



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, August 10, 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: 5 - Chairperson Heck
Vice Chair Hantzsche
Commissioner Begeman
Commissioner Cross
Commissioner Cantwell

Excused: 1 - Commissioner Barker

Absent: 1 - Commissioner Gage

Staff present:

Joel Stern, City Attorney

Larry Kirch, DS Director

Rudy Esquivias, Planning Manager

Nick Leftwich, Associate Planner

4. Consent Agenda

Vice Chair Hantzsche moved that the Planning and Zoning Commission accept the agenda as presented and approve the minutes from the July 27, 2021 regular meeting. Commissioner Cross seconded the motion.

Yes: 5 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Begeman,
Commissioner Cross and Commissioner Cantwell

No: 0

Excused: 1 - Commissioner Barker

Absent: 1 - Commissioner Gage

Chair Heck called for a motion.

[21-403](#) Consideration of approval of agenda.

[21-404](#) Consideration of approval of the minutes of the July 27, 2021 regular meeting.

5. Public Hearings

21-405

Presentation, discussion, public hearing and consideration of case PZ-21-61-CUP, a request by Marc Russell Giveans of Becoming One Properties for a Conditional Use Permit to allow an event center with limited outdoor activities. The 5 acre property is located north of Old West Highway between S. Cortez Road and S. Starr Road, directly east of the LDS church.

Vice Chair Hantzsche moved that the Planning and Zoning Commission recommend to the Apache Junction city council the approval of the Conditional Use Permit Case P-21-61-CUP as requested by Marc Russell Giveans of Becoming One Properties LLC to allow an event center with limited outdoor activities, located at A.P.N. 103-21-0090, subject to the following conditions, and there are 11 of them total, as stated written out with the exception of Condition #8 we are going to make the following change: That outdoor music shall end at 10 p.m. Arizona time, and all outdoor activities shall conclude by 12 midnight Arizona time, to prevent disturbances to the neighborhood. Commissioner Begeman seconded the motion.

Yes: 5 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Begeman, Commissioner Cross and Commissioner Cantwell

No: 0

Excused: 1 - Commissioner Barker

Absent: 1 - Commissioner Gage

Associate Planner Leftwich gave a presentation on a CUP for an event center with most events taking place indoors, with limited outdoor activities. No comments were received from the public. Staff recommends approval of CUP P-21-61.

Chair Heck opened the public hearing portion of the item.

Discussion was held regarding access to the event site, the wash running through the site, and having enough adequate parking spaces.

Director Kirch stated the venue would have to provide their own storm water retention on site, and that in the future, this will be a FEMA wash. An engineer would be required to analyze any filling of the wash. The building plans are not final and codes must be followed.

Commissioner Begeman discussed combining the CUP with city codes and not having them separated.

Director Kirch stated one condition where they have to comply with all the city codes. By enumerating the city codes, there's no debate later as to what they must do. If CUP conditions are not complied with, it would be a code violation or bringing back the CUP for another public hearing.

Associate Planner Leftwich discussed the city ordinance in regards to noise and stated that the city could revoke the CUP based on the violation of the noise ordinance.

City Attorney Stern stated that it's much better to have the CUP's laid out with specifics, including noise and parking. If the CUP gets appealed, it's better to have more than one condition.

Applicant Marc Russell Giveans with Becoming One Properties LLC discussed condition #6 - fencing requirements on the property and condition #8 - the concluding of the events and operations of the facility.

Director Kirch stated the events must conclude by 10 pm and there would be an extra hour for staff and clean-up so that all outdoor activity would be over by 11 pm.

City Attorney Stern stated in regards to event conclusion times, the two separate terms should be more defined.

Discussion was held regarding changing the wording of the CUP, replacement of buffering trees and fences, discussion with the LDS church and liquor license. Applicant Giveans stated he has not heard from the LDS church. He also stated the venue would not be limited to weddings only. He stated there would not be a liquor license because it's complicated, however, vendors who have state-approved liquor licenses could come in and serve.

Chair Heck opened the public hearing portion of the meeting.

Having none, Chair Heck closed the public hearing.

Chair Heck called for discussion from the commission.

CUP findings of fact were discussed, including adequacy of roadways, off-street parking, public facilities and services to accommodate the proposed use.

Chair Heck called for a motion.

6. Old Business

None.

7. New Business

None.

8. Information and Reports

None.

9. Director's Report

Director Kirch stated that state land proposition east of Gold Canyon was withdrawn. He stated we received an award and a video was mentioned. He stated he will be meeting at Mt. View Lutheran church with the parish council to do a light meter reading.

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

Vice Chair Hantzsche moved that the Planning and Zoning Commission hold a regular meeting on August 24th, 2021 at 7:00 pm in the city council chambers located at 300 E. Superstition Boulevard. In the event there are no items to be brought forth to the commission, this meeting may be canceled. Notifications of cancellation properly posted and the commission notified by staff. Commissioner Begeman seconded the motion.

Yes: 5 - Chairperson Heck, Vice Chair Hantzsche, Commissioner Begeman, Commissioner Cross and Commissioner Cantwell

No: 0

Excused: 1 - Commissioner Barker

Absent: 1 - Commissioner Gage

Chair Heck called for a motion.

11. Adjournment

Chair Heck adjourned the meeting at 7:59 pm.