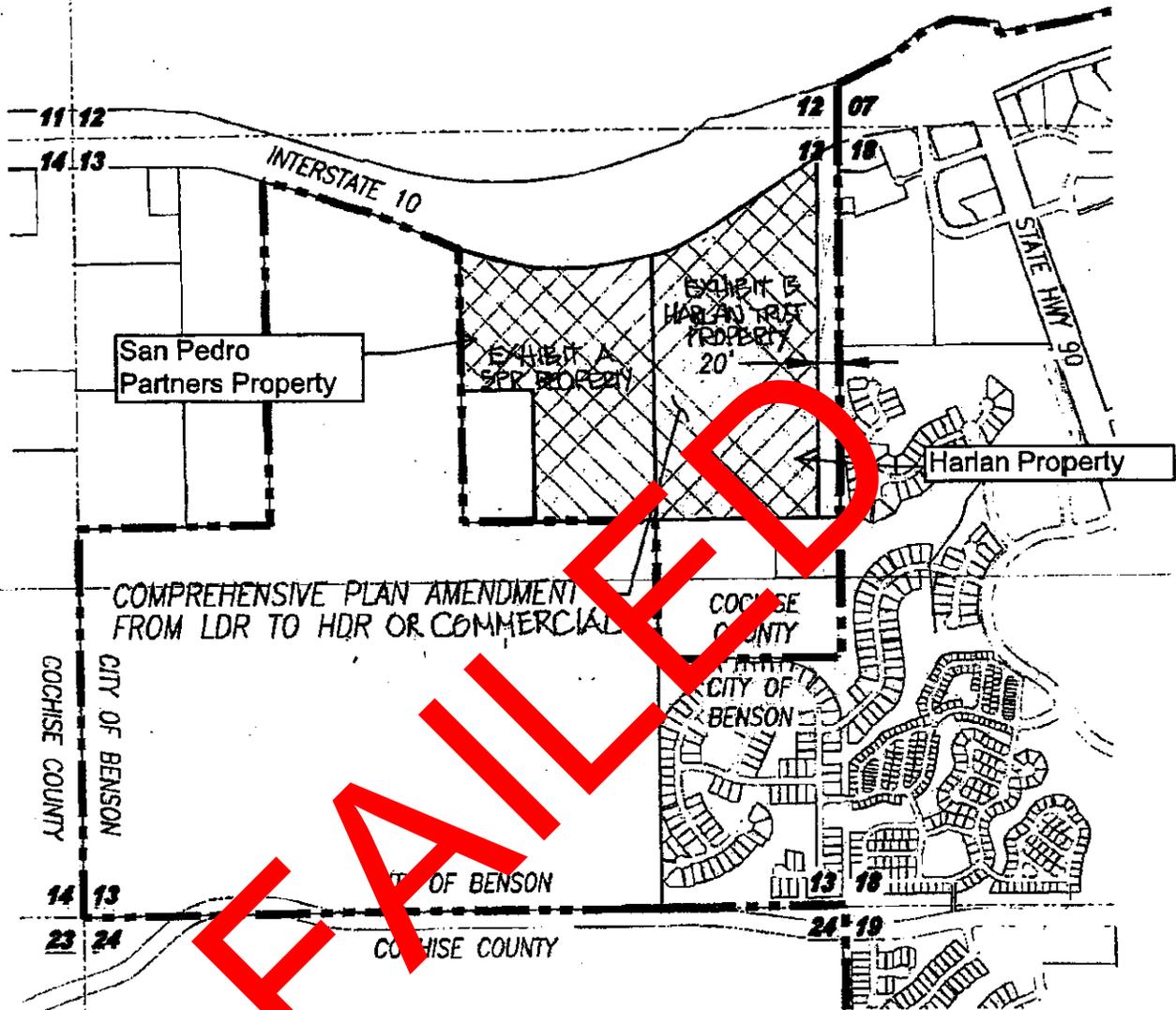
APPROVED AS TO FORM:



Michael J. Masee, City Attorney

FAILED

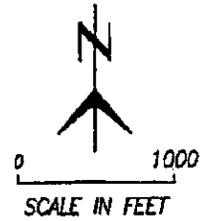
Exhibit A



COMPREHENSIVE PLAN AMENDMENT FROM LDR TO HDR OR COMMERCIAL

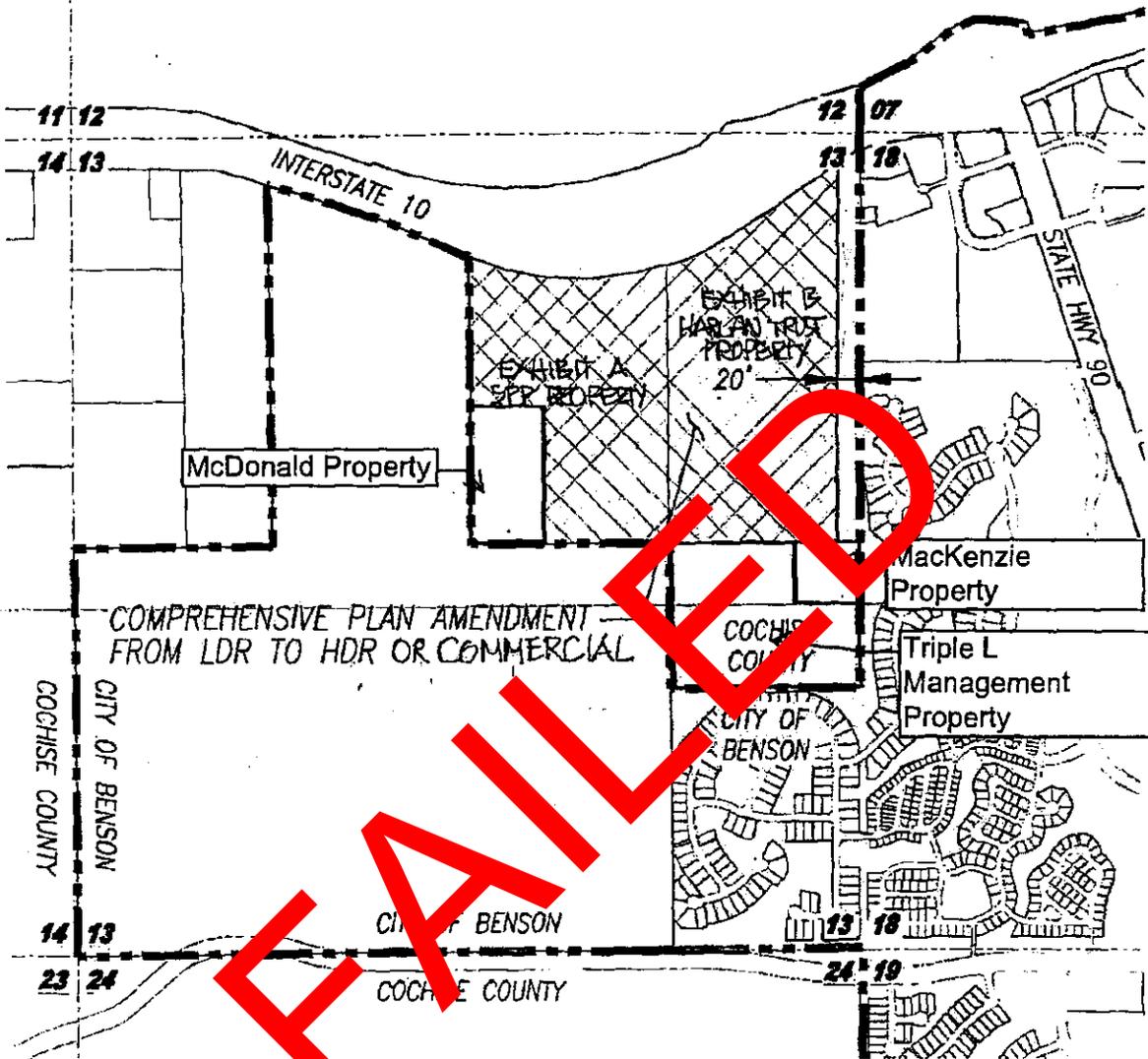
LEGAL DESCRIPTION:

ALL THAT PART OF THE NORHEAST QUARTER OF SECTION 13, TOWNSHIP 17 SOUTH, RANGE 19 EAST OF THE GILA AND SALT RIVER BASE & MERIDIAN, COCHISE COUNTY, ARIZONA, LYING SOUTHERLY OF INTERSTATE NO. 10, EXCLUDING THE EAST 20 FEET THEREOF, AND THE SOUTH 892.62 FEET OF THE THE WEST 488.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER.



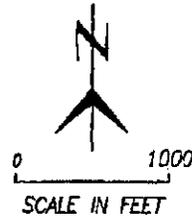
CITY OF BENSON
COMPREHENSIVE PLAN AMENDMENT LOCATION MAP

Exhibit B



LEGAL DESCRIPTION:

ALL THAT PART OF THE NORHEAST QUARTER OF SECTION 13, TOWNSHIP 17 SOUTH, RANGE 19 EAST OF THE GILA AND SALT RIVER BASE & MERIDIAN, COCHISE COUNTY, ARIZONA, LYING SOUTHERLY OF INTERSTATE NO. 10, EXCLUDING THE EAST 20 FEET THEREOF, AND THE SOUTH 892.62 FEET OF THE THE WEST 488.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER.



CITY OF BENSON
COMPREHENSIVE PLAN AMENDMENT LOCATION MAP