



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

www.ajcity.net
P: (480) 474-5083

Tuesday, April 9, 2019

7:00 PM

City Council Chambers

1. Call to Order

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

2. Pledge of Allegiance

Chair Nesser led the Pledge of Allegiance.

3. Roll Call

Present 5 - Chairperson Nesser
 Vice Chair Heck
 Commissioner Howard
 Commissioner Ooley
 Commissioner Hantzsche

Excused 1 - Commissioner Kridler

Absent 1 - Commissioner McGraw

Staff present:

Joel Stern, City Attorney

Larry Kirch, Development Services Director

Rudy Esquivias, Senior Planner

Elan Vallender, Economic Development Specialist

Julianna Pierre, Planning Intern

4. Approval of Agenda

Chair Nesser called for a motion.

Vice Chair Heck motioned, seconded by Commissioner Ooley, that the Planning and Zoning Commission accept the agenda as presented. Approved in a vote of 5 in favor and 0 opposed. (Yes: Ooley, Hantzsche, Heck, Howard, Nesser. No: none.)

[19-135](#) Consideration of approval of agenda.

5. Approval of Minutes

Chair Nesser called for a motion.

Vice Chair Heck motioned, seconded by Commissioner Howard, that the Planning and Zoning Commission approve the minutes from the January 22, 2019 and February 12, 2019 meetings. Approved in a vote of 5 in favor and 0 opposed. (Yes: Nesser, Ooley, Hantzsche, Heck,

Howard. No: none.)

[19-120](#) Consideration of approval of regular meeting minutes of January 22, 2019.

[19-121](#) Consideration of approval of regular meeting minutes of February 12, 2019.

6. Public Hearings

[19-128](#) Presentation, discussion, public hearing and consideration of rezoning case PZ-2-18 by Amerco Real Estate Company and U-Haul International LLC, represented by David Pollock, proposing to rezone approximately 50 acres of a vacant 78-acre property, located at the southeast corner of US60 and S. Idaho Road from B-1/PD (General Commercial by Planned Development) to B-5/PD (Light Industrial/Business Park by Planned Development); and proposing to amend the plan of development for the remaining B-1/PD-zoned portion of the property.

Economic Development Specialist Vallendar gave a presentation on case PZ-2-18.

The commission and staff discussed that the project will be done in phases and that the site plan presented does have RV storage.

Senior Planner Esquivias gave a presentation on case PZ-2-18.

The commission and staff discussed that the general plan amendment previously approved by the city council changed the potential to rezone to industrial type zoning for the site; that if Amerco doesn't get the changes to the zoning they are seeking, they may not develop the property, but it is ultimately up to the city council to approve the changes; and that the ordinance wording regarding RV storage refers to the future subdivision lots.

Mr. Pollock addressed the commission.

Mr. Smith addressed the commission.

The commission, staff, Mr. Pollock, and Mr. Smith recounte prior discussions regarding how the new U-Haul rental company will not impact the current businesses renting U-Hauls and how Mr. Smith feels it will improve their business; that their current proposal will meet beautification standards currently in place; that RV storage will be covered with state of the art material; that the standard wall height is eight feet; that there is a program in place for when customers' units are unkempt and management will be responsible for the upkeep of the location; that units that are stored there do not have to be currently registered; that if the commission doesn't want renters working on their vehicles at the location they can place conditions on the approval; that parking areas will be fully asphalt paved; that security does not include fencing or barbed wire as the developer believes it may attract problems and that a 24 hour monitored security surveillance system will be in place for security; that code enforcement can be allowed to access the property for inspection when needed; that the city doesn't have any current standards for RV storage and acceptable practices but the current nuisance provision in Chapter 9 could apply to oil and antifreeze leaks; that the center has standard operating procedures which would cover garbage and leaks; that the facility would have about 15 employees and the storage facility has an option for 24 hour access, but the showroom and business has restricted business hours; that repair work will not be allowed in the RV storage area; that no business will be allowed to operate in the storage lockers; that if customers aren't

compliant but are allowed to remain, the business may have their right for the RV storage facility removed; that all the RV storage spaces will be covered; that the developer worked with residents near their recent Queen Creek facilities to ensure it was acceptable to everyone; that the city is asking that the developer improve Idaho Road and the south side of the property which has been a common practice although the developer said it will not help with marketing the property to potential businesses; that the requirement to improve the roads may create some sort of incentive to develop the property since it's been held for years without any development; and that additional conditions or changes to the conditions regarding the RV storage in favor of the developer may help the project move forward in a more expedited manner.

Chair Nesser closed the public hearing portion of the item having no one wishing to address the commission.

Chair Nesser asked for discussion among the commissioners.

The commission discussed that this may be an opportunity for the business park development if this is approved; that allowing this may keep standards high for other storage lots; that a condition should state that it is strictly for storage and if it's not maintained, the RV storage lot should be removed if cited more than three times; that staff and commission discussed how it would be monitored or be part of the site plan approval; that some of what the commission is requesting is already covered by the current code; that conditions can include provisions that code compliance personnel can enter the property without permission; that the commission should recommend approval so the project can move forward; that the motion can include provisions for staff and the applicant to work together on what the commission is looking for; that the current city code has the provisions to ensure compliance; and that since the commission is recommending approval of the RV storage the applicant should be required to complete the road improvements.

The chair called for a break.

The chair reconvened the meeting.

The chair called for a motion.

Vice Chair Heck moved, seconded by Commissioner Hantzsche, that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-2-18, a request by Americo Real Estate Company, represented by David Pollock, to rezone approximately 50 acres of the 78-acre property located at the southeast corner of US60 and S. Idaho Road, from General Commercial District by Planned Development (B-1/PD) to Light Industrial/Business Park by Planned Development (B-5/PD); and that the development plan for the remaining portion of the 78-acre property be amended for a smaller retail and commercial shopping center in basic compliance with the conceptual development plan submitted with case PZ-2-18; subject to the recommended conditions of approval enumerated in draft city council ordinance no. 1463. And so, in conjunction with that motion, the conditions stated in ordinance 1463, which is from the draft city council ordinance, we are recommending approval all of conditions 1-15; and then we want to amend condition number 16, which is the permitted uses in B-5/PD, and we want to amend several of the not permitted uses, and on page 9, three quarters of the way down, there is a line that states "there will be no RV, boat, or vehicle storage", we want to amend that to read "no RV, boat or vehicle storage with the exception of the U Haul site". And then I want to add another entry into those

exceptions, "no storage of junk, or dilapidated vehicles including boats, RVs and motor vehicles". And then again we are approving conditions 17 and 18 and then I want to add condition 19 which states "code compliance staff shall be given the right of access to inspect the RV lot for compliance with city ordinances". Approved in a vote of 5 in favor and none opposed. (Yes: Nesser, Ooley, Hantzsche, Heck, Howard. No: none.)

19-130

Presentation, discussion, public hearing and consideration of rezoning case PZ-4-18 by Jennifer Layton Noel and Kelly Layton Beeson, represented by Randy Carter of Sketch Architecture Company, proposing to rezone a 7.5 gross acres property at the southeast corner of S. Vista Road and E. 12th Avenue from RS-GR (General Rural Low Density Single-family Detached Residences) to B-4/PD (Light Industrial/Business Park by Planned Development) for the purpose of developing a business park with rental suites and accompanying yards for various business tenants.

Senior Planner Esquivias gave a presentation on case PZ-4-18. He also explained so, inquiries he received where residents close to the property questioned the case.

Having no questions from the commission, the chair invited the applicant to address the commission.

Randy Carter, of Sketch Architecture Company, addressed the commission.

The commission and Mr. Carter discussed how the owners of the property would like the property used; how the property will be marketed; why the rear doors are designed to be nine feet tall and how the front and rear rolling doors will be used; and that the rolling doors will be decorative.

Jacob Beeson, one of the property owner's spouse, addressed the commission.

The commission and Mr. Beeson discussed that at this time there is no marketing plan as they were waiting for approval of the plans before moving forward, and how they came up with the plans.

Chair Nesser opened up the public hearing portion of the item.

Valerie Martin, 2166 E. 12th Ave., Apache Junction, spoke against approval of the project.

James Bowler, 1915 E. 12th Ave., Apache Junction spoke in favor of the approval but with limitations.

Having no others, Chair Nesser closed the public hearing portion of the item.

Chair Nesser opened the item for discussion.

The commission and staff discussed dark sky regulations; the limitations on B-4 zoning and the types of businesses allowed under that zoning designation; and the ingress/egress of the site.

Having no further discussion, Chair Nesser called for a motion.

Vice Chair Heck moved, seconded by Commissioner Ooley, that the Planning and Zoning

Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-4-18, a request by Jennifer Layton Noel and Kelly Layton Beeson, represented by Randy Carter of Sketch Architecture Company, to rezone their 7.5-gross-acres property located at the southeast corner of S. Vista Road and E. 12th Avenue, from RS-GR (General Rural Low Density Detached Single-family Residence) to B-4/PD (Light Industrial/Business Park by Planned Development), subject to the following conditions of approval and I am submitting for approval of all of the conditions listed in the staff report dated April 9th, numbers 1-16 and then I am adding one condition to that, number 17 to read "applicant will limit the exterior hours of operation such that that will be no external activity between 7 pm and 7 am" and that is my full recommendation. Approved in a vote of 4 in favor and 1 opposed. (Yes: Nesser, Ooley, Heck, Howard. No: Hantzsche)

[19-133](#) Presentation, discussion, public hearing and consideration of case PZ-2-19, a city initiated corrective rezoning of the Smoketree-Warner Neighborhood from Medium Density Single Family Detached Residential (RS-20M) to Medium/High Density Single Family Detached Residential (RS-7M). The Smoketree-Warner Neighborhood is an area comprised of 41 lots bounded by W. Foothill St., N. Desert View Dr., W. Smoketree St. and N. Warner Drive.

Planning Intern Pierre gave a presentation on case PZ-2-19.

The commission and staff discussed that property owners will not be required to move anything currently nonconforming unless the property owner proposes any changes; that everything is 'grandfathered in'; and that the rezoning benefits the property owners.

Chair Nesser inquired if there was anyone in the audience wishing to address the committee. Seeing none, Chair Nesser closed the public hearing portion of the item.

Having no discussion from the committee, Chair Nesser called for a motion.

Vice Chair Heck moved, seconded by Commissioner Howard, that the Planning and Zoning Commission recommend to the city council the approval of rezoning case PZ-2-19, a city-initiated corrective rezoning request, for the Smoketree-Warner Neighborhood bounded by N. Warner Dr., W. Smoketree St., N. Desert View Dr. and W. Foothill St., from RS-20M (Medium Density Single-Family Detached Residential, Conventional and Manufactured Housing Permitted) to RS-7M (Medium/High Density Single-Family Detached Residential, Conventional and Manufactured Housing Permitted), subject to the following conditions of approval and I also submit for approval the six conditions as stated in the staff report dated April 9th. Approved in a vote of 5 in favor and none opposed. (Yes: Howard, Nesser, Ooley, Hantzsche, Heck. No: None.)

7. Old Business

None.

8. New Business

[19-122](#) Presentation and discussion on code of conduct by the city attorney.

This item was continued at the request of the city attorney.

9. Information and Reports

None.

10. Director's Report

None.

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

Vice Chair Heck moved, seconded by Commissioner Howard, that the Planning and Zoning Commission hold a Planning and Zoning Commission regular meeting on April 23, 2019 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Approved in a vote of 5 in favor on none opposed. (Yes: Hantzsche, Heck, Howard, Nesser, Ooley. No: none.)

12. Adjournment

Adjournment:

Meeting adjourned at 9:45 p.m.

Theresa Nesser
Chairperson