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, January 12, 2021 **7:00 PM** **City Council Chambers**

1. Call to Order

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

2. Pledge of Allegiance

Chair Heck led the Pledge of Allegiance.

3. Roll Call

Present: 7 - Chairperson Heck
Vice Chair Hantzsche
Commissioner Gage
Commissioner Begeman
Commissioner Cross
Commissioner Cantwell
Commissioner Barker

Staff present:
Joel Stern, City Attorney
Larry Kirch, DSD Director
Rudy Esquivias, Planning Manager
Kelsey Schattnik, Planner
Nick Leftwich, Planning Intern

4. Consent Agenda

Commissioner Cross moved that the Planning and Zoning Commission accept the agenda as presented and approve the minutes with the amendment for the correct vote tally to reflect it was a 5 to 1 vote and that would be for the December 8, 2020 in a regular meeting. Vice Chair Hantzsche seconded the motion.

Yes: 6 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross and Commissioner Cantwell

No: 0

Recused: 1 - Commissioner Barker

Chair Heck discussed the correction of the minutes of the December 8th meeting. The vote tally for case PZ-7-19 was not 6 to 0 but 5 to 1. Commissioner Gage voted no on that item.

Chair Heck called for a motion.

21-014 Consideration of approval of agenda.

21-015 Consideration of approval of regular meeting minutes of December 8, 2020.

5. Public Hearings

21-013 Presentation, discussion, public hearing and consideration of cases PZ-10-20 and SD-2-20, a proposed rezoning of approximately 7 acres from B-1 (General Commercial) and RS-20M (Medium Density Single-Family Detached Residential) to RM-2/PD (High Density Multiple-Family Residential by Planned Development); and concurrent preliminary plat for a 96-lot residential subdivision located near the southeast corner of Ironwood Drive and Superstition Boulevard.

Vice Chair Hantzsche moved that the Planning and Zoning Commission recommend to the Apache Junction City Council to approve of planned development rezoning case PZ-10-20, a request by Bela Flor Communities LLC (owner), represented by Reese Anderson and Jon Gillespie of Pew and Lake, PLC (applicant), for a 96 lot residential subdivision tentatively to be named Ironwood Station, located approximately at the Southeast corner of Superstition Boulevard and Ironwood Drive, from B-1 (General Commercial) and RS-20M (Medium Density Single-Family Detached Residential) to RM-2/PD (High Density Multiple-Family Detached Residential by Planned Development), subject to the following conditions there are 11 of them with changes to number 11 add the word major before deviation. Commissioner Barker seconded the motion.

Yes: 7 - Chair Heck, Commissioner Cross, Commissioner Gage, Commissioner Barker, Commissioner Begeman, Commissioner Cantwell and Vice Chair Hantzsche

No: 0

Commissioner Cantwell moved that the Planning and Zoning Commission recommend to the Apache Junction City Council the approval of Preliminary Plat, case SD-2-20, a request by Bela Flor Communities LLC, the owner, represented by Reese Anderson and Jon Gillespie of Pew and Lake, PLC the applicant, for a 96-lot residential subdivision tentatively to be named Ironwood Station, located approximately at the Southeast corner of Superstition Boulevard and Ironwood Drive, subject to the following conditions of approval as presented. Vice Chair Hantzsche seconded the motion.

Yes: 7 - Vice Chair Hantzsche, Chair Heck, Commissioner Cross, Commissioner Gage Commissioner Barker, Commissioner Begeman and Commissioner Cantwell

No: 0

Planner Schattnik gave a presentation on cases PZ-10-20 and SD-2-20.

Reese Anderson of Pew and Lake addressed the commission regarding their request.

The commission and Mr. Anderson discussed that the homes along Ironwood Drive will have low ironwork fences. They also discussed that every unit will have trash barrels and how they will be stored and how trash collection will work on the trash pick-up days. Mr. Anderson added the barrels will be stored in garages with a specific place on the street for trash collection days. They also discussed that Gold Drive will have both ingress and egress access and the community will be gated for cars and open for pedestrians. They discussed that Ironwood Drive is designed for heavier traffic flows and that traffic doesn't all happen at once but throughout the day and doesn't cause the road to become unsafe. They discussed that the road was designed

for so many cars.

Hudd Hassell, the applicant, addressed the commission and explained the gates to the community will be only be for residents and will open automatically and meets conventional code for a gated community with regards to incoming traffic to the community. Director Kirch showed an illustration of how the cars would line up if more than one car were entering the community at a time.

Chair Heck said there would be more cars in the community than the applicant is projecting. Mr. Hassell said travel in and out of the community doesn't happen all at the same time and expects those working from home will continue to work from home.

The commission, staff and applicant discussed that contractors and others with larger cars will be accommodated in the larger guest spaces throughout the community. They also discussed that there will be an underground channel located under the road to accommodate any water from the wash north of the property to continue through property and that the drainage on the property is for any runoff inside the community. They also discussed that the wash located on the property will accommodate a 10 year 24 hour storm which is required in that area. They also discussed that foot traffic can easily move through the community and the construction of the common walls is done according to code requirements. The applicant pointed out the roads and alleys in the community as well as explained that the alley is 24 feet across and the garages are at grade level. The applicant also explained that although there are variances outside of the code, the code isn't set up for this type of plan. The applicant explained the amenities include a pool and jacuzzi, a fire pit and tot lot area. Amenities also includes two dog parks and dog wash area. The applicant explained that the easement that needs extinguishment is Arizona Water's and can be done as long as the cost of the extinguishment is paid by the applicant.

The commission and staff discussed that the homeowners' association will maintain all aspects of the community except inside each unit. They also discussed that each unit will be individually owned and that the units will be built to code and that there will be five fire hydrants throughout the community. The applicant explained there hasn't been a decision yet if sprinklers will be placed in each unit and explained that some units can be accessed from outside streets instead of the fire department coming into the community.

The commission asked staff if condition number 11 can be clarified and the word "major" can be added to say any "major" deviation.

Chair Heck opened the public hearing portion of the item.

Jennifer Kesner, 624 N. Ironwood Drive, Apache Junction, expressed concern about a dedicated turn lane going north and will the traffic lights at Superstition Boulevard and Apache Trail be adjusted as the traffic increases in the area. She also expressed concern of water flow on Ironwood and past issues with flooding and expressed her concern over losing her view of the Superstition Mountains. She also expressed her concern over the new water and sewer lines on Ironwood and how that construction on Ironwood would restrict access to her property and how the excess dust from the construction would be mitigated.

Zienna Hennessy, family owns 526 N. Gold Drive, said the residents of the new community would use Gold Drive and that the traffic on Ironwood wouldn't be as heavy as some are expressing. She asked the commission to think about need for homes for families in the city and that the city is growing and in need of these homes.

Mehmood Mohiuddin, 2304 N. Cortez Road, agreed that additional homes are needed in Apache Junction and Superstition has higher traffic than Apache Trail and asked the commission to consider additional residents would mean additional traffic on Superstition. He then stated the builder should put in an decel lane for entrance and exit.

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

Chair Heck opened additional discussion for the commission.

Commissioner Barker expressed she liked the development, the looks, how it's laid out and that there are no block walls around the community. She also added all the traffic lights in the entire community need to be addressed, not just those on Ironwood Drive. She said that the applicant and their representative addressed the flooding issue and saw no issues with their plans, and that dust and construction are controlled by code. She added that the access lane is a concern for her.

Commissioner Cross said the concerns over views of the mountain would not be affected by the building height of the project. He expressed his concern over the developer following the dark skies guidelines.

Vice Chair Hanzsche said it would be a great addition to the city and expressed his concern about the traffic flow into the city but that their plans meet city code which can't be changed at this time. He added the developer is following city code and asked if the entrance gate can be moved back to allow for more cars to queue.

Commissioner Gage said he felt the developer was getting a pass on 60% of what is in city code and defers to city planning staff who supports the development. He added growth is coming to the city and growth like this should follow our code so this kind of pass isn't allowed. He added that the code may need to be updated so that commissioners aren't put in this type of situation again. Director Kirch explained the history of the city code and how some old zoning codes were inherited from the county. He added that the last time the city code was updated was in 2014 and staff has been working on updating some of the regulations. He also said 60-70% of the projects come in as planned developments because it gives the city some negotiation with the quality of development for amenities and that it's not codified. Commissioner Cantwell said the code is based on single family housing and townhouses are different and should be different from single family housing and said it's a good project. Chair Heck agrees with the other commissioners and said it will have a positive impact for the community and shares the concern in regards to the traffic and is trusting there has been enough planning and understands it meets code. He also added he doesn't want to lose space for light industrial and believes this development follows the general plan.

Chair Heck called for a motion on PZ-10-20 and SD-2-20.

21-016 Presentation, discussion, public hearing and consideration of case PZ-1-20, a proposed rezoning of approximately 7.93 acres from B-4 (Business Park) to RM-1/PD (High Density Multiple-Family Detached Residential by Planned Development) and a Minor General Plan Amendment from Light Industrial/Business Park to High Density Residential, for a 107 lot residential subdivision for the properties located on the south side of Old West Highway, east of Royal Palm Road and west of Tomahawk Road.

Vice Chair Hantzschel moved that the Planning and Zoning Commission recommend to the Apache Junction City Council to approve the planned development rezoning case PZ-1-20, a request by Apache Junction 772, LLC (owner), represented by Greg Loper (applicant), for a 107 lot-residential subdivision tentatively to be named Old West Highway Village, on the south-side of Old West Highway, east of Royal Palm Road and west of Tomahawk Road, from B-4 (Business Park) to RM-1/PD (High Density Multiple-Family Detached Residential by Planned Development) and a Minor General Plan Amendment from Light Industrial/Business Park to High Density Residential, subject to the following conditions of approval and there are 19 of them. Commissioner Gage seconded the motion.

This will move onto the city council with the recommendation of denial.

Yes:	3 -	Vice Chair Hantzsche, Commissioner Gage and Commissioner Cantwell
No:	4 -	Chairperson Heck, Commissioner Begeman, Commissioner Cross and Commissioner Barker

Planning Intern Leftwich gave a presentation on case PZ-1-20.

The commission and staff discussed that the developer proposed that there will be no setbacks for the town homes and all property except directly under each town home will be HOA maintained and owned. They also discussed that future changes in city code should address setbacks on town homes. They then discussed that there will be walk ways between each four-unit building. In addition, they discussed that code allows for a maximum height of 35 feet and in this case would allow for three story buildings.

Chair Heck invited the applicant to address the commission.

Greg Loper, 22575 W. Mojave, Buckeye addressed the commission regarding their request.

The commission and applicant discussed that a view shed study was not done. The applicant proposed that even two stories will affect some of the views of the mountain for the houses behind the development. They also discussed that the applicant should supply a mockup of how the views would change for the houses behind the development with one, two and three story buildings. The commission asked the applicant how the community would accommodate deliveries to which the applicant said the streets were bigger and would accommodate delivery vehicles and that the drivers would have to walk to the front of the unit to deliver packages. The applicant also said there would be no parking on the streets and extra spaces were added to the plan to address this. The commission expressed concerns over egress to Old West Highway to which the applicant expressed curbing or something else will be in place to prevent wrong turns, but added that some will do whatever they want and it can't be helped. The commission and staff also discussed that the community won't be gated but having a gate would help the egress issue and that there is a proposed deceleration lane off Old West Highway. The commission and staff discussed that the retention basin may have a bleed off towards the existing wash when there is rain fall greater than a 100 year event. The commission and staff discussed that there were no negative comments from Economic Development about rezoning this land to residential and the size and shape of this parcel can be difficult to have something light industrial occupy the parcel.

The commission and staff discussed that this case is rezoning to residential with a conceptual plan. The commission and staff also discussed that there aren't many parcels zoned as B-4 properties and that this could be a potential site for light industrial office complex that would generate funds for the city through tax revenue.

The commission and applicant discussed that a hydrology and flood plain report were done on the property and the property is not in a flood plain or floodway but there are drainage concerns. They also discussed potential issues related to package delivery and how a front door with a stoop with be beneficial in these situations.

Chair Heck opened the public hearing portion of the item.

Lisa Dehart, 1024 E. Estevan Ave., Apache Junction expressed her concerns regarding flood drainage and the potential lack of privacy in her backyard if two or three story homes are built.

Bill Monson, 907 E. Desert Ave., Apache Junction expressed his concerns about the density of the development, the ceiling height of the units, having two cars is a necessity and Apache Trail is a heavily traveled.

Craig Jones, 940 E. Desert Ave, Apache Junction is against the rezoning and expressed his concerns about privacy, drainage during heavy rains, the easement behind his property and would he still have access at the back of his property, the increased traffic, his loss of the view of the Superstition Mountains, if the school district can handle the increased student capacity and what is their opinion of the development and the possible increase in crime.

Victor Dehart, 1024 E. Estevan Ave., Apache Junction expressed his concerns regarding the rezoning especially the drainage issue if there were any major storm, the loss of privacy in his backyard and the loss of the view of mountains.

Chair Heck closed the public hearing portion of the item.

Commissioner Barker expressed her preference in keeping the light industrial or commercial zoning on this property. Commissioner Cross said he agreed with Commissioner Barker and that the city should retain commercial properties and that potential commercial developers can have parking in the back of the property to help maintain the views of the residents behind the property. Vice Chair Hantzsche said there is no guarantee on how future commercial development would look on the property and that anyone developing the property would have the issue regarding drainage. He added that easements can't be encroached upon and that city staff would ensure that would be the case, and there is enough commercial property in the city and vacant land should be developed. Commissioner Begeman expressed his concern that there is a shortage of commercial property in the city.

Having no more comments, Chair Heck called for a motion.

6. Old Business

None.

7. New Business

None.

8. Information and Reports

Chair Heck welcomed Commissioner Barker to the commission and is appreciative of her service to the community.

9. Director's Report

Director Kirch announced that if a commissioner has an I-pad they can get access to Granicus through the iLegislate app.

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

Commissioner Barker moved that the Planning and Zoning Commission hold a regular meeting on January 26, 2021 at 7:00 pm in the city council chambers located at 300 East Superstition Boulevard. Commission Cantwell seconded the motion.

Yes:	7 -	Chairperson Heck, Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker
No:	0	

Chair Heck called for a motion.

11. Adjournment

Chair Heck adjourned the meeting at 9:26 pm.

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Chair Peter Heck