



City of Apache Junction

Development Services Department



Date: September 3, 2019

To: Honorable Mayor and City Council Members

Through: Bryant Powell, City Manager
Larry Kirch, Development Services Director
Rudy Esquivias, Senior Planner/Zoning Admin.

From: Nicholas Leftwich, Planning Intern

Subject: September 3, 2019, City Council Public Hearing Item:
PZ-5-19 (Ordinance No. 1479) City-Initiated Corrective
Rezoning of the "Greasewood and Ironwood Neighborhood"
bounded by N Ironwood Dr., W Greasewood St, and N Gold
Dr.

Background

This is a city-initiated corrective rezoning for the "Greasewood and Ironwood Neighborhood". This request is to rezone the four (4) lots comprising five (5) acres from RS-20M (Medium Density Single-Family Detached Residential) to RS-GR (General Rural Low Density Single-Family Detached Residential). These properties had inadvertently and incorrectly been zoned to RS-20M, dating back to the City's adoption of its new zoning ordinance in 2014.

Planning and Zoning Commission Recommendation

A Planning and Zoning Commission public hearing was held on August 13, 2019 (planning staff report and exhibits attached). The Commission unanimously recommended approval of the rezoning. The vote was 5-0, accounting for the absence of Chair Nesser and Commissioner Howard. The attached ordinance represents staff's and the Commission's recommendation.

Staff Recommendation

Staff recommends approval, subject to the conditions found in the staff report.

Attachments:

- Draft Ordinance No. 1479
- PZ Staff Report from August 13, 2019, with all attachments.

ORDINANCE NO. 1479

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING THE APACHE JUNCTION, ARIZONA, ZONING ORDINANCE, BY AMENDING THE ZONING DISTRICT MAP, CITY OF APACHE JUNCTION, ARIZONA, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PROPERTY DESCRIBED IN REZONING CASE PZ-5-19, A CITY-INITIATED REZONING, FROM MEDIUM DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-20M") TO GENERAL RURAL LOW DENSITY SINGLE-FAMILY DETACHED RESIDENTIAL ("RS-GR"); REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Apache Junction (the "City") was incorporated in November of 1978 and the zoning that was applied to the four parcels on the south side of West Greasewood Street, between North Ironwood Drive and North Gold Drive, was General Rural ("GR"); and

WHEREAS, on May 6, 2014, pursuant to Ordinance No. 1402, the City adopted a new zoning ordinance and zoning district maps, and the subject properties were inadvertently given a new zoning designation of Medium Density Single-Family Detached Residential ("RS-20M"); and

WHEREAS, property owners then voiced concerns regarding the ability to develop their properties in accordance with RS-GR regulations versus the RS-20M zoning designation; and

WHEREAS, staff observed that the lot sizes of these four parcels are 1.25 gross acres (54,450 square feet), which is more than twice the minimum lot size requirement under the zoning designation of RS-20M and is considered appropriate under the RS-GR zoning designation; and

WHEREAS, on May 14, 2019, the Apache Junction Planning and Zoning Commission gave direction to planning staff to proceed with a city-initiated rezoning for the subject properties; and

WHEREAS, on August 13, 2019, the Apache Junction Planning and Zoning Commission recommended approval in a vote of 5:0 to rezoning case PZ-5-19, subject to the conditions prescribed herein.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

The zoning district classification on the Zoning District Map,
City of Apache Junction, Arizona, for the parcels of land legally
described as:

Parcel No. 100-30-030A:

The West half of the Northwest quarter of the Southwest quarter
of the Southwest quarter of the Southwest quarter of Section 17,
Township 1 North, Range 8 East of the Gila and Salt River Base
and Meridian, Pinal County, Arizona;

Excepting therefrom, all coal, oil, gas, and other mineral
deposits as reserved in Patent recorded as docket 848, page 322,
of official records; and

Parcel No. 100-30-030E:

The East half of the West half of the North half of the Southwest
quarter of the Southwest quarter of the Southwest quarter of
Section 17, Township 1 North, Range 8 East of the Gila and Salt
River Base and Meridian, Pinal County, Arizona;

Excepting therefrom, all coal, oil, gas, and other mineral
deposits as reserved in the Patent recorded in Docket 848, Page
322, records of Pinal County, Arizona; and

Parcel No. 100-30-030D:

The West half of the East half of the North half of the Southwest
quarter of the Southwest quarter of the Southwest quarter of
Section 17, Township 1 North, Range 8 East of the Gila and Salt
River Base and Meridian, Pinal County, Arizona;

Except therefrom, all coal, oil, gas, and other mineral deposits
as reserved in the Patent recorded as Docket 848, Page 322; and

Parcel No. 100-30-030C:

The East half of the Northeast quarter of the Southwest quarter
of the Southwest quarter of the Southwest quarter of Section 17,
Township 1 North, Range 8 East of the Gila and Salt River Base
and Meridian, Pinal County, Arizona;

Except therefrom, all coal, oil, gas, and mineral deposits as reserved in Patent recorded as Docket 848, Page 322;

be and hereby is amended from Medium Density Single-Family Detached Residential ("RS-20M") to General Rural Low Density Single-Family Detached Residential ("RS-GR"), subject to the following condition of approval:

- 1) The property owners shall dedicate necessary right-of-way to the City along the bordering street fronts (Greasewood Street, Ironwood Drive or Gold Drive), as applicable.

SECTION II REPEALING ANY CONFLICTING PROVISIONS:

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY:

If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2019.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2019.

JEFF SERDY
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

RICHARD JOEL STERN
City Attorney



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: August 13, 2019

CASE NUMBER: PZ-5-19, "SEC Ironwood & Greasewood"

OWNERS: John & Candace O'Dell, Starn Glen H Credit Shelter, Tammy Lechner, Patricia Bybee

APPLICANT: City of Apache Junction, Staff Initiated Rezoning

REQUEST: Proposed corrective rezoning of approximately five (5) acres from RS-20M (Medium Density Single-Family Detached Residential) to RS-GR (General Rural Low Density Single-Family Detached Residential) in order to adhere to lot size standards.

LOCATION: The properties are located at the South East corner of W. Greasewood St. and N. Ironwood Dr., consisting of parcels 100-30-030A, 100-30-030E, 100-30-030D and 100-30-030C.

**GENERAL PLAN/
ZONING DESIGNATION:** Community Commercial and Medium Density Residential/ RS-20M (Medium Density Single-Family Detached Residential)

SURROUNDING USES: North: Residential Lots, zoned RS-20M

South: Mobile Home Park, zoned B-1/PD;
Residential Lots, zoned RS-20M

East: Residential Land, zoned RS-20M

West: Mobile Home Park (Trails End), zoned MHP

BACKGROUND

Prior to 2014, the zoning for the four (4) lots in question was GR (General Rural). However, when the city adopted a new zoning ordinance and zoning district maps in 2014, the subject properties were given the new zoning designation of RS-20M (Medium Density Single-Family Detached Residential).

Staff has received complaints from homeowners indicating that they cannot develop their lots as desired due to more restrictive setbacks and limitations on the size of accessory buildings under the RS-20M zoning designation.

PROPOSAL

PZ-5-19 is a corrective rezoning of five (5) acres from RS-20M (Medium Density Single-Family Detached Residential) to RS-GR (General Rural Low Density Single-Family Detached Residential).

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site, located north of the intersection of Ironwood Drive and Superstition Boulevard, is designated by the city's General Plan as "Community Commercial and Medium Density Residential (MD)." The Community Commercial designation in the area appears to be intended for and is more applicable to the corner lots. The medium density designation is more applicable to the residential properties away from the corner.

Being only 5 acres, the rezoning does not conflict with the General Plan's Community Commercial designation for the intersection. Furthermore, the application of the RS-20 zoning designation to the subject properties was a planning oversight that this proposal seeks to correct.

Infrastructure Improvements:

Planning staff is requesting right-of-way be dedicated to the City of Apache Junction along Greasewood Street and Ironwood Drive or Gold Drive, wherever the street abuts the property.

Zoning/Site Context:

The five (5) acre site is comprised of four (4) privately-owned residential pieces of land surrounded by residential land to the North, South, and East, with a mobile home park to the west.

Public Input:

Public hearing notification letters were sent by Staff to all property owners within a 300-foot radius for a total of thirty letters.

Staff has not received any comments regarding the rezoning request.

FINDINGS OF FACT

Through research, Staff has revealed that before the City adopted its new zoning ordinance in May 2014, the original designation for these parcels was GR (General). However, when the City adopted its new zoning ordinance and zoning district maps in 2014 the subject properties were inadvertently given a new zoning designation of RS-20M (Medium Density Single-Family Detached Residential).

Staff has observed that the lot sizes of these four parcels are 1.25 gross acres (54,450 square feet), more than twice the minimum lot size requirement under the current zoning designation of RS-20M. The minimum lot sizes for RS-20M lots are different than for RS-GR, which subsequently affects the sizes and setbacks for detached accessory buildings as well.

Additionally, Staff has received complaints from homeowners indicating that they cannot develop their lots as desired due to more restrictive setbacks and limitations on the size of accessory units under the RS-20M zoning designation.

PLANNING DIVISION RECOMMENDATION

Planning Staff recommends the approval of the proposed corrective rezoning, subject to conditions, in order to allow the property owners to develop their property according to their respective lot size, with all the privileges appurtenant to RS-GR lots.

Planning Staff offers the following Recommended Motion, should the Commission wish to forward a recommendation of approval to the City Council.

RECOMMENDED MOTION FOR PLANNED DEVELOPMENT REZONING

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of planned development rezoning case PZ-5-19, a city-initiated request to rezone 5 acres located at the South East corner of W. Greasewood Street and N. Ironwood Drive, from RS-20M (Medium Density Single-Family Detached Residential) to RS-GR (General Rural Low Density Single-Family Detached Residential), subject to the following condition:

- 1) The property owner shall dedicate necessary right-of-way to the City of Apache Junction along the bordering street fronts (Greasewood Street and Ironwood Drive or Gold Drive, as applicable).

Prepared by Nicholas Leftwich
Planning Intern

Attachments:

- Exhibit #1 - PZ-5-19 Aerial Exhibit
- Exhibit #2 - PZ-5-19 Vicinity Exhibit
- Exhibit #3 - PZ-5-19 Existing Zoning Map
- Exhibit #4 - PZ-5-19 Proposed Zoning Map

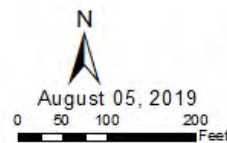


City of Apache Junction PZ-5-19 Aerial Exhibit

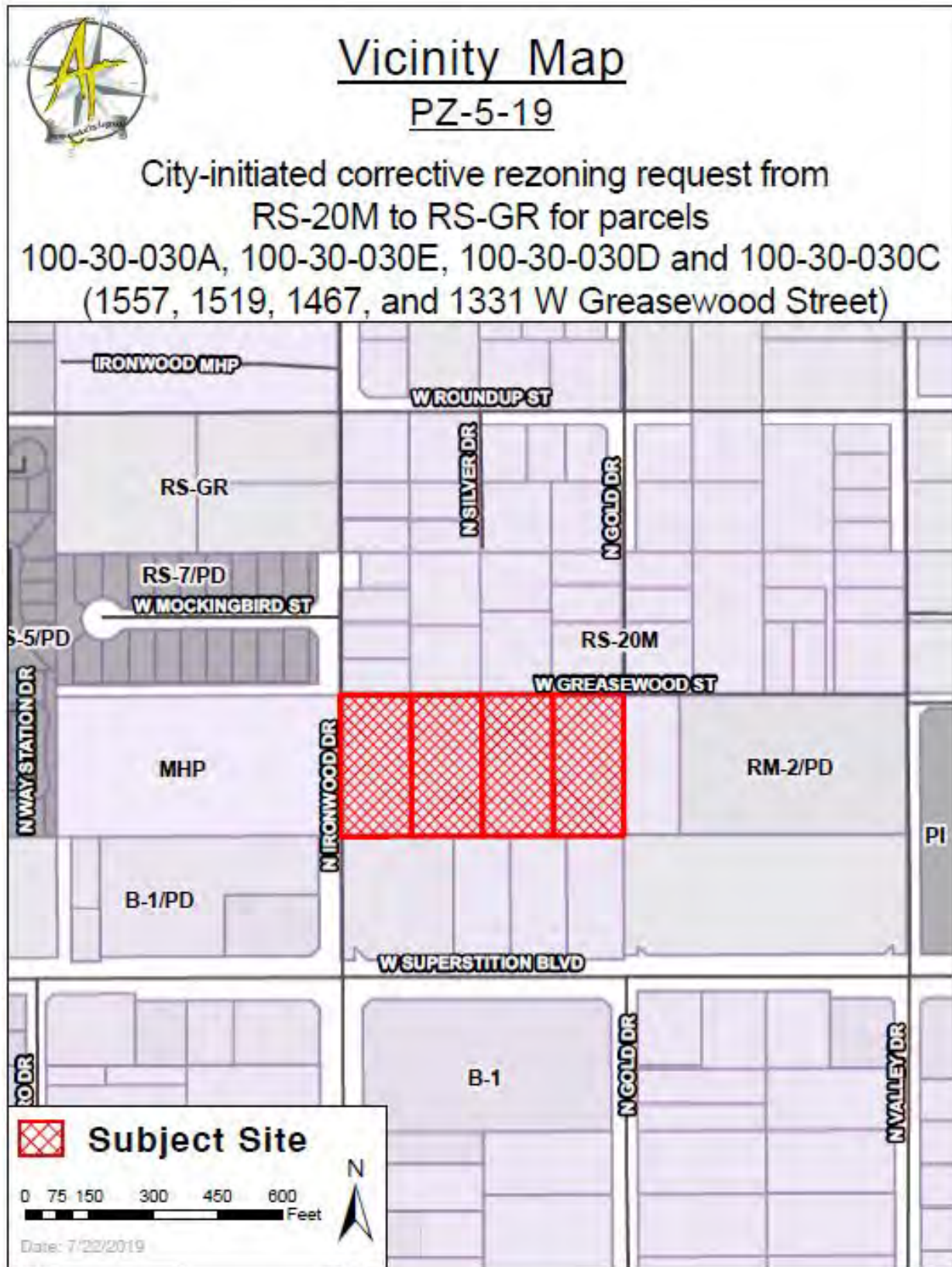
LEGEND

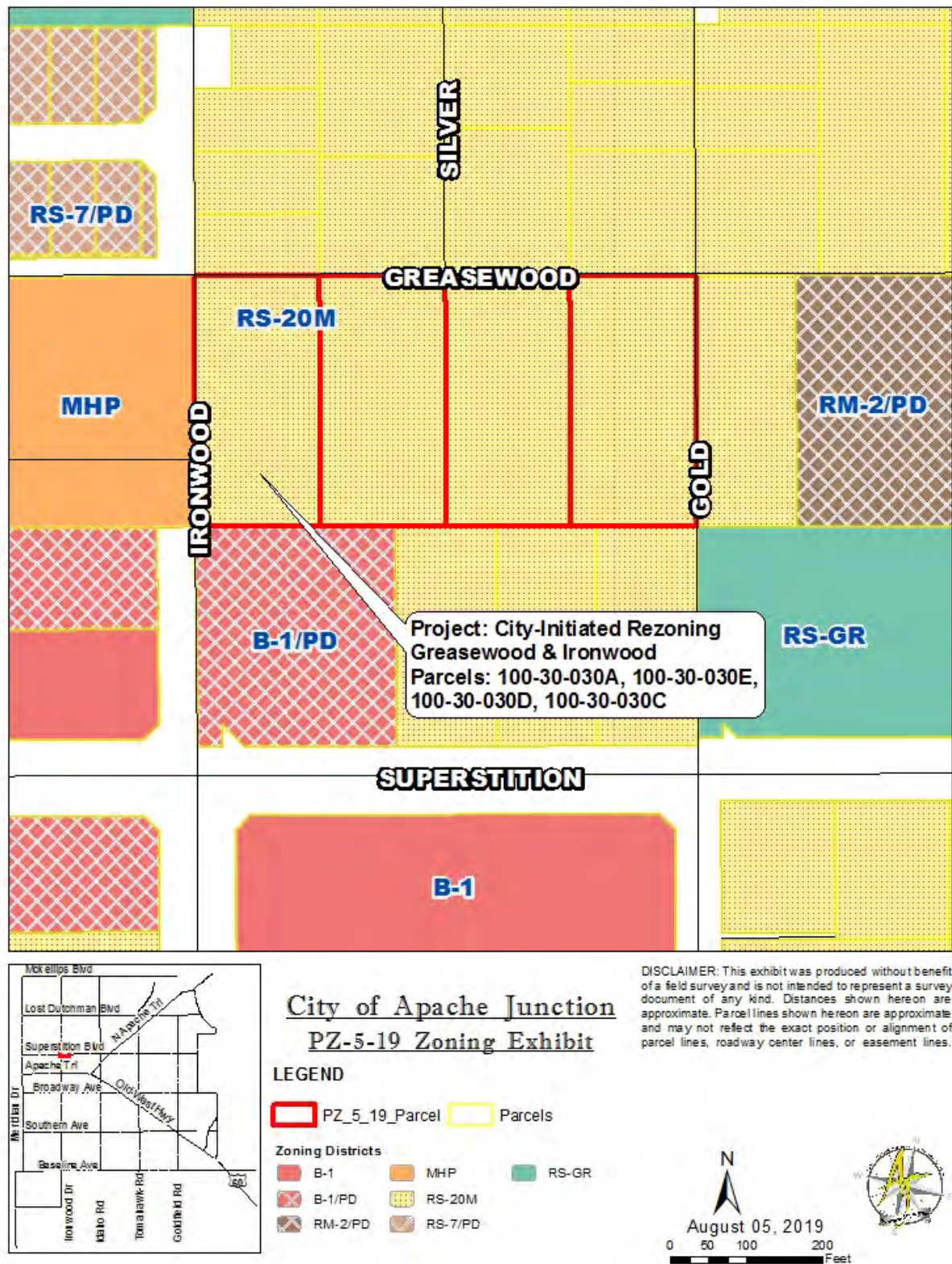
Subject Site Parcels

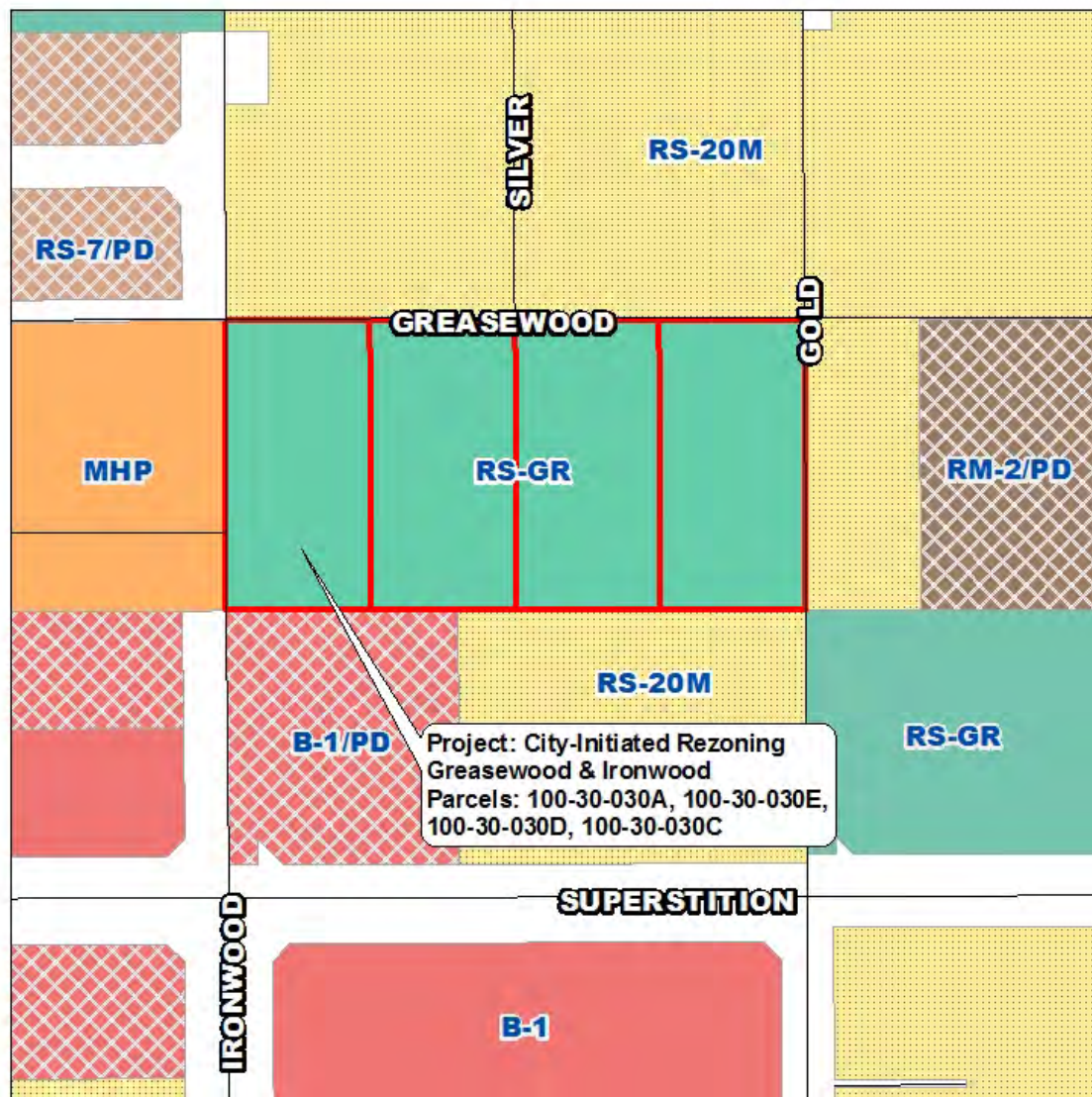
DISCLAIMER: This exhibit was produced without benefit of a field survey and is not intended to represent a survey document of any kind. Distances shown hereon are approximate. Parcel lines shown hereon are approximate and may not reflect the exact position or alignment of parcel lines, roadway center lines, or easement lines.



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City of Apache Junction PZ-5-19 Proposed Zoning Map

LEGEND

 PZ_5_19_Parcel

Zoning Districts

 B-1	 MHP	 RS-GR
 B-1/PD	 RS-20M	
 RM-2/PD	 RS-7/PD	

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