



City of Apache Junction, Arizona

Meeting Minutes Planning and Zoning Commission

Meeting location:
City Council Chambers
at City Hall
300 E Superstition Blvd
Apache Junction AZ
85119

apachejunctionaz.gov
P: (480) 474-5083

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

Tuesday, November 12, 2024

7:00 PM

City Council Chambers

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 - Chairperson Hantzsche
Vice Chair Barker
Commissioner Gage
Commissioner Kalan
Commissioner Bigelow
Commissioner Starr
Commissioner Mykland

Staff present:

Joel Stern, City Attorney
Rudy Esquivias, DS Director
Nick Leftwich, Planner

4. Consent Agenda

Vice Chair Barker moved to accept the agenda as presented and approve the minutes from the October 22, 2024 regular meeting. Commissioner Bigelow seconded the motion.

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

No: 0

Chair Hantzsche called for a motion.

[24-910](#) Consideration of approval of agenda.

[24-911](#) Consideration of approval of the minutes of the October 22, 2024 regular meeting.

5. Public Hearings

[24-916](#) Presentation, discussion, public hearing and consideration of case P-24-64-PZ, a proposed rezoning by Timothy and Kristi Sheahan, requesting

the rezoning of the north half of Parcel 101-20-008A, approximately 2 net acres located at the southwest corner of 2nd Avenue and Colt Road, from High Density Multiple-Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR).

Vice Chair Barker moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the denial of case P-24-64-PZ, a rezoning request by Timothy Sheahan of AJ Apartments LLC (owner), for a rezoning of approximately 2 acres comprising of the north half of Parcel 101-20-008A, located at the southwest corner of 2nd Avenue and Colt Road, from High Density Multiple-Family Residential ("RM-2") to General Rural Low Density Single-Family Detached Residential ("RS-GR"). Commissioner Bigelow seconded the motion.

Yes: 4 - Vice Chair Barker, Commissioner Gage, Commissioner Bigelow and Commissioner Starr

No: 2 - Chairperson Hantzsche and Commissioner Mykland

Absent: 1 - Commissioner Kalan

Planner Leftwich gave a presentation on case P-24-64-PZ and asked for questions from the commission.

Where do we draw the line to avoid rezonings within the downtown high-density area?

Planner Leftwich emphasized that the balance between encouraging development and preserving the character of the downtown area is crucial, and stated the line might be drawn when the number of rezonings becomes so frequent that they collectively undermine the area's intended character, creating a patchwork of land uses that doesn't align with the downtown's high-density aspirations. He also referred to the General Plan's mixed use area designation.

How many more rezonings before recommending no rezonings?

Planner Leftwich responded the question is tied to maintaining the integrity of the downtown high-density area. If rezonings become too frequent, especially those that introduce low-density or incompatible uses (like single-family homes), the downtown could lose its potential for higher-density development that supports economic growth.

Is there liability for the city if one rezoning is approved and another is denied?

City Attorney Stern stated there is no legal liability in approving one rezoning and denying another; it's a policy decision by the commission. This means that while the commission must be consistent and transparent in its decision-making, there's no legal requirement to approve rezonings just because another one has been granted, as long as the decisions are made based on clear criteria, public policy, and zoning laws.

Sewer line connection requirements - how close does the sewer line have to be before the property must connect to sewer?

Director Esquivias responded that the decision on when a property must connect to the sewer system depends on several factors, including the location of the sewer line and the specific requirements of the sewer district. This is typically a technical issue handled when a permit is submitted, and the sewer district's review to determine whether a connection is required.

Why aren't the lots to the east set up as RM-2 instead of single-family in the downtown high-density area?

Planner Leftwich explained that the General Plan provides a vision, but zoning is a separate matter tied to property rights. This particular zoning was inherited from prior jurisdictions (Pinal County) before the city incorporated, and hasn't been updated without a request from property owners. Essentially, property owners have the right to request a rezoning, and the city can't force a change unless there's an application to do so.

Can an owner build a single-family home in the RS-GR zone within the downtown area?

Planner Leftwich responded that yes, if the property is zoned RS-GR (Residential Single Family - General), then single-family homes are allowed. This is one of the challenges in areas with mixed zoning, where zoning designations may not align with broader development goals for the downtown.

The applicants Timothy and Kristi Sheahan provided a background of their small business and presented details about the properties they currently own. They explained their request for rezoning the property, indicating that they plan to establish the location as their full-time residence. After presenting this information, they asked for questions from the commission.

Why don't you live in the other property nearby with a single family residence already on it?

The Sheahan's responded that the residence is currently being rented, and they don't wish to reside near apartments that are to be built nearby.

Chair Hantzsche opened the public portion of the hearing. Having no one speak, Chair Hantzsche closed the public portion of the hearing.

Chair Hantzsche called for a motion.

Prefacing the motion, Vice Chair Barker raised a valid concern about the increasing number of rezonings, which suggests a sense of unease about the potential cumulative effect of these decisions.

Please note: The absence of Commissioner Kalan's vote was due to an early departure of the meeting due to an emergency.

6. Old Business

None.

7. New Business

None.

8. Information and Reports

None.

9. Director's Report

Director Esquivias mentioned that last week City Attorney Stern provided an orientation for the new commissioners which he also attended. Director Esquivias provided the commissioners with printed materials, including the zoning ordinance, map amendments, CUP information,

major and minor plan amendments, as well as provided the new commissioners with an overview of their role as a recommending body to the city council.

Director Esquivias provided the commission with updates on the status of various development projects across the city. He also highlighted the development projects viewer on the city's website, noting a recent change: Preliminary Development Reviews (PDRs) would no longer be included on the viewer. This adjustment was made to reduce confusion, as some projects were stalled or eliminated entirely after the PDR stage.

Director Esquivias shared updates on recent public art projects, including the completion of vinyl traffic wraps and library banners. He also mentioned that an artist had been selected by the developer to create a mural at The Residences, with work set to begin in January. Additionally, he highlighted the public art viewer on the city's website, which allows residents to explore various pieces of artwork displayed throughout the city.

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

Vice Chair Barker moved that the Planning and Zoning Commission hold a regular meeting on November 26, 2024 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Commissioner Bigelow seconded the motion.

Yes: 6 - Chairperson Hantzsche, Vice Chair Barker, Commissioner Gage, Commissioner Bigelow, Commissioner Starr and Commissioner Mykland

No: 0

Absent: 1 - Commissioner Kalan

Chair Hantzsche called for a motion.

[24-912](#) Regular meeting at 7:00 pm on Tuesday, November 26, 2024, in the city council chambers located at 300 E. Superstition Blvd., Apache Junction.

11. Adjournment

Chair Hantzsche adjourned the meeting at 8:04 pm.

Chair Dave Hantzsche