



Cochise County Development Services

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STAFF MEMORANDUM

Date: July 30, 2024
To: Board of Supervisors
From: Paul Esparza, AICP, Building Official
Subject: Extension of Assurance Agreement; The Highlands at Inde Subdivision (S-16-01)

This request is from Inde Motorsports Ranch, LLC for an extension of the Assurance Agreement for the completion of improvements for The Highlands at Inde Subdivision, Lots 1 thru 10.

The Highlands at Inde Subdivision was approved as a minor expedited 10-lot subdivision on 45-acres, is zoned RU-4 and is located west of Willcox on Airport Road. The average lot size is 3.6 acres. Eight (8) lots remain secured under the Assurance Agreement.

The Board of Supervisors approved the Final Plat on Sept. 12, 2017. The Final Plat and the Assurance Agreement were recorded on Sept. 15, 2017. The Board had not previously extended the assurance agreement.

The Board approved text amendments to Section 702.01 Assurance Agreement in the Subdivision Regulations which includes five factors that the Board may consider in their decision to grant an assurance agreement extension. The responses to this request are provided in bold italics:

- a. Whether the property taxes on the subject parcel(s) are current. ***Yes, the property taxes are current.***
- b. If the subdivision is phased, whether the subdivision infrastructure improvements for at least 20% of the proposed phases have been completed. If it is not phased, whether at least 25% of the subdivision infrastructure improvements have been completed. ***This is not a phased subdivision and no improvements have been completed to date.***

c. The number of extensions previously granted. A maximum of three extensions, not exceeding a total of ten (10) years since either the original approval of the assurance agreement or the most recent release of a lot, whichever has occurred later. ***No prior extensions have been requested.***

d. The economic conditions or other circumstances that are affecting the developer's ability to complete subdivision improvements. ***Due to economic conditions beyond the control of the developer, they placed a hold on all sales and marketing efforts since the COVID-19 pandemic in 2020 and focused their efforts on marketing the trackside garage pads for long-term lease. They believe the economic conditions are now favorable to move forward with the sale and marketing of the 10 lots.***

e. Has the character of the area or physical factors such as drainage, floodplain, water issues or circulation patterns changed significantly since plat approval that compliance with current County Subdivision and/or Zoning Regulations is necessary. **No**

Staff Recommendation:

Staff recommend approval of the Assurance Agreement Extension for The Highlands at Inde Subdivision with a new expiration date of September 12, 2029.

Sample Motion:

Madame Chair, I move to approve Assurance Agreement extension request for The Highlands at Inde Subdivision with Pioneer Title Agency, Inc., as Trustee under Trust No. 70100206 to Sept. 12, 2029.