



# *City of Apache Junction*

## *Development Services Department*



### **PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT**

**DATE:** September 28, 2021

**CASE NUMBERS:** P-21-73-PZ "The Havenly Superstition"

**OWNERS:** Keystone Homes

**APPLICANT:** Chris Hundelt of Keystone Homes  
represented by Brennan Ray of Burch & Cracchiolo, P.A.

**REQUEST:** Proposed rezoning of approximately 14.77 acres from RS-GR ("General Rural Low Density Single-Family Detached Residential") to RM-2/PD ("High Density Multiple-Family Residential by Planned Development").

**LOCATION:** The properties are generally located near the Southwest corner of Superstition Boulevard and Royal Palm Road.

**GENERAL PLAN/  
ZONING DESIGNATION:** Downtown Mixed Use; currently zoned RS-GR.

**SURROUNDING USES:** North: RS-GR (General Rural Low Density Single-Family Detached Residential) & vacant state land;  
South: RS-GR Single-Family Residences;  
East: RS-GR Single-Family Residences, RM-2/PD ("High Density Multiple-Family Residential by Planned Development") vacant property;  
West: RS-GR Single-Family Residences, B-1 (General Commercial), RM-2 (High Density Multiple-Family Residential) vacant property.

## **BACKGROUND**

The three properties identified in this rezoning have all historically been vacant with no development history. The applicant, Keystone Homes, has formally expressed interest in the parcels totaling 14.77 acre for the purpose of developing a 166-unit rental residential community to be primarily composed of single-family type homes, with some duplexes.

## **PROPOSALS**

P-21-73-PZ is a proposed rezoning of three parcels, APN 101-19-002B, 101-19-0010, and 101-19-0080, currently zoned RS-GR ("General Rural Low Density Single-Family Detached Residential") to RM-2/PD ("High Density Multiple-Family Residential by Planned Development"). The properties total approximately 14.77 net acres and are generally located near the Southwest corner of Superstition Boulevard and Royal Palm Road.

The use of a Planned Development overlay is to modify the base RM-2 development standards to allow for site and design flexibility in accommodating the conceptual plan proposed for a 166-unit rental residential community. The modifications are depicted below:

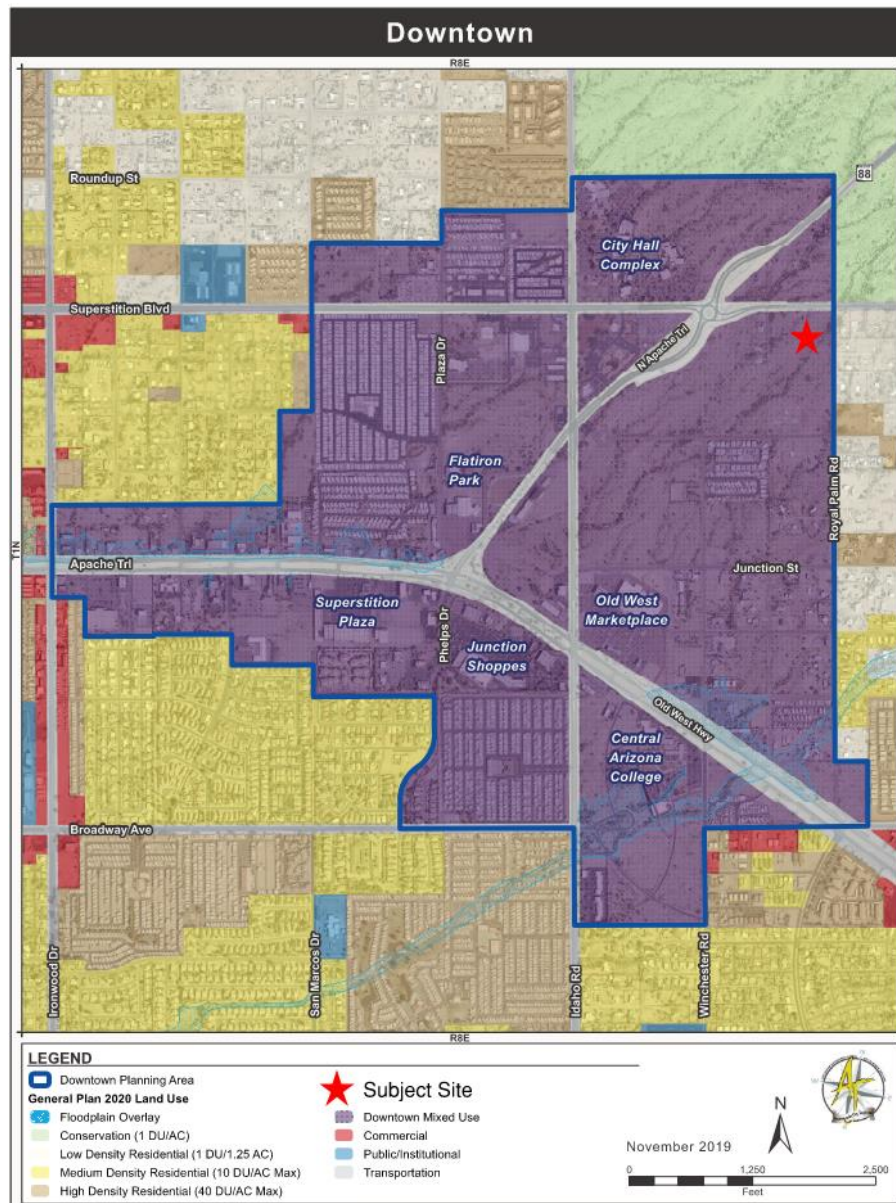
<b><u>Regulation</u></b>	<b><u>Base RM-2 Development Standards</u></b>	<b><u>Proposed Development Dimensions</u></b>
Min. Lot Area Per Dwelling Unit	1,980 sf.	3875 sf.
Maximum Density	22 units/acre	11.07 units/gross acre (±13.67 units/net acre)
Min. Lot Width	60 ft.	N/A (One large lot)
<b>Min. Front Setback (main structure)</b>	<b>20 ft.</b>	<b>10 ft.</b>
Min. Interior Side Setback (main structure)	10 ft.	10 ft.
Min. Street Side Setback (all structures)	10 ft.	10 ft.
<b>Min. Rear Setback (main structure)</b>	<b>20 ft.</b>	<b>10 ft.</b>
Max. Lot Coverage	50%	±31%
Max. Height for main structure	40 ft.	26 ft.

## **PLANNING STAFF ANALYSIS**

### *Relationship to General Plan:*

The subject site is designated by the city's General Plan as part of the "Downtown Redevelopment Area", and is categorized for "Downtown Mixed Use," which supports residential densities between 10 dwelling units per acre to 40 dwelling units per acre.

The proposed density of 11.07 units per gross acre (13.67± du/net ac.) complies with this General Plan designation and does not require a General Plan Amendment.



### *Zoning/Site Context:*

The subject 14.77 acres are currently surrounded by both low density, single family residential properties and undeveloped multi-family residential properties of the same base zone proposed (RM-2). Across the street, to the north of the subject properties are currently vacant state lands which could be made available for development in the future.

#### *Planned Development Zoning:*

There are two (2) Zoning Ordinance deviations being requested as a part of the proposed planned development rezoning. The development standard deviations requested are alterations to the both the Front and Rear Main Structure setbacks from 20 feet to 10 feet.

#### *Infrastructure Improvements:*

One (1) full access driveway entrance is proposed to access E. Superstition Boulevard, with an additional resident only ingress/egress driveway to access N. Royal Palm Road. Both driveways will be served by a deceleration lane and both will allow movements in two directions. No access is proposed to N. Colt Road.

All other necessary on-site and off-site improvements, such as community amenities, water retention, accessible routes, and landscape buffers, will be built 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 On Friday, August 27, 2021. On September 7, 2021 a neighborhood meeting took place in the Apache Junction Multi-Generational Center that was also hosted online through Zoom. Seven (7) residents attended the meeting, with one attending through a phone call. Questions related to when the construction would begin, where the 2-story homes would be located, traffic impacts, water supply, water retention, and property taxes. Further details and minutes of the questions and answers are provided in the final participation report (attached) (p.39-40).

Staff received one call regarding the rezoning and met with that resident and one other property owner at the Development Services office counter. The resident who called expressed opposition to the project because of concerns regarding density. The other property owner had questions regarding the extension

of utilities because they would like to develop their adjacent parcel.

### **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.

*Applicant Response: The proposed Planned Development Overlay will allow for a high-quality community at a density that will support existing and future commercial/employment developments to the area and will allow for a great balance between livable square footage, open space, circulation and site amenities for the residents.*

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.

*Applicant Response: The proposed Planned Development Overlay will not jeopardize the health, safety or welfare of the residents of our proposed development.*

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

*Applicant Response: The deviations to the development standards are anticipated to have no effect on the property values.*

### **PLANNING DIVISION RECOMMENDATION**

Staff acknowledges the proposed planned development deviations requested for this subdivision. As such, and within the context of trade-offs for the requested zoning deviations, staff is supportive of the proposed project due to the high-quality of the building elevations, community amenities and overall site design, and 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/DENIAL) of planned development rezoning case P-21-73-PZ, a request by Chris Hundelt of Keystone Homes for an approximate 166-unit rental residential community to be primarily composed of single-family type homes, with some duplexes, to be named The Havenly Superstition, generally located near the Southwest corner of Superstition Boulevard and Royal Palm Road, from RS-GR ("General Rural Low Density Single-Family Detached Residential") to RM-2/PD ("High Density Multiple-Family Residential by Planned Development") subject to the following conditions of approval:

- 1) The development shall reflect substantial compliance and consistency with the city's Zoning Ordinance and the Planned Development presented with case P-21-73-PZ, incorporated by reference herein, and as otherwise specified through these conditions of approval, to include general layout, elevations, lot sizes, setbacks deviations, public and private rights-of-ways, pedestrian trails, amenities, perimeter and interior lot separation walls, model types, landscaping and other improvements.
- 2) Landscape, screening and irrigation improvements, planted within a minimum 10-foot deep strip inside the net property line (but outside of required walls) along the west, north, and east perimeters of the property, 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 and a decorative 6-foot-tall fence shall be constructed.
- 3) A paseo or trail path connecting this residents and neighbors to the downtown/park developments planned just west of this property shall be provided within the open space located along the south 10 feet of the property.
- 4) The minimum front setback and the minimum rear setback for main structures be reduced from 20 feet to 10 feet.

- 5) Street improvements include but not necessarily limited to, extension of pavement and the provision of sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, landscaping shall be required as part of this planned development project, and subject to review and approval by the City Engineer.
- 6) Per the City Engineer's comments issued in the pre-application review, dated 5/13/2021, the following right of way dedications shall be made:
  1. Along the north side of the property, the south 50 feet of Superstition Boulevard shall be dedicated as public right-of-way.
  2. 20 foot by 20 foot triangular corner cut-off visibility triangles shall be dedicated as public right-of-way at the intersections of Superstition/Colt and Superstition/Royal Palm.
  3. The east 25 feet of the property shall be dedicated as public right-of-way for N. Colt Road.
  4. The west 40 feet of the property shall be dedicated as public right-of-way for N. Royal Palm Road.
- 7) The proposed development will not be age-restricted.
- 8) All common areas and amenity areas within and immediately adjacent to the proposed development, including perimeter walls and fences, and interior and exterior common area landscaping, shall be owned and maintained in good condition at all times by the property owner.
- 9) The developer's engineer shall meet the civil engineering improvement plans and document requirements, as outlined in the previously provided pre-application and review comments and in accordance of the city's approved engineering standards that are in effect at the time of plan submittal.
- 10) Upon approval of the rezoning, the three parcels, 101-19-002B, 101-19-0010, and 101-19-0080, shall be combined through the city's lot combination process
- 11) Any major deviation or proposed changes from the original plans associated with this case will require a major PD amendment.

*Nick Leftwich*

Prepared by Nicholas Leftwich  
Associate Planner

Attachments:

- Exhibit #1 - Project Narrative
- Exhibit #2 - Preliminary Site Plan
- Exhibit #3 - Neighborhood Zoning Aerial
- Exhibit #4 - Preliminary Landscape Plan
- Exhibit #5 - Elevations and Floor Plans
- Exhibit #6 - Final Participation Report
- Exhibit #7 - Pre-Application Review Comments (P-21-38-PDR)