



# 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.*

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Tuesday, April 8, 2025

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 - 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  
Sidney Urias, DS Deputy Director  
Kelsey Schattnik, Principal Planner  
Theint Thandar Ko, Assoc. Planner

### 4. Consent Agenda

**Vice Chair Barker moved to accept the agenda as presented and approve the minutes of the March 25, 2025 regular meeting. Commissioner Kalan 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.

[25-170](#) Consideration of approval of agenda.

[25-171](#) Consideration of approval of the minutes of the March 25, 2025 regular meeting.

### 5. Public Hearings

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[25-177](#)

Presentation, discussion, public hearing and consideration on Conditional Use Permit Case No. P-25-6-CUP, a request by Noah Morrill-Mason of Saguaro Smoke Shop, for the approval of the operation of a high-end smoke shop located at Units 8 and 9 of 100 W. Apache Trail, zoned City Center ("B-3").

**Commissioner Gage moved that the Planning and Zoning Commission approve Conditional Use Permit Case P-25-6-CUP, a request by Noah Morrill-Mason of Saguaro Smoke Shop, for the operation of a high-end smoke shop located at Units 8 and 9 of 100 W. Apache Trail, subject to the seven conditions of approval in the staff report. Vice Chair Barker seconded the motion.**

**Yes:** 5 - Chairperson Hantzsche, Vice Chair Barker, Commissioner Gage, Commissioner Kalan and Commissioner Mykland

**No:** 2 - Commissioner Bigelow and Commissioner Starr

Assoc. Planner Ko gave a presentation on Case P-25-6-CUP and asked for questions from the commission.

The applicant, Noah Morrill-Mason of Saguaro Smoke Shop, 100 W. Apache Trail, gave a presentation on Case P-25-6-CUP and asked for questions from the commission.

The commission expressed concerns about the harmful effects of smoking, particularly regarding minors potentially being able to purchase cigarettes and drug paraphernalia. However, there was also a viewpoint supporting the right to open the smoke shop, noting that nearby liquor stores and supermarkets already sell tobacco products, highlighting a need for consistency in regulation.

Chair Hantzsche opened the public portion of the hearing.

Gordy Harder, a resident of Austin, Minnesota, spoke about the dangers of smoking, citing statistics from the Centers for Disease Control and highlighting the significant health care costs associated with smoking-related illnesses. He urged the commission to set the case aside, emphasizing the importance of protecting young people in particular.

Maura Summers, who lives at 400 N. Plaza Dr., expressed her belief that smoking is a matter of personal choice and that individual behavior cannot be controlled through legislation. She emphasized the importance of education over regulation. Summers questioned whether rejecting the smoke shop would also mean rejecting businesses like Fry's or liquor stores, noting that even the local feed store sells syringes that could potentially be misused. She argued that the retailer should not be denied the opportunity to open the smoke shop.

Chair Hantzsche closed the public portion of the hearing.

Findings of fact were read by the commission and all were in agreement.

Vice Chair Barker commented that you cannot legislate people's habits and she agreed with Ms. Summers.

Commissioner Bigelow commented that she didn't see the need for another smoke shop.

Chair Hantzsche called for a motion.

25-154

Presentation, discussion, public hearing and consideration on Conditional Use Permit Case P-24-104-CUP (Resolution No. 25-07), a request by Wolff Enterprises III, LLC., represented by Gilbert Blilie PLLC, for the approval of a 336-unit three-story residential rental community, on approximately 18-acres zoned City Center ("B-3").

**Commissioner Gage moved that the Planning and Zoning Commission recommend approval of Conditional Use Permit Case P-24-104-CUP, a request by Gilbert Blilie PLLC on behalf of Wolf Enterprises III, LLC for a 336-unit three-story leased residential community, located at the northwest corner of N. Apache Trail and Idaho Road, subject to the eight conditions of approval listed in the staff report. Chair Hantzsche seconded the motion.**

**Yes:** 2 - Chairperson Hantzsche and Commissioner Gage

**No:** 5 - Vice Chair Barker, Commissioner Kalan, Commissioner Bigelow, Commissioner Starr and Commissioner Mykland

Principal Planner Schattnik gave a presentation on Case P-24-104-CUP and asked for questions from the commission.

Questions from the commission included whether the property is currently zoned for commercial use. It was clarified that the property is designated as mixed-use, which is why a Conditional Use Permit (CUP) is permitted rather than requiring a rezoning. Another question addressed the zoning regulations regarding building height, with the response indicating that under B-3 zoning, a maximum height of 60 feet is allowed.

Paul Gilbert, an attorney with Gilbert-Blilie PLLC, located at 701 N. 44th St., Phoenix, appeared on behalf of the applicant, Wolf Enterprises, LLC, and provided some background information on the company, whose specialty is high-quality multi-family residences. Mr. Gilbert gave a presentation on Case P-24-104-CUP and asked for questions from the commission.

The commission raised several questions, including concerns about parking, walkability, rentals vs. condos, the project not being compatible with the area, potential traffic issues, Plaza Drive being blocked. Additional questions focused on whether the 45 new parking spaces would be designated for guests, why he chose to reach out to commissioners prior to the open meeting, his connection to the downtown development plan and its ties to Scottsdale-based companies, what drew him to Apache Junction, and how local residents-given the area's income levels-would be able to afford housing within his proposed project, and would they be amenable to Section 8 housing. Mr. Gilbert was also asked whether he is a registered lobbyist in the City of Phoenix, to which he replied yes. One of the commissioners stated this project was in line with the General Plan.

City Attorney Stern explained that the council adopted a code of conduct that applies to both the council and its boards and commissions. While the code does not prohibit applicants from contacting council members, any decision to meet with them is left to the individual's discretion. If such a meeting occurs, commissioners must not discuss its content with other members to avoid violating open meeting laws. Mr. Stern noted that while some developers and attorneys attempt to influence votes this way, he has never observed Mr. Gilbert engaging in such behavior. When asked if this would constitute an ethical violation of the code of conduct, Stern confirmed that it would not. In response to the question regarding Section 8 housing, Mr. Stern

explained that placing conditions that oppose the use of Section 8 vouchers could potentially raise issues under the Fair Housing Act.

Chase Kerchain, of 6710 Camelback Rd., noted that HUD guidelines recommend allocating 30% of income toward rent, which equates to about \$15,000 annually. Based on this standard, he stated that residents would be able to afford living in the proposed project.

Andy Jochums of Gilbert-Blilie, located at 701 N. 44th St. in Phoenix, assured the commissioners that the project would not create traffic problems and is consistent with the City's adopted General Plan.

Deputy Director Urias addressed concerns about parking, explaining that past developments had limited guest parking, prompting recent amendments to improve that aspect. He noted that a parking analysis, which included comparisons with other Valley cities, showed Apache Junction's requirements were slightly higher than average. This supported the decision to reduce the parking requirement, which was also backed by a zoning ordinance provision to allow the adjustment.

Director Esquivias responded to the question regarding the number of major apartment complexes in the city, noting that there are relatively few. He added that current market trends indicate a growing demand for rental housing and stated our demographics are changing, and this project would be another choice in housing options.

Chair Hantzsche adjourned the meeting for a 10 minute break. The meeting reconvened at 9:07 pm.

Chair Hantzsche opened the public portion of the hearing.

Leslie Stefan, a resident of 400 N. Plaza Dr., expressed concerns about potential traffic congestion, extended construction impacts through 2028, wind erosion, and possible legal issues from the nearby Lost Dutchman Mobile Home Park. He also raised a concern about overcrowding and undocumented residents.

Liz Burhands, a resident of 400 N. Plaza Dr., shared concerns about the high rental costs and questioned whether utilities are included. She also mentioned issues with water runoff on the streets and frequent accidents on Superstition Boulevard.

Brian Clark, a part-time resident at 400 N. Plaza Dr., expressed concerns about traffic on Superstition Boulevard, potential accidents involving children on Plaza Dr., and the impact on property values. He also noted disappointment that the new development would block the view he originally purchased his unit for.

Don Priday, a resident of Unit 282 at 400 N. Plaza Dr., raised concerns about the building's close proximity to his mobile home, how construction traffic will be managed, and the safety of children playing in the street. He also expressed concern about potentially closing Apache Trail, which could affect local parades, and suggested the need for a traffic signal at Superstition and Plaza.

Maura Summers, a resident of 400 N. Plaza Dr., noted that runoff has long been a concern in the area. While the existing retention pond is sufficient for their community, she expressed worries about increased runoff and traffic resulting from the new development.

Brenda Adams, manager of the Lost Dutchman Mobile Home Park, shared that residents are upset about losing their view due to the proposed three-story building. She emphasized that the park contributes significantly in taxes and feels the development is not in its best interest. She also raised concerns about increased traffic and the safety of children playing in the street.

Tim Cameron, a resident of 400 N. Plaza Dr., expressed concerns about bicycle safety and the loss of the mountain view due to the proposed development.

A full-time resident of 400 N. Plaza Dr. (name unintelligible) expressed concerns about the community's aesthetics, emphasizing its importance, as well as ongoing parking issues.

Tim Adams, resident at 400 N. Plaza Dr., has concerns about the traffic and security.

Gordon Stocky, a resident of 400 N. Plaza Dr., raised concerns about traffic and infrastructure, noting issues with low water pressure, runoff affecting the park, children riding bikes in the area, and the need for better parking enforcement.

Diane Norris, a resident of 400 N. Plaza Dr., expressed concerns about water availability and pressure, as well as the impact of the development on local wildlife and their habitat.

Mike Rennan, a part-time winter resident at 400 N. Plaza Dr., Unit 117, expressed agreement with other residents regarding concerns about traffic.

Chair Hantzsch closed the public portion of the hearing.

Vice Chair Barker brought up the fact that Apache Junction residents cannot "buy a view" and the City does not have a property tax.

Findings of fact were read by the commission and discussed, and not all were in agreement.

Deputy Director Urias explained that the city's Engineering Standards do not specify a required time or day for traffic studies. The City Engineering Department has reviewed the traffic study and deemed it sufficient, considering peak times and averages. The City Engineer ensures that the traffic study aligns with the proposed development.

In their closing comments, commissioners acknowledged public concerns but questioned whether this location is suitable for the development. They noted that much of the city's commercial space has already been converted and that the area behind Fry's is also planned for multi-family housing. With the removal of the rental tax and limited local industry, some felt the city may not be equipped to support more rentals, as many residents shop elsewhere. However, others viewed the development as a positive step, promoting walkability and aligning with the voter-approved General Plan. They emphasized that attracting developers requires more housing ("rooftops") and saw this project as part of the city's long-term growth. Concerns about traffic and impacts on Flat Iron Park were also mentioned, along with the belief that homeownership fosters stronger civic engagement.

Chair Hantzsch called for a motion.

Director Esquivias stated the motion failed, but the project can be appealed to the city council within 20 days with filing fees. He stated that if no one appeals, the Planning & Zoning commission's decision stands.

**6. Old Business**

None.

**7. New Business**

None.

**8. Information and Reports**

Commissioner Gage requested that staff provide a review of the parking calculations and an update on the traffic studies to ensure their accuracy.

**9. Director's Report**

None.

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

[25-172](#)

Regular meeting at 7:00 pm on Tuesday, April 22, 2025 in the city council chambers located at 300 E. Superstition Blvd., Apache Junction.

**Vice Chair Barker moved to hold a regular meeting on April 22, 2025 at 7:00 pm in the city council chambers, located at 300 E. Superstition Boulevard. 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.

**11. Adjournment**

Chair Hantzsche adjourned the meeting at 9:56 pm.

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Chair Dave Hantzsche