



# City of Apache Junction, Arizona

## Meeting Minutes

### Planning and Zoning Commission

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

City Council Chambers at  
City Hall  
300 E Superstition  
Boulevard  
Apache Junction AZ 85119

apachejunctionaz.gov  
P: (480) 474-5083

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Tuesday, March 24, 2026

7:00 PM

City Council Chambers

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#### 1. Call to Order

Chair Hantzsche called the meeting to order at 7:00 pm.

#### 2. Pledge of Allegiance

Chair Hantzsche led the Pledge of Allegiance.

#### 3. Roll Call

**Present:** 7 - Commissioner Gage  
Commissioner Kalan  
Commissioner Starr  
Commissioner Mykland  
Chairperson Hantzsche  
Vice Chair Barker  
Commissioner Kelley

Commissioner Kalan attended the meeting telephonically.

Staff present:

Joel Stern, City Attorney  
Rudy Esquivias, DS Director  
Sidney Urias, DS Deputy Director  
Nick Leftwich, Principal Planner

#### 4. Consent Agenda

**Vice Chair Barker moved to accept the agenda as presented and approve the minutes of the October 28, 2025 regular meeting. Commissioner Mykland seconded the motion.**

**Yes:** 7 - Commissioner Gage, Commissioner Kalan, Commissioner Starr, Commissioner Mykland, Chairperson Hantzsche, Vice Chair Barker and Commissioner Kelley

**No:** 0

Chairman Hantzsche called for a motion.

1. [26-113](#) Consideration of approval of agenda.
2. [26-114](#) Consideration of approval of the minutes of the October 28, 2025 regular meeting.

**5. Public Hearings**

3. [26-116](#) Presentation, discussion, public hearing, and consideration of case P-25-59-PZ, a proposed rezoning of parcels 103-21-025F, 103-21-025G, 103-21-025H, 103-21-025E, 103-21-026E, 103-21-026G, 103-21-026C, and 103-21-026F, located at the northeast corner of S. Acacia Road & E. Southern Avenue, from High Density Multiple-Family Residential by Planned Development ("RM-1/PD"), General Commercial ("B-1"), and General Rural Low Density Single-Family Detached Residential ("RS-GR") to High Density Multiple-Family Residential by Planned Development ("RM-2/PD") with a new planned development overlay to authorize the development of a 129 lot townhome subdivision, and a minor General Plan Amendment to modify the "Commercial" land use designation of parcels 103-21-026E, 103-21-026G, 103-21-026C, and 103-21-026F to "High Density Residential", requested by Brennan Ray of Ray Law Firm, representing Diamante Homes Inc.

**Vice Chair Barker moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of the proposed rezoning by Planned Development case P-25-59-PZ, a request by Diamante Homes Incorporated to rezone parcels 103-21-25F, 103-21-25G, 103-21-25H, 103-21-025E, 103-21-026E, 103-21-026G, 103-21-026C, and 103-21-026F currently zoned high density multiple family residential by planned development(RM-1/PD) general commercial (B-1) and general rural low density single family detached residential (RS-GR) to high density multiple family residential by development (RM-2/PD) and the minor general plan amendment to modify the commercial land use designation of parcels 103-21-026E 103-21-026B, 103-21-026C and 103-21-026F to match the high density residential designation of the remainder of the project properties subject to the conditions in the March 21st staff report with the exception of number six, which would remove the words, "as outlined in the previous pre-application and review comments." We would add a number nine: having staff work with developers to ascertain the possible change of the entrance/exit point from Acacia to Starr Road.**

**Commissioner Mykland seconded.**

- Yes:** 4 - Commissioner Mykland, Chairperson Hantzsche, Vice Chair Barker and Commissioner Kelley
- No:** 3 - Commissioner Gage, Commissioner Kalan and Commissioner Starr

Principal Planner Leftwich described proposed planned development rezoning of approximately 7.96 net acres (8.29 gross acres) from RM-1/PD, B-1, and RS-GR to RM-2/PD with a new planned development overlay to authorize the development of a 129 lot townhome subdivision to be platted.

Current Zoning: High density multiple-family residential by planned development ("RM-1/PD"), general commercial ("B-1") and general rural low density single-family detached residential ("RS-GR").

North: Vacant "RS-GR", Old West Highway, "B-1" property developed as a wedding & event venue.

South: Pinal county Residential properties, Goldview "RS-5/PD" residential.

East: Vacant "B-1" property.

West: "RS-GR": Residential Properties.

**General Plan Land Use Map:**

Current land use designation: High density residential & commercial.

Proposed land use designation: High density residential.

**Principal Planner Leftwich presents:**

**PUBLIC INPUT**

- The applicant has complied with the public notification requirements, including a sign posting, mail notification, and a newspaper posting.
- A neighborhood meeting for the case was held at the Apache Junction High School on Tuesday, September 2, 2025. Five members of the community attended and questions regarding the site planning, access, water sourcing, utility easements, traffic, building timelines, landscaping, construction dust, and the proposed price point were discussed.
- Staff have received one email from a city resident regarding the inclusion of bike lanes.

**STAFF RECOMMENDATION**

- Planning Staff recommends the approval of P-25-59-PZ, finding that the proposed development helps accomplish the following General Plan goals and policies.
- Policy 5.1.1: Strategically identify infill opportunity sites that can accommodate office, industrial, entertainment, retail, and housing and mitigate barriers to development.
- Goal 3.2: Diversify housing stock and neighborhoods by incorporating a variety of housing.
- Goal 9.3: Promote the downtown, U.S. 60 Corridor and Old West Highway Corridor for infill projects.

**Staff Recommendation - Modification to Condition #6 to read:**

The developer's engineer shall meet the civil engineering improvement plans and documents in accordance with the city's approved engineering standards that are in effect at the time of plan submittal.

Principal Planner Leftwich announced a City Council work session scheduled for Monday April 6, 2026, at 7:00p.m. and a City Council Public Hearing for this project on Tuesday, April 21st.

**Commissioners questions and concerns included:**

- If the development is for home ownership.

- The wash area, water flow under the roadway, and Southern floods during a normal monsoon.
- The clubhouse capacity.
- Access to each unit and its fire escape route.
- Street improvements on Starr, and the main entrance on Starr verses Acacia.
- The 100-year water supply.
- Repeatedly relaxing the City's standards; in this case the interior road width for the developer's profit.
- Road width and if it poses a problem with emergency vehicles.
- Traffic flow and if we have any traffic studies.
- If there has been any commercial interest in these plots.

Brennan Ray takes the stand and presents on behalf of Diamante:

- Emphasized access to the location is very limited.
- References US Supreme Court case of Nolan and Dolan, which effectively states municipalities are limited to what they can ask for in terms of improvements and they must bear a reasonable relationship or nexus to the proposed development and the scope of the zoning request and the rights to those property owners.
- There are a number of improvements to be made in connection with the development including: retaining walls, drainage off Old West Highway, road width, and road improvements.
- The HOA holds the responsibility to enforce no parking.
- There are sidewalks that run in front of the units to provide access.
- There are two points of access to each unit to comply with building and fire code.
- Confirms compliance with the modified stipulation to number six and will work with the engineering department to ensure it meets the requirements.
- The development offers ownership, rental and lease opportunities.
- A traffic study has not been required because under the general plan, half the site is already designated for high density residential, and the other half is designated for commercial. Commercial land use will generate more traffic than high density. The proposed development will generate less traffic overall relative to what is currently permitted on the site, especially with those commercial zoning designations.

City Attorney Stem:

- Refers to US Supreme court case, Nolan & Dolan, and agrees with most everything Mr. Brennan said.
- Further states, whether the permit conditions must have an essential nexus to the city's land use intent and its rough proportionality to the effects of the proposed land use to which they are being applied.
- Inquires if the Acacia property is a federally patented easement.
- States he wanted the easement recognized, but thinks the question is, if it was a federally patented easement, the city has a right to go ahead and use it, as we do not need the property owners. However, if the property owners contest it, then you could get into a

costly lawsuit.

Principal Planner Leftwich

- There are some federal patent easement issues with Acacia in terms of what has already been extinguished, though not all of it is under city easement at this time due to prior city abandonments.
- The proposed internal road width is a zoning deviation, yet within the zoning ordinance discretion.
- Confirmed the water district has reviewed the plans and confirms a 100-year water supply.
- Walkways are planned. The actual design would be part of the city grant for improvements along the south side of Old West Highway.
- The 33 ft. easement dedication as right-of-way, has been agreed to, and in compliance.

Deputy Director Urias:

- We are comfortable with access on Starr and working with the applicant to satisfy requirements.
- It's not atypical for a developer to ask for a road deviation for better circulation and site design, or that a commission would approve it either. 26ft. to 28ft is typical. The engineering team and fire district look to see if the widths are appropriate. I have seen driveway widths as narrow as 24 feet. Planning and engineering staff look to see that it satisfies circulation and safety. Public Works is in the process of rewriting their engineering standards, so the requirement may change in the future.

Chairman Hantzsche opened the discussion to the public. No one responded. Chairman Hantzsche closed the public portion of the hearing.

Vice Chair Barker notes, this is an approval of a rezoning.

The Findings of Facts were read and discussed, with no conflict.

Vice Chair Barker: I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of the proposed rezoning by Planned Development case P-25-59-PZ, a request by Diamante Homes Incorporated to rezone parcels 103-21-025F, 103-21-025G, 103-21-025H, 103-21-025E, 103-21-026E, 103-21-026G, 103-21-026C, and 103-21-026F currently zoned high density multiple family residential by planned development or RM-1/PD, general commercial B-1, and general rural low density single family detached residential RS-GR, to high density multiple family residential by planned development RM-2/PD and the minor general plan amendment to modify the commercial land use designation of parcels 103-21-026E 103-21-026G, 103-21-026C and 103-21-026F to match the high-density residential designation of the remainder of the project properties subject to the conditions in the March 21st staff report with the exception of number six, which would remove the words, "~~as outlined in the previous pre-application and review comments.~~" We would add a number nine: having staff work with developers to ascertain the possible change of the entrance/exit point from Acacia to Starr Road.

**6. Old Business**

None.

**7. New Business**

None.

**8. Information and Reports**

None.

**9. Director's Report**

We have a new Senior Administrative Assistant, Brenda Richter

**10. Selection of Meeting Dates, Times, Location and Purpose**

4. [26-115](#) Regular meeting at 7:00 pm on Tuesday, April 14, 2026 in the city council chambers located at 300 E. Superstition Boulevard.

**Commissioner Gage moved to hold a regular meeting on April 14, 2026 in the city council chambers located at 300 E. Superstition Boulevard.**

**Yes:** 7 - Commissioner Gage, Commissioner Kalan, Commissioner Starr, Commissioner Mykland, Chairperson Hantzsche, Vice Chair Barker and Commissioner Kelley

**No:** 0

**11. Adjournment**

**Chairman Hantzsche adjourned the meeting at 8:20 pm.**