



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: August 10, 2021

CASE NUMBER: P-21-61-CUP "Becoming One Properties LLC"

OWNER: Becoming One Properties LLC

APPLICANT: Marc Russell Giveans

REQUEST: A proposed Conditional Use Permit ("CUP") to allow an event center with limited outdoor activities. The subject property, APN 103-21-0090, is currently zoned B-1 on approximately 5 acres.

LOCATION: The property is located north of Old West Highway between S. Cortez Rd and S. Starr Rd.

**GENERAL PLAN/
ZONING DESIGNATION:** Commercial ("COMM") / General Commercial ("B-1")

SURROUNDING USES:

- North: Vacant land zoned RS-GR;
- South: Vacant land zoned RS-GR and B-1;
- East: Single Family Residences, zoned RS-GR;
- West: Church of Jesus Christ of Latter Day Saints building, zoned PI/PD;

BACKGROUND

The property has historically been undeveloped and zoned B-1 (General Commercial), no other development history is available. A significant wash and FEMA-designated flood plain complicate the development of much of the land on the property.

Most recently the applicant has put the property in escrow to purchase and develop the land.

PROPOSALS

P-21-61-CUP is a proposed Conditional Use Permit of approximately 5 acres to allow an event center with limited outdoor activities. The only entrance into the venue will be up through Starr Road, and over 18th Avenue. In the project narrative the developer elaborates that the property would consist of an Event Center (consisting of a large room, with a few interior rooms for dressing rooms, prep kitchen, storage and bathrooms) and a separate indoor ceremony structure (a chapel).

Weddings (ceremonies and receptions) are primarily held indoors, in climate-controlled buildings, which do not require a Conditional Use permit, but in anticipation for clients who may wish to use the outdoor space for events or ceremonies the applicant has requested a conditional use permit to allow the outdoor activity.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the City's General Plan as "Commercial". The Zoning Ordinance allows for a Private Outdoor Event center on commercially zoned property through an approval of a Conditional Use Permit.

Zoning/Site Context:

The 5 acres is a privately-owned piece of land surrounded by both commercial and residentially zoned property along Old West Highway. The proposed project is located directly north Old West Highway, between S. Cortez Road and S. Starr Road.

Staff has also reviewed the proposed elevations and floor plans. The proposed elevations were still very preliminary and will require further design review and staff approval before

construction approval shall be granted, which has been factored in as a condition of permit approval. The Elevations proposed consist of A-frame structures with Earth-tone, wood siding. The rear walls will both be predominantly glass to highlight and maximize the view of Superstition Mountain.

Infrastructure Improvements:

The developer will be responsible for the improvement and maintenance of the new driveway along 18th Avenue. A 40' paved turnout will be required starting at S. Starr Road's edge of pavement, after which the remaining length to the parking lot may be improved with 28'-wide double chip seal driveway.

Public Input:

Neighborhood meeting notification letters were sent from the applicant to all property owners within a 300-foot radius. On August 5, 2020 a neighborhood meeting took place in the Apache Junction Multi-Generational Center. A brief report of the contents of the meeting could not be included here and will be provided as an additional document.

Staff has not received any public input prior to this meeting.

FINDINGS OF FACT FOR CONDITIONAL USE PERMIT

As required by the Apache Junction Zoning Ordinance, a Conditional Use Permit request may be approved by the Planning Commission after consideration has been given to seven different criteria. The criteria is outlined in the text below:

1. Adequacy of roadways, off-street parking, public facilities and services to accommodate the proposed use;

Applicant Response: We are currently in the process of working on a team that will help us develop an entry drive off of Starr Rd, that crosses the wash in the NE corner of the property, is sufficiently wide, and connects with our on-site parking. There will be 85 or more parking spots on site, as well as adequate restrooms and indoor space to accommodate up to 220 guests.

2. Negative impacts arising from the emission of odor, dust, gas, noise, lighting, vibration, smoke, heat or glare;

Applicant Response: Our civil engineering and architectural team will help us create a plan that mitigates dust creation, noise (any significant noise will be contained indoors and have minimal to no effect outside of the building) and lighting issues to the surrounding area.

We currently do not anticipate additional outdoor music. If this request/situation were to arise, it would only be with small, mounted speakers for "background" music that would be maintained at 60db or lower so as to facilitate talking/mingling. This level of sound could not be heard from over 200 feet away.

3. Contribution to the deterioration of the neighborhood or the negative impact on neighborhood property values;

Applicant Response: We believe that this building and business will add/increase the property values, and not deteriorate the neighborhood in any way.

4. Compatibility with surrounding uses and structures;

Applicant Response: With a church directly to the west, and another church several hundred feet to the east (both of which have proved logistically successful for primarily morning/daytime events), we believe our structure/business will also achieve the logistical success for afternoon/evening events.

5. Conformance with the General Plan and City policies;

Applicant Response: Our final design plans will all be in compliance with General Plan and City Policies.

6. Screening and buffering of uses; and

Applicant Response: There is currently a very large amount of natural screening that grows in and around the wash that runs through the property. Additional foliage will be planted/installed as deemed necessary. There is also a 6' concrete brick wall separating our property and the church to our west.

7. Unique nature of the property, use and/or development's physical characteristics.

Applicant Response: In our opinion, there is nothing that would be considered unique about our property, as it will two,

insulated buildings (both smaller than the church to our west), and an outdoor ceremony spot with turf and concrete that will only be viewable and accessible within our property, and not be able to be seen by any neighbor or road.

Staff comment: Please note that the property is encumbered by a significant wash that FEMA has designated as a floodway in their upcoming flood map revisions.

PLANNING DIVISION RECOMMENDATION

Planning staff is supportive of the proposed use and believes that this development will provide a productive use for a difficult to develop property. Proper control of noise and activity should prevent a notable impact to the surrounding neighborhood. As always, Commissioners may recommend changes or additional conditions which they feel will improve the proposed project.

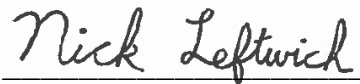
RECOMMENDED MOTION FOR CONDITIONAL USE PERMIT

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of Conditional Use Permit case P-21-61-CUP, a request by Marc Russell Giveans of Becoming One Properties, LLC to allow an event center with limited outdoor activities, located at APN 103-21-0090, 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 and city codes applicable to this case.
- 2) This CUP is conditionally approved pursuant to Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-16: Administration, Section 1-16-12, Conditional Use Permits.
- 3) The north 33' Federally Patented Easement located on the property shall be dedicated to the city for right-of-way.
- 4) The developer will be responsible for the improvement and maintenance of the new driveway along 18th Avenue. A 40' paved turnout will be required starting at S. Starr Road's edge of pavement, after which the remaining length to the

parking lot may be improved with 28'-wide double chip seal driveway.

- 5) Landscaping, screening and irrigation improvements shall be planted within a minimum 10-foot deep strip inside the net property line along the north side of the property south of the driveway, and 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.
- 6) A 6-foot-tall fence shall be constructed on the east and north boundaries of the property, with landscaping, to separate and buffer this commercial use from residentially zoned parcels.
- 7) All lighting shall comply with Dark Sky Regulations, wherein all light sources shall be down-lit, fully shielded, and the correlated color temperature ("CCT") shall not exceed 3,000 Kelvins.
- 8) Events shall conclude by 10:00 PM, Arizona Time, and operations should conclude by 11:00 PM, Arizona Time, to prevent disturbances to the neighborhood.
- 9) The proposed buildings shall meet Apache Junction's Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-13: Design Standards. The development must undergo a site plan and design review to receive design approval prior to construction permit approval.
- 10) Any signage to be installed on the property must comply with Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-11: Sign Regulations. Signage should complement the building's architecture.
- 11) All music, audio, or noise shall not exceed 60 decibels when measured at 20 feet from the property's edge or from a complaining party's building footprint, as required in Apache Junction City Code, Volume I, Chapter 11: Noise In §11-1-6 Acts Or Conditions Declared As Excessive Noises.



Prepared by Nicholas Leftwich
Associate Planner

Attachments:

- Exhibit #1 - Project Narrative
- Exhibit #2 - Aerial Map
- Exhibit #3 - Proposed Site Plan
- Exhibit #4 - Proposed Elevations
- Exhibit #5 - Proposed Floor Plans
- Exhibit #6 - Public Participation Plan

Becoming One Properties, LLC – Conditional Use Permit

2460 E. Old West Highway, Apache Junction, AZ 85119

Project Narrative:

We are proposing a Weddings and Events Center to be built on the property. The property would consist of an Event Center (approximately 105' x 54', consisting of a large room, with a few interior rooms for dressing rooms, prep kitchen, storage and bathrooms.) as well as a separate indoor ceremony structure (approximately 75' x 40' with an interior dressing room and bathroom). There would also be approximately 90 parking spots on site to accommodate a maximum of 225 guests on site at one time.

The property would be owned by Becoming One Properties, LLC, and the business would operate under the name Becoming One Events, LLC (both LLCs owned and managed by the same individuals).

Wedding and Events would take place year-round, seven days a week, as booked. The typical time frame of operation would be from 10:00am – 11:00pm, with a few exceptions for earlier start times upon request.

A sign (following all Apache Junction requirements) may be placed on the Southeast portion of the property, near the intersection of Starr Rd. and E. Old West Highway.

Utilities and Lighting to be determined according to county/city requirements, standards and codes.

Because the property is already zoned for the allowance of an indoor wedding and event center, the main purpose of this narrative will be to explain the reasoning behind the request for a conditional use permit (CUP) to allow for outdoor activities.

Weddings (ceremonies and receptions) are primarily held indoors, in climate-controlled buildings, and this will be the case on this property for the majority of weddings throughout the year (especially considering the Arizona climate and the fact that ceremonies almost exclusively take place between 2:00pm-5:00pm). However, there are a number of days throughout the year where the climate is conducive for an outdoor ceremony to be conducted. For these events, we anticipate the following to occur:

- Guests will arrive and be directed to find their seat in our outdoor ceremony area. Guests typically arrive approximate 10-30 minute prior to the ceremony start time. During this time, light, ceremonial music will be played on outdoor speakers.
- Once the ceremony begins, the processional (walking down the aisle), the ceremony and the recessional (walking back up the aisle) will last on average anywhere from 20 minutes to 60 minutes.

- The total amount of time in which ceremonial music will be played through the outdoor speakers will be on average 30-45 minutes (20 minutes while guests are arriving and taking their seats, 5 minutes for the processional and 5 minutes for the recessional). In between, there will be a minister or officiant who will often be speaking on a microphone to conduct the ceremony.
- The music and speaking will both be approximately 40db-60db, which is rarely heard from over 200 feet away.
- The speaker set-up will be temporary speakers set on stands, facing towards the audience (in a southwesterly direction).
- Once there ceremony ends, all guests will be directed into the climate-controlled, insulated (for sound and weather) Event Center, where the rest of the evening's activities will be conducted.
- In addition to the ceremony, there will be times in which guests gather outside on the patio for mingling and talking, but guests will be naturally limited in number as the main activity is occurring indoors.
- The chairs and stage décor will be ideally stored in the Event Center storage room, but if needed, we may have a 10' x 10' storage shed erected nearby (inconspicuously).

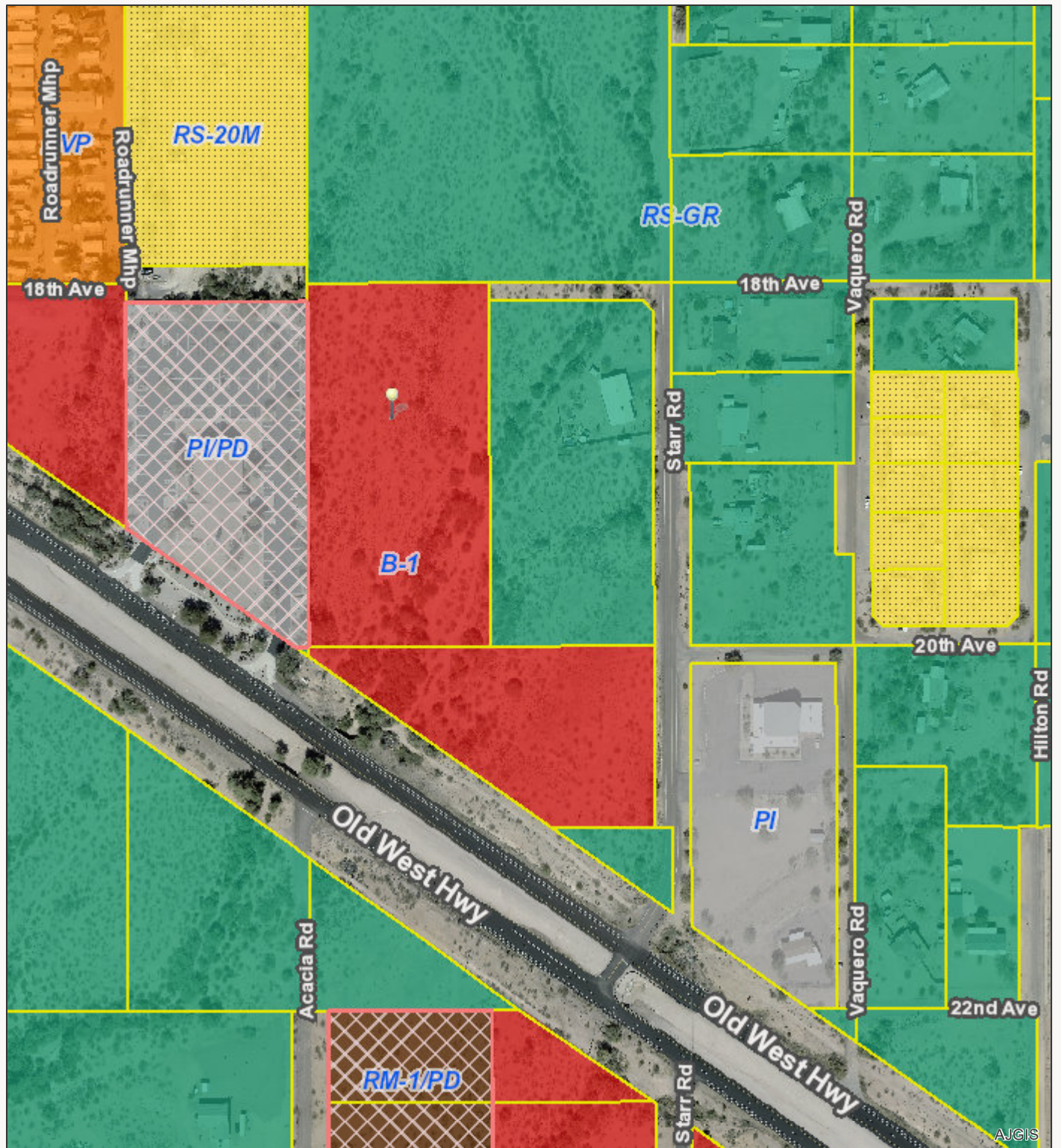
In summary, there will be many weddings and events (likely greater than 50%) that are conducted entirely indoors throughout the course of the year. Because we will have a climate-controlled, indoor Chapel on-site, many brides will elect to hold their ceremony indoors, thus our reasoning that 50% or greater of our events will be held entirely indoors. For those brides that choose to have their ceremonies outdoors, we are very certain that all of our guests will be gathering outdoors for far less than 90 minutes (during daylight hours only), with light, ceremonial music being played for less than 45 minutes total during this time period. Because our Chapel, Event Center and outdoor ceremony area will be over 200 feet away from our property line (and over 400 feet from the nearest neighboring structure), we feel that this limited amount of outdoor activity (and because of the general nature of the music being played) will rarely, if ever, be heard from the neighboring properties. Thank you for your consideration of this CUP application.

M. Russell Giveans

Becoming One Properties, LLC

GIS Map

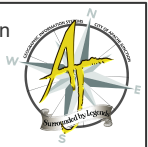
DISCLAIMER: This map was produced without benefit of a field survey and is not the intended use. The use of this map is for informational purposes only and the City of Apache Junction makes no warranty, expressed or implied, regarding the reliability of the information provided.



LEGEND

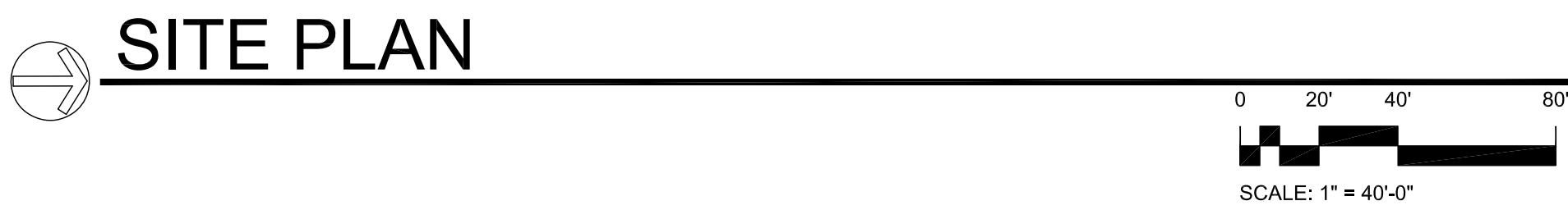
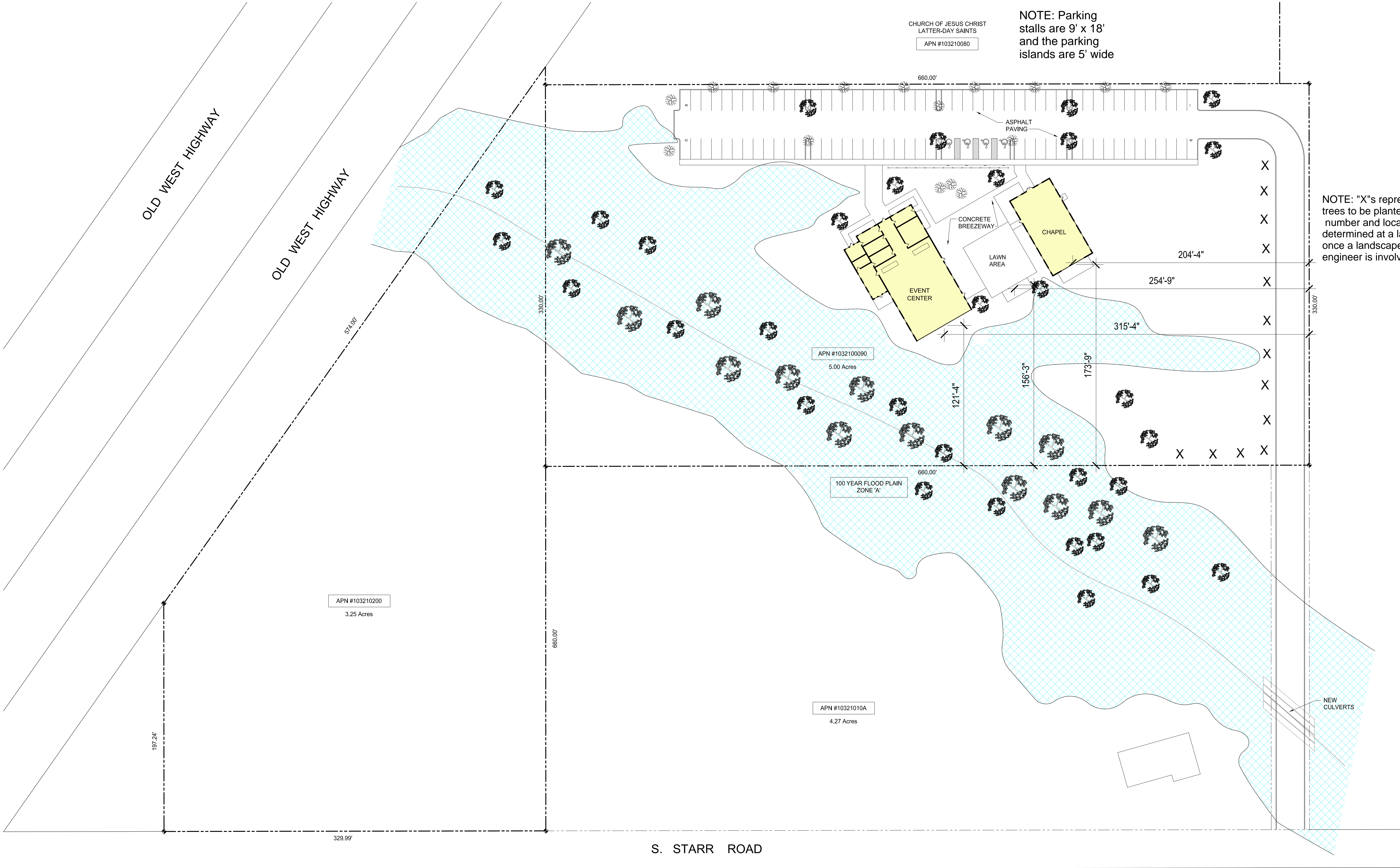
Street Names	Pinal County	Parcels
Municipal Boundary	County Boundary	CITY OF APACHE JUNCTION
Apache Junction	Case History	PINAL COUNTY

City of Apache Junction



August 4, 2021





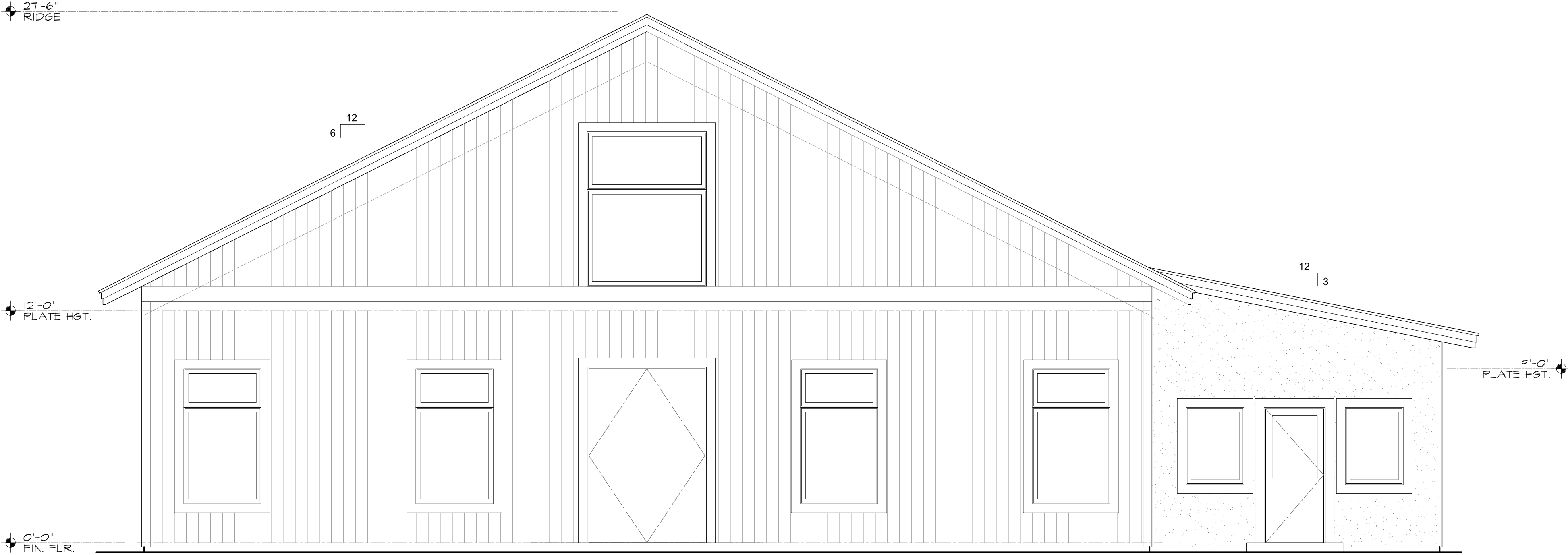
NOTE: "X"s represent new trees to be planted. Exact number and location to be determined at a later date once a landscape engineer is involved.

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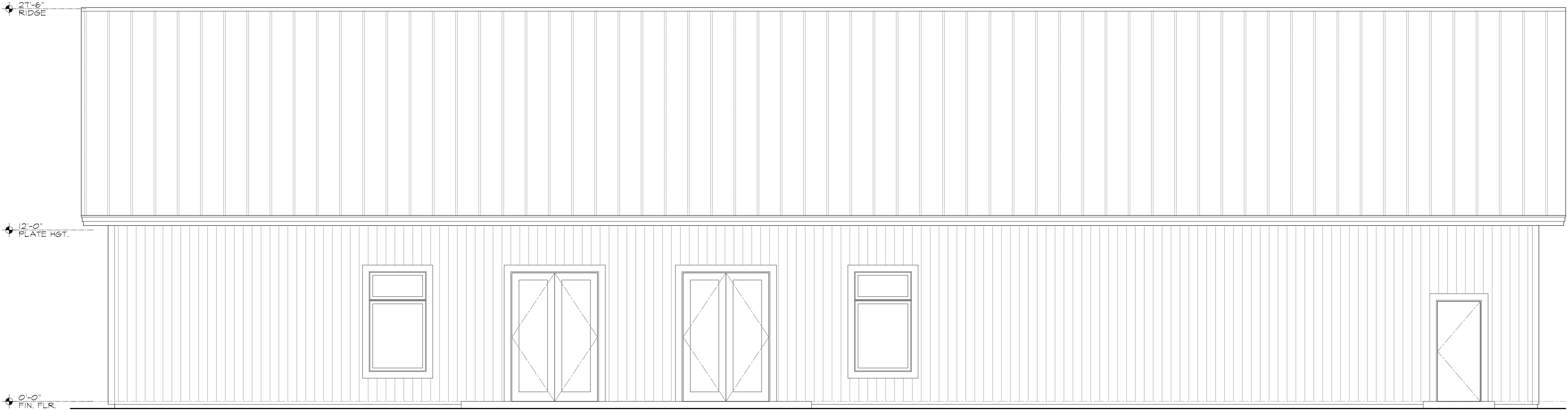
A Proposed Conceptual Site Plan for:
AJ WEDDING VENUE
S. Starr Road
Apache Junction, Arizona

Issue Record:	
-	
Revisions:	
-	
Job No.	2021-23
Drawn:	TNF
Checked:	TNF
Date:	6.15.21

CUP SUBMITTAL



1 EVENT CENTER SOUTH ELEVATION
SCALE: - 1/4" = 1'-0"



2 EVENT CENTER WEST ELEVATION
SCALE: - 1/4" = 1'-0"

EVENT
CENTER

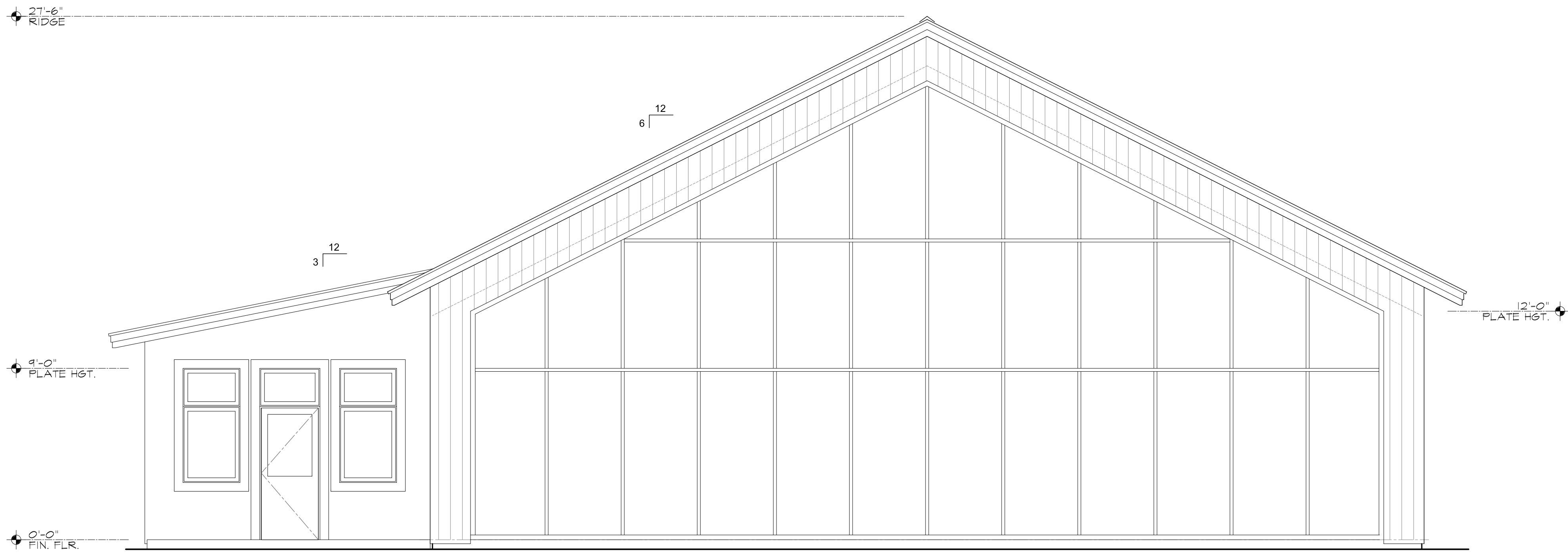
CUP SUBMITTAL

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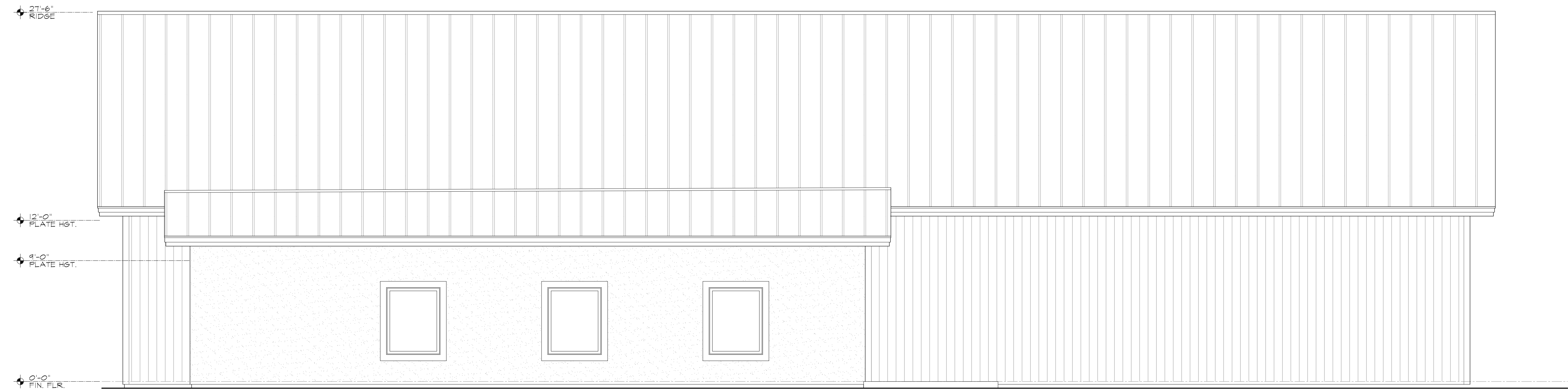
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Job No.	2021-23
Drawn:	TNF
Checked:	TNF
Date:	7.1.21
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A201
EXTERIOR
ELEVATIONS



1 EVENT CENTER NORTH ELEVATION

SCALE: - 1/4" = 1'-0"



2 EVENT CENTER EAST ELEVATION

SCALE: - 1/4" = 1'-0"

EVENT
CENTER

CUP SUBMITTAL

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A Proposed Conceptual Plan for:
**AJ WEDDING
VENUE**

S. Starr Road
Apache Junction, Arizona

Issue Record:

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Revisions:

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Job No. 2021-23

Drawn: TNF

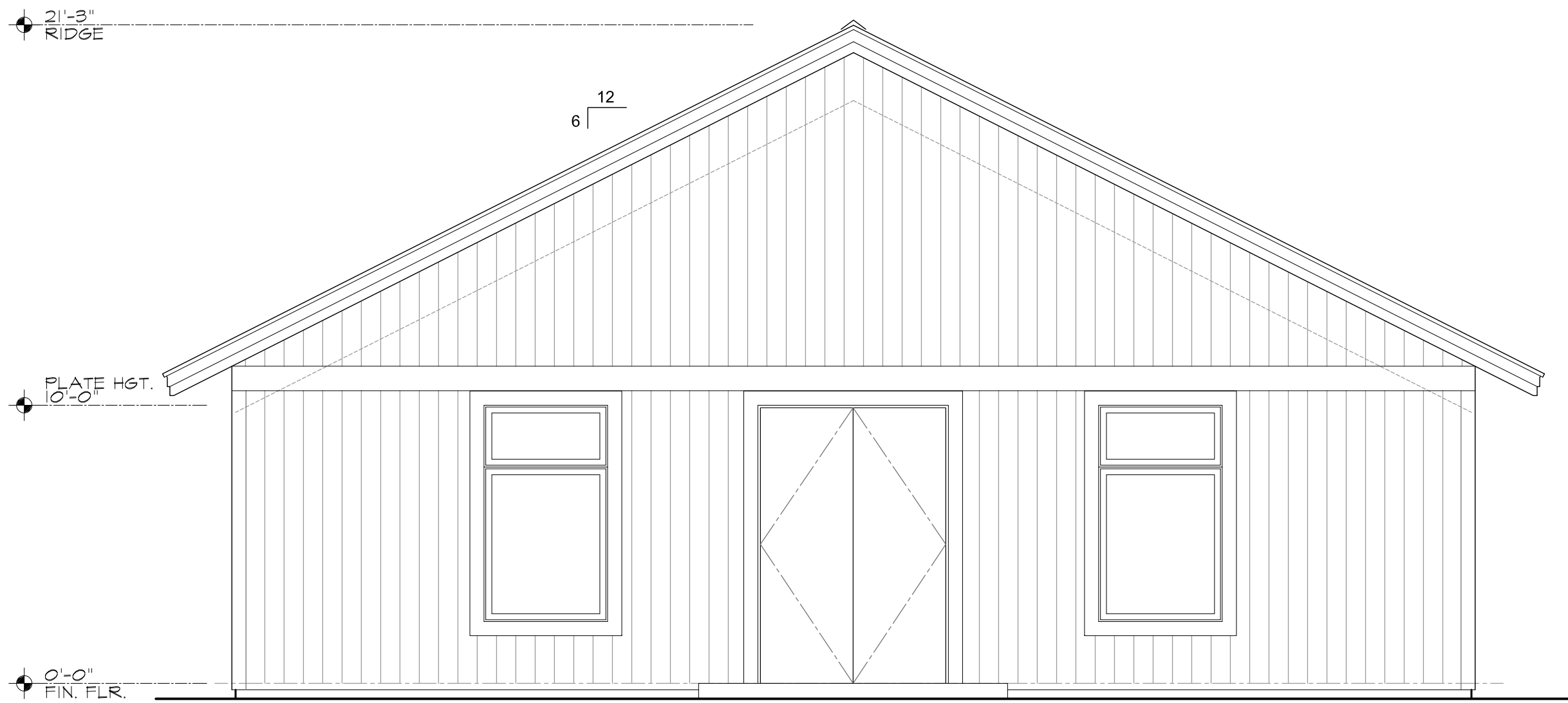
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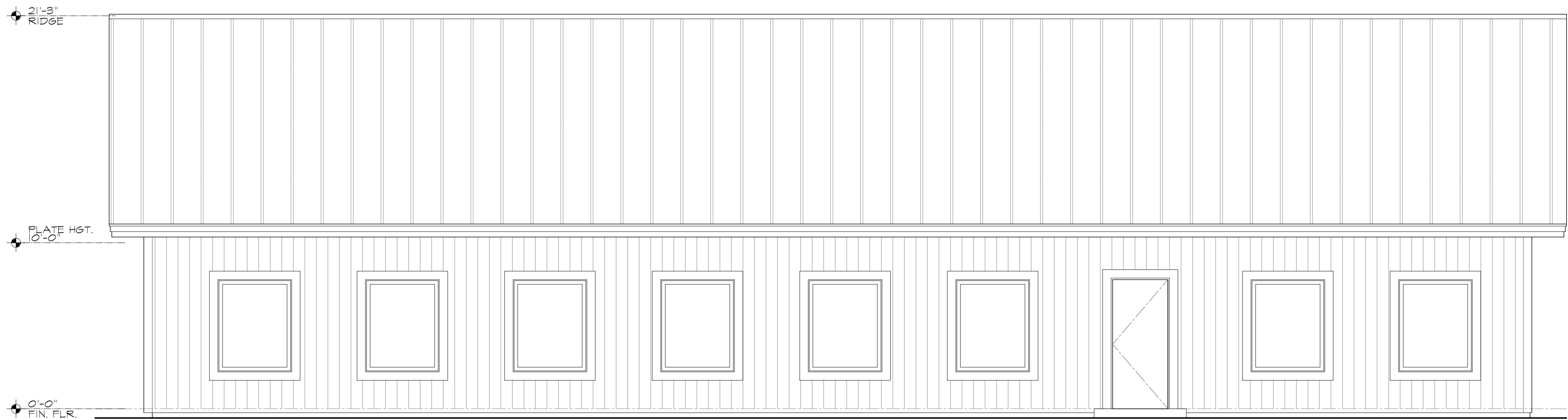
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EXTERIOR
ELEVATIONS



1 CHAPEL SOUTH ELEVATION

SCALE: - 1/4" = 1'-0"



2 CHAPEL WEST ELEVATION

SCALE: - 1/4" = 1'-0"

CHAPEL

CUP SUBMITTAL

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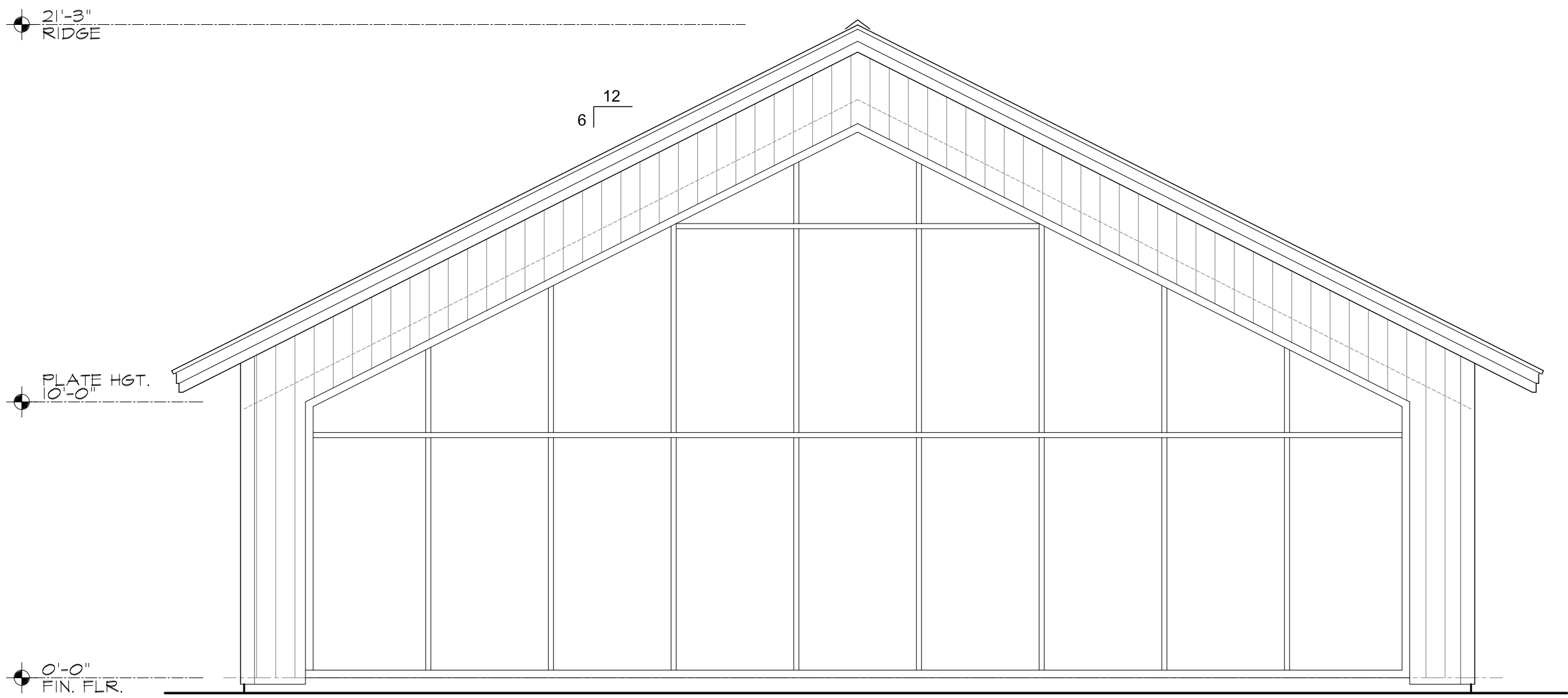
A Proposed Conceptual Plan for:
AJ WEDDING
VENUE

S. Starr Road
Apache Junction, Arizona

Issue Record:	
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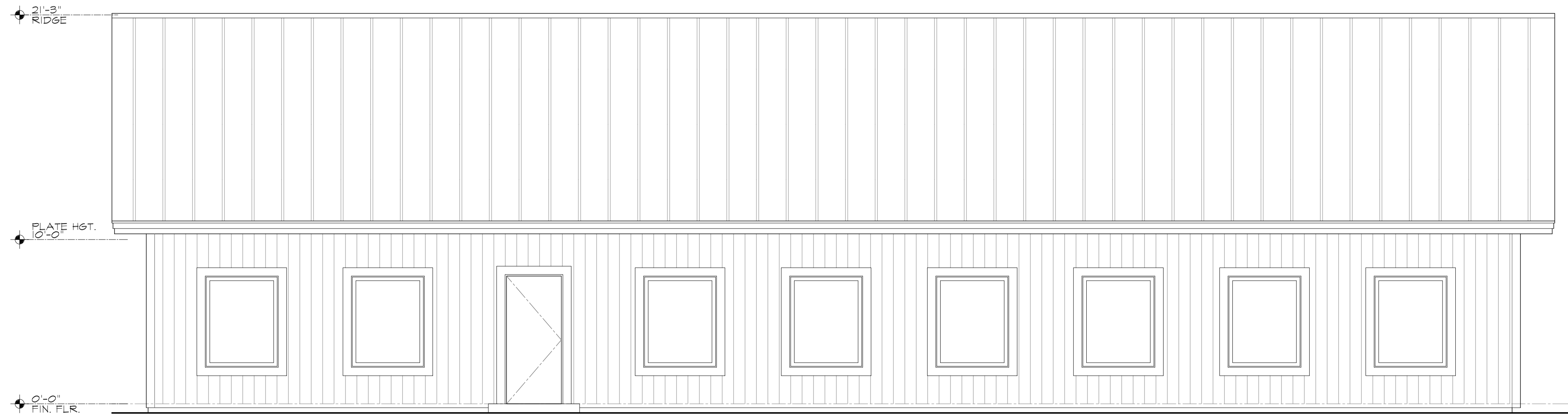
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EXTERIOR
ELEVATIONS



1 CHAPEL NORTH ELEVATION

SCALE: - 1/4" = 1'-0"



2 CHAPEL EAST ELEVATION

SCALE: - 1/4" = 1'-0"

CHAPEL

CUP SUBMITTAL

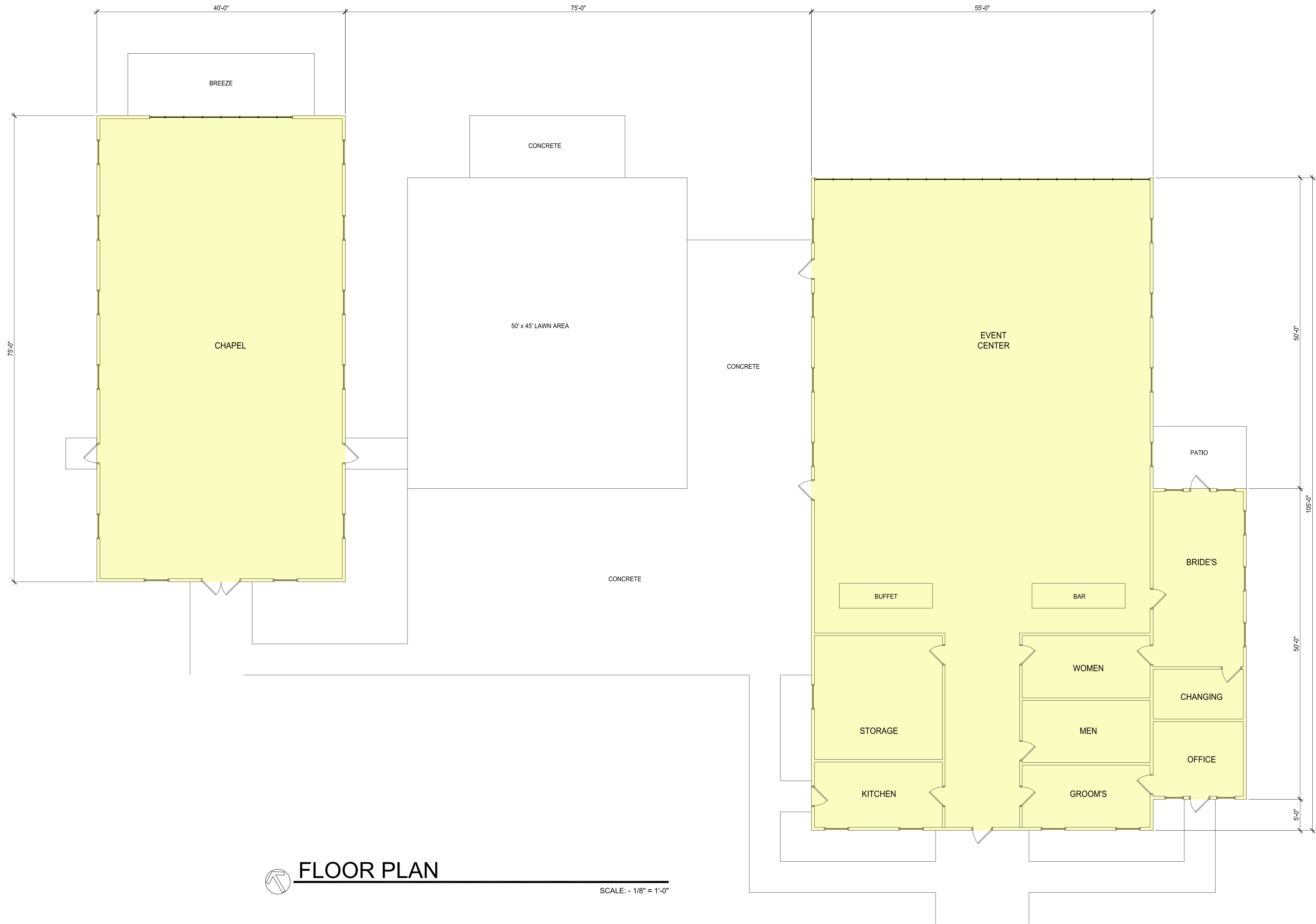
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Apache Junction, Arizona

Issue Record:	
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Revisions:	
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 **FLOOR PLAN**
SCALE: - 1/8" = 1'-0"

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A Proposed Conceptual Site Plan for:
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Revisions:
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CUP SUBMITTAL

Public Participation Plan

Becoming One Properties, LLC – Conditional Use Permit

Upon confirmation that the CUP application is complete and has been approved by the city of Apache Junction, the attached letter will be sent out to all property owners within 300 feet of the applicant property.

In addition to posting the required signage per the CUP application, we will also be hosting an informational meeting from 6:00-7:00pm on Thursday, August 5 in the public conference room located on the campus of the Apache Junction Planning and Zoning offices. This date would be 5 days before the August 10 public hearing meeting date. If we are able to have our application heard at an earlier date, then the date of the public participation meeting will be moved forward appropriately. The letter to neighbors will be mailed once the public hearing date is set, which will include the date and address of the public participation meeting. Marc Russell Giveans will be present for this meeting to answer any questions or concerns from the public.

M. Russell Giveans

To Whom It May Concern,

My name is M. Russell Giveans, and I am the owner of Becoming One Properties, LLC. You are receiving this letter because your property is located within 300 feet of the property that has submitted a conditional use permit (CUP) application to the city of Apache Junction.

Our property (parcel #103210090) is located at 2560 East Old West Hwy, Apache Junction, AZ 85119 (the adjacent vacant lot to the east of the Church of Jesus Christ Latter-Day Saints). This property currently has approval for a business to host wedding ceremonies, wedding receptions, and other similar events, which is what we plan on doing. The only caveat is that these events are currently required to take place entirely indoors.

In light of this, we are submitting our CUP to be granted approval to host outdoor ceremonies, weather permitting. What this will look like is when guests arrive (which will range from 50-200 for any given wedding), our outdoor ceremony area will be set up with chairs for the guests to sit in while they wait or the ceremony to begin. Once the ceremony begins, the average duration will be 20-60 minutes. During this time, we will have two, portable speakers set up to play traditional wedding ceremony music while the guests arrive, and also during the processional and recessional (walk down the aisle, and then walking back up the aisle). There may also be occasions in which live, stringed instruments are present outside for this same purpose. Outdoor ceremony music typically ranges from 50 decibels to 60 decibels, which can rarely be heard from over 200 feet away.

Finally, we also anticipate there to be outdoor mingling and gathering by a portion of our guests throughout the event, but other than during the actual ceremony, there will not be amplified music played (i.e. through speakers).

If you would like more information, or to meet with me in person, please join me at [ADDRESS] on Thursday, August 5, 2022 from 6:00-7:00pm. We look forward to joining the community and to meeting each of you, if you so choose. Thank you for your time!

M. Russell Giveans

Becoming One Properties, LLC