



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, May 9, 2023

7:00 PM

City Council Chambers

1. Call to Order

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

2. Pledge of Allegiance

Chair Hantzsche led the Pledge of Allegiance.

3. Roll Call

Present: 7 - Chairperson Hantzsche
Vice Chair Gage
Commissioner Barker
Commissioner Begeman
Commissioner Cantwell
Commissioner Kalan
Commissioner Schoenbeck

Staff present:

Joel Stern, City Attorney
Rudy Esquivias, DS Director
Sidney Urias, Interim Planning Mgr.
Kelsey Schattnik, Senior Planner
Nicholas Leftwich, Planner
Erika Hernandez, Assoc. Planner

4. Consent Agenda

Commissioner Barker moved to accept the agenda as presented and approve the minutes from the April 11, 2023 regular meeting. Commissioner Cantwell seconded the motion.

Yes: 7 - Chairperson Hantzsche, Vice Chair Gage, Commissioner Barker, Commissioner Begeman, Commissioner Cantwell, Commissioner Kalan and Commissioner Schoenbeck

No: 0

Chair Hantzsche called for a motion.

[23-257](#) Consideration of approval of agenda.

[23-258](#) Consideration of approval of the minutes of the April 11, 2023 regular meeting.

5. Public Hearings

[23-269](#)

Presentation, discussion, public hearing and consideration of P-22-126-PZ, a proposed rezoning by WW Clyde/Blount Contracting of approximately 15 acres, generally located near the southeast corner of 12th Avenue and Vista Road, from Business Park by Planned Development ("B-4/PD") and General Commercial ("B-1") to Business Park by Planned Development ("B-4/PD") to construct a new office building and to allow for the onsite storage of large vehicles and equipment.

Commissioner Barked moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of case P-22-126-PZ, a Planned Development Rezoning request by WW Clyde/Blount Contracting, presented by Joey Gimbut of EPS Group Inc., from Business Park by Planned Development ("B-4/PD") and General Commercial ("B-1") to Business Park by Planned Development ("B-4/PD") in order to construct a new office building and to permit the storage/maintenance of construction equipment and materials on the five (5) properties located near the southeast corner of 12th Avenue and Vista Road, and a Minor General Plan Amendment of Pinal County Assessor Parcel Numbers 103-19-023A, 103-19-0300, 103-19-029D and 103-19-0550 from Commercial to Light Industrial/Business Park, subject to the seven (7) standard conditions of approval listed in the staff report and the thirteen (13) project specific conditions also listed in the report. Commissioner Begeman seconded the motion.

Yes: 5 - Chairperson Hantzsche, Vice Chair Gage, Commissioner Barker, Commissioner Begeman and Commissioner Cantwell

No: 2 - Commissioner Kalan and Commissioner Schoenbeck

Senior Planner Schattnik gave a presentation on project P-22-126-PZ and asked for questions from the commission.

Questions:

- Is there going to be an 8' wall along Old West Hwy? Yes.
- Is there a current fuel station? No.

Applicant Todd Leslie with EPS Group gave a short presentation and asked for questions from the commission.

Questions:

- Work outside of business hours in case of emergency. What constitutes an emergency.
- How are above ground/below ground tanks going to be built, and who regulates them.
- How is refueling done.
- Any overnight idling.
- What are working business hours.

Responses from David Dean with Blount Contracting/WW Clyde:

- An emergency situation would be repairing equipment and underground utilities. Don't normally work at night and would rather not.
- Fuel station design is still in the works, but will probably be above ground.
- Tank on site for refueling. Construction equipment gets refueled by a mobile fuel company.
- No semis so no overnight idling.
- Office hours are 7 am to 6 pm, some of the yard maintenance and mechanics work earlier during the summer.

Chair Hantzsche opened the public portion of the hearing.

Christina Boggs residing at 2080 E. 14th Ave., stated they did make changes with the deceleration lane, which was good. She stated the notices to the homeowners did not go out

500 feet as what was required, just 300 feet. Her concerns were with a 24 hour operation, noise and property values being reduced.

Shawna Scott residing at 1950 E. 12th Ave., stated she thought the project didn't comply with the General Plan and her concern is with a 24 hour operation, with random trucks coming down the street creating a lot of noise. She stated she didn't like the two story office building looking into backyards.

Mark Renner residing at 1127 S. Vista, stated he was in favor of the project and it was a good company.

Heather Howard residing at 1069 S. Vista, stated 1127 S. Vista is a vacant lot. She stated she bought her house a year ago and had no idea this was going to happen. She said there is rumbling and back-up beep noises from the big trucks that she can hear from inside her house. She stated the noise alone isn't a good idea.

Jonathan Biesinger residing at 437 S. 2920 W., Lehi, Utah, stated he would like to speak for the applicant.

City Attorney Stern said he would be allowed to speak as a member of the public.

Mr. Biesinger stated that there weren't Covid restrictions in the construction industry as it's mostly a 24 hour operation, and a request for leniency isn't an overreach, but a practical use of time to ensure infrastructure is operational. He stated he was sympathetic to noise complaints and hired a noise engineer to conduct a 3rd party study, and the conclusion was they were below the decibels required in the noise ordinance. The site was constructed to accommodate forward flowing vehicles, a sizeable building with bays that close in order to do loud work.

Paul George residing at 2038 E. 14th Ave., stated he doesn't hear the beeping noises inside of his house and doesn't have a problem with it.

James Bower residing at 1950 E. 12th Ave., stated he called the police at 3 am because of the noise and they couldn't do anything. He stated ten 18-wheelers were delivered the other night and woke everyone up. He said they are asking for forgiveness on something they've already been doing. What they're doing is operating out of code and law that the city votes in and it really bugs him.

Having no one else wish to speak, Chair Hantzsche closed the public portion of the hearing.

The commission further discussed the project.

Concerns were as follows:

- the location of the project being in the wrong place with new residential developments on Old West Highway.
- commercial property is for storefronts, not an 8' wall leading to a fuel station.

There were disagreements with the concerns, as follows:

- the project is well within the grounds of a B-4 zone.
- we are trying to get development along Old West Hwy.
- these vehicles are going in and out now and will continue if this project is vetoed. The traffic problem will be mitigated by ingress and egress from Old West. The two story building is set

back deep into the lot. A wall on Old West would be unsightly; a lower wall on Old West and a taller wall further into the property would be better.

- it's already there, but this project would expand it and it's near residential areas.
- glad to see that the company is doing well enough to expand. We already have a problem filling up business properties.
- we need to encourage commercial development. Proposed conditions standard hours of operation to stay within noise ordinance.
- it's a win-win for the city.

The commission read and discussed Findings of Facts. All were in agreement.

Chair Hantzsche called for a motion.

6. Old Business

[23-278](#)

Presentation, discussion and update for Case P-23-15-AM, a proposed text amendment of Zoning Ordinance Article 1-7: Parking, Loading and Circulation Regulations to allow one (1) additional recreational vehicle with an integrated horse trailer, designed with the intent of transporting equine, on residential lots with at least 1.25-gross acres.

Associate Planner Hernandez gave a presentation of case P-23-15-AM and asked for questions from the commission.

Questions from the commission:

- How are horse boarding businesses with several trailers affected.
- Other use trailers - are they all considered one group. Are horse trailers with living quarters considered an RV.
- Number of RV's and trailers can you have.
- What are we designating as living quarters.
- Can you have an RV and a horse trailer with living quarters on 1.25 acres.
- Can you live in an RV in Queen Creek.

Response from Director Esquivias:

- Horse boarding has their own set of rules under Equine Regulations. For commercial horse boarding, there must be a min. 2.5 acres and a Conditional Use Permit (CUP). They can also store the horse trailers of people who are boarding at the facility, and there should not be more than one horse trailer per horse being boarded (per Equine Regulations). Those regulations will not change. For RV camping, there has to be a minimum of 5 acres and a CUP.

Response from Assoc. Planner Hernandez:

- Trailers without living quarters have no limit.
- With the new language, a horse trailer with living quarters would be considered an RV.
- Yes, you can have an RV and a horse trailer with living quarters on 1.25 gross acres.

Response from Interim Planning Manager Urias:

- Living quarters would include sleeping quarters.
- You cannot live in an RV in Queen Creek, which is a regulation consistent across valley municipalities.

[23-279](#)

Presentation, discussion and update for Case P-23-16-AM, a proposed text

amendment of Zoning Ordinance Article 1-7: Parking, Loading and Circulation Regulations regarding requirements for guest parking, electric vehicle parking, accessible parking, motorcycle, and bicycle parking.

Planner Leftwich gave a presentation of case P-23-16-AM and asked for questions from the commission.

Questions from the commission:

- Are you recommending or requiring EV charging stations.
- Don't see a need for EV charging stations. There's 4 chargers at the MGC and average usage is 48 hours a month. We shouldn't dictate to a developer that they must put an EV charging station in the parking lot.
- Same amendment or separate.

Response from Planner Leftwich:

- Staff recommendation to have one EV charging station for every 250 parking spots.
- The amendments will be merged into the ordinance.

Response from Interim Planning Manager Urias:

- There will be a public hearing on June 13th for both of the items.

7. New Business

None.

8. Information and Reports

None.

9. Director's Report

Director Esquivias provided an update on approved projects over the last couple years:

- Old West Hwy. Village - approved by city council for 107 two and three-story town home development. Pre-plat presented for 106 units and expires on November 1, 2023 unless developer requests an extension. Still waiting on final plat submittal.
- Villas on Superstition - approved by city council in May, 2020 for 56 one-story rental apartments currently under construction, which has been moving slowly. Buildings are finished except for painting, landscaping, driveways.
- Ironwood Station - rezoned and platted for a 96-unit two-story town home subdivision. Plat approved, construction documents approved. There have been delays (could be market, materials, better interest rates, etc.). Hopefully, the project will move forward soon.
- Galen's Garden - Planned Development Amendment to add seven apartment units to an existing small six-unit complex. Submitted construction documents in August 2022. Documents were reviewed and we are waiting on a second submittal.
- The Residences at Apache Trail - Proposed 201 attached and detached one-story rental units. Property was sold after the rezoning was approved. The current developer is working on flood zone issues, they are refining engineering plans for construction document submittal, architecture is also currently under review. They are moving forward as far as we know.
- The Havenly - 166 single-family detached one-story rental units. Architectural concepts approved, building permits under review and site work under way. They have been making steady progress.
- Goldfield Estates - Rezoning approved, preliminary plat approved, 209 two-story town home units. The final plat has been submitted and is almost ready to approve, and construction

documents will be submitted shortly.

- The Enclave - 124 two-story rentals. There was a change of ownership after rezoning and there has been no communication. We are waiting for them to turn in construction plans.
- The Hamptons East - 195 one-story attached and detached rental apartment units. A lot of steady construction. 50% of the buildings are now complete, and over 60 units are now occupied by residents.
- Circle Trails Suites - Conditional Use Permit approved last August 2022 for a 56 unit rental apartment development. Waiting on construction plans. CUP expires August 23, 2023, unless they request an extension which is to be granted by the Planning and Zoning Commission.
- Superstition Junction - Conditional Use Permit approved in October 2022 for 20 unit rental apartments. There was a change in ownership. The CUP expires October 11, 2023, unless they request an extension which is to be granted by the Planning and Zoning Commission.
- 94 West Roundup - Four plexes on three lots. They had a lot of right-of-way issues to contend with, including abandonment of old easement dedications, new easements, straightening out the new street configuration. No construction plans as of yet.
- Becoming One Wedding Venue - Approved last August 2022. Site prep under way, improvement and architectural plans are under review.

In addition, this is the progress of other projects:

- Two Gravity Energy Drinks - permits issued.
- Aspen Dental - under construction.
- 10-unit apartment complex - under construction.
- Superstition Vistas Subdivision - under construction.
- U-Haul - under construction.
- DR Horton Master Planned Community - under construction.
- Brookfield Residential (5 plats approved and we are currently reviewing two multi-family development proposals).
- Village at Ironwood Townhomes - dormant plat has new owner, architectural plans currently under review.
- Lennar Subdivision - complete.
- Goldview.-
- Two possible Auto Zone stores.
- Axiom (Behavioral Health Facility).
- Francis & Son's Carwash.
- Superstition Skies (new owners).
- Filly's (new owners).

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

[23-259](#)

Regular meeting at 7:00 pm on Tuesday, May 23, 2023, in the city council chambers located at 300 E. Superstition Boulevard, Apache Junction.

Commissioner Barker moved that the Planning and Zoning Commission hold a regular meeting on May 23, 2023 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Commissioner Begeman seconded the motion.

Yes: 7 - Chairperson Hantzsche, Vice Chair Gage, Commissioner Barker, Commissioner Begeman, Commissioner Cantwell, Commissioner Kalan and Commissioner Schoenbeck

No: 0

Chair Hantzsche called for a motion.

11. Adjournment

Chair Hantzsche adjourned the meeting at 8:53 pm.

Chair Dave Hantzsche