



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: November 12, 2024

CASE NUMBER: P-24-64-PZ

OWNERS: AJ Apartments, LLC / Timothy & Kristi Sheahan

APPLICANT: Timothy Sheahan

REQUEST: Proposed rezoning of the north half of Parcel 101-20-008A, approximately 2 net acres currently zoned High Density Multiple-Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR)

LOCATION: APN 101-20-008A, located at the southwest corner of 2nd Avenue and Colt Road

GENERAL PLAN DESIGNATION: Downtown Mixed Use

SURROUNDING USES:

North: General Rural Low Density Single-Family Residential (RS-GR) & Superstition Views Apartments (RM-2)

East: General Rural Low Density Single-Family Residential (RS-GR)

South: Remaining half of 101-20-008A to remain High Density Multiple-Family Residential (RM-2) for future multi-family residential development, General Commercial (B-1)

West: General Rural Low Density Single-Family Residential (RS-GR) & Kingdom Hall of Jehovah's Witnesses (RS-GR)

BACKGROUND

The property being considered in the proposed rezoning is the north half of Pinal County Tax Assessor Parcel 101-20-008A, a parcel comprising approximately 4.05 net acres. The parcel is vacant and has no recorded development according to historic city and county records. The property has been zoned High Density Multiple-Family Residential "RM-2" or the former, equivalent "CR-5" Multiple-Family Residence zoning designation since at least 1985, according to the city's first zoning map, dated 1985. AJ Apartments LLC, owned and operated by the Sheahan's, purchased



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the subject parcel in 2016. AJ Apartments LLC also owns and manages leased residential properties to the southwest and northwest of the subject site, with their office located just southwest of the subject site at the northeast corner of Winchester Road and 4TH Avenue.

PROPOSALS

P-24-64-PZ is a proposed rezoning requested by Tim & Kristi Sheahan to rezone the north half of Parcel 101-20-008A, approximately 2 net acres, from High Density Multiple-Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR) to allow for the construction of their personal single-family residential home.

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

PLANNING STAFF ANALYSIS

Zoning/Site Context:

The subject property is a vacant, privately owned parcel primarily surrounded by a mix of both high-density residential development and low-density residential development.

-To the immediate east of the subject site is a vacant "RS-GR" General Rural Low Density Single-Family Residential property, and beyond that are more Low and Medium-Density Single-Family residential properties.

-Immediately to the west of the subject site is a Kingdom Hall of Jehovah's Witnesses on an RS-GR lot and other RS-GR residential properties.

-To the north and northeast of the subject site are more RS-GR residential parcels, while to the northwest of the site are properties zoned "RM-2" High-Density Multiple Family Residential, several of which are owned by the applicant, including the Superstition Views Apartments community.

-Immediately south of the subject site is the remaining half of Parcel 101-20-008A, which is to remain "RM-2" High-Density Multiple Family Residential and is to be split into its own parcel if this rezoning is approved. The applicant has indicated they would like to develop more leased multiple-family residential units on this southern portion of the property, such as those they own and manage immediately to the southwest of the subject site, on the "B-1" General Commercial properties located along the north side of 4th Avenue. The applicant's AJ Apartments leasing office is also located here at the northeast corner of Winchester Road and 4th Avenue. Further south are "B-1" General Commercial properties with Hope's Boarding Camp (a kennel & dog boarding facility) and Bishop's

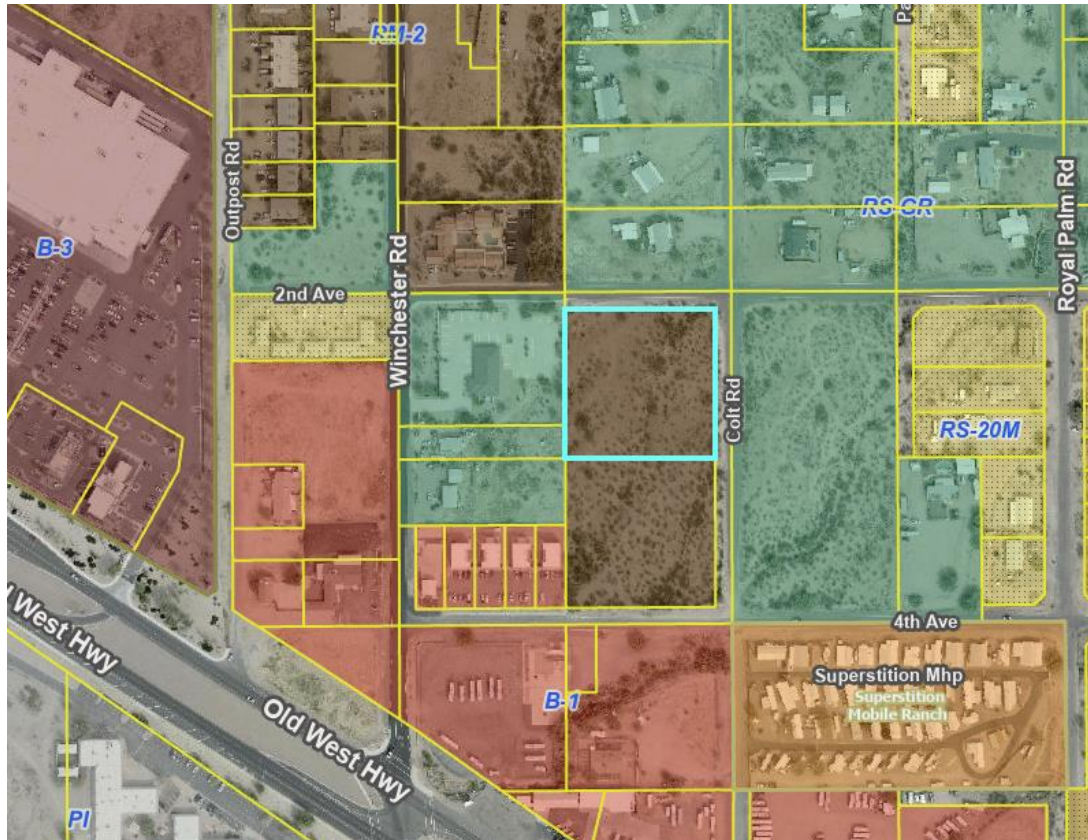


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Trailer Sales, as well as the Superstition Mobile Ranch Manufactured Home Park (MHP) to the southeast.



Staff finds that the proposed rezoning to RS-GR does not create a zoning conflict with the adjacent uses, continuing a zoning pattern already in place and matching the predominant zoning of the adjacent area.

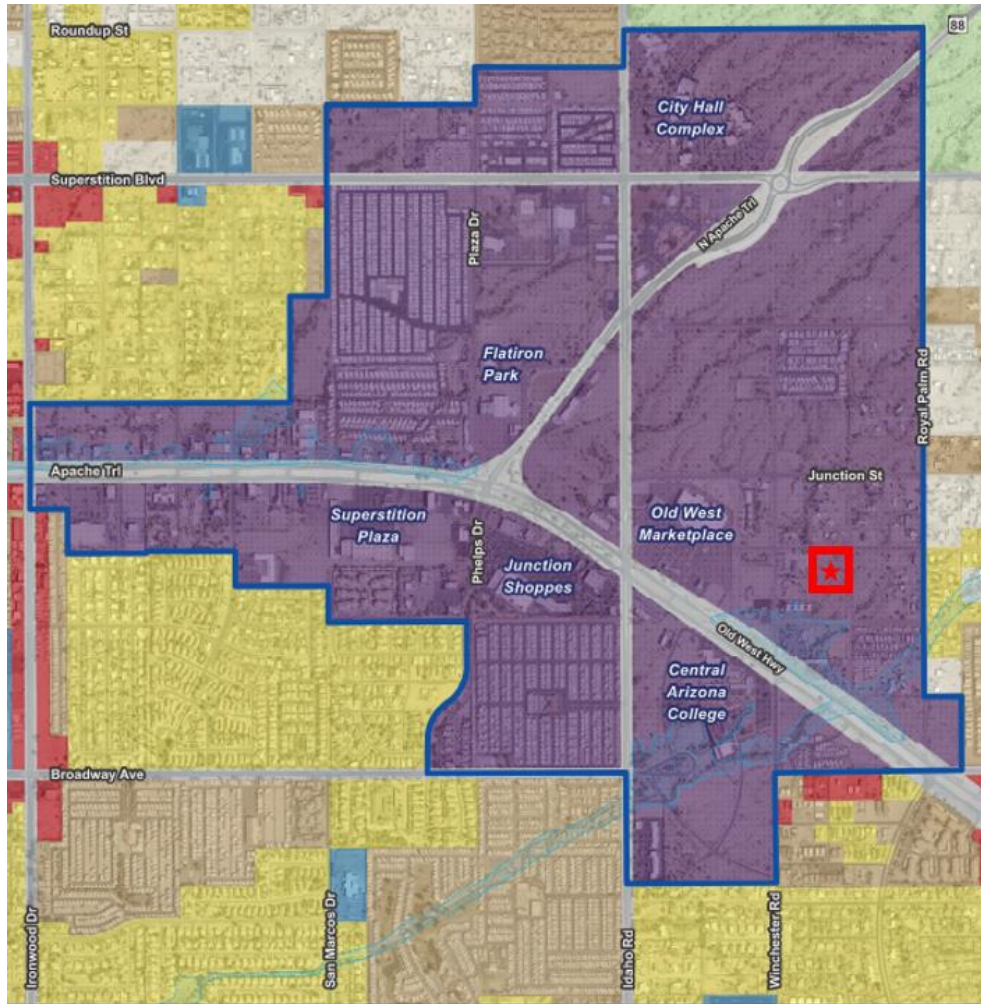
Relationship to General Plan:

The subject site is currently designated by the Apache Junction General Plan land use map as "Downtown Mixed Use" and as being a part of the Downtown Planning Area, for which area the General Plan provides staff guiding policies and goals. The "Downtown Mixed Use" designation represents a general plan for dense, mixed used development comprising office, retail, and high-density residential.



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LEGEND

- Downtown Planning Area
- General Plan 2020 Land Use**
- Floodplain Overlay
- Conservation (1 DU/AC)
- Low Density Residential (1 DU/1.25 AC)
- Medium Density Residential (10 DU/AC Max)
- High Density Residential (40 DU/AC Max)
- Downtown Mixed Use
- Commercial
- Public/Institutional
- Transportation

This designation does conflict with the applicant's request, as Chapter 4: Downtown Apache Junction of the General Plan noted in the specific Goal and Policy 4.8: "Provide a variety of housing options. Discourage single-family residential development within downtown core. Encourage high density, mixed use development within downtown core."

Due to this conflict with the Downtown Mixed Use land use designation adopted goal and policy of the Apache Junction General Plan, Staff finds that the General Plan does not support this rezoning, however the



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proposed zoning change from the high-density residential "RM-2" to the low-density residential "RS-GR" does not create a conflict requiring a General Plan amendment, as "any proposed zoning map change from a higher density residential zoning district to a lower density residential zoning district" is exempted from both the major and minor amendment process (Ch. 13 Amending the General Plan, Minor Plan Amendments, Item 3).

Public Input:

Neighborhood meeting notification letters were sent to property owners within a 300-foot radius, per the requirements of the Apache Junction Zoning Ordinance §1-16-6(5) Mailing notice for Zoning Map amendments.

On Wednesday, October 23, 2024, the applicant held a neighborhood meeting in-person at the Apache Junction Multi-Generational Center, which was attended by one neighbor owning property directly north of the subject site who expressed support for the proposed rezoning.

PLANNING DIVISION RECOMMENDATION

The Apache Junction General Plan is the guiding policy and document for the Planning Division's recommendations. The General Plan does not support this rezoning due to the goals and policies that discourage single-family housing within the downtown planning area. However, we do find the present zoning context is agreeable to the proposal and note that the local neighbors have spoken in favor of the rezoning, and recognize the Planning and Zoning Commission's authority to make their own recommendation of approval or denial based on its own consideration of the proposal's context.

However, Staff provides recommended conditions of approval to ensure the proposal is compliant with city codes and standards if the Planning and Zoning Commission elects to recommend approval.

RECOMMENDED MOTION

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (approval / 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 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").



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RECOMMENDED CONDITIONS OF APPROVAL

If the Planning and Zoning Commission elects to recommend approval, Staff recommends that the approval motion be made subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans approved and associated with case P-24-64-PZ and all provisions of the Zoning Ordinance and city codes applicable to this case.
- 2) All applicable permits shall be applied for, and plans shall be designed to current city codes prior to construction.
- 3) Parcel 101-20-008A shall be split through the Pinal County Minor Land Division process. The land split process must be completed within 12 months of rezoning approval or the rezoning may be subject to reversion by City Council legislative action pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-16 Administration, Section 1-16-6(H) (1) (b) to correct the split-zoning issue that would otherwise occur.
- 4) A 20 foot by 20 foot triangular corner cut-off visibility triangle shall be dedicated as public right-of-way at the intersection of E. 2ND Avenue Street and S. Colt Road.

Nick Leftwich

Prepared by Nick Leftwich
Planner

Attachments:

- Exhibit #1: P-24-64-PZ Project Narrative
- Exhibit #2: P-24-64-PZ Site Plan
- Exhibit #3: P-24-64-PZ Vicinity Map
- Exhibit #4: P-24-64-PZ Public Participation Report

Project Narrative:

My wife and I are wanting to build our personal residence on the north half of a parcel that our business currently owns, 101-20-008A. The parcel is located on the West side of Colt between 2nd Ave and 4th Ave. This parcel is 4.05 acres and currently zoned RM-2. We are requesting to rezone the north half of the parcel, 2.025 acres, to RS-GR to build our family home. We have found an architect for the house plans and will start the formal design process as soon as the rezoning is completed, with construction to follow as soon as possible. Our current plan is to build a single level 3000 sq ft house with a 4 car garage and large covered patio. This lot is currently vacant and has not had any building or development on it.

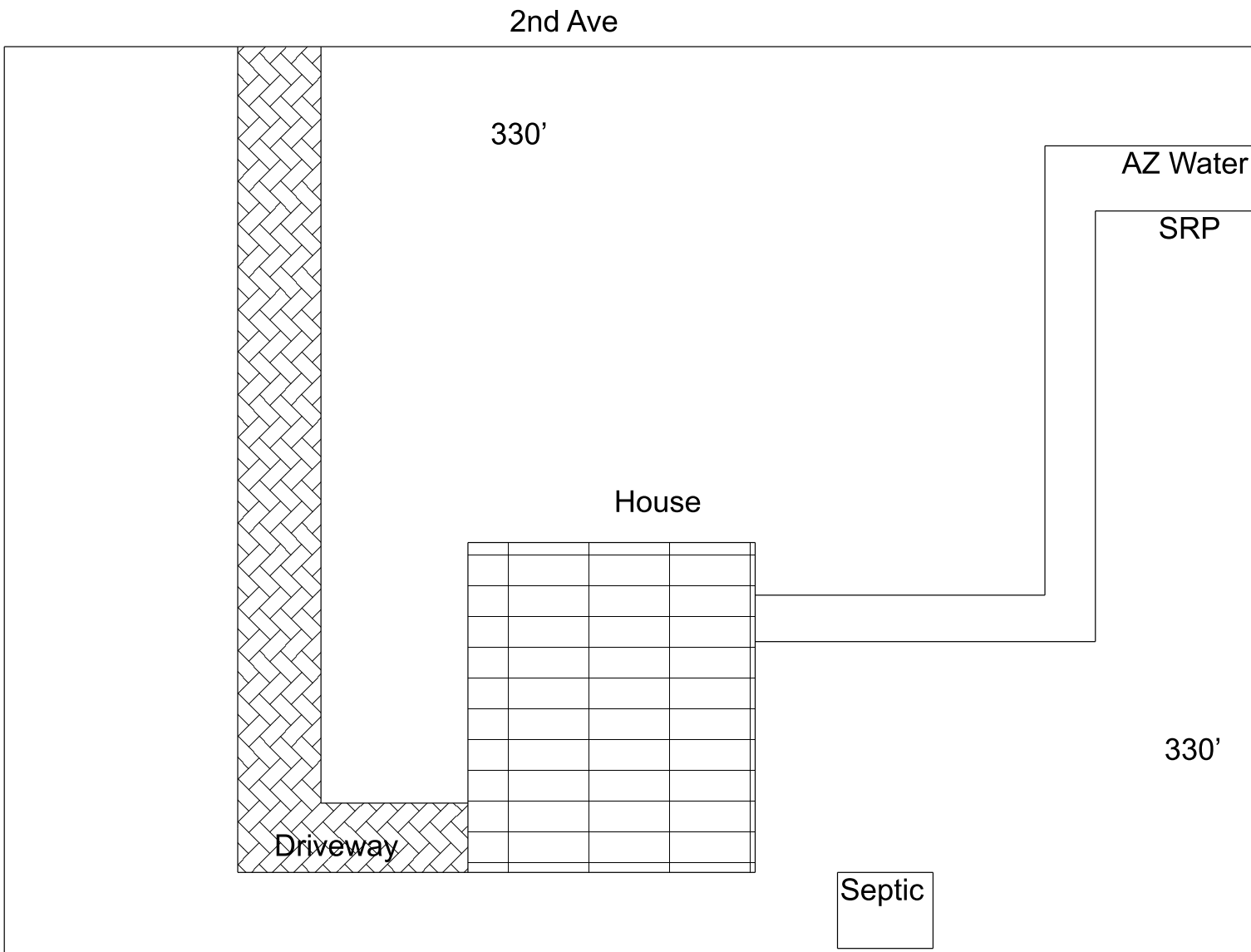
This lot is in the Downtown Mixed Use portion of the General Plan. My wife and I feel the rezoning of the north half of this parcel would fit nicely into the neighborhood since there are homes to the North and West of the property, and the lot to the East are all currently zoned RS-GR. There is a Kingdom Hall to the West that does not have any windows facing this parcel so should not have an impact. The South half of the parcel will stay RM-2 for multi-family matching what is currently built to the West and the MHP to the South/East of that part of the parcel. Of the 20 parcels that are within 300' of this parcel there are 8 zoned RS-GR, 8 are B-1, 1 is MHP and 2 are RM-2 (this does not include the parcel we are wanting to rezone). Of these 20 parcels, AJ Apartments, LLC (which is our business) currently owns 8 of them (including the parcel we are wanting to rezone). We have owned these parcels for the last 10+ years.

We feel that this rezoning will fit in nicely with the surrounding area and will give us the benefit of living and becoming involved in the community where we have owned property and run our business for 20 years.

Impact to the General Plan:

We feel this is an appropriate adjustment to the General Plan to fit with the existing usage of the established neighborhood. Since there are no multi-family properties to the East on 2nd Ave, this will keep the traffic flow on 2nd Ave the same by building the proposed 1 house instead of up to 44 multi-family units that this half of the parcel is currently zoned for. We have contacted the various utilities and will be paying to have the infrastructure improved and extended to the lot. Additionally, we also own Parcel #101-19-012D located at the South West corner of Winchester Rd and Scenic (less than 1/2 mile away) that is approximately the same size as the lot we are rezoning, that is currently zoned RS-GR. Our plan is to rezone that lot to RM-2 to match the 2 lots to the South that we also own (zoned RM-2) to build Multi-Family units in the future.

This zoning is being requested for the sole purpose of building a site-built personal residence so that we can become more involved in the community and closer to our business.



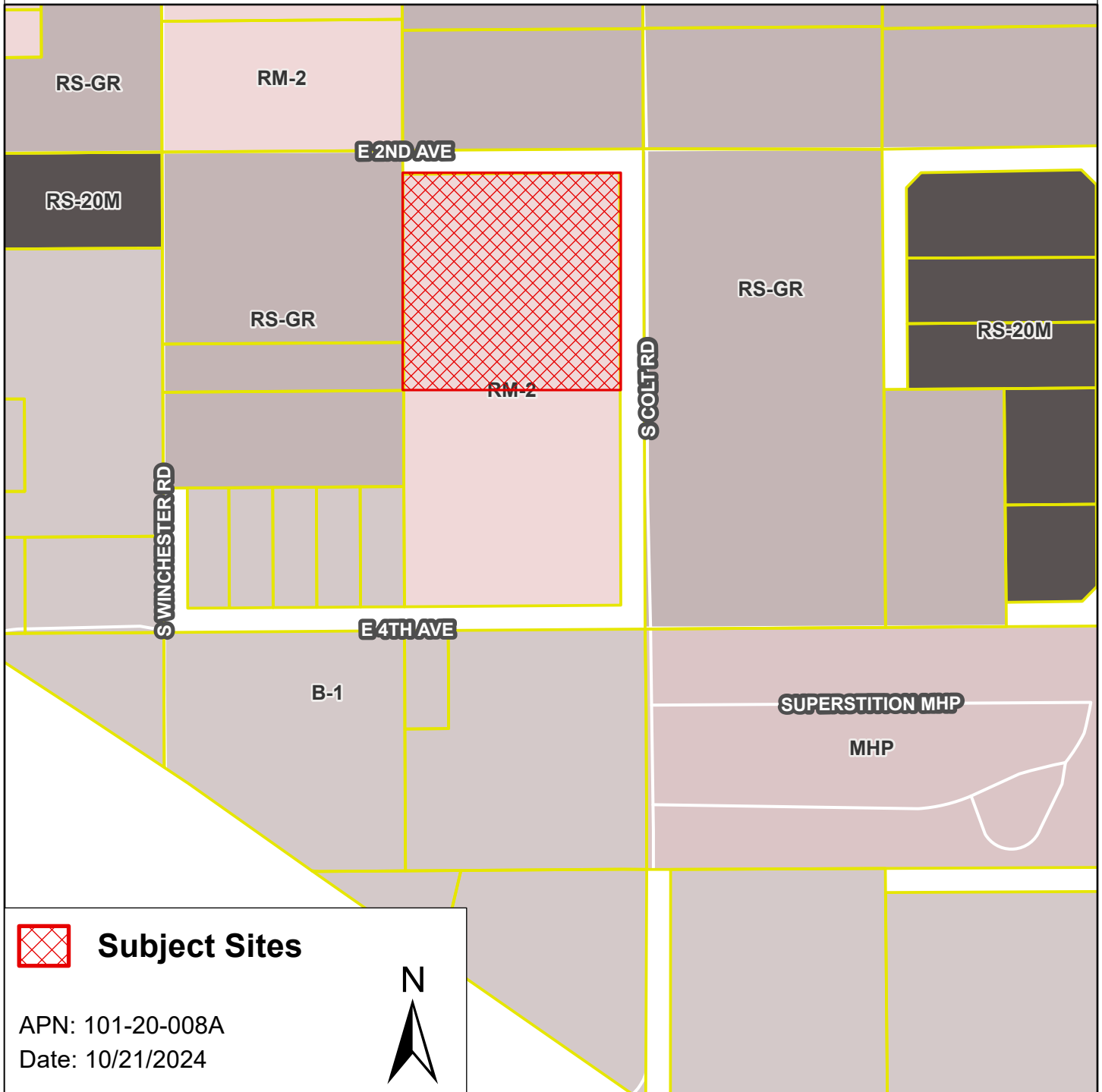
- Parcel #101-20-008A North half
- 2nd Ave is North on map
- House will be more centered on lot
- Septic will be on East side of house
- AZ Water & SRP will enter the lot on the East side close to 2nd Ave
- Not to scale



Vicinity Map

P-24-64-PZ

Rezoning request from High Density Multiple Family Residential (RM-2) to General Rural Low Density Single-Family Detached Residential (RS-GR) to allow for the construction of a single-family home.



10/07/2024

Dear Property Owner:

The purpose of this letter is to inform you that Tim & Kristi Sheahan (owners of AJ Apartments) have recently filed a rezoning request for an approximately 2 acre site located at the Southwest corner of Colt and 2nd Ave, rezoning case number P-24-64-PZ, to change the zoning from RM-2 to RS-GR. We would like to invite you to a neighborhood meeting to discuss this rezoning request.

The following describes our request:

Existing use: The entire 4.05 acre lot is currently vacant and zoned RM-2 which is High-density Multi-Family Residential.

Proposed change: We are splitting the 4.05 acre parcel (parcel #101-20-008A) in half to build our personal residence on the North half of the lot being rezoned to RS-GR which is General Rural Low Density Single-Family Detached Residential. The South half will remain RM-2.

A neighborhood meeting will be held on Wednesday, October 23, 2024, at 7:00 pm at the Apache Junction Multi-Generational Center at 1035 N Idaho Rd, Apache Junction, room _____.

You are invited to attend this meeting to learn about the proposed zoning and plan for the North lot. If you are unable to attend, please contact the City of Apache Junction Development Services Department planner, Nick Leftwich, at nleftwich@apachejunctionaz.gov or 480-474-8575.

Please be advised that meetings and hearings before the Apache Junction Planning and Zoning, and the Apache Junction Town Council are planned to review this case. Specific meeting and hearing dates have not yet been set. You should receive a subsequent notice identifying the date and location of the meeting/hearings when they have been scheduled as well as a sign posted on the property.

Sincerely,

Tim & Kristi Sheahan
AJ Apartments LLC
office@ajapartments.com
480-437-4964

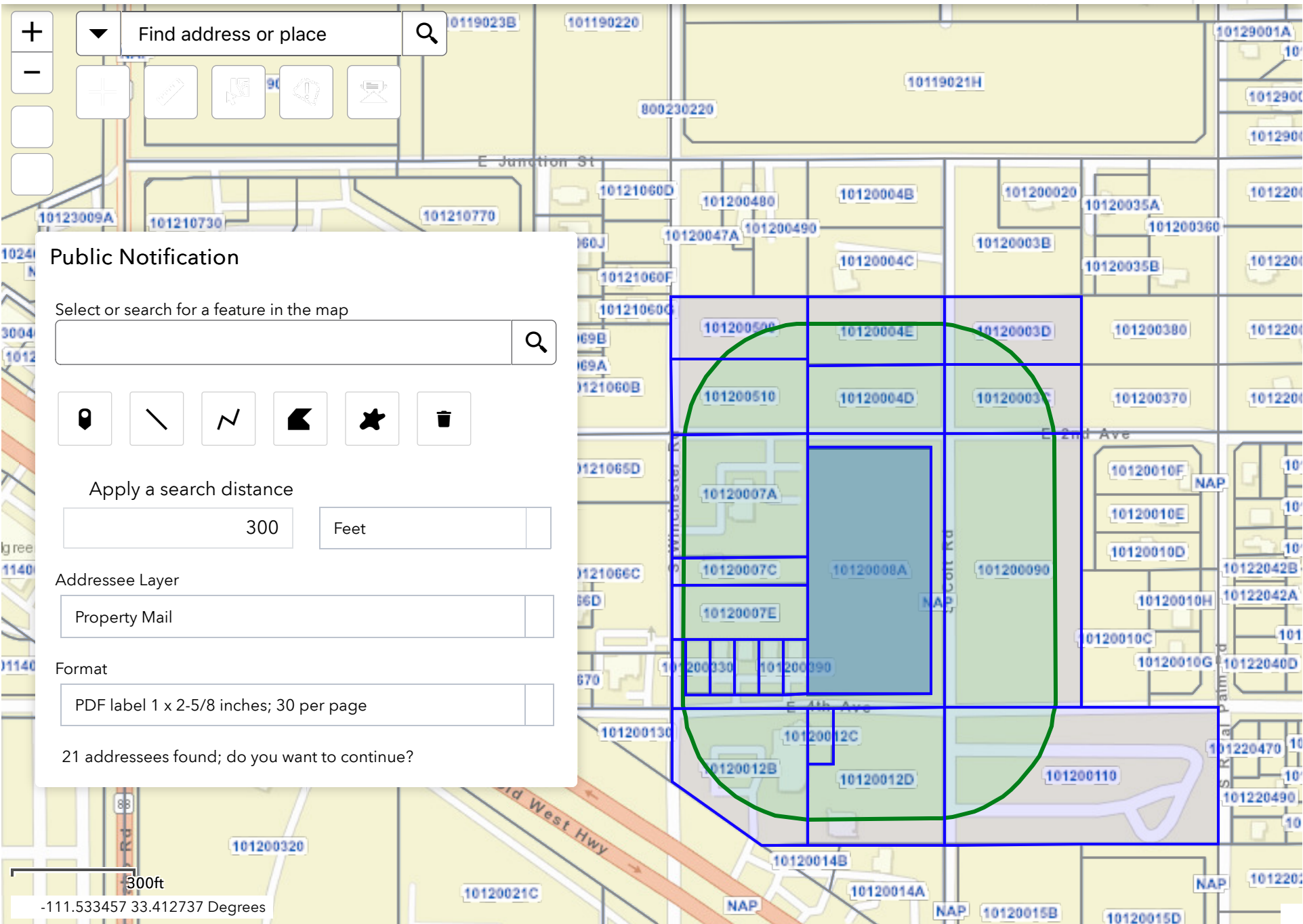
Public Participation Report

To gauge neighborhood thoughts to the rezoning request, letters were mailed to all property owners within 300 ft of the property and a neighborhood meeting was held on Wednesday, October 23, 2024, at the Apache Junction Multigenerational Center. One property owner attended the meeting. Justin Miller (120 S. Colt Rd) attended the meeting and is in support of the rezoning request. He stated he had also spoken with the surrounding neighbors on Colt Rd. and they would much rather have a house located adjacent to their properties than multi-family units. He conveyed that they were all in support of the rezoning. Prior to the meeting we had also spoken with Daniel Cody (325 S Winchester Rd) and he also stated that he would rather have a single family home behind his property.

We feel this feedback supports our belief that a single family home on the North half of the property is a better fit for the neighborhood/adjacent properties. Keeping the South half zoned for multi-family will keep the multi-family along 4th Ave. adjacent to the existing multi-family units.

Public Participation Plan:

- Rezoning request of the North half of parcel 101-20-008A, changing RM-2 to a single house that the owners (the applicant) will live in.
- The public will be informed by the letters sent out by the town informing them of an open house with the date, time and location.
- No issues have been raised yet from the neighboring residents.
- Issues raised by staff and/or the public will be addressed if and when they are raised.



Public Notification

Select or search for a feature in the map

Search input field with a magnifying glass icon



Apply a search distance

Input field with value '300' and unit 'Feet'

Addressee Layer

Dropdown menu with 'Property Mail' selected

Format

Text field with value 'PDF label 1 x 2-5/8 inches; 30 per page'

21 addressees found; do you want to continue?

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