



# 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

www.ajcity.net  
P: (480) 474-5083

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Tuesday, March 10, 2020

7:00 PM

City Council Chambers

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### 1. Call to Order

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

### 2. Pledge of Allegiance

Chair Nesser led the Pledge of Allegiance.

### 3. Roll Call

**Present**            6 -    Chairperson Nesser  
                                 Vice Chair Heck  
                                 Commissioner Howard  
                                 Commissioner Ooley  
                                 Commissioner Hantzsch  
                                 Commissioner McGraw

**Excused**            1 -    Commissioner Kridler

Staff present:

Joel Stern, City Attorney  
Larry Kirch, Development Services Director  
Rudy Esquivias, Planning Manager  
Kelsey Schattnik, Planner  
Nicklus Leftwich, Planning Intern

### 4. Approval of Agenda

[20-142](#)            Consideration of approval of agenda.

**Vice Chair Heck moved that the Planning and Zoning Commission accept the agenda as presented. Commissioner McGraw seconded the motion.**

**Yes:**                    6 -    Chairperson Nesser, Vice Chair Heck, Commissioner Howard, Commissioner Ooley, Commissioner Hantzsch and Commissioner McGraw

**No:**                    0

**Excused:**            1 -    Commissioner Kridler

### 5. Approval of Minutes

[20-143](#)            Consideration of approval of regular meeting minutes of January 28, 2020, February 11, 2020 and February 25, 2020.

**Vice Chair Heck moved that the Planning and Zoning Commission approve the minutes from the**

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**January 28, 2020, February 11, 2020 and February 25, 2020 regular meetings. Commissioner McGraw seconded the motion.**

**Yes:** 6 - Chairperson Nesser, Vice Chair Heck, Commissioner Howard, Commissioner Ooley, Commissioner Hantzsche and Commissioner McGraw

**No:** 0

**Excused:** 1 - Commissioner Kridler

## **6. Public Hearings**

[20-141](#) Request for continuance and public hearing of case PZ-1-20, Old West Highway Village.

**Vice Chair Heck moved that the Planning and Zoning Commission approve the 30 day continuance to the date of the April 14th. Seconded by Commissioner McGraw.**

**Yes:** 6 - Chairperson Nesser, Vice Chair Heck, Commissioner Howard, Commissioner Ooley, Commissioner Hantzsche and Commissioner McGraw

**No:** 0

**Excused:** 1 - Commissioner Kridler

The commission and staff discussed that staff does not have an issue with the continuance of the case.

Chair Nesser opened the public hearing.

William B. Munson, 907 E. Desert Ave., spoke against the 3 story proposed development and asked the commission to consider limiting the building to 2 story.

John Yeager, 935 E. Desert Ave., spoke against the 3 story proposed development and discussed the wash on the property and possible increased traffic on Royal Palm.

Craig Jones, 940 E. Desert Ave., spoke of his concern of the proposed 3 story building blocking their view and storm water run off and retention. He also talked about an easement on the north side of his property and a gate that is located on that side of his yard. He is concerned that his existing access by that gate will be gone when this project is built.

Jan Stodard, 935 E. Desert Ave., spoke against the proposed project and 3 story homes. She said that although this is built to attract families, there are no play areas for children. She also expressed concerns about the current schools available for the families and the possible increase of traffic.

Having no others, Chair Nesser closed the public hearing.

[20-145](#) Presentation, discussion, public hearing and consideration of case CUP-1-20, a conditional use permit request by Empire Southwest LLC, represented by Alisa Petterson of Adaptive Architects Inc., for a temporary outdoor storage facility, on a B-5 (Industrial)-zoned site in Baseline Industrial Park, Lot 21 (also known as Assessor's Parcel Number 102-56-0210).

**Vice Chair Heck moved that the Planning and Zoning Commission approve conditional use permit case CUP-1-20, by Empire Southwest LLC for a temporary outdoor storage yard located on 2.15 acres, located within Baseline Industrial Park, Lot 21, subject to the following conditions of**

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approval and that would include the six conditions as stated in the staff report of March 10.

**Seconded by Commissioner McGraw.**

**Yes:** 6 - Chairperson Nesser, Vice Chair Heck, Commissioner Howard, Commissioner Ooley, Commissioner Hantzsche and Commissioner McGraw

**No:** 0

**Excused:** 1 - Commissioner Kridler

Planner Schattnik gave a presentation on case CUP-1-20.

The commission and staff discussed that the CUP is labeled as temporary, 5 years, to allow the developer flexibility as they plan the rest of the development and it is a condition of the conditional use permit. They also discussed that staff is ok with the 5 years and if the commission feels differently, the conditions of the permit can be changed. They also discussed that the chain link fence is temporary and they are required to replace it with a block wall before or at the end of 5 years as one of the conditions of approval. They discussed if the landscaping they planned is per the city code, which doesn't allow for invasive species of plants and allows for consistency throughout the subdivision.

Grant Taylor, representing Empire Southeast, LLC addressed the commission's concern regarding lighting of the property. He said the main reason for the lack of lighting is due to the lack of electricity on the property. He also said they may use some of their existing lighting equipment to light the equipment. The commission and staff discussed the dark skies requirement and that it automatically applies to this request. The commission and staff discussed that temporary lighting and generators will be used and should not cause issues at the current time.

Chair Nesser opened the public hearing. Having no comments, Chair Nesser closed the public hearing.

The commission discussed the criteria for the conditional use permit.

## **7. Old Business**

## **8. New Business**

## **9. Information and Reports**

## **10. Director's Report**

## **11. Selection of Meeting Dates, Times, Location and Purpose**

Vice Chair Heck moved that the Planning and Zoning Commission hold a regular meeting on March 24, 2020 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard.

**Seconded by Commissioner McGraw.**

**Yes:** 6 - Chairperson Nesser, Vice Chair Heck, Commissioner Howard, Commissioner Ooley, Commissioner Hantzsche and Commissioner McGraw

**No:** 0

**Excused:** 1 - Commissioner Kridler

**12. Adjournment**

Chair Nesser adjourned the meeting at 7:30 pm.

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Theresa Nesser  
Chairperson