



# 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

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Tuesday, November 10, 2020

7:00 PM

City Council Chambers

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### 1. Call to Order

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

### 2. Pledge of Allegiance

Vice Chair Heck led the Pledge of Allegiance.

### 3. Roll Call

**Present:** 5 - Vice Chair Hantzsche  
Commissioner McGraw  
Commissioner Gage  
Commissioner Begeman  
Commissioner Cross

Staff present:

Joel Stern, City Attorney  
Larry Kirch, DSD Director  
Rudy Esquivias, Planning Manager  
Kendra Ellner, Planning Intern

### 4. Consent Agenda

Commissioner Hantzsche motioned to accept the agenda as presented and approve the minutes from the October 27, 2020 regular meeting. Commissioner Cross seconded the motion.

**Yes:** 6 - Heck, Vice Chair Hantzsche, Commissioner McGraw, Commissioner Gage,  
Commissioner Begeman and Commissioner Cross

**No:** 0

[20-595](#) Consideration of approval of agenda.

[20-596](#) Consideration of approval of regular meeting minutes of October 27, 2020.

### 5. New Business

[20-578](#) Election of chair and vice chair.

Vice Chair Heck called for a motion to open the nominations for the chair position.

Commissioner Gage motioned that we open the nominations for chairman. Commissioner Hantzsche seconded the motion.

**Yes: 6 - Vice Chair Heck, Commissioner Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Vice Chair Heck called for nominations.

Commissioner Hantzsche nominated Vice Chair Heck for chair.

Vice Chair Heck called for nominations.

Commissioner Cross nominated Vice Chair Heck.

Vice Chair Heck called for nominations.

Commissioner Begeman nominated Commissioner McGraw.

Vice Chair Heck called for nominations.

Vice Chair Heck called for a motion to close the nominations.

Commissioner Hantzsche moved that the nominations for chairperson be closed. Commissioner Begeman seconded the motion.

**Yes: 6 - Vice Chair Heck, Commissioner Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Vice Chair Heck called for a motion to approve the first person nominated for the chair, Peter Heck.

Commissioner Hantzsche moved that Peter Heck be approved for chairperson. Commissioner Gage seconded the motion.

**Yes: 6 - Vice Chair Heck, Commissioner Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Chair Heck called for a motion to open the nominations for the vice chair person.

Commissioner Gage motioned to open the nominations for the vice chair person. Commissioner Hantzsche seconded the motion.

**Yes: 6 - Chairperson Heck, Commissioner Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Chair Heck called for nominations for the vice chair position.

Commissioner Begeman nominated Commissioner McGraw.

Chair Heck called for nominations.

Chair Heck called for nominations.

Commissioner Cross nominated Commissioner Hantzsche.

Chair Heck called for nominations.

Chair Heck called for a motion to close the nominations.

Commissioner Hantzsche moved that the nominations for vice chair be closed. Commissioner Begeman seconded the motion.

**Yes: 6 - Chairperson Heck, Commissioner Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Chair Heck called for a motion to approve the first person nominated, Commissioner McGraw.

Commissioner Begeman motioned to approve Michael McGraw for vice chair person. Commissioner Gage seconded the motion.

**Yes: 3 - Commissioner McGraw, Commissioner Gage and Commissioner Begeman**

**No: 3 - Chairperson Heck, Commissioner Hantzsche and Commissioner Cross**

Motion failed for lack of a majority vote.

Commissioner Cross made a motion to approve Dave Hantzsche for vice chairperson. Commissioner Gage seconded the motion.

**Yes: 4 - Chairperson Heck, Commissioner Hantzsche, Commissioner Gage and Commissioner Cross**

**No: 2 - Commissioner McGraw and Commissioner Begeman**

Vice Chair Heck called for a motion to open the nominations for the chair position.

## **6. Public Hearings**

### 20-606

Presentation, discussion, public hearing and consideration of case PZ-7-19, a city initiated rezoning of 978 E. Roosevelt Street from RS-GR (General Rural Low Density Single-Family Detached Residential) to RS-20 (Medium Density Single-Family Detached Residential) for the purpose of developing the property and splitting the parcel into 3 lots. This property is located between Royal Palm Road and Cactus Road.

Commissioner Gage motioned to continue this case to December 8th and that staff come back to us with two options; one with the lots split in half and the second with one parcel a minimum of 1.25 acres. Vice Chair Hantzsche seconded the motion.

**Yes: 6 - Heck, Vice Chair Hantzsche, Commissioner McGraw, Commissioner Gage, Commissioner Begeman and Commissioner Cross**

**No: 0**

Planning Intern Ellner gave a presentation on case PZ-7-19.

The commission and staff discussed the location of a wash on the properties and the possible placement of a house on the left lot. They also discussed the placement of a house and how it would fit on the property, the right-of-way and possible road improvements. Staff also explained the history of the property, related code compliance cases and that it took seven years to get the property cleaned up. They discussed the cost of bringing water to the three properties and the size of each lot would be about 30,000 square feet. Staff also discussed why they chose RS-20/PD zoning instead of RS-20 for the property. The commission and staff discussed the allowable areas that could be graded on the properties and what would be allowed in the graded areas on those properties. They also discussed that properties of the same size that are close by will not have the same zoning and therefore the same horse privileges. The commission and staff discussed that the theory behind splitting the lot as opposed to selling it as a whole would be more profitable for the city.

Chair Heck opened the public hearing of the item.

James Barighen, 1054 E. Roosevelt, Apache Junction addressed the commission regarding allowing horses on the property and is not in support of the recommendation of allowing horses on the properties.

Having no one else wishing to address the commission, Chair Heck closed the public hearing portion.

The commission discussed following city code, splitting the property into two larger lots and the size of the lots and horse privileges of those lots. The commission and staff discussed the option of continuing the case to a date certain, December 8, 2020.

Chair Heck called for a motion.

[20-579](#) Presentation and discussion on conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct by the city attorney.

City Attorney Stern gave a presentation on conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct by the city attorney.

The commission and Mr. Stern discussed scenarios related to conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct.

## **7. Old Business**

None.

## **8. Information and Reports**

None.

## **9. Director's Report**

Director Kirch discussed the upcoming League of Arizona Cities and Towns training and invited commission members to contact staff if they see training they would like to attend.

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

Vice Chair Hantzsche motioned that the Planning and Zoning Commission hold a regular meeting on November 24, 2020 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. Commissioner Begeman seconded the motion.

**Yes:**                    6 -       Heck, Vice Chair Hantzsche, Commissioner McGraw, Commissioner Gage,  
   Commissioner Begeman and Commissioner Cross

**No:**                    0

Chair Heck called for a motion.

**11. Adjournment**

Chair Heck adjourned the meeting at 8:54 pm.

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Chair Peter Heck