

PLANNING AND ZONING COMMISSION
RESOLUTION NO. 25-28

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF APACHE JUNCTION, ARIZONA, APPROVING A CONDITIONAL USE PERMIT ("CUP"), CASE NO. P-25-49-CUP, FOR CITYSWITCH AND VERIZON WIRELESS, REPRESENTED BY CHRISTINE TUCKER OF TERRA CONSULTING, FOR A 65-FOOT-TALL MONO-ELM CELL TOWER LOCATED ON PINAL COUNTY ASSESSOR PARCEL NUMBER 102-21-042A, ZONED GENERAL COMMERCIAL BY PLANNED DEVELOPMENT ("B-1/PD"), LOCATED AT 251 EAST 29TH AVENUE ("THE PROPERTY").

WHEREAS, the mayor and city council of the City of Apache Junction, Arizona, on March 5, 1996, passed and adopted Ordinance No. 946 which rezoned the east 5 acres of the Property from General Rural ("GR") to General Commercial by Planned Development ("C-3/PD"), to allow for the development of a motel and to facilitate the creation of a commercial subdivision; and

WHEREAS, the mayor and city council on June 18, 1996, approved a final subdivision plat pursuant to Resolution No. 96-14, allowing a 6 lot commercial subdivision on the east 8.23 acres of the Property; and

WHEREAS, the mayor and city council on February 4, 1997, further approved a comprehensive sign package for the "Idaho and Superstition Commercial Subdivision", more thoroughly described in planning and zoning case file number PZ-7-95; and

WHEREAS, the mayor and city council on August 1, 2000, passed and adopted Ordinance No. 1134, which approved a major planned development amendment to the Property; and

WHEREAS, the mayor and city council on December 2, 2003, passed and adopted Ordinance No. 1189 effectuating an amendment to the comprehensive sign package; and

WHEREAS, on August 7, 2007, the mayor and city council passed and adopted Ordinance No. 1305, which amended the planned development palette of uses.

WHEREAS, a CUP application was submitted on June 3, 2025, to the planning division of the City of Apache Junction development services department, by Christine Tucker with Terra Consulting on behalf of Cityswitch and Verizon Wireless, pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 8: Communications, Article 8-1: Wireless Communications Facilities, Section 8-1-4 Site Locations (B), requesting approval of a 65-foot-tall mono-Elm cell tower, as described in the materials submitted with planning and zoning case file number P-25-49-CUP, for the Property, which is legally described as follows:

Lots 4 and 5 of Idaho and Superstition Commercial Subdivision, according to the Plat of record in the office of the county Recorder of Pinal County, Arizona, Recorded in Cabinet B, Slide 116 (also known as Pinal County Assessor Parcel Number 102-21-042A); and

WHEREAS, on October 14, 2025, the City of Apache Junction planning and zoning commission held a public hearing on planning and zoning case file number P-25-49-CUP and determined based on the submitted evidence from the applicants that the use in the application and the structure proposed would not be detrimental to persons residing or working in the area, to adjacent properties, the neighborhood, to the community or to the public welfare in general; and that the requested cell tower was a reasonable and appropriate use for the Property.

NOW, THEREFORE, BE IT RESOLVED by the planning and zoning commission that the factors set forth in Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-16: Administration, Section 1-16-12 (D)(3), subsection (a) through (g), have been met; and that therefore Cityswitch and Verizon, be granted a CUP for a 65-foot-tall cell tower on the Property, subject to the following conditions of approval:

- 1) The applicant shall construct a faux mono-Elm tree tower.

- 2) Other cell phone providers may collocate on the tower provided all antennas and associated facilities are camouflaged per city design standards.
- 3) The site shall be dust-proofed in accordance with Apache Junction City Code, Volume I, Chapter 9: Health and Sanitation, Article 9-1: Property Maintenance Standards, Section 9-1-3 Public Nuisances Prohibited.
- 4) An eight-foot (8') tall split-faced concrete masonry unit ("CMU") block wall shall be constructed and painted to match the existing development.
- 5) All proper permits shall be obtained prior to any construction, including encroachment permits into the right-of-way.
- 6) Any landscaping that is removed shall be relocated on the Property.
- 7) The telecommunications facility shall be developed in accordance with the plans associated with planning and zoning case file number P-25-49-CUP, follow all applicable regulations in accordance with Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, and other applicable city codes within 12 months of the granting of the CUP, or the CUP shall become void.

PASSED AND ADOPTED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF OCTOBER, 2025.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____ 2025.

DAVE HANTZSCHE, Chairperson
Planning and Zoning Commission

ATTEST:

RUDY ESQUIVIAS
Development Services Director

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney