



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: February 25, 2020

CASE NUMBER: PZ-2-20, "City Initiated Rezoning of lots 1-8 and lots 17-23 of the Superstition Villa Subdivision"

APPLICANT: City of Apache Junction,
Staff Initiated Rezoning

REQUEST: Proposed corrective rezoning of 15 lots from RS-7 (Medium/High Density Single-Family Detached Residential) to RM-1 (High Density Multiple-Family Residential) for the purpose of re-aligning the zoning designation with the subject site's current and historic land use.

LOCATION: The properties are located along the south side of 16th Avenue between S. San Marcos Drive and S. Plaza Drive consisting of lots 1-8 and lots 17-23 of the Superstition Villa Subdivision.

**GENERAL PLAN/
ZONING DESIGNATION:** Medium Density Residential/ RS-7
(Medium/High Density Residential)

SURROUNDING USES: North: Residential Lots, zoned RS-7;
Roadhaven Resort, zoned RVP/PD;
and an Apache Junction Water Utilities facility, zoned PI.

South: Residential Lots, zoned RS-7 & RM-2

East: Residential Lots, zoned RS-7

West: Residential Lots, zoned RS-7/PD

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BACKGROUND

The proposed request affects fifteen (15) multi-family residential properties that are currently zoned RS-7 (Medium/High Density Single-Family Detached Residential) which is a zoning district that prohibits multi-family housing such as duplexes or multiplexes. Under the current RS-7 zoning designation, every housing structure in this area would be considered non-conforming. However, all of these structures were built when the zoning for this area was the CR-5 "Multiple Family Residence" zoning designation under the city's pre-2014 zoning ordinance and maps.

This zoning conflict was recently brought to the attention of the Staff and creates conflicts regarding the usage and permitting of these properties. Staff seeks to remedy these issues through the rezoning of these properties to the original multi-family residential zoning designation.

On January 14, 2020, Staff brought the matter to the Planning and Zoning Commission in order to receive direction regarding the correction of this issue and received direction to initiate a corrective rezoning.

PROPOSAL

PZ-2-20 is a corrective rezoning of 15 lots from RS-7 (Medium/High Density Single-Family Detached Residential) to RM-1 (High Density Multiple-Family Residential).

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the city's General Plan as "Medium Density Residential (MD)." The rezoning area is less than four (4) acres total in size and thus does not require a major general plan amendment.

Zoning/Site Context:

The fifteen (15) privately owned multi-family residential properties are primarily surrounded by residential land on all sides, with the Roadhaven RV Park and an Apache Junction Water Utilities Facility to the north, across 16th Avenue. As the current RS-7 zoning designation only allows single-family

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residences and prohibits multi-family residences, the properties are non-compliant with zoning standards. This rezoning will largely correct that situation.

Public Input:

Public hearing notification letters were sent by Staff to all property owners within the affected area as well as property owners within a 300-foot radius, for a total of one hundred thirty-seven (137) letters.

Staff has received one comment from a property owner south of the subject site who expressed concern that the re-zoning would allow the development of high-rise apartments on these properties, which the caller considered uncharacteristic of the area.

FINDINGS OF FACT

Prior to 2014, the zoning designation for the fifteen (15) lots in question was CR-5 (Multiple Family Residence), which authorized the multi-family residences. However, when the city adopted a new zoning ordinance and zoning district maps in 2014, the subject properties were incorrectly given the new zoning designation of RS-7 (Medium/High Density Single-Family Detached Residential) which is an incompatible zoning designation due to its single-family residence requirements.

Both the current and historic land use of this property is multi-family residential, and the application of the current RS-7 Single Family Residential zoning designation was an oversight of the 2014 city-wide zoning changes.

PLANNING DIVISION RECOMMENDATION

Planning Staff recommends the approval of the proposed corrective rezoning for the purpose of correcting a zoning district containing regulations conflicting with both the present and historic land use of the affected properties.

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

RECOMMENDED MOTION FOR PLANNED DEVELOPMENT REZONING

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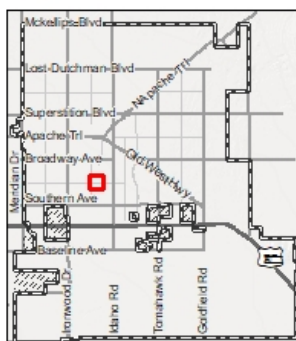
I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of the rezoning case PZ-2-20, a city-initiated request to rezone lots 1-8 and lots 17-23 of the Superstition Villa Subdivision from RS-7 (Medium/High Density Single-Family Detached Residential) to RM-1 (High Density Multiple-Family Residential).

Nick Leftwich

Prepared by Nicholas Leftwich
Planning Intern

Attachments:

Exhibit #1 - PZ-2-20 Aerial Exhibit
Exhibit #2 - PZ-2-20 Vicinity Exhibit
Exhibit #3 - PZ-2-20 Existing Zoning Map

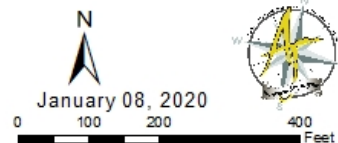


City of Apache Junction Aerial Exhibit 16th Ave and San Marcos Rezoning

LEGEND

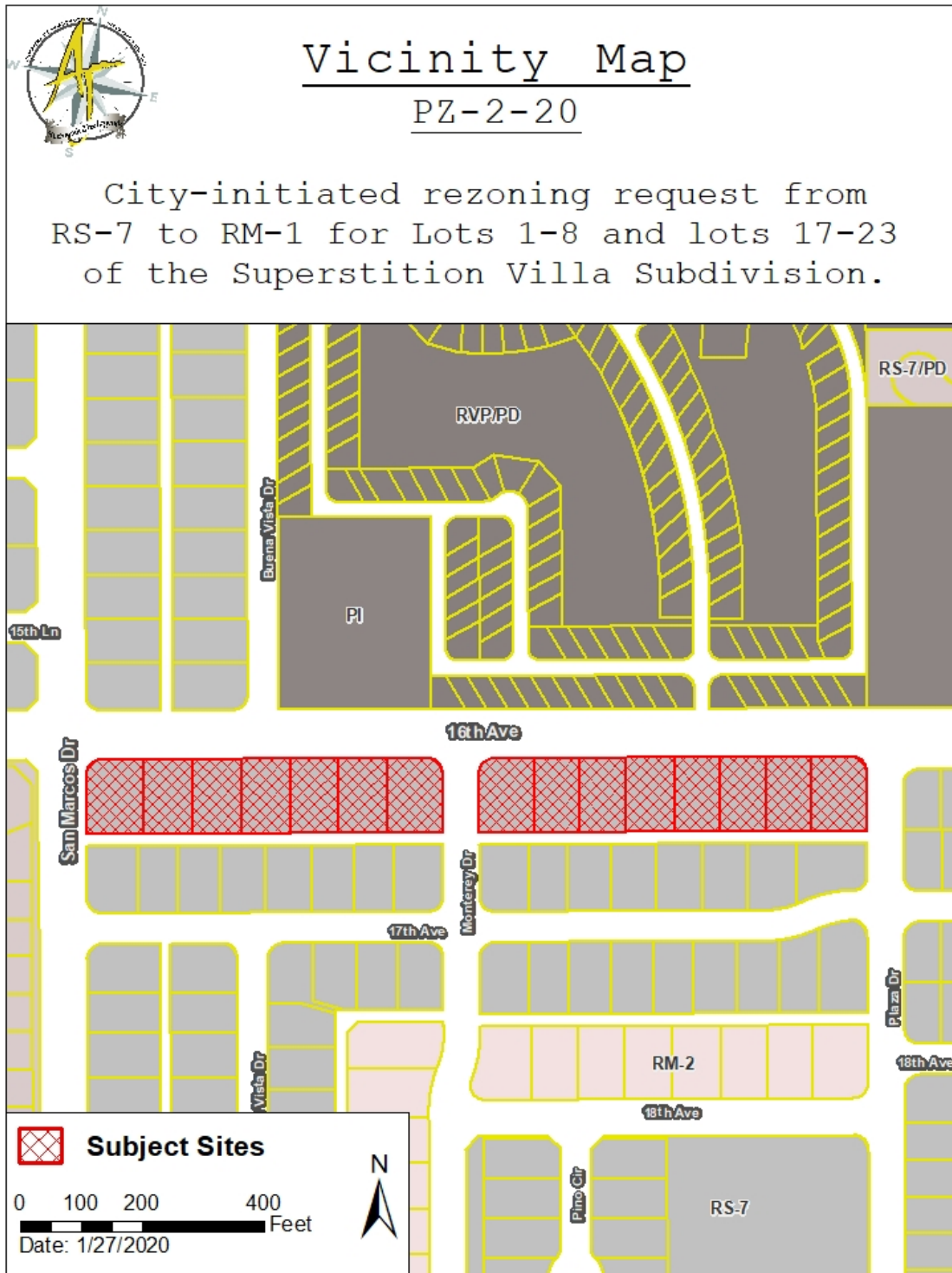
Subject Site
 Parcel

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.



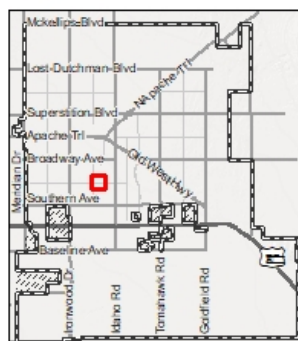
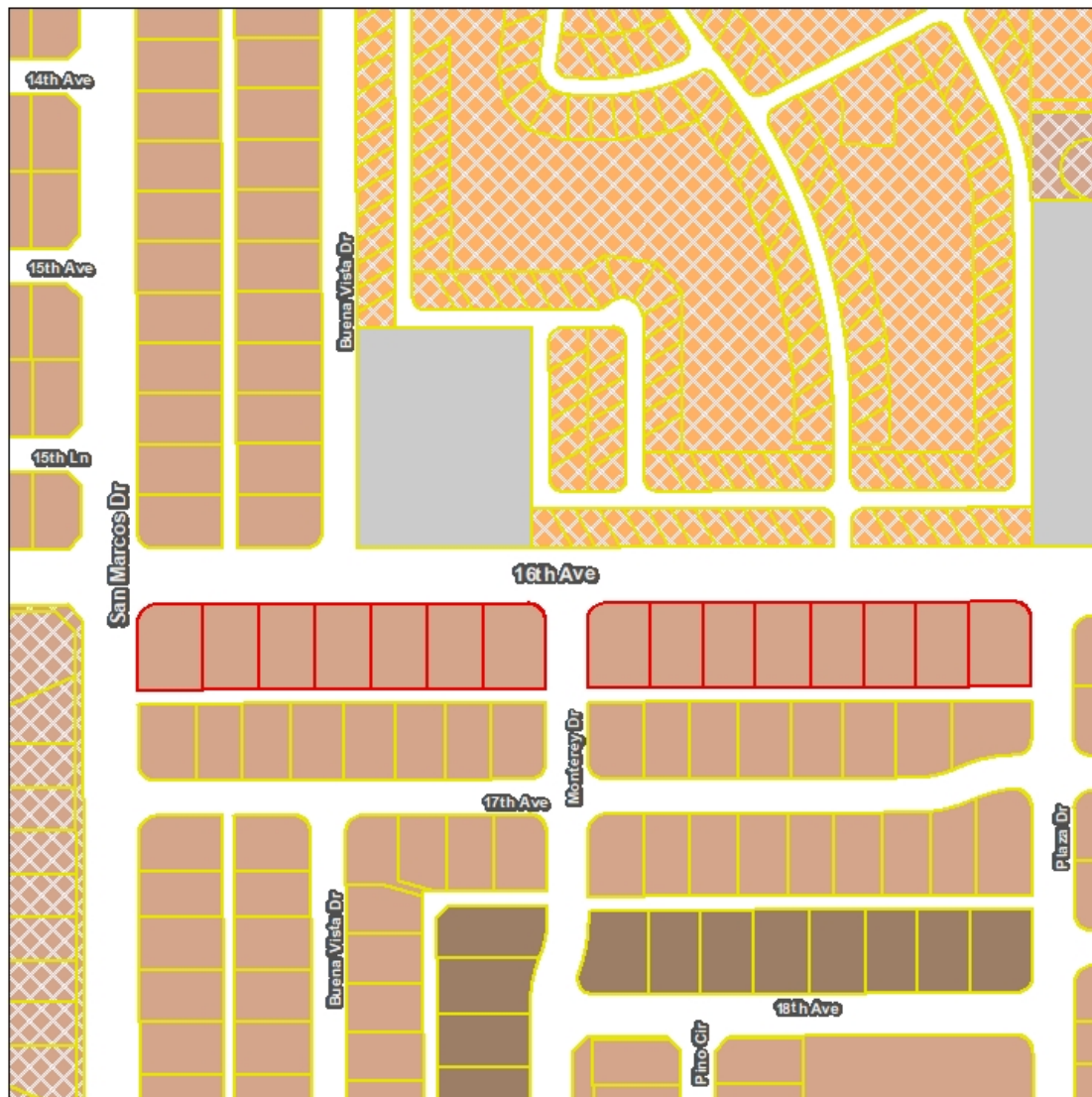
3/14/2019 10:00 AM and 2/20/2020 Staff Work Product/Nocholas Leitch/16TH and SAN MARCOS Aerial Exhibit.mxd

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City of Apache Junction Zoning Exhibit 16th Ave and San Marcos Rezoning

LEGEND

Subject Site	Parcel
RM-1	RVP/PD
RM-2	PI
RS-7M	
RS-7/PD	

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3/14/2019 and 2/20/2020 Staff Work Product/Notices Let with 16TH and SAN MARCOS Zoning Exhibit.mxd

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