



City of Apache Junction, Arizona

Meeting Minutes City Council Meeting

Meeting location:

City Council Chambers
at City Hall
300 E. Superstition Blvd
Apache Junction, AZ
85119

apachejunctionaz.gov
Ph: (480) 982-8002

Doors are open to the public at least 15 minutes prior to the posted meeting start time.

Tuesday, May 21, 2024

7:00 PM

City Council Chambers

A. CALL TO ORDER

Mayor Wilson called the meeting to order at 7:00 p.m

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Soller gave the invocation and Councilmember Johnson led the meeting attendees in the Pledge of Allegiance.

C. ROLL CALL

Present: 7 - Mayor Wilson
Vice Mayor Schroeder
Councilmember Nesser
Councilmember Heck
Councilmember Johnson
Councilmember Cross
Councilmember Soller

Staff in Attendance:

Bryant Powell, City Manager
Matt Busby, Assistant City Manager
Joel Stern, City Attorney
Michael Pooley, Police Chief
Kayla Fulmer, Marketing & Communications Director
Rudy Esquivias, Development Services Director
Ted Wolff, Public Works Director
Liz Langenbach, Parks & Recreation Director
Evie McKinney, Deputy City Clerk
Sidney Urias, Interim Planning Manager
Kelsey Schattnik, Planner
Misty Moseley-Helber, Grants and Community Development Administrator

D. CONSENT AGENDA

Councilmember Heck moved, seconded by Councilmember Nesser to approve the Consent Agenda.

Yes: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmember Nesser, Councilmember Heck, Councilmember Johnson, Councilmember Cross and Councilmember Soller

No: 0

1. [24-341](#) Consideration of acceptance of agenda.
2. [24-419](#) Consideration of approval of minutes of the special meeting of May 6, 2024.
3. [24-342](#) Consideration of approval of minutes of the regular meeting of May 7, 2024.
4. [24-410](#) Consideration of approval of the second amendment to the professional services agreement between City of Apache Junction and Central Arizona Council on Developmental Disabilities.
5. [24-416](#) Consideration of approval of Resolution No. 24-20, authorizing the City of Apache Junction to enter into an intergovernmental agreement with Apache Junction Unified School District #43 for grant-funded School Resource Officers.
6. [24-432](#) Consideration of approval of Resolution 24-21, adopting the budget for Fiscal Year 2024-2025 for Streetlight Improvement District No. 2021-02 Coyote Crossing subdivision.
7. [24-433](#) Consideration of approval of Public Works Capital Improvement Plan for Fiscal Years 2025 through 2029.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

F. REGIONAL INTERGOVERNMENTAL UPDATES

8. [24-343](#) Brief summary of intergovernmental updates from mayor and councilmembers.

Councilmember Soller shared photos of an annual event he recently attended in Washington D.C., as he represented Arizona's fallen law enforcement officers. He gave recognition to an officer from Tucson killed in the line of duty this year, whose name will be engraved on the memorial next year. This year, Arizona only had a historical name mentioned during the ceremony, Russel Duncan, who died during a training accident in 1983. Mr. Soller presented Chief Pooley with a memorial coin and an etching of Officer Duncan's name from the memorial wall.

Mayor Wilson, along with 2 other Councilmembers, attended a presentation held at Earth Heart Park, where the local Fry's Food and Drug Store gave funds for the community garden to be expanded, and the area enhanced. He also attended an event and shared photos of the new development of the additional gates at Phoenix Mesa Gateway Airport. There are now 11 operational gates on the north side of the airport. Mayor Wilson also mentioned the "Best of Arizona Award" was awarded to the Phoenix Mesa Gateway Airport from the Arizona Association for Economic Development, recognizing it for unequal dedication to economic development in the state of Arizona. The Airport was also recognized for outstanding growth.

G. CITY MANAGER'S REPORT**9. [24-344](#) City Manager's Report.**

City Manager Bryant Powell shared photos of the successful Open House regarding the downtown master strategy planning process, where over 100 were in attendance. He also thanked the Mayor, City Councilmembers and the community for their participation.

Mr. Powell introduced Kayla Fulmer, Director of Marketing & Communications.

Ms. Fulmer shared she has been a lifelong Arizona resident and has worked in this Pinal County region most of her career life. She is very excited to be here, and is ready to amplify the Apache Junction story by showcasing the bright future for the City.

10. [24-437](#) Announcement of Current Events.

Assistant City Manager Matt Busby shared the following events:

- * Coffee With A Cop - May 22, 2024, 8:00 a.m. - 10:00 a.m., Gravity Coffee, 1525 W. Apache Trail, Apache Junction, AZ
- * Summer Kick Off Pool Party - May 24th, 2024, 6:00 p.m. - 8:00 p.m., 1091 W. Southern Avenue, Apache Junction, AZ

H. PUBLIC HEARINGS**11. [24-420](#) Conduct a public hearing to receive input and discuss potential projects for the utilization of Fiscal Year 2024 ("FY24") Community Development Block Grant ("CDBG") Regional Account ("RA") funds and State Special Project ("SSP") funds.**

Grants Administrator Misty Moseley presented the objectives of the Community Development Block Grant, (CDBG) and requested input from the public for potential projects these funds could be used to address. She shared project examples of eligible funding uses, and recapped past projects completed by use of these funds. Current funding and past awards of funding were shared, and the current funding to be allocated is a total of \$169,215.00, which is split with a partnership with Gila County, making the total to each entity \$84,607.00

State Special Project Funding is an additional grant that the City can apply for up to \$750,000.00. This application is due August 20, 2024, and is only available to smaller communities such as Apache Junction. Various project ideas were shared from staff.

Ms. Moseley concluded her presentation with the timeline of the grant process, and offered the Grievance Procedure for ADA Accessibility & Civil Rights Complaints procedure and policy, which is listed on the city website.

Mayor Wilson opened the Public Hearing.

Steven Harshman, Apache Junction, suggested using these funds for infrastructure along East Junction Street, that would benefit senior residents as well as new residents coming to the surrounding development.

Sheryl Bigelow, 2200 N. Delaware Drive, Apache Junction, shared a brief description of the CDBG Entitlement Program, and offered her suggestions to using these funds for a safe overnight parking lot or a temporary shelter for the unsheltered.

Mayor Wilson closed the Public Hearing.

12. [24-421](#) Presentation, discussion, public hearing and consideration of Resolution No. 24-09 (case P-23-64-GPA), requested by Jason Barney and John Hartman with Olsen Recker/Guadalupe Properties LLC, and represented by Greg Davis with Iplan Consulting for a proposed major general plan land use map amendment to redesignate 18 acres at the southeast corner of US-60 and Goldfield Road from Commercial to High Density Residential. (This is the companion case to Rezoning Case P-23-63-PZ).

Councilmember Johnson moved, seconded by Vice Mayor Schroeder that Resolution No. 24-09, amending the Major General Plan be denied, due to the fact the current zoning was voted on and approved by the citizens, and should only change if the voters are given a choice in this matter.

Yes: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmember Nesser, Councilmember Heck, Councilmember Johnson, Councilmember Cross and Councilmember Soller

No: 0

Mayor Wilson announced agenda items 12, 13 and 14 all relate to the same topic, Silveray Development. After staff presentation is complete, the Public Hearing will be opened for all three items, but each item will require a separate motion.

Senior Planner Kelsey Schattnik recapped a previously shared presentation for this proposed development, which includes a major General Plan Amendment, a rezoning request and a re-plat of existing commercial subdivision.

She summarized P-23-63-PZ is a Planned Development (PD) Rezoning request by Greg Davis with Iplan Consulting, representing the property owner, Jason Barney with Olsen Recker/Guadalupe Properties LLC, to rezone approximately 18 acres from General Commercial by Planned Development ("B-1/PD") (Ordinance No. 1144) and B-1/PD (Ordinance No. 1146) to High Density Multiple-Family Residential by Planned Development ("RM-2/PD") near the southeast corner of the US-60 and Goldfield Road. The subject site is proposed to be developed with approximately 271 rental units to be known as Silveray on Goldfield.

P-23-64-GPA is a proposed Major General Plan Amendment of APNs 103-01-0110, 103-01-0130, 103-01-0140, 103-01-0150, 103-01-0160, 103-01-0170 and 103-01-0180, located near the southeast corner of Goldfield Rd. and US-60, from Commercial to High Density Residential (40 du/ac).

Planning & Zoning Commission Hearing and Recommendation:

Due to the requirements for a Major General Plan Amendment, the Planning and Zoning Commission held two (2) public hearings for these cases. The General Plan requires that these meetings be held in two (2) different locations.

The Planning and Zoning Commission held the first public hearing for P-23-63-PZ & P-23-64-GPA on March 26, 2024, in the Superstition Fire and Medical District's Board Room, located at 565 N. Idaho Road, Apache Junction, AZ. At this meeting, Staff made a presentation and introduced the preliminary recommended conditions of approval for the Planned Development Rezoning and Major General Plan Amendment. The applicant also made a presentation and answered questions asked by the Commission.

Eight (8) residents of Golden Vista Resort spoke during this meeting. Their primary concerns included:

1. The two-story height of the development
2. Water pressure concerns
3. Increased density
4. Property value concerns
5. Maintaining commercial land
6. Increased traffic

The Planning and Zoning Commission held a second public hearing for P-23-63-PZ & P-23-64-GPA on April 23, 2024. Both Staff and the applicant gave a presentation.

Five (5) residents spoke during this meeting. Their primary concerns included:

1. The two-story height of the development
2. The desire for commercial development at this site.
3. Increased density.

Ultimately, the Planning and Zoning Commission voted 4-3 to recommend approval of P-23-63-PZ & P-23-64-GPA, subject to the conditions of approval that were recommended in the Staff Report, dated April 23, 2024, with the elimination of Project Specific Condition Numbers 1 & 2.

Project Specific Condition No. 1 would have required the developer to reserve 5 acres on the north side of Resort Boulevard to remain commercial. Project Specific Condition No. 2 provided a list of General Commercial Uses that would not be permitted.

The commissioners who voted in favor of the proposed development discussed the following:

1. The benefit of developing a historically vacant property.
2. The benefit of adding additional rooftops.
3. Whether this site is viable for commercial use and noted that the approved development plan has been in existence for 20+ years and has yet to be developed.
4. Recent trends of commercial development.
5. Not wanting to keep commercial property that may never develop.

The commission members who voted against the proposal discussed:

1. The desire of an ownership product at this site as opposed to a rental product.
2. The lack of desire to continue changing the voter approved General Plan.
3. The concern of changing commercial to residential.
4. Concerns regarding the lack of affordability with market rate housing.

Staff Recommendation:

Staff is recommending approval of cases P-23-63-PZ and P-23-64-GPA subject to the full list of conditions found within the Planning and Zoning Commission staff report, including Project Specific Conditions 1 and 2, which are described below:

- 1) Lot Numbers 1, 3, 4 and 5 of the existing Superstition Falls Subdivision shall remain zoned General Commercial by Planned Development ("B-1/PD").
- 2) The permitted uses in the B-1 zoning district shall be those which are permitted by Zoning Ordinance, Article 1-5, § 1-5-3: Non-Residential Use Regulations, except that the following uses shall not be permitted herein:

Motor vehicle dealer (new or used vehicles; and similar uses);
Thrift store/used merchandise sales;
Medical marijuana facilities and dual licensees;
Swap meets;
Tattoo and/or piercing services;
Death care services/funeral homes;
Commercial parking lots and garages;
Check cashing stores;
Psychiatric and substance abuse facilities;
Nursing and residential care facilities;
Homeless shelter;
Community food and relief services;
Commercial equestrian boarding, rentals, arenas and academies;
Cemeteries/mausoleum;
Scenic and sightseeing terminal/parking;
Assisted living facility;
Group care home;
Multi-family residential (including apartments, condominiums or townhouses);
Similar uses designated by the Development Services Director not conducive to the City's and community's goals and objectives for successful community commercial development.

Recap of City Council Work Session - May 6, 2024:

On May 6, 2024, the City Council reviewed cases P-23-63-PZ and P-23-64-GPA at a work session. This item was for presentation and discussion only. The Council primarily had questions regarding the proposed size and location of commercial zoning being recommended by Staff, why Pinal County was opposed to the General Plan Amendment, and details as to why surrounding residents were opposed to the project.

There are three primary options for this Site based on Staff recommendation:

1. Approval of General Plan Amendment and Rezoning as proposed by the developer and recommended by Planning Commission (entire property rezoned to residential)
2. Approval of General Plan Amendment and Rezoning as recommended by Staff (preserve 5 acres for commercial use)
3. Denial of General Plan Amendment and Rezoning (current zoning would remain in place) Ordinance Nos. 1144 and 1146 remain active.

Proposal that meets the intent of the approved Ordinance may be allowed to develop without public process. Proposals that divert from the approved Ordinances may require public process.

Major General Plan Amendment:

A Major General Plan Amendment requires a 2/3 majority vote (5 out of 7) of the Council for approval. If the general plan amendment is not approved, the rezoning case cannot be approved.

Ms. Schattnik thanked the developer and team for their partnership through this process, and commended them for their work on the project over the past few years. She shared they have been great to work with and they have worked hard to produce the best project for this area. She then invited Developer Jason Barney to share his presentation.

Jason Barney with Olsen Recker/Guadalupe Properties LLC presented the following:

Purpose of Request:

This narrative accompanies a request for formal application review of a Major General Plan Amendment (GPA) and a Planned Development (PD) rezoning for approximately 18 acres of vacant land located on the east side of Goldfield Road, immediately south of US60 within the City of Apache Junction. The property has an existing General Plan land use classification of Commercial and a zoning designation of B-1/PD which is proposed to be changed respectively to a classification of High Density Residential (HDR) and zoning designation of RM-2/PD (multi-unit residential) for the purpose of replacing the current PD development plan of a hospital complex along with offices, hotels, and restaurants, with a proposal for an approximately 15 DU/acre rental home residential neighborhood of 271 units (Site Plan currently shows 269 units but site can accommodate up to 271 units subject to an easement abandonment which is currently underway).

Description of Proposal:

The intent of this proposal is to both activate this otherwise overlooked and underdeveloped parcel and to bring a unique housing product to the City of Apache Junction that is needed. Currently, the City's housing stock is comprised of either single family homes or traditional apartments. The dearth of other housing types creates a lack of diversity in both lifestyle and income levels. The proposed Silveray product helps address that issue by introducing a new product type into the community that will fill an existing need for residents that want the lifestyle akin to that of a single-family home or townhome but not the long-term time/cost commitment or maintenance that comes with it. Residents also benefit from the resort level amenities and lock/leave ability that this product and project provides. This will be a market-rate, non-age-restricted project that can serve all members of the community.

Conclusion:

This property is unique as it is close to a major transportation corridor, but is somewhat isolated by the lack of transportation network to the south or east. For those reasons, the current entitlement failed to become viable. The property ownership has analyzed this site and larger context and believe this infill property's highest and best use is as a multi-family development.

Even so, it is important to take the adjacent mobile home park and RV park communities into account and develop a project that is compatible both in land use and design. We are proposing a lower intensity product type that we believe is compatible to the adjacent communities due to its lower height buildings and single family livability. Furthermore, this product is designed to attract working professionals that need to be a short drive into the regional employment areas, but desire a more single family like lifestyle combined with no maintenance responsibilities and resort like amenities which make this a complimentary development for both the adjacent

neighbors and the City as a whole.

Within the Phoenix metropolitan area, the shortage of housing quantity and variety is having a significant detrimental impact on communities' ability to grow in an economically viable fashion due to a variety of reasons, not the least of which is the inability of employers to find quality housing for new employees relocating to the Valley. If a community wants to develop in a smart and sustainable way, they need to have a range of housing to address affordability and lifestyle choices. This project will help achieve that goal for Apache Junction.

Council voiced the following concerns: the amount of Apache Junction residents currently contributing to the commercial and retail to the west, lack of Gold Canyon residents included in traffic study, future intentions of developer if proposal is denied, future options for this site, design of ingress/egress for development.

Mayor Wilson called a recess of the meeting at 9:04 p.m.

Mayor Wilson called to reconvene the meeting at 9:12 p.m.

Planning Manager Sidney Urias explained to the Mayor and Council that they could request a continuance of this item at a future meeting. The Public Hearing would remain on tonight's agenda.

Council cited concerns about potential loss of commercially zoned areas, as well as optimism for future viability of that site for commercial use as reasons for denying the re-zoning request.

Mayor Wilson opened the Public Hearing.

Connie Wigley, Golden Vista Resort, Apache Junction, voiced her concerns regarding the type of zoning being requested by the developer.

Donna Carr, 2178 W. Virginia Street, Apache Junction, commented on her disapproval of this project.

R. W. Daniel, Golden Vista Resort, Apache Junction, commented with various reason of his disapproval of the project.

Tom Lang, Golden Vista Resort, Apache Junction, voiced concerns for the type of rezoning requested and his disapproval.

Katherine Meek, Belair Road, Apache Junction, due to technical sound difficulties, it was unclear of her comments.

Andre Meek, Belair Road, Apache Junction, spoke on the absence of sustainable products included in this development, and offered other comments requesting the Mayor and City Council to consider for this project.

Sammy Green, Golden Vista Resort, Apache Junction, expressed his disapproval of commercial development in this area, and stated it should be residential single dwelling homes.

Peter Costantino, 3010 S. Goldfield Road, Apache Junction, commented this area should remain commercial.

Russ Waller, Golden Vista Resort, Apache Junction, supports other uses such as assisted living or immediate care facility, and would like to see the "hometown feel" remain.

Bill Olson, Apache Junction land owner, requested the Mayor and Council to grant a continuance on this agenda item, for further consideration and discussion.

Mayor Wilson closed the Public Hearing.

- 13. [24-422](#) Presentation, discussion, public hearing and consideration of Ordinance No. 1547 (case P-23-63-PZ), requested by Jason Barney and John Hartman with Olsen Recker/Guadalupe Properties LLC, and represented by Greg Davis with Iplan Consulting for a proposed planned development rezoning of 18 acres located at the southeast corner of US-60 and Goldfield Road from General Commercial by Planned Development ("B-1/PD") and B-1/PD to High Density Multiple-Family Residential by Planned Development ("RM-2/PD"). (This is the companion case to Major General Plan Amendment Case P-23-64-GPA).

Due to denial of Resolution No. 24-09, this item was dismissed.

- 14. [24-423](#) Presentation, discussion, public hearing and consideration of Resolution No. 24-08, declaring as a public record that certain document filed with the City Clerk and entitled "Legal Descriptions and Zoning Conditions of Case No. P-23-63-PZ;" repealing any conflicting provisions and providing for severability.

Due to denial of Resolution No. 24-09, this item was dismissed.

I. OLD BUSINESS

J. NEW BUSINESS

- 15. [24-434](#) Presentation, discussion, and possible adoption of the Rodeo Grounds Event Center Master Plan.

Councilmember Cross moved, seconded by Councilmember Soller that the adoption of the Rodeo Grounds Event Center Master Plan be approved.

Yes: 7 - Mayor Wilson, Vice Mayor Schroeder, Councilmember Nesser, Councilmember Heck, Councilmember Johnson, Councilmember Cross and Councilmember Soller

No: 0

Mayor Wilson called attention to this item for presentation, discussion, and possible adoption before opening the Public Hearing Item No.s 12, 13 and 14, listed on the agenda.

Parks and Recreation Director Liz Langenbach recapped previous master plan updates for the Rodeo Grounds. She shared a timeline on how the City purchased the 20 acres property, and events leading up to the final draft of the master plan presented to council on April 15, 2024. Prospector Park remains on a separate existing lease. This master plan is conceptual, and improvements will be done in phases. Total cost is approximately \$23 million, but will be completed in phases as funds become available. Some of the areas of improvements and amenities will include several covered shade features, expanding the bleachers, more ADA accessibility and walkways, and portable covered stalls.

Ms. Langenbach concluded her presentation with staff recommending council adoption of the final Rodeo Event Center Master Plan concept. Upon adoption, staff will work with city management and city council to determine phasing of all projects based on funding.

Council comments: current use of mobile stage, possibility of holding the July 4th event at this facility, interest from outside parties to use the event center, clarification on the goal of this event center is to be the main hub and center of attraction for Apache Junction.

K. COUNCIL DIRECTION TO STAFF

L. SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES

M. CALL TO PUBLIC

Sheryl Bigelow, no longer present at the meeting.

Donna Carr, 2178 W. Virginia Street, Apache Junction, commented on the decision made by Mayor and City Council regarding Resolution No. 24-09.

N. ADJOURNMENT

Mayor Wilson adjourned the meeting at 9:42 p.m.

ACCEPTED THIS _____ DAY OF _____, 2024, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2024.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PEÑA
City Clerk

CITY COUNCIL MINUTES
CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Apache Junction, Arizona, held on the _____ day of _____, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2024.

JENNIFER PEÑA
City Clerk