PLANNING AND ZONING COMMISSION
PUBLIC HEARING STAFF REPORT

DATE: October 22, 2024

CASE NUMBER: P-23-112-PZ

OWNERS: SM Holdings LLC / Storbakken & Sons Construction Inc.

APPLICANT: Greg Loper, on behalf of Storbakken & Sons Construction, Inc.

REQUEST: Proposed rezoning of 991 E. Old West Highway, approximately 1.6 acres currently zoned General Commercial ("B-1") to Industrial ("B-5") and a Minor General Plan Amendment from Commercial to Light Industrial/Business Park and Industrial

LOCATION: APN 102-03-136A, generally located near the southeast corner Royal Palm Road and Old West Highway in Section 28

GENERAL PLAN DESIGNATION: Commercial

SURROUNDING USES:

North: General Commercial by Planned Development (B-1)

East: High Density Multiple-Family Residential by Planned Development (RM-1/PD)

South: Medium Density Single-Family Detached Residential (RS-10)

West: High Density Multiple-Family Residential (RM-2)

BACKGROUND

According to the Pinal County Assessor, the building on the property was constructed as an automobile service garage in 1953. The property maintained this use until about 2016, with Arizona Tiremen Services as the last automobile servicer and a tire sales store. After the property closed for automobile services it was used as a contractor's yard and office from about 2018 to 2021, at which point the current owner SM Holdings LLC purchased the property to use for their business, Storbakken & Sons Construction Inc., a construction and contractor's business with

limited outdoor storage of business materials, truck and heavy equipment parking, and limited maintenance of their own business vehicles.

Truck staging, outdoor storage, and heavy equipment maintenance use of this property are not a permitted use under the B-1 "General Construction" zoning designation, and this zoning issue came to the notice of the city in 2023. At this point Staff contacted the property owners and business representatives and informed them of the zoning violation and the need to correct the issue, and the options to do so, including a possible rezoning to an appropriate zoning district for the described uses.

PROPOSALS

P-23-112-PZ is a proposed Rezoning requested by Greg Loper on behalf of Storbakken & Sons Construction Inc. to rezone approximately 1.6 acres located near the southeast corner of Royal Palm Road & Old West Highway (APN 102-03-136A) from General Commercial ("B-1") to Industrial ("B-5") to allow for the continued use of a construction business comprising a contractor's office, shop and indoor/outdoor storage with construction truck parking.

No deviations to the Apache Junction Zoning Ordinance are requested at this time.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is currently designated by the City's general plan as "Commercial". Commercial represents commercial and office areas with convenient access to major roadways that are close to residential areas, intended to serve the surrounding community consisting of general retail, restaurants, department chain stores, grocery stores, and professional offices.

The applicant's business operations are more appropriate to the Light Industrial/Business Park and Industrial, which they request a minor General Plan Amendment to amend the Land Use Map to match. This land use designation is present further south and east along Old West Highway. This designation is for light and heavy industrial, professional offices, warehouses and other similar uses, per the General Plan.

Zoning/Site Context:

The approximate 1.6 acre property is a privately owned parcel surrounded by commercial to the north, multi-family to the west (Sonoma Apartments) and east (the under development Old West Highway Village), the Palm Springs single-family residential neighborhood to the south.

Public Input:

Neighborhood meeting notification letters were sent to property owners within a 500-foot radius, per the expanded notification radius required by the requirements of the Apache Junction Zoning Ordinance §1-16-6(5) *Mailing notice for Zoning Map amendments*. On June 25, 2024, the applicant held a neighborhood meeting in-person at the Apache Junction Multi-Generational Center, to which no one attended.

FINDINGS OF FACT FOR MINOR GENERAL PLAN AMENDEMENT

As required by the Apache Junction General Plan, a Minor General Plan Amendment request may be approved by the City Council after consideration has been given to specific criteria. The criteria are outlined in the text below:

1. Whether the amendment proposes a land use designation that the Land Use Plan Map does not adequately provide optional sites to accommodate.

Applicant Response: *Within the area of this request, there are NOT available locations that provide the required Industrial land use designation and meet the criteria necessary for this business to successfully operate, the most notable being outstanding access for the greater Apache Junction and eastern Maricopa County and Pinal County area.*

In addition, through a mistake caused by their realtor, they already own the Property.

2. Whether the amendment constitutes an overall improvement to the General Plan, will not solely benefit a particular landowner or owners at a particular point in time, and is consistent with the overall intent of the 2020-2050 General Plan.

Applicant Response: *The requested Amendment does constitute an overall improvement to the General Plan by supporting the use of a Property that otherwise has a long history of inactivity and vacancies.*

The requested Minor General Plan Amendment is also consistent with the overall intent of the General Plan, particularly in regard to the Goals of the Economic Development, Growth Area, Cost of Development and Land Use elements of the adopted General Plan.

3. Whether the proposed amendment is justified by an error in the 2020-2050 General Plan as originally adopted.

Applicant Response: *To the best of our knowledge, there is not a specific error in the adopted General Plan other than the land use designation itself.*

4. Whether the proposed change is generally consistent with goals, objectives, and other elements of the 2020-2050 General Plan.

Applicant Response: *As noted above, the request is consistent with a number of the Goals of the General Plan related to the Economic Development, Growth Area, Cost of Development and Land Use elements of the adopted General Plan. Highlights of these include the following:*

Economic Development Element:

▪*Goal 5.1 – Attract all quality private investment that will add value and bring diversification to current and future residents of Apache Junction as a great place to live, work and play.*

▪*Goal 5.6 – Continue to strengthen and advocate for economic development opportunities that considers current conditions, existing needs, business threats and opportunities, and solution-oriented deliverables that will strengthen existing businesses.*

Growth Area Element:

▪*Goal 9.1 – Increase the city's financial sustainability.*

▪*Goal 9.3 – Encourage infill development.*

Cost of Development Element:

▪*Goal 10.5 – Ensure that new development pays its fair and proportional share of the cost of additional public facility and service needs.*

▪*Goal 10.6 – Relate infrastructure investment and land use decisions to municipal economic sustainability.*

Land Use Element:

▪*Goal 11.2 – Provide a balance of uses throughout the community.*

5. Whether the proposed change is justified by a change in community conditions or neighborhood characteristics since adoption of the Plan.

Applicant Response: *As noted several times throughout this Project Narrative, the Property has seen a number of unsuccessful businesses and intermittent vacancies over the years, especially once the Superstition Freeway diverted "through" traffic from Old West Highway. Part of that reason is that the Property is one of a large number of commercially zoned and (was) vacant/underutilized. In addition, this particular site does not have great visibility nor is it located at a major intersection where commercial viability is enhanced. Lastly, the limited frontage and existence of developed residential uses properties on either side*

prohibit the expansion of the Property to a greater size that might also enhance its commercial viability.

6. Whether the amendment will adversely impact a portion of, or the entire community by:

a. Significantly altering acceptable existing land use patterns, especially in established neighborhoods.

Applicant Response: *The proposed Minor General Plan Amendment does not significantly alter the land use patterns of the area. Additionally, the Property is not located in an established neighborhood which has largely land-locked (no ability to expand) residential uses on all sides.*

b. Significantly reducing the housing to jobs balance in the Planning Area.

Applicant Response: *The request will have the opposite effect by enhancing the job balance within Apache Junction.*

c. Substantially decreasing existing and future water supplies.

Applicant Response: *The use of the property utilizes very little water; primarily water is only used for restroom facilities and the occasional cleaning of equipment.*

d. Replacing employment with residential uses.

Applicant Response: *This request also has the opposite effect by adding employment uses.*

e. Requiring additional and more expensive improvements to infrastructure systems and/or proximity to municipal facilities and/or services than are needed to support the prevailing land uses and which, therefore, may impact the level of service for existing and proposed developments in other areas.

Applicant Response: *The use has virtually no impact on existing infrastructure or municipal services. This can be measured today and verified by City of Apache Junction staff as the business has been in operation for approximately 3+ years.*

f. Increasing traffic (without mitigation measures) on existing roadways beyond the planned level of service, and that negatively impact existing and planned land uses.

Applicant Response: *The use also has virtually no traffic impacts. This can also be measured today and confirmed by City of Apache Junction staff as the business has been in operation for approximately 3+ years.*

g. Affecting the existing character (i.e., visual, physical and functional) of the immediate area.

Applicant Response: *The use utilizes an existing, approximately 70-year-old building that has largely been vacant and/or underutilized for the past 30+ years. Storbakken and Sons has already – at their own financial risk – completed various property improvements and will provide more enhancement should these entitlement requests be approved.*

h. Increasing the exposure of residents to aviation generated noise, safety and/or flight operations.

Applicant Response: *Storbakken and Sons has no aviation or aerial components to their operations.*

i. Materially diminishing the environmental quality of the air, water, land, or cultural resources.

Applicant Response: *The Storbakken and Sons operation does not adversely affect the environmental quality of the air, water, land or cultural resources.*

j. Significantly altering recreational amenities such as open space, parks, and trails.

Applicant Response: *Finally, the Storbakken and Sons operation does not significantly alter, nor affect, recreational amenities. In addition, the Storbakken & Sons business also furthers a number of the goals and policies of the Old West Highway Redevelopment Area Plan.*

PLANNING DIVISION RECOMMENDATION

As this rezoning has been requested to amend the zoning designation from B-1 "General Commercial" to B-5 "Industrial" to comply with the zoning land use requirements and remedy the issue of the non-conforming use, staff is supportive of this rezoning as a means of correcting the zoning violation and using the opportunity to improve the property and bring it into compliance with modern codes and requirements.

To this end, Staff recommends the requirement of several improvements in order to meet current Zoning Ordinance standards, as noted here:

Screen Walls: Per § 1-8-6 LANDSCAPE STANDARDS, *(B) Screening. (1) Screen walls for side and rear property lines*: Where industrial or commercial development is proposed to be located adjacent to an existing or future residential property, screening walls shall be required in accordance with Vol. II, § 1-6-3, Table 6-2.

Per § 1-6-3 FENCES AND WALLS, the side and rear walls at the perimeter of the site shall be 6' minimum opaque walls painted or stained with desert/earth tone colors. The front fence shall also be replaced by a decorative wall compliant with code requirements.

It would be required that the walls may be secured with security wall spikes or equivalent security features, but shall not use barbed wire or concertina razor wire. If there is any wire used, it would need to be internal to the site and not visible from the public right of way. This front screen wall is generally required to be an opaque decorative wall to screen storage or vehicle parking from the public right of way, so further upgrade to the wall may still be required.

Driveway and Driveway Apron: The driveway and driveway apron shall be an improved surface, not just decomposed granite or gravel.

Dustproof Surfacing: The proposed vehicle parking and circulation areas within the development shall be surfaced for dustproofing purposes to meet the city's requirements, as outlined in the City of Apache Junction Ordinance 1316.

Building Elevations: As no change to the structures on site is proposed, there is nothing new being required architecturally, but to comply with general maintenance standards, we recommend that the building be repainted as the paint is deteriorating and chipped away in several places. Per our design standards, the new paint coat should be desert/earth tone colors. The awnings and pole out front should be painted as well to eliminate the blue for consistent earth tone colors as well.

Landscaping: The site does not currently provide any screening landscaping along Old West Highway, which is required per Zoning Ordinance, Article 1-8, Landscape Regulations.

Landscaping, screening and irrigation improvements shall be provided in compliance with the city's landscape and screening requirements, which would include trees and shrubs on site, while the street frontage shall include vegetative ground cover (1-gallon minimum) and be covered with inorganic mulch such as crushed decorative rock, river run and/or boulders. An impervious weed barrier or pre-emergent chemical treatment shall be applied to the bare ground prior to the placement of inorganic ground cover materials. The trees along the Old West Highway frontage shall be a minimum of 36" box.
(Note: The Zoning Ordinance § 1-8-6 Landscape Standards only requires 24" box trees, but we recommend that the trees along the Old West Highway frontage be planted in the 36" box size instead of the listed 24" to provide additional screening standard for industrial uses.)

Public Works Improvements: To the extent required by Public Works, street improvements along Old West Highway shall be installed, including but not necessarily limited to, extension of pavement and the provision of sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, subject to review and approval by the city engineer.

Lighting: All outdoor lighting shall be dark sky compliant.

RECOMMENDED MOTION

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of case P-23-112-PZ, a rezoning request by SM Holdings LLC / Storbakken & Sons Construction Inc. (owner/operator), represented by Greg Loper (applicant), for a rezoning of approximately 1.6 acres at 991 E. Old West Highway, APN 102-03-136A from General Commercial ("B-1") to Industrial ("B-5") to approve the use of use of a construction business comprising a contractor's office, shop and indoor/outdoor storage with construction truck parking, subject to the following conditions of approval:

1) The project shall be improved in accordance with the plans approved and associated with this case and all provisions of the Zoning Ordinance and City codes applicable to this case.
2) 6' minimum opaque screen walls shall be installed in compliance to §1-6-3 Fences and Walls. Per code requirements, the front screen wall along Old West Highway shall be a decorative wall.
3) The driveway and driveway apron shall be an improved surface meeting the city's commercial driveway standards.
4) The proposed vehicle parking and circulation areas within the development shall be surfaced for dustproofing purposes to meet the city's requirements, as outlined in the City of Apache Junction Ordinance 1316.
5) The building's exterior shall be maintained to comply with general maintenance standards, including a repainting to repair the deterioration in desert/earth tone colors.
6) Landscaping, screening and irrigation improvements shall be provided in compliance with the city's landscape and screening requirements, which would include trees and shrubs on site, while the street frontage shall include vegetative ground cover (1-gallon minimum) and be covered with inorganic mulch such as crushed decorative rock, river run and/or boulders. An impervious weed barrier or pre-emergent chemical treatment shall be applied to the bare ground prior to the placement of inorganic ground cover materials. The trees along the Old West Highway frontage shall be a minimum of 36" box.
7) These required improvements shall be made and finished within 12 months of the zoning approval for case P-23-112-PZ.

Nick Leftwich

Prepared by Nick Leftwich
Planner

Attachments:

Exhibit #1: P-23-112-PZ Project Narrative
Exhibit #2: P-23-112-PZ Site Plan
Exhibit #3: P-23-112-PZ Vicinity Map
Exhibit #4: P-23-112-PZ Public Participation Report

Storbakken & Sons

Project Narrative

Related to a Request for a rezoning from B-1 to B-5,
and a Minor General Plan Amendment
(from Commercial to Light Industrial/Business Park and Industrial)
for a construction-related business on approximately
1.61 net acres located on the south-side of Old West Highway,
east of Royal Palm Road and west of Tomahawk Road
(991 East Old West Highway)

Case #: **P-23-112-PZ**

Date Revised: **October 13, 2024**

Introduction:

This Project Narrative is being submitted to the City of Apache Junction for consideration of a rezoning from B-1 (General Commercial) to B-5 (Industrial) – as well as a Minor General Plan Amendment (from Commercial to Light Industrial/Business Park and Industrial) – to allow for the continued use of the Property as a construction business (contractor's office, shop and indoor/outdoor storage) on approximately 1.61 net acres (70,131-feet) located on the south-side of Old West Highway, east of Royal Palm Road and west of Tomahawk Road (the "Property").

The Property has an address of 991 East Old West Highway, and a Pinal County Assessor's Parcel Number ("APN") of 102-03-136A (the "Property").

Storbakken & Sons Construction, Inc. was established in 2009 in North Dakota and has their roots as a family-owned and family-oriented small business in the construction and earthwork trades. Seeing a need for their services in the east valley area of the greater Phoenix Metropolitan and Pinal County areas, Storbakken purchased this property in 2021, believing that it had the correct zoning and other entitlements to utilize the Property as a contractor's office, shop and indoor/outdoor storage.

Since their purchase of the Property, and at their own financial risk, Storbakken has done much to improve the appearance of the site. Additional site improvements (façade / painting, landscaping, etc.) will be completed once the proper zoning and land use entitlements are in place.

Project Description:

Storbakken & Sons proposes to continue the use of the Property as a construction and contractor's business, including an office, shop and indoor/outdoor storage. Existing improvements include the following:

- A single-story 1,380 square foot Office Building with Interior Maintenance Areas, Storage & Attached Shade Canopies which was constructed in 1953
- A ~30-foot-wide driveway onto Old West Highway (with 6' high wrought iron rolling gate)
- Screening that includes a 6' high wrought iron fence with columns along the Old West Highway frontage and a 6' high solid wall along the remaining Property perimeter screening (east, south and west property lines). Side and rear portions of the Property have existing and mature landscaping
- Outdoor areas that include customer parking, truck parking, internal circulation, and truck and heavy equipment storage and maintenance

A rezoning/site plan exhibit is included with this submittal.

Since the acquisition of the Property, Storbakken & Sons has worked to improve the Property by clearing it of weeds and abandoned materials, adding to and improving the Property screening as noted above, and improvements to both the exterior and interior portions of the existing building.

The intent is that with the approval of the B-5 zoning request is to continue to improve the Property with the addition of frontage landscaping, new signs, façade / painting improvements, etc.

The Property has seen a number of businesses over the years; few have been successful for long. The most recent business prior to Storbakken & Sons was a tire business that closed several years ago.

As stated above, this request consists of two (2) parts:

- Rezoning from B-1 (General Commercial) to B-5 (Industrial)
- Minor General Plan Amendment, from Commercial to Light Industrial/Business Park and Industrial

The specifics of each request and the related rationale for the changes are noted below.

Rezoning:

The request for the rezoning from B-1 (General Commercial) to B-5 (Industrial) is to grant them the ability to remain on this property and for their business to have a secure future with the opportunity for growth.

The City of Apache Junction Zoning Ordinance defines the B-5 (Industrial) Zoning District as “Generally intended for light industrial uses permitted by right, and heavy industrial uses permitted as conditional uses.”

Also as noted above, the current operation is a construction and contractor’s business (including offices and internal shop and storage areas), with limited outdoor storage (business-related only), along with truck and heavy equipment parking and limited maintenance of same.

Minor General Plan Amendment:

The second component of this request is for a Minor General Plan Amendment (from Commercial to Industrial) to coincide with the rezoning request.

The Apache Junction General Plan states that the Light Industrial/ Business Park and Industrial land use designation represents “areas where manufacturing is appropriate.

These uses generally occur in a business park type environment with clustered buildings and inward focuses activity which can include light and heavy industrial, professional office, warehouses and other similar uses."

The present location, while not in a Business Park environment, is located along a major arterial-type roadway (Old West Highway, formerly known as US 60) which limits the Property's appeal for single-family residential. There is an overabundance of existing and vacant commercial properties in the area mean that changing the land use designation from Commercial will not detract from other commercial opportunities in the area.

In addition, the property is buffered from pending residential uses to the east and existing residential uses to the south by an existing 20-foot-wide alley and existing onsite screening, with multi-family residential uses to the west.

Within the City of Apache Junction General Plan, there are the "Findings of Fact" (questions and criteria) that must be addressed in any request for an Amendment.

The respective Findings of Fact are noted below (in *italics*), with the response following each:

1. *Whether the amendment proposes a land use designation that the Land Use Plan Map does not adequately provide optional sites to accommodate.*

   Response:

   Within the area of this request, there are NOT available locations that provide the required Industrial land use designation and meet the criteria necessary for this business to successfully operate, the most notable being outstanding access for the greater Apache Junction and eastern Maricopa County and Pinal County area.

   In addition, through a mistake caused by their realtor, they already own the Property.

2. *Whether the amendment constitutes an overall improvement to the General Plan, will not solely benefit a particular landowner or owners at a particular point in time, and is consistent with the overall intent of the 2020-2050 General Plan.*

   The requested Amendment does constitute an overall improvement to the General Plan by supporting the use of a Property that otherwise has a long history of inactivity and vacancies.

   The requested Minor General Plan Amendment is also consistent with the overall intent of the General Plan, particularly in regard to the Goals of the Economic Development, Growth Area, Cost of Development and Land Use elements of the adopted General Plan.

3. *Whether the proposed amendment is justified by an error in the 2020-2050 General Plan as originally adopted.*

   To the best of our knowledge, there is not a specific error in the adopted General Plan other than the land use designation itself.

4. *Whether the proposed change is generally consistent with goals, objectives, and other elements of the 2020-2050 General Plan.*

   As noted above, the request is consistent with a number of the Goals of the General Plan related to the Economic Development, Growth Area, Cost of Development and Land Use elements of the adopted General Plan. Highlights of these include the following:

   Economic Development Element:
   - Goal 5.1 - Attract all quality private investment that will add value and bring diversification to current and future residents of Apache Junction as a great place to live, work and play.
   - Goal 5.6 - Continue to strengthen and advocate for economic development opportunities that considers current conditions, existing needs, business threats and opportunities, and solution-oriented deliverables that will strengthen existing businesses.

   Growth Area Element:
   - Goal 9.1 - Increase the city's financial sustainability.
   - Goal 9.3 - Encourage infill development.

   Cost of Development Element:
   - Goal 10.5 - Ensure that new development pays its fair and proportional share of the cost of additional public facility and service needs.
   - Goal 10.6 - Relate infrastructure investment and land use decisions to municipal economic sustainability.

   Land Use Element:
   - Goal 11.2 - Provide a balance of uses throughout the community.

5. *Whether the proposed change is justified by a change in community conditions or neighborhood characteristics since adoption of the Plan.*

   As noted several times throughout this Project Narrative, the Property has seen a number of unsuccessful businesses and intermittent vacancies over the years, especially once the Superstition Freeway diverted "through" traffic from Old West Highway. Part of that reason is that the Property is one of a large number of

commercially zoned and (was) vacant/underutilized. In addition, this particular site does not have great visibility nor is it located at a major intersection where commercial viability is enhanced. Lastly, the limited frontage and existence of developed residential uses properties on either side prohibit the expansion of the Property to a greater size that might also enhance its commercial viability.

6. *Whether the amendment will adversely impact a portion of, or the entire community by:*

   a. *Significantly altering acceptable existing land use patterns, especially in established neighborhoods.*

      The proposed Minor General Plan Amendment does not significantly alter the land use patterns of the area. Additionally, the Property is not located in an established neighborhood which has largely land-locked (no ability to expand) residential uses on all sides.

   b. *Significantly reducing the housing to jobs balance in the Planning Area.*

      The request will have the opposite effect by enhancing the job balance within Apache Junction.

   c. *Substantially decreasing existing and future water supplies.*

      The use of the property utilizes very little water; primarily water is only used for restroom facilities and the occasional cleaning of equipment.

   d. *Replacing employment with residential uses.*

      This request also has the opposite effect by adding employment uses.

   e. *Requiring additional and more expensive improvements to infrastructure systems and/or proximity to municipal facilities and/or services than are needed to support the prevailing land uses and which, therefore, may impact the level of service for existing and proposed developments in other areas.*

      The use has virtually no impact on existing infrastructure or municipal services. This can be measured today and verified by City of Apache Junction staff as the business has been in operation for approximately 3+ years.

   f. *Increasing traffic (without mitigation measures) on existing roadways beyond the planned level of service, and that negatively impact existing and planned land uses.*

The use also has virtually no traffic impacts. This can also be measured today and confirmed by City of Apache Junction staff as the business has been in operation for approximately 3+ years.

g. *Affecting the existing character (i.e., visual, physical and functional) of the immediate area.*

The use utilizes an existing, approximately 70-year-old building that has largely been vacant and/or underutilized for the past 30+ years. Storbakken and Sons has already – at their own financial risk – completed various property improvements and will provide more enhancement should these entitlement requests be approved.

h. *Increasing the exposure of residents to aviation generated noise, safety and/or flight operations.*

Storbakken and Sons has no aviation or aerial components to their operations.

i. *Materially diminishing the environmental quality of the air, water, land, or cultural resources.*

The Storbakken and Sons operation does not adversely affect the environmental quality of the air, water, land or cultural resources.

j. *Significantly altering recreational amenities such as open space, parks, and trails.*

Finally, the Storbakken and Sons operation does not significantly alter, nor affect, recreational amenities.

In addition, the Storbakken & Sons business also furthers a number of the goals and policies of the Old West Highway Redevelopment Area Plan.

Relationship to Surrounding Properties:

The Property is located in the eastern portion of Apache Junction. In this area, properties along the Old West Highway are a mix of commercial uses, multi-family residential uses and a number of vacant/under-utilized properties.

The use and zoning of the surrounding properties are as follows:

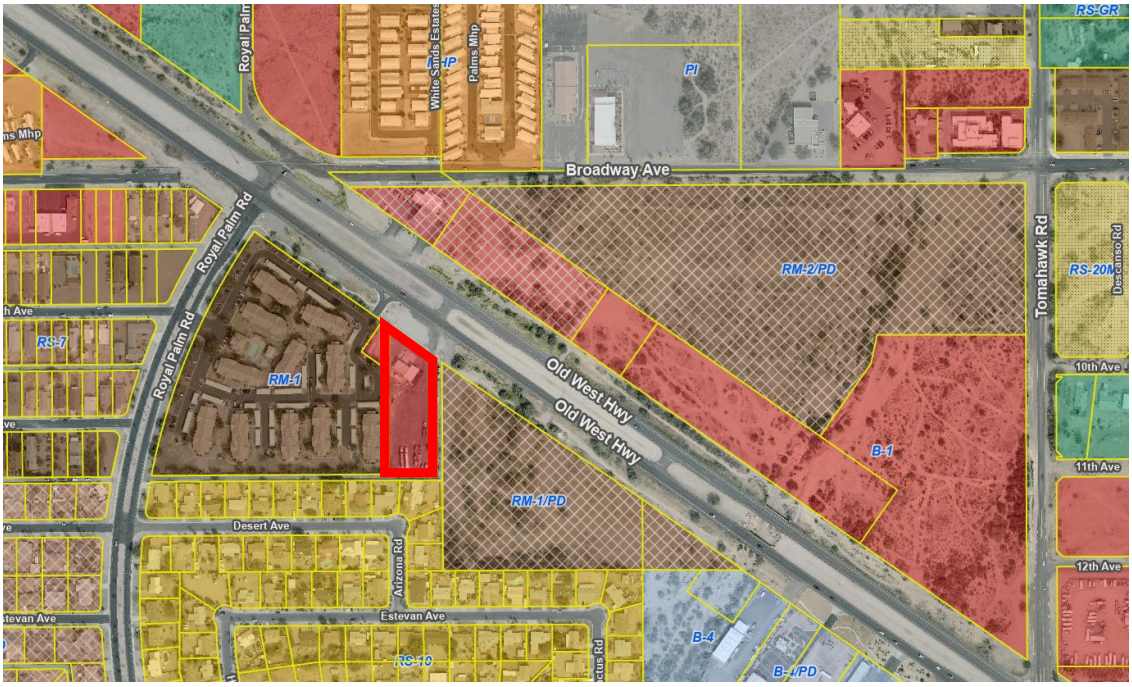
North: Directly to the north is Old West Highway, which is a major roadway with two (2) paved lanes in each direction, separated by a median that allows for controlled left turns. Across Old West Highway and further to the north are vacant/undeveloped properties zoned B-1.

East: The property to the east is presently vacant but is planned for the Old West Highway Village residential development. It is zoned RM-1/PD.

West: To the west is a City of Apache Junction water facility, zoned B-1. Also to the west is the Sonoma Valley Apartments (formerly Indian Wells Apartments), which is zoned RM-1.

South: To the south is the Palm Springs single-family residential subdivision, zoned RS-10.

An excerpt of the City of Apache Junction zoning map, indicating the zoning of the Property and adjacent areas is as follows:



The Property is located outside of any flood zone areas, with a designation of "Zone 'X'".

Development Standards:

Development and use of the Property conforms with the applicable development standards of the B-5 zoning district, which are as follows:

Development Standard	B-5 Standard	Proposed / Existing
Lot Area (min.)	15,000 square feet	1.61 acres / 70,131-feet

Lot Width (min.)	75-feet	190.3-feet
Front Setback (min.)	20-feet	40-feet
Interior Side Setback (min.)	10-feet	15-feet
Street Side Setback (min.)	10-feet	N/A
Rear Setback (min.)	10-feet	+300-feet
Front Setback – Parking (min.)	10-feet	10-feet
Height (max.)	35-feet	18-feet
Parking	5	8

At the present time (at least until zoning approval), no additional structures are proposed. Any future structures shall conform to the development standards and other requirements of the requested B-5 zoning district.

Circulation:

Access presently occurs and will continue to occur from Old West Highway (formerly US 60), via an existing driveway (approximately 30-feet in width). This existing gated driveway location must remain where it is presently located due to the internal circulation characteristics and design. Interior circulation areas are to be private. Any dedications and all improvements will be as required by the City of Apache Junction.

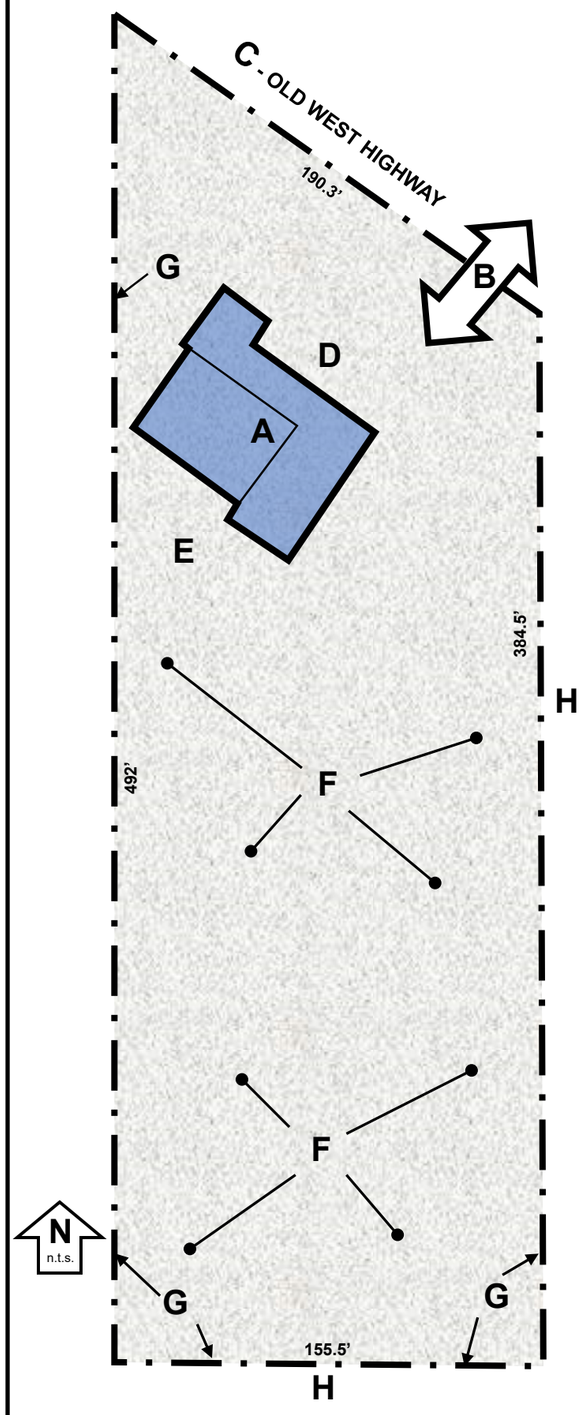
Old West Highway, adjacent to the Property, has a total right-of-way of 300-feet (half-street r.o.w. of 150-feet), and is developed with two (2) paved lanes in each direction and a landscaped median for controlled left turns. There is a median break directly in front of the Property.

There is also an adjacent 20-foot-wide alley to the east and south of the property; however, no access is proposed from this development to this alley.

No additional rights-of-way or improvements to either Old West Highway or to the alley are proposed.

Storbakken & Sons

Rezoning Exhibit / Site Plan for Proposed Rezoning from B-1 to B-5 to utilize an existing business on 1.61 acres located at 991 East Old West Highway, Apache Junction, Arizona



SITE PLAN NOTES:

A: Existing Single-story ~1,380 square foot Office Building with Interior Maintenance Areas, Storage & Attached Shade Canopies (constructed ~1953)

B: Existing ~30-foot-wide driveway onto Old West Highway (with 6' high wrought iron rolling gate). Northern property line is screened/secured with a 6' high wrought iron fence with columns

C: Old West Highway (300' total right-of-way (150' half-street r.o.w.)

D: Customer Parking Area (~8 spaces, including 1 handicapped accessible)

E: Truck & Equipment Maintenance & Parking Areas

F: Truck & Equipment Parking & Storage Areas (with Internal Circulation)

G: Perimeter Screening (6' High Solid Wall) along the east, south and west property lines

H: 20' wide Alley (adjacent to East & South property lines)

AERIAL PHOTO:

VICINITY MAP:

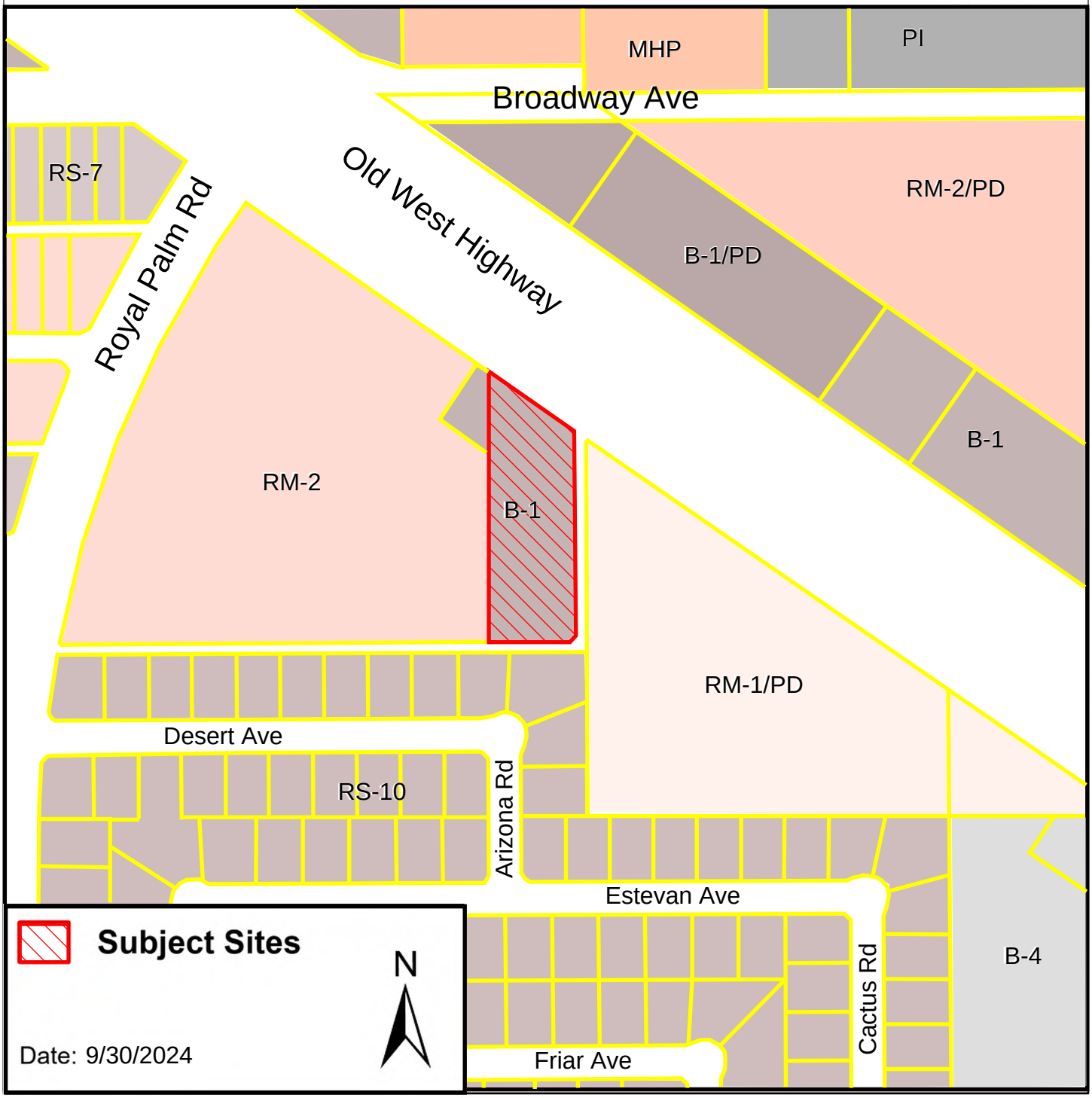
PROJECT DATA:

Location:	Approximately 660' (1/8 mile) east of the Southeast corner of Old West Highway and Royal Palm Road
Address:	991 East Old West Highway, Apache Junction, AZ
APN:	102-03-136A
Ownership:	SM Holdings LLC
Size:	1.61 acres (net)
Legal Description:	A Portion of Tracts A-1, A-3 thru A-5 of Palm Springs subdivision (PCR: Book 7, Page 27); a Portion of Section 28, T1N-R8E, G&SRM, Pinal County, AZ
Existing Zoning:	B-1 (General Business)
Proposed Zoning:	B-5 (Industrial)
Existing Use:	Former Tire Business
Proposed Use:	Construction Business
Date Prepared:	October 31, 2023

Vicinity Map

P-23-112-PZ

Rezoning request from General Commercial (B-1) to Industrial (B-5) to allow for the continued use of a construction business comprising a contractor's office, shop and indoor/outdoor storage with construction truck parking.



Storbakken & Sons

Public Participation Plan

Related to a Request for a rezoning from B-1 to B-5,
to develop a construction-related business on approximately
1.61 net acres located on the south-side of Old West Highway,
east of Royal Palm Road and west of Tomahawk Road
(991 East Old West Highway)

Date Prepared: October 31, 2023

I. Introduction, Purpose of Request & Possible Impacts

This Public Participation Plan is being submitted to the City of Apache Junction in conjunction with a request for a rezoning from B-1 (General Commercial) to B-5 (Industrial) to allow for the continued use as a construction business (contractor's office, shop and indoor/outdoor storage) on approximately 1.61 net acres (70,131-feet) located on the south-side of Old West Highway, east of Royal Palm Road and west of Tomahawk Road (the "Property").

The Property has an address of 991 East Old West Highway, and a Pinal County Assessor's Parcel Number ("APN") of 102-03-136A.

Storbakken & Sons Construction, Inc. was established in 2009 in North Dakota and has their roots as a family-owned and family-oriented small business in the construction and earthwork trades. Seeing a need for their services in the east valley area of the Phoenix Metropolitan Area, Storbakken purchased this property in 2021, believing that it had the correct zoning and other entitlements to utilize the Property as a contractor's office, shop and indoor/outdoor storage.

Since beginning operations at the current location, we are unaware of any issues or impacts to our neighbors or to the City of Apache Junction in general. However, we will work to address any impacts as provided to us by City of Apache Junction staff and/or our neighbors.

II. Stakeholders and Parties Affected by Application:

Those stakeholders and parties most likely to be affected by the rezoning request include the following:

- Property owners within 300' of the subject site.
- The head of any homeowners' association or registered neighborhood group within the public notice area.
- Other interested parties who have requested that they be placed on the interested parties' notification list maintained by the Planning and Zoning staff.

As of the date off this Public Participation Plan, no neighborhood, property associations/groups or HOA's within 300-feet / the vicinity of the subject site (and/or having an interest in the area of the subject site) have yet been identified by City of Apache Junction staff, but will be included if provided.

III. Notification:

Prior to the first public hearing, the applicant shall implement this Public Participation Plan (as may be modified by City of Apache Junction staff). Implementation measures are to include the following;

- Notice regarding the proposal will be sent to the following by first class mail:

  - All property owners within 300' of the subject site

  - Any groups (such as HOA's or interested parties as identified by City of Apache Junction staff)

  This notification will include information regarding the description and details of the proposed rezoning, copy of the site plan and the name and contact information of the applicant.

  This notification will also invite them to a neighborhood meeting as described below.

  A copy of the notice and the mailing list will be provided to City of Apache Junction staff as part of the Public Participation Final Report noted below.

- Conduct a Neighborhood Meeting as noted above at a location that is convenient to the neighbors

- Post the property in accordance with City of Apache Junction requirements at least 15 days prior to the first public hearing on the rezoning request

IV. Public Participation Final Report:

Prior to the notice of public hearing, the applicant will provide a Public Participation Final Report that will contain the following:

- Dates and locations of all meeting where the public was invited to discuss the proposal.

- Content, dates mailed, and number of mailings, including examples of letters, meeting notices, newsletters, and other publications.

- The location of residents, property owners, and interested parties receiving notices, newsletters, or other publications.

- The number of people that participated in the process.

- A summary of concerns, issues, and problems expressed during the process including the substance of the concerns, issues, and problems and how the concerns were addressed or resolved.

- Photographs of the site posting and a map indicating the location of the site posting.

V. Status Procedure:

The applicant recognizes that it is to our benefit to keep City of Apache Junction staff apprised of the notification efforts that occur and any responses received by any interested party. Therefore, the applicant, in addition to the Public Participation Final Report noted above, will keep staff apprised of meetings and discussions through periodic correspondence, including letters and/or e-mails, as well as phone calls. Additional notices of status changes will occur as necessary and/or requested by City of Apache Junction staff.

June 13, 2024

RE: Storbakken & Sons construction business; Proposed rezoning and Minor General Plan Amendment for the existing Storbakken & Sons construction business located at 991 East Old West Highway in Apache Junction, Arizona

Dear Neighbor:

The purpose of this letter is to inform you we have submitted an application to the City of Apache Junction (under application #P-23-112-PZ) for the rezoning from B-1 (General Commercial) to B-5 (Industrial) and a minor General Plan Amendment to the Land Use Designation Map from Commercial to Business Park/Light Industrial and Industrial to allow for the continuation of the Storbakken & Sons construction business (contractor's office, shop and indoor/outdoor storage) on approximately 1.61 net acres (70,131 square feet) located at 991 East Old West Highway in Apache Junction, AZ.

Storbakken & Sons has been in operation for several years at this location; however, the rezoning and Minor General Plan Amendment are required to allow it to remain and continue operations at this location. The existing zoning was more appropriate when Old West Highway ("OWH") was designated as US 60 and was the primary east-west roadway connecting cities in the east valley and beyond. Once the Superstation Freeway was constructed, and the US 60 designation moved to the Superstation Freeway, traffic drastically declined along OWH, leaving an over-abundance of vacant and underutilized commercial properties. This site has seen a number of unsuccessful businesses over the years; the most-recent business prior was a tire business that closed nearly a decade ago. Storbakken & Sons is a successful business at this location and has been steadily improving the appearance of the property.

A copy of the conceptual site plan is on the back of this letter.

We would like to give you an opportunity to see and hear more specific details about this request. We will be holding an open house meeting for the surrounding property owners and registered associations in the area as follows:

Date and Time: Tuesday, June 25th, 2024, from 6:30 p.m. to 7:30 p.m.

Location: City of Apache Junction
Multi-Generational Center – Room R118
1035 North Idaho Road
Apache Junction, AZ 85119

Please feel free to share this information with your neighbors. In the meantime, I would be happy to answer any questions or hear any concerns you may have regarding this proposal. You may reach me at 602-550-7004 or via email at greg.loper@hotmail.com.

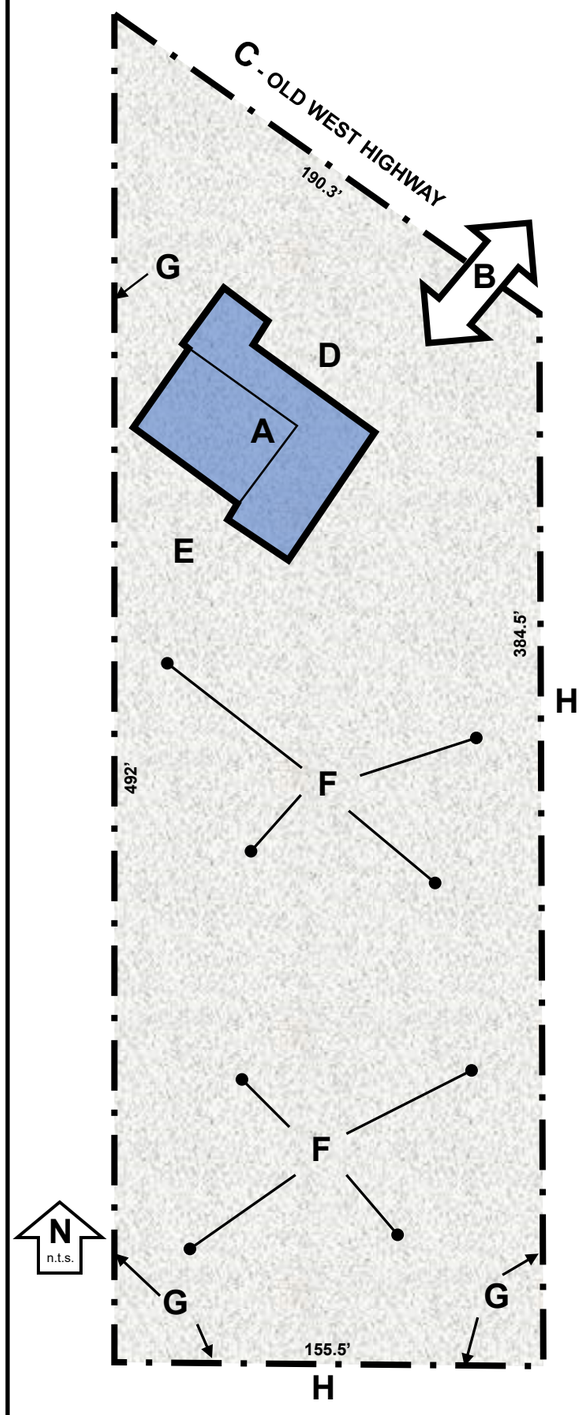
Sincerely,

Greg Loper

Enclosures: As stated

Storbakken & Sons

Rezoning Exhibit / Site Plan for Proposed Rezoning from B-1 to B-4 to utilize an existing business on 1.61 acres located at 991 East Old West Highway, Apache Junction, Arizona



SITE PLAN NOTES:

A: Existing Single-story ~1,380 square foot Office Building with Interior Maintenance Areas, Storage & Attached Shade Canopies (constructed ~1953)

B: Existing ~30-foot-wide driveway onto Old West Highway (with 6' high wrought iron rolling gate). Northern property line is screened/secured with a 6' high wrought iron fence with columns

C: Old West Highway (300' total right-of-way (150' half-street r.o.w.)

D: Customer Parking Area (~8 spaces, including 1 handicapped accessible)

E: Truck & Equipment Maintenance & Parking Areas

F: Truck & Equipment Parking & Storage Areas (with Internal Circulation)

G: Perimeter Screening (6' High Solid Wall) along the east, south and west property lines

H: 20' wide Alley (adjacent to East & South property lines)

AERIAL PHOTO:

VICINITY MAP:

PROJECT DATA:

Location:	Approximately 660' (1/8 mile) east of the Southeast corner of Old West Highway and Royal Palm Road
Address:	991 East Old West Highway, Apache Junction, AZ
APN:	102-03-136A
Ownership:	SM Holdings LLC
Size:	1.61 acres (net)
Legal Description:	A Portion of Tracts A-1, A-3 thru A-5 of Palm Springs subdivision (PCR: Book 7, Page 27); a Portion of Section 28, T1N-R8E, G&SRM, Pinal County, AZ
Existing Zoning:	B-1 (General Business)
Proposed Zoning:	B-5 (Industrial)
Existing Use:	Former Tire Business
Proposed Use:	Construction Business
Date Prepared:	October 31, 2023