



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 23, 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 7 - Chairperson Nesser
 Commissioner McGraw
 Vice Chair Heck
 Commissioner Howard
 Commissioner Kridler
 Commissioner Ooley
 Commissioner Hantzsch

Staff present:

Joel Stern, City Attorney
Larry Kirch, Development Services Director
Rudy Esquivias, Senior Planner
Sidney Urias, Planner
Kelsey Schattnik, Planning Intern

4. Approval of Agenda

[19-163](#) Consideration of approval of agenda.

Chair Nesser called for a motion.

Vice Chair Heck moved, seconded Commissioner Ooley, that the Planning and Zoning Commission accept the agenda as presented. Approved in a vote of 7 in favor and 0 opposed. (Yes: Ooley, Hantzsch, Heck, Howard, Kridler, McGraw, Nesser. No: none.)

5. Approval of Minutes

[19-164](#) Consideration of approval of regular meeting minutes of April 9, 2019.

- [19-165](#) Consideration of approval of the special joint meeting minutes of the Planning and Zoning Commission and the Parks and Recreation Commission meeting of January 8, 2019.

Chair Nesser called for a motion.

Vice Chair Heck moved, seconded by Commissioner Howard, that the Planning and Zoning Commission approve the minutes from the April 9th, 2019 Regular Meeting and the minutes from the Special Joint Meeting of the Planning and Zoning Commission and the Parks and Recreation Commission of January 8, 2019. Approved in a vote of 6 in favor and 1 opposed. (Yes: Nesser, Ooley, Hantzsche, Heck, Howard, McGraw. No: Kridler.)

6. Public Hearings

- [19-160](#) Presentation, discussion, public hearing and consideration of case SD-2-18, a request by McMillan Manufactured Home Development Co. LLC and Lennar Homes (owner), represented by Ralph Pew (applicant), for a 179 lot residential subdivision tentatively to be named Goldview, located approximately at the Southwest corner of Old West Highway and Goldfield Road.

Planner Sidney Urias gave a presentation on cases SD-2-18 and PZ-5-18.

Mr. Ralph Pew, representing Lennar Homes, addressed the commission.

The commissioners, staff, Mr. Pew, Mr. Todd Skoro, and Mr. Dennis Roberts discussed that Lennar Homes is aware of research and trends that smaller lot sizes and common areas are more important to buyers and that Lennar Homes has found that the size of the lots reflect the trend towards manageable lot sizes for two income families; the ingress and egress and landscaping plans; the parameters for the number of entrances and exits to a community and that two fit the number of homes they are proposing at Goldview; that the streets are public streets and public safety hasn't requested an additional emergency access; and that city departments have reviewed the plans and don't have issues with the ingress and egress plans.

Chair Nesser opened the public hearing portion of the item.

Jason Sinelli, 2571 S. Acacia Road, Apache Junction, spoke in support of the development.

Having no others wishing to address the commission, Chair Nesser closed the public hearing portion of the item.

Chair Nesser called for discussion.

The commission discussed the need for a ramada in two places in the community, there isn't a lot of traffic on Old West Highway near Goldfield, and that there are other ways to enter the proposed community.

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

Vice Chair Heck moved, seconded by Commission McGraw, that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-5-18, a request by McMillan Manufactured Home Development

Co. LLC and Lennar Homes (owner), represented by Ralph Pew (applicant), for a 179 lot residential subdivision tentatively to be named Goldview, located approximately at the Southwest corner of Old West Highway and Goldfield Road, from B-5 (Industrial) to RS-5/PD (Medium/High Density Single-family Detached Conventional Homes by Planned Development), subject to the following conditions of approval and those include conditions 1 through 9 as listed in the staff report dated April 23rd, 2019.

The commission and city attorney discussed the need for a findings of fact.

Vice Chair Heck added that in addition to the 9 stated conditions listed in the staff report dated April 23rd, 2019, I also recommend to include the three findings of fact stated in the staff report dated April 23rd, 2019.

The commission and staff discussed correcting current zoning is B-1, not B-5 as noted.

Vice Chair Heck changed his motion to read B-1 instead of B-5.

Approved in a motion of 7 in favor and 0 opposed. (Yes: McGraw, Nesser, Ooley, Hantzsche, Heck, Howard, Kridler. No: none.)

Chair Nesser called for a motion for the preliminary plat.

Vice Chair Heck moved, seconded by Commissioner McGraw, that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of Preliminary Plat, case SD-2-18, a request by McMillan Manufactured Home Development Co. LLC and Lennar Homes (owner), represented by Ralph Pew, for a 179 lot residential subdivision tentatively to be named Goldview, located approximately at the southwest corner of Old West Highway and Goldfield Road, subject to the following conditions of approval and those include the 5 conditions as stated in the staff report dated April 23rd, 2019. Approved in a vote of 7 in favor and 0 opposed. (Yes: McGraw, Nesser, Ooley, Hantzsche, Heck, Howard, Kridler. No: none.)

19-175

Presentation, discussion, public hearing and consideration of rezoning case PZ-1-19, a city-initiated rezoning request, for the Prickly Pear RV Park located at 1630 W. Apache Trail, from RVP (Recreational Vehicle Park) to B-2/PD (Old West Commercial by Planned Development).

Planning Intern Schattnik gave a presentation on case PZ-1-19.

The commission and staff discussed that B-2 zoning will allow the downtown area to be developed in the future and future commercial development on this property is unknown at this time; that the owner of the property leases the billboard; that part of the discussion would be that the billboard would be removed when the lease expired; that the current owner of the property sent a notification the lease would not be extended; that the city has in the past rezoned properties to have billboards removed; the lessee (billboard owner) would be responsible for the removal of the billboard; that the billboard would have to be removed at the end of the lease term which is September 30, 2019; that a condition can be added that says the owner of the property shall cause it to be removed within a number of days after the rezoning or on or before the date the lease is over; that the property owner would be responsible to ensure the billboard is removed; that the property owner has the responsibility to have the billboard removed and it can

be added as a condition that it be removed; if they could be given time after the termination of the lease to have the sign removed; that giving them a deadline may help the property owner remove the sign; and that a condition can be added that says if the billboard is not removed by a date decided, staff will bring back the matter to the commission for revocation of the rezoning.

Chair Nesser opened the public hearing portion of the item.

Don Thonger, 275 N. Saguaro Dr., Apache Junction, addressed the commission on a subject not related to the topic of the public hearing.

Having no else wishing to speak, Chair Nesser closed the public hearing portion of the item.

Chair Nesser called for discussion.

Having none, Chair Nesser called for a motion.

Vice Chair Heck moved, seconded by Commissioner Ooley, that the Planning and Zoning Commission recommend to the City Council the approval of rezoning case PZ-1-19, a city-initiated rezoning request, for the Prickly Pear RV Park, from RVP (Recreational Vehicle Park) to B-2/PD (Old West Commercial by Planned Development), subject to the following conditions of approval from the staff report dated April 23rd, 2019: condition #1 to remain as stated; condition #2 to remain as stated; condition #3 is stricken from the motion; a new condition 3 which used to be 4 will remain and then condition #4 that used to be 5 will also remain. And then I have two additional conditions: condition #5, the owner of the property will cause to have taken down and removed the billboard by a date no later than October 31st. 2019; and condition #6, failure to comply with condition #5 will result in planning staff bringing the case back to planning and zoning commission for further action. Approved in a vote of 7 in favor and 0 opposed. (Yes: Kridler, McGraw, Nesser, Ooley, Hantzsche, Heck, Howard. No: none.)

7. Old Business

[19-176](#) Presentation and discussion on code of conduct by the city attorney.

City Attorney Stern gave a presentation on the code of conduct.

8. New Business

None.

9. Information and Reports

Commissioner Ooley announced that there is a Focal Point meeting on May 2nd at 6pm in the Library. Topic of discussion is the founders day. Chair Nesser explained more about the meeting and the history behind the founding of Apache Junction.

Director Kirch reminded everyone about the Mayor's Breakfast on Thursday, May 2nd at the MGC. If anyone is interested in attending please let him know.

10. Director's Report

[19-177](#) Update on General Plan.

Director Kirch and Planner Urias gave an update on the General Plan.

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

Vice Chair Heck moved, seconded by Commissioner McGraw, that the Planning and Zoning Commission hold a Regular Meeting on May 14, 2019 at 7:00 p.m. in the City Council Chambers located at 300 E. Superstition Boulevard. Approved in a vote of 7 in favor and 0 opposed. (Yes: Howard, Kridler, McGraw, Nesser, Ooley, Hantzsche, Heck. No: none.)

12. Adjournment

Adjournment:

Meeting adjourned at 8:26 p.m.

Theresa Nesser
Chairperson