



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.

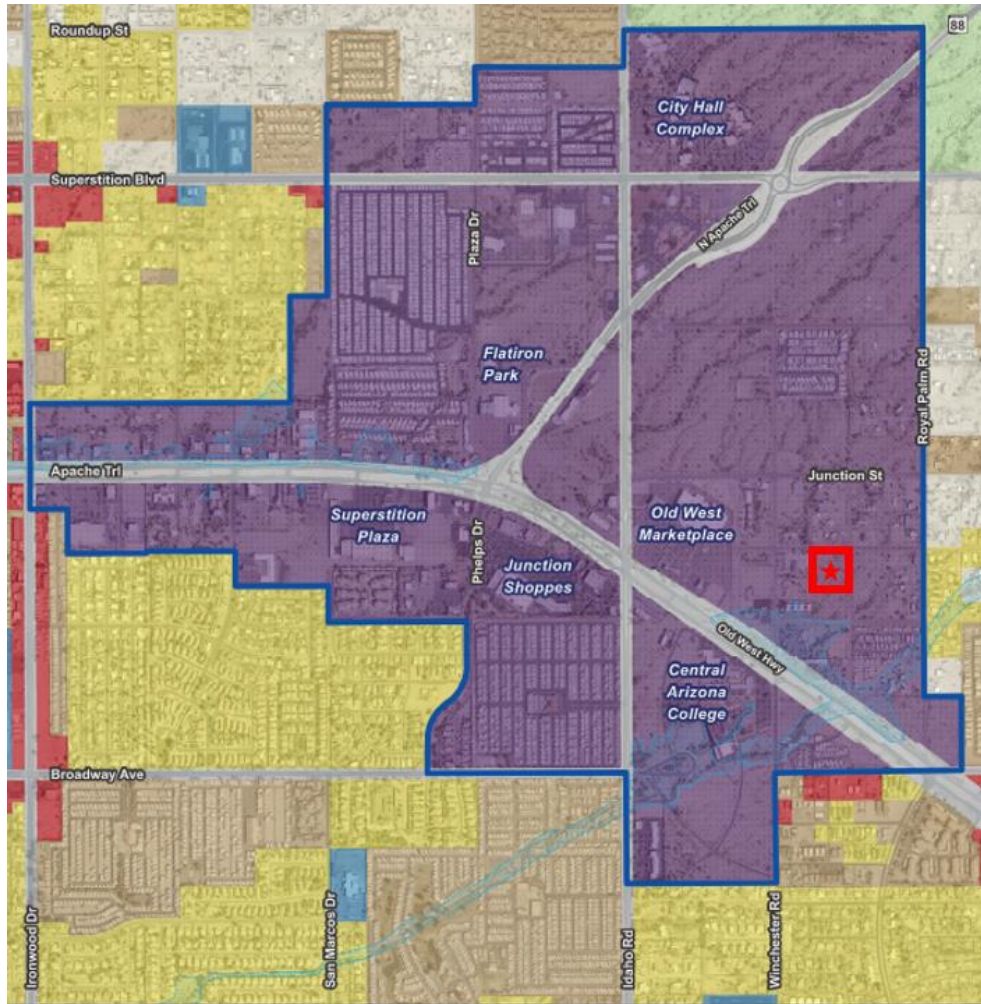
Relationship to General Plan:

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