



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: August 27, 2019

CASE NUMBER: PZ-3-19, "Super Star Express Carwash"

OWNERS: Meridian Ironwood LLC.

APPLICANT: Andy Jochums, Beus Gilbert PLLC

REQUEST: Proposed rezoning amendment of approximately 2.66 acres currently zoned B-1/PD (General Commercial/Planned Development) to facilitate a carwash, retail space and a drive-thru restaurant.

LOCATION: Project is located north of the northwest corner of Ironwood Drive and Baseline Avenue.

**GENERAL PLAN/
ZONING DESIGNATION:** Community Commercial; currently zoned B-1/PD (General Commercial/Planned Development).

SURROUNDING USES:

- North: Residential Land, zoned MHP
- South: Commercial Property, zoned B-1;
- East: Residential Property (golf course), zoned RS-20;
- West: Residential Land, zoned MHP

BACKGROUND

The property has historically been vacant, although in 2015, the property owner received entitlements and a site plan approval for an inline retail center and a drive-thru restaurant pad.

Most recently Super Star Express Carwash has expressed formal interest in developing a carwash site on the southern half of the 2.66 acres. The applicant is not proposing to alter the design or intention of the northern half of the site in accordance to its original approvals.

PROPOSALS

PZ-3-19 is a proposing a rezone amendment of 2.66 acres currently zoned B-1/PD (General Commercial/Planned Development). The applicant is proposing to amend the current site plan to facilitate a carwash on the southern half of the parcel. The remaining acreage on the northern half is to remain the same as originally proposed and approved as future inline retail and a drive-thru restaurant.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the city's General Plan as "Community Commercial". The proposal is consistent with the Community Commercial designation.

Zoning/Site Context:

The 2.66 acres is a privately-owned piece of land surrounded by residentially zoned land to the north, east and west and commercially zoned land directly to the south.

Planned Development Zoning:

The applicant is not asking for any deviations from the Zoning Ordinance, however, Staff is requesting a Planned Development be put in place in order to exclude a palette of uses for the center.

Infrastructure Improvements:

The applicant will need to ensure all necessary services are available on the site. Discussions with sewer and water, SRP, Century Link, Southwest Gas and cable communication providers are already under way.

Half street along with onsite improvements will be completed by the applicant/developer at the time of construction.

Improvements include onsite improvements on the southern half of the site (carwash site), the improvements on the northern half of the site (retail site) will be constructed and completed at the time of development.

Public Input:

Neighborhood meeting notification letters were sent from the applicant to all property owners within a 300-foot radius. The applicant also sent additional notices to residents who had previously provided their contact information. On July 17, 2019, the applicant held a formal neighborhood meeting and a total of 9 people attended. The applicant also held two previous non-formal meetings which included door-to-door meetings with mobile home park residents who most closely abutted the proposed use as well as a presentation at the park clubhouse.

The city has also sent out public hearing notices noting the time, place and proposed request.

Staff has not received any comments regarding the rezoning/PD request.

FINDINGS OF FACT

As required by the Apache Junction Zoning Ordinance, a Planned Development request may be approved by the City Council after consideration has been given to three different criteria. The criteria is outlined in the text below:

1. That a better design cannot be achieved by applying the strict provisions of the underlying zoning district.

Response: Staff is requesting a Planned Development be put in place in order to exclude a palette of uses for the center.

2. That strict adherence to the provisions of the zoning ordinance is not required in order to ensure the health,

safety and welfare of the inhabitants of the proposed development.

Response: Staff is requesting a Planned Development be put in place in order to exclude a palette of uses for the center.

3. That strict adherence to the ordinance is not required to ensure that property values of adjacent properties will not be reduced.

Response: Staff is requesting a Planned Development be put in place in order to exclude a palette of uses for the center.

PLANNING DIVISION RECOMMENDATION

Staff respectfully recommends to the Commission that they include the following conditions of approval as part of a favorable recommendation to the City Council. As always, Commissioners may recommend changes or additional conditions which they feel will improve the development plan.

RECOMMENDED MOTION FOR PLANNED DEVELOPMENT REZONING

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL) of planned development rezoning case PZ-3-19, a request by Andy Jochums of Beaus Gilbert PLLC to amend a planned development of 2.66 acres in order to facilitate a carwash user, located near the northwest corner of Ironwood Drive and Baseline Avenue, subject to the following conditions of approval:

- 1) The project shall be developed in accordance with the plans attached and associated to this case and all the provisions of the Zoning Ordinance applicable to this case.
- 2) The property owners shall dedicate and improve any necessary rights-of-way on Ironwood Drive and conduct any off and onsite improvements, as required by the City Engineer, in accordance with the city's Engineering Guidelines for the property.
- 3) Landscape, screening and irrigation improvements, shall be provided in compliance with the city's landscape and screening requirements contained in Apache Junction City

Code, Volume II, Land Development Code, Chapter 1, Zoning Ordinance, Article 1-8, Landscape Regulations. All required trees shall be 24" box and all required shrubs shall be 5-gallon in size.

- 4) All applicable permits shall be applied for and plans shall be designed to current City codes prior to any lot grading or construction on the lots. Inclusively, all applicable development fees shall be paid at the time of permit issuance.
- 5) All mechanical equipment shall be screened and not be seen from any street on any of the four sides.
- 6) The future monument sign shall complement the architecture of the buildings, including style, color and materials, and shall be subject to Planning Staff review and approval.
- 7) A separate commercial subdivision process shall be required should the developer desire to create units for individual sale after rezoning. It is the responsibility of the developer to develop the property with the appropriate infrastructure facilities for a possible future subdivision, or else improvements may need to be retrofitted later for a subdivision project, at the developer's expense.
- 8) The uses allowed to locate shall be limited to the use normally allowed in the B-1 zoning district, except that the following uses shall not be permitted therein:
 - a. Car, boat, recreational vehicle, motorcycle (etc.)dealerships or repair;
 - b. Pawn shops;
 - c. Storage and warehouse facilities;
 - d. Check cashing establishments;
 - e. Rescue missions, soup kitchens or homeless shelters;
 - f. Outdoor display of merchandise;
 - g. Taxicab stand, shuttle service or terminals;
 - h. Mortuaries or crematories;
 - i. Lodge, fraternal or civic assemblies;
 - j. Auto/vehicle parts or accessory sales of any kind;
 - k. RV Parks and/or campgrounds;
 - l. Beer, wine and liquor sales;
 - m. Used merchandise or second hand stores;
 - n. Medical Marijuana Facilities;

- o. Swap meets and farmers markets;
- p. Blood banks;
- q. Tattoo services;
- r. And other uses similar to those listed above determined by the Zoning Administrator to be incompatible with the use of the overall property; and which determination may be appealed to the Board of Adjustment by any aggrieved individual.

Sidney Urias

Prepared by Sidney Urias
Planner

Attachments:

- Exhibit #1 - PZ-3-19 Application
- Exhibit #2 - Project Narrative
- Exhibit #3 - Aerial Exhibit
- Exhibit #4 - Site Plan Exhibit
- Exhibit #5 - Preliminary Landscape Plan
- Exhibit #6 - Elevations