



# 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

---

Tuesday, April 14, 2020

7:00 PM

City Council Chambers

---

### 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 Kridler  
                                     Commissioner Ooley  
                                     Commissioner Hantzsch  
                                     Commissioner McGraw

**Absent**            1 -     Commissioner Howard

Staff present:

Joel Stern, City Attorney

Larry Kirch, Department Director

Rudy Esquivias, Planning Manager

Sidney Urias, Senior Planner

### 4. Approval of Agenda

[20-190](#)            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 Kridler, Commissioner Ooley, Commissioner Hantzsch and Commissioner McGraw

**No:**            0

**Absent:**            1 -     Commissioner Howard

### 5. Approval of Minutes

[20-191](#)            Consideration of approval of regular meeting minutes of March 10, 2020.

**Vice Chair Heck moved that the Planning and Zoning Commission approve the minutes from the March 10, 2020 regular meeting. Commissioner McGraw seconded the motion.**

---

**Yes:** 5 - Chairperson Nesser, Vice Chair Heck, Commissioner Ooley, Commissioner Hantzsche and Commissioner McGraw

**No:** 1 - Commissioner Kridler

**Absent:** 1 - Commissioner Howard

## 6. Public Hearings

[20-201](#) Presentation, discussion, public hearing and consideration of case PZ-3-20, a request by the Richard Lauver and Ariel Lauver Trust, represented by Dane Astle of Edifice Architecture, of a proposed rezoning of approximately 4.5 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential) and a Minor General Plan Amendment from Medium Density Residential to High Density Residential for a 52-unit leased residential community.

**Vice Chair Heck moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of planned development rezoning case PZ-3-20, a request by Rob Hale and Dane Astle of Edifice Architecture for a 52-unit leased residential community tentatively to be named the "Villas on Superstition", located at the northeast corner of Main Drive and Superstition Boulevard, from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential by Planned Development) and a Minor General Plan Amendment from Medium Density Residential to High Density Residential, subject to the following conditions of approval and I am submitting all seven of the included conditions as stated on the staff report dated April 14th. Commissioner McGraw seconded the motion.**

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

**No:** 0

**Absent:** 1 - Commissioner Howard

Senior Planner Urias gave a presentation of PZ-3-20, a request by the Richard Lauver and Ariel Lauver Trust, represented by Dane Astle of Edifice Architecture, of a proposed rezoning of approximately 4.5 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to RM-1/PD (High Density Multiple-Family Residential) and a Minor General Plan Amendment from Medium Density Residential to High Density Residential for a 52-unit leased residential community.

The commission and staff discussed the setbacks are only decreasing in the backyards on the north side of project and that these are single style family dwellings that will be a leased residential community. They also discussed that there will be one uncovered space per unit with a covered space available for an additional fee, parking for visitors is available at the entrance of the community and the fire district approved the plans. The commission and staff also discussed that according to the proposal, there will be an onsite leasing agent at all times.

The commission and Dane Astle of Edifice Architecture discussed that the upkeep of the amenities of the community will be included in the monthly lease and that fire district costs will be included in the property tax paid by the owners of the property.

The commission and staff discussed that other cities saw issues when these types of communities started and that staff looked at how other cities are now doing these to insure the

issues (such as monotony of design, repetition, etc.) don't happen with this project. They also discussed that this is a rental product, not like an apartment complex and not a tax credit project, and this project is compatible with the neighborhood and is a minor plan amendment to the general plan.

Having no one in attendance for the public hearing portion of the item, Chair Nesser closed the public hearing.

Chair Nesser called for a motion.

The commission discussed the findings for the rezoning and minor general plan amendment.

#### 20-206

Presentation, discussion, public hearing and consideration of a request for a continuance of case PZ-1-20, Old West Highway Village, to a later, undetermined date.

**Vice Chair Heck moved that the Planning and Zoning Commission approve the continuance of PZ-1-20 to an undetermined date. Commissioner McGraw seconded the motion.**

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

**No:** 0

**Absent:** 1 - Commissioner Howard

Senior Planner Esquivias gave a presentation on the request for a continuance of case PZ-1-20, Old West Highway Village, to a later, undetermined date.

Chair Nesser opened the public hearing and having no one wishing to speak closed the public hearing.

Having no discussion from the commissioners, Chair Nesser called for a motion.

## 7. Old Business

#### 20-189

Presentation and discussion on the legislative history (adopted ordinances and related council minutes) of the regulation of cargo containers

**Vice chair Heck moved that the Planning and Zoning Commission approve a follow up date of July 28th to have further discussion and a public hearing regarding the cargo containers. Commissioner McGraw seconded the motion.**

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

**No:** 0

**Absent:** 1 - Commissioner Howard

Director Kirch and Senior Planner Esquivias gave a presentation on the legislative history (adopted ordinances and related council minutes) of the regulation of cargo containers.

The commission and staff discussed current city codes in relation to the cargo container regulations.

## 8. New Business

[20-205](#)

Presentation, discussion and direction to staff on a proposed request for a city initiated rezoning of 151 and 183 N. Palo Verde Drive from RS-10M (Medium Density Single-Family Detached Residential to RM-2 (High Density Multiple Family Residential).

**Vice Chair Heck moved that the following direction be given to staff: that staff initiate a rezoning of 151 and 183 N. Palo Verde Drive from RS-10M (Medium Density Single-Family Detached Residential) to RM-2 (High Density Multiple Family Residential). I further move that staff take all actions necessary to meet the legal requirements set forth in state law regarding notification of this pending action. Commissioner McGraw seconded the motion.**

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

**No:** 0

**Absent:** 1 - Commissioner Howard

Senior Planner Esquivias gave a presentation on staffs' request for a city initiated rezoning of 151 and 183 N. Palo Verde Drive from RS-10M (Medium Density Single-Family Detached Residential to RM-2 (High Density Multiple Family Residential).

Chair Nesser called for a motion.

## **9. Information and Reports**

Commissioner Howard commented that he's been listening to the meeting but wasn't there for roll call. He added he didn't want to interrupt the meeting.

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

Director Kirch mentioned that the General Plan will be presented for approval on the August 4th ballot.

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

**Vice Chair Heck moved that the Planning and Zoning Commission hold a regular meeting on April 28th, 2020 at 7:00 pm in the city council chambers located at 300 East Superstition Boulevard. Commissioner McGraw seconded the motion.**

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

**No:** 0

**Absent:** 1 - Commissioner Howard

## **12. Adjournment**

Chair Nesser adjourned the meeting at 8:06 pm.

---

Theresa Nesser  
Chairperson