



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

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Theresa Nesser, Chair
Peter Heck, Vice Chair
Luciano Buzzin, Commissioner
Michael Frank, Commissioner
Willie Howard, Commissioner
Michael McGraw, Commissioner
Robert Schroeder, Commissioner

Tuesday, January 10, 2017

7:00 PM

City Council Chambers

1. Call to Order

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

2. Pledge of Allegiance

Chair Nesser led the Pledge of Allegiance.

3. Roll Call

Present 7 - Chairperson Nesser
 Commissioner Buzzin
 Vice Chair Heck
 Commissioner Howard
 Commissioner Frank
 Commissioner Schroeder
 Commissioner McGraw

Staff present:
City Attorney Joel Stern
Director Larry Kirch
Senior Planner Rudy Esquivias
Assisant Planner Stephanie Bubenheim

4. Consent Agenda

Yes: 7 - Chairperson Nesser, Commissioner Buzzin, Vice Chair Heck, Commissioner Howard, Commissioner Frank, Commissioner Schroeder and Commissioner McGraw

No: 0

Vice Chair Heck made a motion to accept the Consent Agenda and approve the minutes of the December 13, 2016, meeting as presented. Commissioner Buzzin seconded the motion. The Planning and Zoning Commission accepted and approved the Consent Agenda and the minutes as presented.

[16-610](#) Consideration of approval of agenda.

[16-611](#) Consideration of approval of regular meeting minutes for December 13, 2016.

5. Call to the Public

None.

6. Public Hearings

[16-606](#) Presentation, discussion, consideration and action on proposed Conditional Use Permit case CUP-3-16, a request by Tricon/COB Wickiup LP, represented by Mark and Melissa Hammons of H2 Realty, for approval of a free-standing monument sign to be taller than currently allowed by city code at Newhaven Estates, formerly Wickiup Trailer Park, located at 2015 E. Old West Highway zoned Recreational Vehicle Park (RVP). The request proposes to replace a grandfathered twenty-five-foot- tall sign with an eleven-foot-four-inch-tall sign, the current maximum height allowed is eight feet.

Yes: 4 - Chairperson Nesser, Commissioner Howard, Commissioner Frank and Commissioner McGraw

No: 3 - Commissioner Buzzin, Vice Chair Heck and Commissioner Schroeder

Assistant Planner Stephanie Bubenheim gave a presentation on proposed Conditional Use Permit case CUP-3-16, a request by Tricon/COB Wickiup LP, represented by Mark and Melissa Hammond of H2 Realty, for approval of a free-standing monument sign to be taller than currently allowed by city code at Newhaven Estates, formerly Wickiup Trailer Park, located at 2015 E. Old West Highway zoned Recreational Vehicle Park (RVP). The request proposes to replace a grandfathered twenty-five-foot- tall sign with an eleven-foot-four-inch-tall sign, the current maximum height allowed is eight feet.

Commissioner Buzzin stated that he believes signs should stay with the current eight foot requirements.

Vice Chair Heck stated he sees the current parks have larger signs that have been in place for years. He believes if the commission approves this request, there will be more requesting taller signs.

Director Kirch reminded the commission that on January 17, Development Services staff is seeking direction to staff from the city council regarding reviewing and updating the current sign code. He added that there are several aspects of the sign code that the commission can recommend to the city council.

Senior Planner Esquivias added that the pre-2014 code allowed for a 12 foot sign for RV and manufactured home parks; there was a specific provision that addressed RV and MH Parks. The new code left out the sign requirements for these parks, so the subdivision standard was applied. For housing subdivisions the code allows for an eight foot sign, however adding back a sign code provision specifically for RV and MH Parks should be considered when updating the current code.

Mr. Mark Hammond of H2 Realty addressed the commission regarding their conditional use

permit request.

Chair Nesser commended Mr. Hammond on the design of their proposed signage. She confirmed their request was to have the new sign three feet four inches over the current height allowed. She asked Mr. Hammond what he thought would be a detriment if their request was denied. Mr. Hammond responded that it wouldn't be a detriment but their designers wanted the new sign to fit to scale. If the CUP isn't approved, they will still put a sign up.

Chair Nesser also asked about whether a mobile home, the old office, is being replaced. Mr. Hammond said it was being replaced with a 2016-2017 modular building.

Commissioner Schroeder asked if the visibility from Old West Highway was secondary for them as opposed to the layout. He also asked if Tricon/COB Wickiup LP will be requesting CUPs for signs for their other properties.

Mellisa Hammond stated that this will be the only one. The other four properties are laid out differently and monument signs don't fit into their designs.

Vice Chair Heck asked when they were designing the sign if they considered making it eight foot. Ms. Hammond responded that they only considered the 11 foot height because of visibility from Old West Highway and the sign had to be placed further back on the property because of the right-of-way.

Commissioner Buzzin asked where the new sign will be placed compared to the new sign. Assistant Planner Bubenheim explained where the new sign would be placed.

Commissioner Buzzin added that he felt there was no obstruction on their property to warrant a taller sign.

Mr. Hammond responded to Commissioner Buzzin's statement.

Commissioner Schroeder asked how far the entrance to the park was from Old West Highway.

Mr. Hammond stated he thought it was close to 100 yards.

Chair Nesser asked staff about the land close to the entrance to the park.

Assistant Planner Bubenheim stated the property was vacant but it can be developed in the future.

Frank Schoenbeck, 525 E. Fred Avenue, addressed the commission and asked that the request be approved.

Stephen Tosh, 911 E. Cochise Circle, addressed the commission stating that he feels the sign is more of a brand as opposed to pointing out the location and address of the park. He feels that having the sign meet the current height requirement is sufficient.

Chair Nesser closed the Public Hearing.

Chair Nesser stated if anything is built on the lot in front of the park it may affect how the sign is seen, but she has a hard time visualizing it, but feels its a vast improvement from what was in place before.

Commissioner Frank asked staff the future plans for the sign code.

Director Kirch stated he felt that communities are moving towards monument signs and not having pylon or pole sign. Historically, the city's code allowed for 12 foot signs but when the new code was adopted in 2014 the Recreational Vehicle Park and Mobile Home Park was not mentioned in the code. He added that 12 foot signs are not unreasonable for this type of property.

Commissioner Schroeder stated he feels this request is about their logo and not the address of the park. He added that he likes the way the sign has been designed.

Commissioner Frank stated that when the code was updated it didn't include this and feels that this isn't ignoring the current code.

Chair Nesser reminded the commission that this meeting is about a conditional use permit and these are used for things that are different from what the code allows.

The commission discussed the difference between having the address on the sign or just the company logo.

Commissioner McGraw asked Director Kirch to verify that there isn't a current code for RVPs sign heights. Director Kirch confirmed there isn't a current code.

The commission continued discussing the difference between having the address on the sign or just the company logo.

City Attorney Stern stated that because there is no RVP mentioned in the code, the default is the residential code. Director Kirch stated that staff interprets the lack of a code that it would then default to residential as opposed to commercial.

Commissioner Buzzin added that he believes RVPs are residential and there shouldn't be any differentiation between these and residential neighborhoods.

Senior Planner Esquivias added that the park was one half mobile home park and one half recreational vehicle.

Commissioner Schroeder stated he believes they are requesting commercial consideration for a residential area.

Chair Nesser asked Senior Planner Esquivias for clarification on the number of mobile homes and recreational vehicles.

Senior Planner Esquivias replied that all the spaces are rental spaces and it appears to be about half RV spaces and half mobile home spaces.

The commission discussed the difference in the number of permanent residents and those short term rentals, and residential versus commercial.

Chair Nesser called for a motion.

Vice Chair Heck moved that the Planning and Zoning Commission deny case CUP-3-16, a request by Tricon/COB Wickiup LP, represented by Mark and Melissa Hammond of H2 Realty, requesting approval of a Conditional Use Permit ("CUP") for a free-standing monument sign at Newhaven Estates, formerly Wickiup Trailer Park, to be taller in height than what is currently allowed in the city code, located at 2015 E. Old West Highway south of the southeast corner of E. Old West Highway and S. Wickiup Road, zoned RVP (Recreational Vehicle Park), subject to the stated conditions. Commissioner Buzzin seconded the motion.

Roll call vote:

Commissioner McGraw - No
Commissioner Buzzin - Yes
Commissioner Frank - No
Chair Nesser - No
Commissioner Howard - No
Commissioner Schroeder - Yes
Vice Chair Heck - Yes

Motion Failed.

Commissioner Frank moved that the Planning and Zoning Commission approve case CUP-3-16, a request by Tricon/COB Wickiup LP, represented by Mark and Melissa Hammond of H2 Realty, requesting approval of a Conditional Use Permit ("CUP") for a free-standing monument sign at Newhaven Estates, formerly Wickiup Trailer Park, to be taller in height than what is currently allowed in the city code, located at 2015 E. Old West Highway south of the southeast corner of E. Old West Highway and S. Wickiup Road, zoned RVP (Recreational Vehicle Park), subject to the following conditions of approval: 1. The proposed sign shall match the design as indicated in the submitted elevations and be placed at the location as indicated in the submitted site plan, and is limited in height to 11'4". 2. The proposed sign shall be approved through the city permitting process and comply with all applicable city codes. Commissioner Howard seconded the motion.

Commissioner McGraw - Yes
Commissioner Buzzin - No
Commissioner Frank - Yes
Chair Nesser - Yes
Commissioner Howard - Yes
Commissioner Schroeder - No
Vice Chair Heck - No

Motion Passes.**7. Old Business**

None.

8. New Business

None.

9. Information and Reports

None.

10. Director's Report

Director Kirch reminded the commission that on Tuesday, January 17th staff will seek city council direction to staff on several items.

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

Yes: 7 - Chairperson Nesser, Commissioner Buzzin, Vice Chair Heck, Commissioner Howard, Commissioner Frank, Commissioner Schroeder and Commissioner McGraw

No: 0

Vice Chair Heck motioned and Commissioner Schroeder seconded to hold Regular Meetings on January 24, 2017, at 7:00 p.m. in the City Council Chambers located at 300 E. Superstition Boulevard.

12. Adjournment

Adjournment:

Meeting adjourned at 7:55 p.m.

Theresa Nesser
Chairperson