



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

apachejunctionaz.gov
P: (480) 474-5083

Tuesday, March 23, 2021

7:00 PM

City Council Chambers

1. Call to Order

Chair Heck called the meeting to order at 7:00 pm.

2. Pledge of Allegiance

Chair Heck led the Pledge of Allegiance.

3. Roll Call

Present: 7 - Chairperson Heck
Vice Chair Hantzsche
Commissioner Gage
Commissioner Begeman
Commissioner Cross
Commissioner Cantwell
Commissioner Barker

Staff present:

Joel Stern, City Attorney
Larry Kirch, DSD Director
Rudy Esquivias, Planning Manager
Sidney Urias, Principal Planner
Kelsey Schattnik, Planner

4. Consent Agenda

Commissioner Barker moved that the Planning and Zoning Commission accept the agenda as presented and approve the minutes from the February 23, 2021 regular meeting. Commissioner Hantzsche seconded the motion.

Yes: 7 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker

No: 0

Chair Heck called for a motion.

[21-136](#) Consideration of approval of agenda.

[21-137](#) Consideration of approval of regular meeting minutes of February 23, 2021.

5. Public Hearings

[21-129](#)

Presentation, discussion, public hearing and consideration of AM-1-20, a proposed amendment to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, Section 1-6-12 Medical Marijuana; Section 1-5-3 Non-Residential Use Regulations; and Article 1-17: Definitions.

Commissioner Barker moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of text amendment case AM-1-20, an amendment to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, Section 1-6-12, Medical Marijuana; Section 1-5-3 Non-Residential Use Regulations; and Article 1-17 definitions described in the attached text exhibits dated March 17, 2021 with an additional clarification on page 5 to change it to qualified caregiver to the qualified patient or patients. Commissioner Begeman seconded the motion.

Yes: 7 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker

No: 0

Planner Schattnik gave a presentation on AM-1-20.

The commission and staff discussed a change in the wording in section 3 and 4 of the medical marijuana section of the proposed amendment.

Having no further discussion, Chair Heck opened the public hearing portion of the item.

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

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

[21-130](#)

Presentation, discussion, public hearing and consideration of case AM-2-20, a proposed amendment to Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision and Minor Land Division Regulations, Article 2-1: Enactment of Scope of Regulations, Administration, Construction and Terms, Article 2-2: Platting Procedures and Requirements, Article 2-3: Subdivision Design Principals and Standards, and Article 2-5: Administrative Subdivisions; Land Splits/Minor Land Division, Lot Line Adjustments, and Lot Combinations.

Commissioner Barker moved that the Planning and Zoning Commission recommend to the Apache Junction city council the approval of the amendment case AM-2-20, a city initiated text amendment to Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision and Minor Land Division Regulations, Article 2-1: Enactment of Scope of Regulations, Administration, Construction and Terms, Article 2-2: Platting Procedures and Requirements, Article 2-3: Subdivision Design Principals and Standards, and Articles 2-5: Administrative Subdivisions; Land Splits/Minor Land Division, Lot Line Adjustments, and Lot Combinations with an additional person added to the group that will receive this adding the parks and rec director. Commissioner Cross seconded the motion.

Yes: 7 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker

No: 0

Principal Planner Urias gave a presentation on AM-2-20.

The commission and staff discussed the same criteria for minor land divisions are found in other cities throughout the valley and can also be appealed. They also discussed the MPC is the over-arching document that addresses all the entitlements for the community and that it can be considered an additional zoning ordinance for that community. They discussed the subdivision committee is a process proposed by the developer because of the number of preliminary plats that will be submitted. They also discussed that the process isn't public and the committee is set up to ensure what has already been seen and approved remains consistent. They discussed the process of approval for final plats and that they are approved on the consent agenda because the preliminary plat was already approved and went through the proposed internal review process. The commission and staff discussed that the parks and recreation director isn't included in the review process of the preliminary plats but will be brought into the park planning process later in the overall project process.

The commission and staff discussed that the process for something that isn't covered by the MPC process would cause the MPC to be amended and resubmitted for approval which would come to the commission for approval. Commissioner Barker and City Attorney Stern discussed that her prior involvement as a city council member with this case would not be a conflict of interest.

Chair Heck opened the public hearing portion of the item.

Having none, Chair Heck closed the public hearing portion of the item.

Director Kirch explained that more recipients than are listed for the preliminary plat review can be added if the commission wishes to do so.

Chair Heck called for a motion.

6. Old Business

None.

7. New Business

None.

8. Information and Reports

None.

9. Director's Report

Director Kirch reported that the council has asked the commission to look at B-3 regulations. They would like to focus on the permitted uses. Staff will bring this to the commission in the near future. He also discussed that cargo containers could in the future be treated as auxiliary structures and the specific cargo container language will be changed that cargo containers will be treated more like auxiliary structures. He added that Nick Leftwich is now a full time planner with the city.

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

Commissioner Hantzsche moved that the Planning and Zoning Commission hold a regular meeting on April 13, 2021 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Commissioner Barker seconded the motion.

Yes: 7 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker

No: 0

Chair Heck called for a motion.

11. Adjournment

Chair Heck adjourned the meeting at 7:39 pm.

Chair Peter Heck