



*City of Apache Junction*  
Development Services Department



**PLANNING AND ZONING COMMISSION  
NEW BUSINESS ITEM STAFF REPORT**

**DATE:** November 13, 2018

**CASE NUMBERS:** PZ-3-18/SD-1-18

**OWNERS/APPLICANTS:** AJ 40 LLC and ITOW LFP

**REPRESENTATIVE:** Dan Kauffman, Kauffman Homes

**REQUEST:** Proposed rezoning of vacant 40-acre property from B-5 (Industrial) to RS-5/PD (Medium/High Density Single-family Detached Conventional Homes by Planned Development); and concurrent preliminary plat for a +/-259 lot subdivision.

**LOCATION:** The property is located approximately ¼-mile south of E. Baseline Avenue, on the east side of the S. Cortez Road alignment.

**GENERAL PLAN/  
ZONING DESIGNATION:** Master Planned Community ("MPC") opportunity area; currently zoned B-5 (Industrial).

**SURROUNDING USES:**

- North: Vacant state trust land, zoned RS-GR (single family homes ¼-mile to the north);
- South: Vacant state trust land, zoned RS-GR;
- East: Vacant state trust land, zoned RS-GR;
- West: Vacant state trust land, zoned RS-GR (landfill ½-mile to the southwest).

## BACKGROUND

The subject property was rezoned industrial by Pinal County back in 1980, well before it was annexed into the city in 1995. Whatever plans the developer had at that time never transpired and the property has remained undeveloped, largely undisturbed desert. Even the primitive road (S. Cortez Road) which leads to it from Baseline was not constructed until sometime between 2004 and 2007, according to aerial images. The property is completely surrounded by undeveloped state trust land, with the nearest homes being located about ¼ mile to the north and the landfill being located about ½-mile to the west.

The stretch of Cortez Road by which the property is accessed at its northwest corner exists in the form of an easement created by the state land department ("SLD") for use by Pinal County. City staff is currently working with SLD staff to have the easement redesignated for use by the city and to add utility easement rights.

The most recent inquiry the city received for use of the land was early this year. The current owners enquired about mining the site for sand and dirt (which would have required at least a conditional use permit process). In a few years, after the sand and dirt was extracted, they proposed to fill it back up with inert materials such as asphalt, broken concrete and other construction debris. However, the land could not be later developed with buildings on top of the filled area, because of settling and instability issues. At best, its afterlife would probably have been some kind of open storage lot or maybe a passive recreational use. The city was not receptive to the idea of a sand and gravel operation, but we did inform the owners that we would try our best to attract developers to the property.

Then, within the last couple of months, two home builders we had reached out to expressed interest in the property. Dan Kauffman of Kauffman Homes, who has constructed several single-family home subdivisions in Apache Junction, is now under contract to purchase and develop the land.

## PROPOSALS

PZ-3-18 is a proposed rezoning of the 40-gross-acres property from B-5 (Industrial) to RS-5/PD (Medium/High Density Single-

family Detached Conventional Homes by Planned Development). The PD rezoning concept proposes three lot sizes of 3600, 4000 and 4500 square feet; one and two story homes ranging from 1218 square feet to 2500 square feet in size; at least 10 models/floor plans with three elevation options each. The community will not be age restricted; will offer a clubhouse, a pool and other resident amenities; will integrate the natural washes into the design; and will provide landscaping and walking paths throughout. Two public streets will run across the west and north perimeters to provide for connectivity to future surrounding neighborhoods and the internal streets will be private with sidewalk on one side, two main gated entry ways and other access gates for emergency personnel.

SD-1-18 is the companion preliminary plat and planned development plan for the project. It establishes the layout for the proposed +/-259 lot subdivision. It also creates two areas on the south end which will be used to accommodate: 1) a sewer pumping station, since flow will need to be pumped upstream to Baseline; and 2) a site for a future water facility for the Apache Junction Water District. The plat also incorporates easements/tracts for walking trails outside of the community.

### **PLANNING STAFF ANALYSIS AND FINDINGS**

#### *Relationship to General Plan:*

The subject site is designated by the city's General Plan as a "Master Planned Community" opportunity area. While the city envisioned that the "MPC" designation would apply to much larger pieces of land as the state lands areas developed, at its core the MPC designation was intended to be flexible and accommodate all types of land uses as part of a larger integrated community design. It allowed for a basic density of 4 to 8 dwelling units per acre, which would be spread out over the whole MPC area, not necessarily limiting individual neighborhoods and developments. Kauffman 40 has a density of about 6.5 dwelling units per acre. Kauffman 40 is in compliance with the MPC designation.

#### *Zoning/Site Context:*

The 40 acres is odd in that it is a privately owned piece of land completely surrounded by SLD land. It is also an industrial property which is currently completely surrounded by low density residential-zoned properties, albeit a holding zone, there is an incompatibility. This rezoning will create better compatibility with surrounding residential zoned property and will also hopefully be inviting to other adjacent similar future

developments and eventual complementary urban development in the form of commercial, employment and multi-family uses. This very well could be the spark for the future of the city, to the south of Baseline.

*Planned Development Zoning:*

The main planned development deviation involves proposed lots smaller than 5000 square feet. Numerous models are proposed. Prior to the public hearing, staff will ask Mr. Kauffman to provide lot exhibits which illustrate which models will best fit the proposed lot sizes and if additional setback deviations will be needed. Currently, the RS-5 base zone normally allows setbacks of 20' front, 15' rear, 7' sides and 10' street side on a corner lot. As trade-offs, Mr. Kauffman offers resident amenities of the types he has offered in his other communities, as described above and in the attached narrative.

*Infrastructure Improvements:*

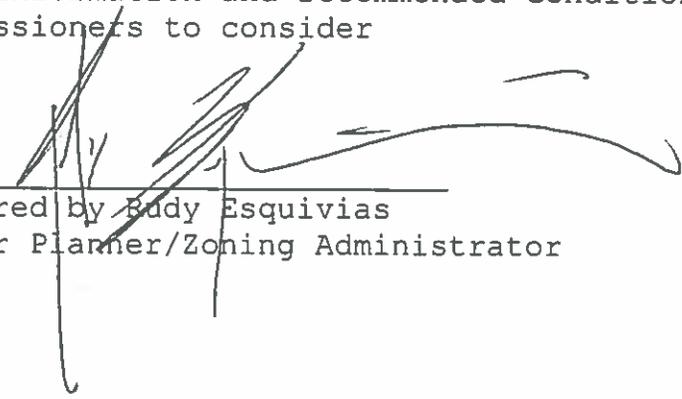
The developer will need to extend all necessary services to the site. Discussion with sewer and water providers are already under way. SRP, Century Link, Southwest Gas and cable communication facilities will probably also need to be extended. The north and west perimeter public half-streets will be subject to the city engineer's standards. The internal streets will be private. Cortez Road, from Baseline to the site, will also be improved, although not exactly to a half street standard since the easement is not owned by Mr. Kauffman. SLD prefers to not have to tear out hardscape improvements later, as properties to the north are eventually sold off. Of course, all other necessary on-site and off-site improvements, including community amenities, retention basins, accessible routes, landscape buffers, etc., will also need to be provided at the time of development. The lands south of Baseline are also subject to more stringent requirements for runoff and retention.

*Public Input:*

There is only one land owner within a 300-foot perimeter of the site, the State Land Department. Nonetheless, SLD has received a public hearing notice, the site will be posted at the Cortez entrance and the rezoning has been advertised in the newspaper. As of the writing of this report, we have received no comments on the rezoning. We are in the process of compiling comments from outside agencies as part of the pre-plat review.

**DISCUSSION ITEM ONLY:**

A work session-type discussion is being held with the commissioners on November 13, and the case has been advertised for public hearing on the 27<sup>th</sup>. Staff felt that a discussion only item was a good idea, especially since this is in many ways a pioneer project; the city's first family subdivision south of Baseline. It is important to do it right and set the tone of quality for the developments which will follow, hopefully in the near future. We welcome the commission's initial questions, comments and concerns; and we will come back in two weeks with more information and recommended conditions for the commissioners to consider



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Prepared by Eddy Esquivias  
Senior Planner/Zoning Administrator

Attachments:

- Exhibit #1 - PZ-3-18 Application
- Exhibit #2 - Project Narrative
- Exhibit #3 - Public Participation Plan
- Exhibit #4 - PZ-3-18 Vicinity Map
- Exhibit #5 - Neighborhood Aerial
- Exhibit #6 - Preliminary Plat for Kauffman 40
- Exhibit #7 - Models and Floor Plans (to be handed out at meeting)



**City of Apache Junction**  
 Development Services Department  
 -Conditional Use Permit Application



**Exhibit A: Rezoning Application**

SITE INFORMATION South of Baseline 104-07-001 B  
 SITE ADDRESS/LOCATION East of Cortez ASSESSORS PARCEL NO 104-07-001 C  
 GROSS AREA: 40 acres NET AREA \_\_\_\_\_ EXISTING ZONING C1-2  
 LEGAL DESCRIPTION OF PROPERTY: (found on County Tax Bill Notices or Warranty Deed) \_\_\_\_\_  
E 1/2 SW NE of sec 3-15-8E 20.00 AC  
N 1/2 W 1/2 SW NE of sec 3-15-8E 10.00 AC  
S 1/2 W 1/2 SW NE of sec 3-15-8E 10.00 AC

BRIEF DESCRIPTION OF THE PROJECT PROPOSED FOR REZONING:  
Housing subdivision rezoned to RS5/PD PI

**APPLICANT INFORMATION**

Property Owner(s) AJ 40 LLC & ITOW, LFP  
 Address 320 W. Loan Cactus Dr # 12, Phx 85027 & 2155 W. Williams Dr. Phx 85027  
 Phone Number 602-995-7575 Fax Number \_\_\_\_\_ Email David@lukelandrealty.com  
602-277-2010 dv towing@aol.com

Applicant Contact Person/Project Manager Dan Kauffman  
 Address PO Box 18571, Fountain Hills, AZ 85269  
 Phone Number 480-816-6155 Fax Number \_\_\_\_\_ Email office@kauffmanhomes.com

Architect/Engineer D+M Engineering  
 Address 1020 E. Gilbert Dr., Suite D, Tempe AZ 85281  
 Phone Number 480-350-9590 Fax Number \_\_\_\_\_ Email Steve.bargeloh@dmengineer.com

For Dept Use only	Case Number _____
PLN Number _____	Date Submitted: _____
Approved By: _____	Date Approved: _____

Kauffman Homes Subdivision

Revised  
NARRATIVE

This gated housing development will consist of approximately 265 homes with 1 & 2 stories, ranging from 1218 sq. to 2500 sq. We will have approximately 10 different floor plans with each having 3 elevations. There will be 3 different lot sizes 45x80, 50x80 and 45x100. This will not be an age restricted community. The community will have a clubhouse and a pool, dog park, putting green, basketball / pickle ball court and recreation area. The clubhouse and pool itself will have walking access from North to South and East to West rather than having to go around by the streets. We will have trails throughout in the washes and designated areas. There will be trail areas designated at the Northeast and Southwest for future access to connect to future planned communities. There will be landscaped open spaces throughout the community with dog parks and areas for families to gather. The amenities are being spread throughout the community to offer neighboring areas access rather than just one designated area. We will have 30 + extra parking spaces throughout as well for the community guests and amenities. There will be 2 gate entrances for the homeowners and also a separate fire department entrance.

## Citizen Participation Plan for 40 Acres in Apache Junction

**Date:** September 27, 2018

**Purpose:** The purpose of this Citizen Participation Plan is to inform citizens, property owners, neighbor associations, agencies, schools and businesses in the vicinity of the site of an application for the 40 Acres in Apache Junction. This site is located South of Baseline and East of Cortez Rd., and is an application for a new housing subdivision. This plan will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposal.

**Contact:**

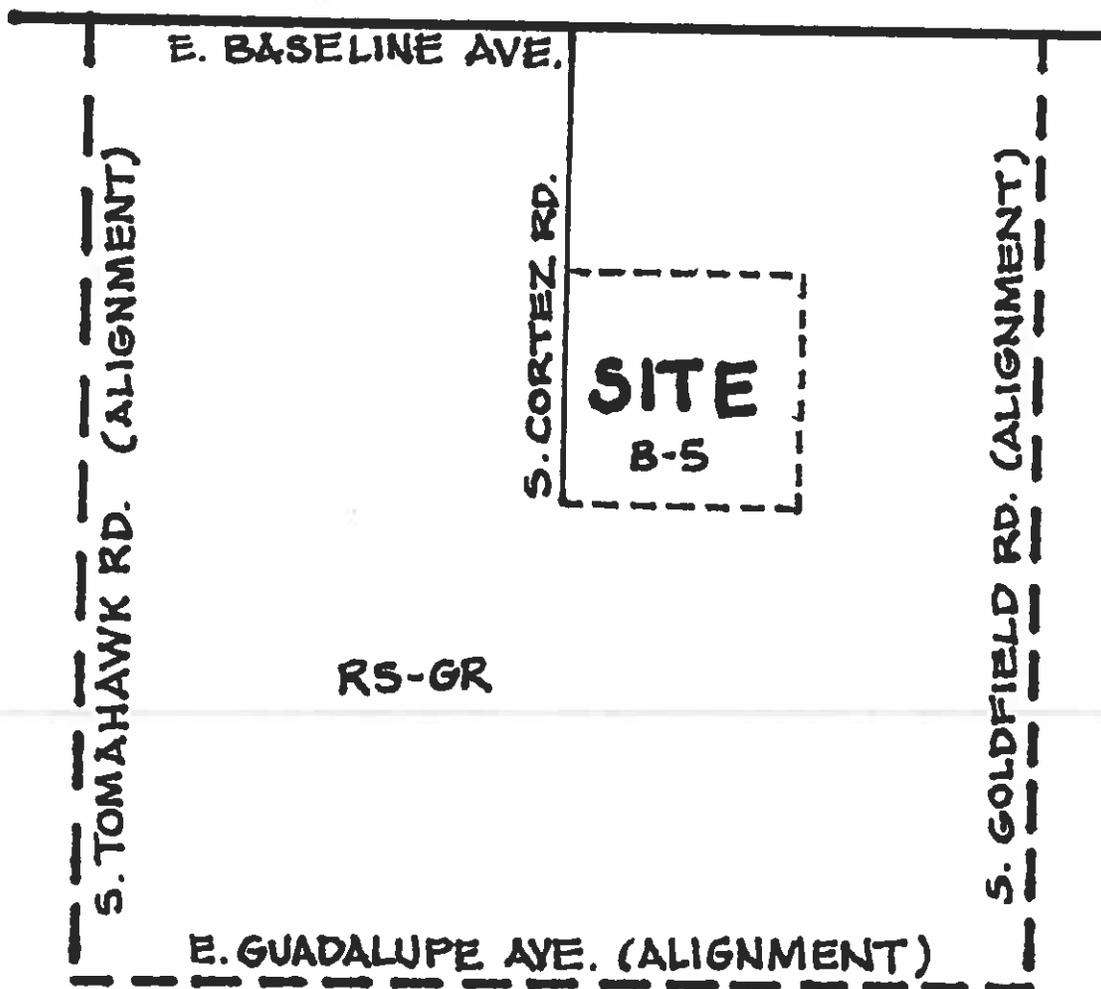
Dan Kauffman  
PO Box 18571  
Fountain Hills, AZ 85269  
480-816-6155; 480-816-6160 (fax)  
Email: [office@kauffmanhomes.com](mailto:office@kauffmanhomes.com)

**Action Plan:** In order to provide effective citizen participation in conjunction with the application, the following actions will be taken to provide opportunities to understand and address any real or perceived impacts of the development that members of the community may have.

1. A contact list will be developed for citizens in this area including:  
Interested neighbors – focused on 300 feet from this site.
  2. All persons listed on the contact list will receive a letter describing the project.
  3. Neighbors within 300 feet of the site will be contacted by mail to inform them of the project and receive comments.
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# PZ-3-18 VICINITY MAP

Proposed rezoning by AJ 40 LLC and ITOW LFP (property owners), represented by Dan Kauffman of Kauffman Homes, proposing to rezone 40-acres of vacant property, located one-quarter mile south of E. Baseline Avenue on the east side of the S. Cortez Road alignment, from B-5 (Industrial) to RS-5/PD (Medium/High Density Single-family Detached Residential by Planned Development).



"Site" = Subject Property

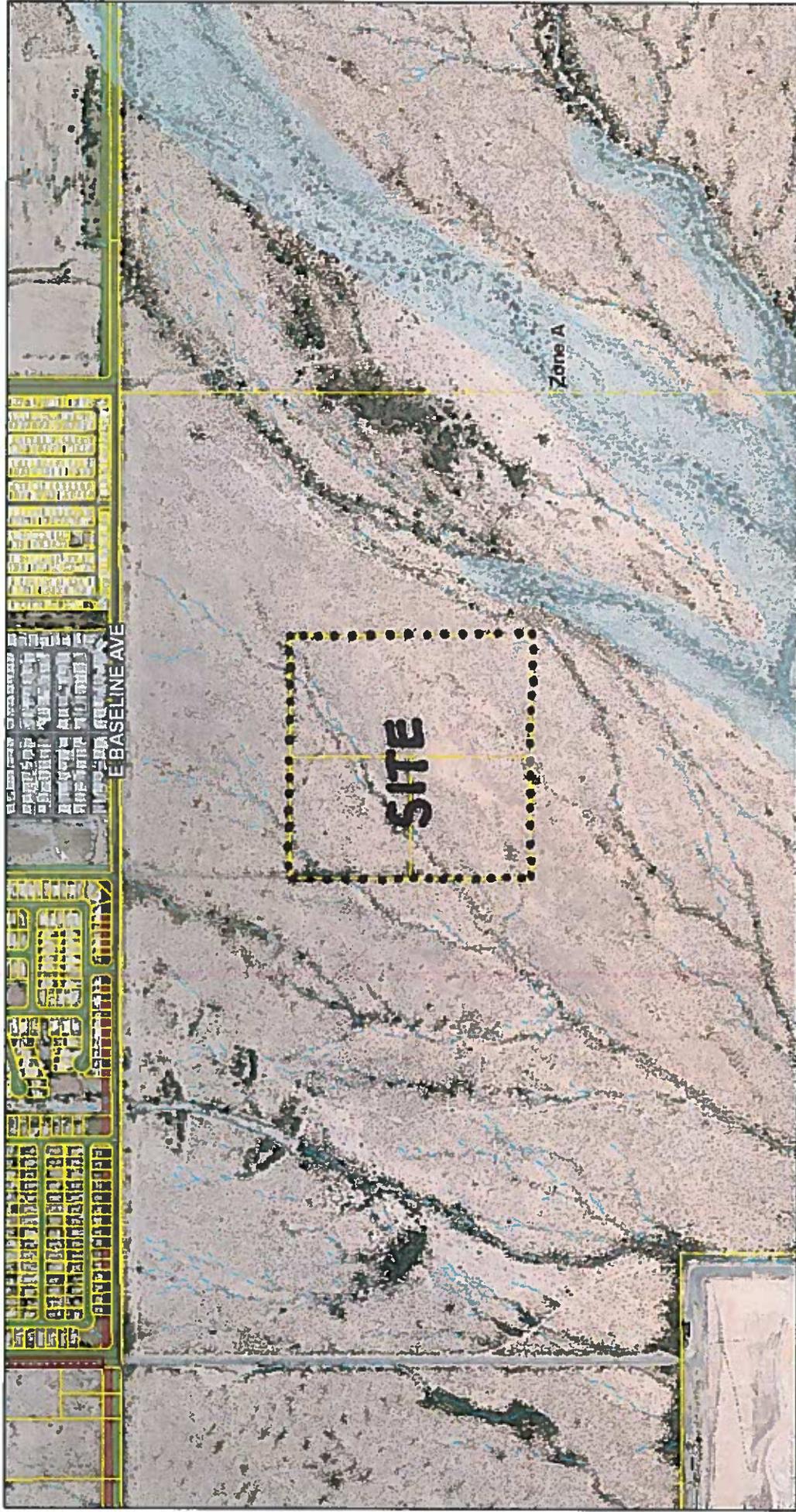


North

Zoning Districts = B-5 (Industrial);  
RS-GR (Low Density Single-family  
Residential, General Rural)

# PZ-3-18/SD-1-18 NEIGHBORHOOD AERIAL

GIS Map



11/6/2018 9:26:08 PM

Pinal County	Pinal County	FPE, Extinguished	0 0.07 0.15 0.25 0.3 mi
Apache Junction	Apache Junction	Easement, Public	0 0.13 0.25 0.5 km
Pinal County	Pinal County	Easement, Utility	
City of Apache Junction	City of Apache Junction	Unknown, Unknown	
Municipal Boundary	Municipal Boundary	Zone A	
Apache Junction	Apache Junction	Right-of-way	
Pinal County	Pinal County	ROW, Dedicated	
City of Apache Junction	City of Apache Junction	ROW, Vacated	
Apache Junction	Apache Junction	FPE, Existing	
Pinal County	Pinal County	Zone AE - FLOODWAY	
City of Apache Junction	City of Apache Junction	Zone AE	
Apache Junction	Apache Junction	Zone AH	
Pinal County	Pinal County	Washes	
City of Apache Junction	City of Apache Junction	FEMA Flood Hazard	
Apache Junction	Apache Junction	Minor Arterial	
Pinal County	Pinal County	Local	
City of Apache Junction	City of Apache Junction	Local - Private	
Apache Junction	Apache Junction	Outside City Boundary	
Pinal County	Pinal County	Ramp/Crossing/Frontage	
City of Apache Junction	City of Apache Junction	Major Arterial	

**ENGINEER**  
D&M Engineering  
1020 East Gilbert Drive, Suite D  
Duncan, Oklahoma, OK 73160  
Tel: (405) 251-8281  
Fax: (405) 251-9498  
Email: info@dmengr.com

**SURVEYOR**  
D&M Engineering  
1020 East Gilbert Drive, Suite D  
Duncan, Oklahoma, OK 73160  
Tel: (405) 251-8281  
Fax: (405) 251-9498  
Email: info@dmengr.com

**OWNER**  
KAUFFMAN - 40  
1020 East Gilbert Drive, Suite D  
Duncan, Oklahoma, OK 73160  
Tel: (405) 251-8281  
Fax: (405) 251-9498  
Email: info@dmengr.com

**LEGAL DESCRIPTION**  
A PORTION OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE  
GULF AND SALT RIVER BASIN AND MEMPHIS PLAIN COUNTY, ARIZONA

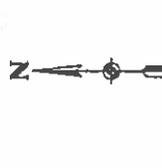
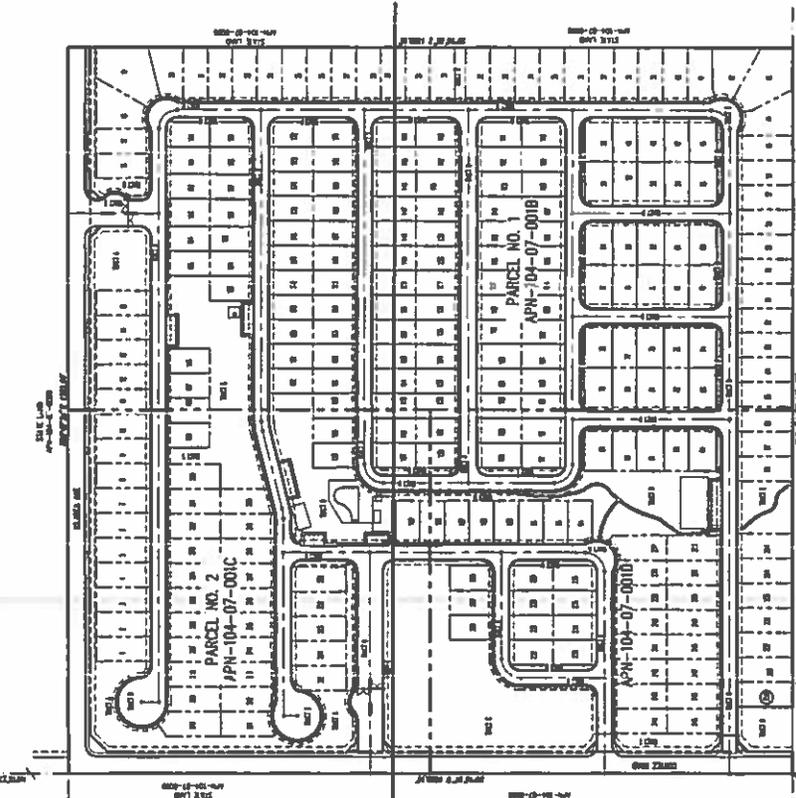
**NOTES**  
1. THIS PRELIMINARY PLAT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.  
2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY ENCUMBRANCES OR OTHER INTERESTS.  
3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY ENCUMBRANCES OR OTHER INTERESTS.  
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**RETENTION REQUIREMENTS**  
AS REQUIRED BY THE ARIZONA SURVEYING BOARD, THE SURVEYOR SHALL RETAIN THE ORIGINAL RECORDS OF THIS SURVEY FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF THE SURVEY.

**FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**  
FIRM NO. 151141C  
DATE: 11/14/11  
SCALE: 1" = 100' (AS SHOWN ON MAP)

# PRELIMINARY PLAT FOR KAUFFMAN - 40

A PORTION OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 8 EAST OF THE  
GULF AND SALT RIVER BASIN AND MEMPHIS PLAIN COUNTY, ARIZONA



**PRELIMINARY PLAT COVER SHEET**  
KAUFFMAN - 40  
APACHE JUNCTION, ARIZONA

**TRACT TABLE**

TRACT	AREA (PT)	AREA (AC)	DESCRIPTION
TRACT A	348.5 SF	1.140 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT B	743.0 SF	1.800 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT C	743.0 SF	1.800 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT D	284.75 SF	0.820 AC	PRIVATE STREET, PUBLIC UTILITY EASEMENT AND LANDSCAPING
TRACT E	1,670 SF	4.791 AC	LANDSCAPING, OPEN SPACE, ADJUTANT, STORM WATER RETENTION & CONCRETE
TRACT F	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT G	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT H	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT I	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT J	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT K	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT L	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT M	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT N	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT O	2,001 SF	5.800 AC	LANDSCAPING AND OPEN SPACE
TRACT P	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT Q	1,670 SF	4.791 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT R	1,670 SF	4.791 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT S	1,670 SF	4.791 AC	LANDSCAPING, OPEN SPACE, STORM WATER RETENTION & CONCRETE
TRACT T	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT U	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT V	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT W	2,001 SF	5.800 AC	LANDSCAPING, OPEN SPACE AND ADJUTANT

**NEIGHBORING MAP (VICINITY)**  
SHEET 2  
SHEET 3

**RETENTION REQUIREMENTS**  
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TRACT J	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT K	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT L	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
TRACT M	1,670 SF	4.791 AC	LANDSCAPING AND OPEN SPACE
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**SHEET 1 OF 3**



