



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, November 12, 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 6 - Chairperson Nesser
 Vice Chair Heck
 Commissioner Kridler
 Commissioner Ooley
 Commissioner Hantzsche
 Commissioner McGraw

Excused 1 - Commissioner Howard

Staff present:

Joel Stern, City Attorney

Larry Kirch, Department Director

Rudy Esquivias, Planning Manager

Nicholas Leftwich, Planning Intern

4. Approval of Agenda

[19-536](#) Consideration of approval of agenda.

Vice Chair Heck moved and seconded by Commissioner McGraw that the Planning and Zoning Commission accept the agenda as presented. Approved in a vote of 6 in favor and 0 opposed. (Yes: Ooley, Hantzsche, Heck, Kridler, McGraw, Nesser. No: none.)

5. Approval of Minutes

[19-407](#) Consideration of approval of regular meeting minutes of September 24, 2019.

Vice Chair Heck moved that the Planning and Zoning Commission approve the minutes from the September 24, 2019 regular meeting. Commissioner McGraw seconded the motion. Approved in a vote of 5 in favor and 1 opposed. (Yes: Nesser, Ooley, Hantzsche, Heck, McGraw. No: Kridler.)

6. Public Hearings

[19-547](#) Presentation, discussion, public hearing and consideration of cases PZ-6-19 and SD-1-19, a proposed rezoning of approximately 2.5 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential); and concurrent preliminary plat for a 12-lot residential subdivision located at the southwest corner of Idaho Road and Teepee Street.

Senior Planner Urias gave a presentation on cases PZ-6-19 and SD-1-19.

The commission and staff discussed that the applicant is in escrow to purchase the property.

Chelsey McKie, representing the developer, Better Choice Homes, gave a presentation on cases PZ-6-19 and SD-1-19.

The commission, staff, Ms. McKie and Dennis Roberts of Better Choice Homes discussed that the average square footage per home for development is close to 2,000 square feet and are two story homes; that the proposed size of the driveway is 18 feet from the sidewalk; that the proposed garage extension will only be allowed on lots big enough to accommodate them; that the side setbacks are five feet and that the a/c units will also be located on the sides; that the design of the houses and the proposed setbacks may be a safety hazard for first responders; that during the fire district's review, the landscaping along the street was more of a concern than the side setbacks; that similar setback requirements were recently brought before the commission for Lennar Homes development; that Public Works does not want access to the development from Idaho and the cul-de-sac is designed so that a fire truck can turn around; that maintenance limitations prevent amenities in the retention basins; that the project will start within five to six months; that the roadway standard is the same as a previous project and which Public Works has asked them to follow; that staff cannot guarantee that other land owners will develop their land with this same density or deny them the opportunity to request a rezoning from the city; that some of the proposed floor plans include extensions but these are in draft form and haven't been confirmed; that the floor plans can be changed in accordance with what is approved; that the max specifications aren't available at this time; and that the allowable setbacks can be changed if the commission wishes to do so.

Chair Nesser opened the public hearing portion of the item.

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

Chair Nesser opened the item for discussion for the commission.

The commission, staff and applicant discussed that the proposed development is dense and there isn't enough space for emergency vehicles although it meets code; that the side setbacks are very small and it may put the first responders in harm's way; that there is a 28 foot back of curb and a 50 foot right of way which is the standard right of way and parking may have to be restricted; that although people want smaller lots, first responder safety should be considered with the proposed smaller setbacks; and the typical a/c units used for a two story house could be two units, but one larger unit can be used if there are space limitations.

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

Commissioner Ooley moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-6-19, a request by Better Choice Builders and Brad Young, SIG-AZ LLC (owner), represented by Dennis Roberts, Atwell, the applicant, for a 12 lot residential subdivision tentatively to be named Coyote Crossing, located, the property is located at the southwest corner of Idaho Road and Tepee Street, from RZ-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential by Planned Development), subject to the conditions that are listed in the staff report and pages 6 and 7.

Chair Nesser called for another motion as the first motion, having no second, failed.

Vice Chair Heck moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the denial of planned development rezoning case PZ-6-19, a request by Better Choice Builders and Brad Young, SIG-AZ LLC (owner), represented by Dennis Roberts, Atwell (applicant), for a 12 lot residential subdivision tentatively to be named Coyote Crossing. The property is located at the southwest corner of Idaho Road and Tepee Street, from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential by Planned Development). The reason for the recommended denial is concerns about the lot size of the homes here and the concerns about how the safety of the residents and access by the first responders along with concerns relative to the rezoning of a RS-GR property. Commissioner McGraw seconded the motion. The recommended denial was approved in a vote of 4 in favor and 2 opposed. (Yes: Kridler, McGraw, Hantzsche, Heck. No: Nesser, Ooley) Chair Nesser said she voted no because she believes if the fire department thought this was a fire and safety hazard, they should have denied approval and informed city staff of their concerns.

Vice Chair Heck moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the denial of Preliminary Plat, case SD-1-19, a request by Better Choice Builders and Brad Young, SIG-AZ LLC, represented by Dennis Roberts, Atwell, for a 12 lot residential subdivision tentatively to be named Coyote Crossing, located, the property is located at the southwest corner of Idaho Road and Tepee Street, from RS-GR to RM-1/PD. And the recommendation for denial is based on the same criteria from the original rezoning denial. Commissioner McGraw seconded the motion. Approved in a vote of 4 in favor and 2 opposed. (Yes: Hantzsche, Heck, Kridler, McGraw. No: Nesser, Ooley.)

[19-549](#) Presentation, discussion, public hearing and consideration of case PZ-9-19, a proposed city initiated rezoning of the area bounded by Ironwood Drive, Gold Drive, Roundup Street, and Greasewood Street from RS-20M (Medium Density Single-Family Detached Residential) to RS-10M (Medium Density Single-Family Detached Residential).

Planning Intern Leftwich gave a presentation on case PZ-9-19.

The commission and staff discussed that although one of the owners only wants the rezoning and doesn't want to grant the 33 foot easement as right of way, it is optional and the city can't make them give up the easement; that the easement is restricted and therefore the usage is restricted to the current federally patented easement (FPE); the location of properties where they supported the easement and didn't want to give the city their easement; that the owner has potential liability for the easement as opposed to those that are deeding their easements to the city as it becomes the city's property; that there may or may not be utilities in the easement at this time but that is what they are used for; and that property won't be given back to property

owners if they gave more than 33 feet in the past.

Chair Nesser opened the public hearing portion of the item.

Tiandra Schaefer, 1125 N. Gold Drive, spoke regarding flooding issues on her property.

Rick Tanner, 1102 N. Gold Drive, spoke in favor of the approval of the rezoning.

Howard Loso, 1536 W. Roundup Street, spoke in favor of the rezoning even though his property is not part of the proposed rezoning.

Brenda Greeve, 1780 W. 20th Avenue, spoke to the commission regarding flooding issues on her property.

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

Chair Nesser opened the item for discussion among the commission.

The commission and staff discussed that staff has no knowledge of drainage issues on North Gold Drive and discussed the history of ownership and land splits in that area of town; that rezoning does not improve or worsen drainage issues on the property; that weird addressing issues were inherited by the city when it became incorporated; that land divisions can cause access issues and can't be done with this process and Public Work's input would be needed in these cases; that the North Silver drive easement may exist on deeds and was not council approved and may pre-date the city; and that 1102 North Gold Drive can be divided if this rezoning is approved.

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

Vice Chair Heck moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-9-19, a city-initiated request to rezone the 10 acre area bounded by N. Ironwood Drive, N. Gold Drive, W. Roundup Street, and W. Greasewood Street, from RS-20M (Medium Single-Family Detached Residential) to RS-10M (Medium Single-Family Detached Residential), subject to the following conditions and that includes the two conditions entered into the staff report dated November 12, 2019. Commissioner McGraw seconded the motion. Approved in a vote of 6 in favor and 0 opposed. (Yes: Kridler, McGraw, Nesser, Ooley, Hantzsche, Heck. No: none.)

7. Old Business

[19-548](#)

Presentation and discussion of the proposed 2020 General Plan.

Senior Planner Urias and Director Kirch gave a presentation and update of the timeline of approval of the general plan.

8. New Business

None.

9. Information and Reports

None.

10. Director's Report

None.

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

Vice Chair Heck moved that the Planning and Zoning Commission hold a regular meeting on November 26, 2019 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Commissioner McGraw seconded the motion. Approved in a vote of 6 in favor and 0 opposed. (Yes: Hantzsche, Heck, Kridler, McGraw, Nesser, Ooley. No: none.)

12. Adjournment

Adjournment:

Meeting adjourned at 8:27 p.m.

Theresa Nesser
Chairperson