



# 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, July 12, 2022

7:00 PM

City Council Chambers

---

### 1. Call to Order

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

### 2. Pledge of Allegiance

Vice Chair Hantzsche led the Pledge of Allegiance.

### 3. Roll Call

**Present:** 6 - Vice Chair Hantzsche  
Commissioner Gage  
Commissioner Begeman  
Commissioner Cross  
Commissioner Cantwell  
Commissioner Barker

Staff present:

Joel Stern, City Attorney  
Rudy Esquivias, DSD Director  
Nicholas Leftwich, Associate Planner

### 4. Consent Agenda

Commissioner Barker moved to accept the agenda as presented and approve the minutes from the April 26, 2022 regular meeting. Commissioner Cross seconded the motion.

**Yes:** 6 - Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman,  
Commissioner Cross, Commissioner Cantwell and Commissioner Barker

**No:** 0

Vice Chair Hantzsche called for a motion.

[22-413](#) Consideration of approval of agenda.

[22-414](#) Consideration of approval of the minutes of the April 26, 2022 regular meeting.

### 5. Public Hearings

[22-446](#) Presentation, discussion, and consideration of Case P-22-55-CUP, a proposed Conditional Use Permit Amendment to modify the conditions of approval for Resolution P-21-61-CUP in order to adopt a new site plan and site configuration and adjust the language of the requirements as relevant to the new driveway location and lot configuration.

Commissioner Barker moved that the Planning and Zoning Commission approve Resolution P-22-55-CUP, the Conditional Use Permit Amendment case requested by Marc Russell Giveans of Becoming One Properties, LLC to modify Resolution P-21-61-CUP, replacing the former Conditions of Approval with those conditions that are recommended in the staff report of July 12, 2022, with the exception of #5 which should be amended to have all required trees being one half 24" box and one half 15 gallons. Commissioner Cantwell seconded the motion.

**Yes:** 6 - Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman, Commissioner Cross, Commissioner Cantwell and Commissioner Barker

**No:** 0

Associate Planner Leftwich gave a presentation on case P-22-55-CUP, a proposed Conditional Use Permit Amendment to modify the conditions of approval for Resolution P-21-61-CUP and asked for questions from the commission.

Questions and comments from the commission:

- clarification on condition #5.
- does applicant own both parcels.
- if there could be access to venue from Old West Hwy.

Responses from Associate Planner Leftwich:

- condition #5 entails the change in the landscape requirements caused by changing the main entrance location from 18th Ave. to Starr Rd. The 10' landscape frontage is a normal zoning ordinance requirement along any commercial street frontage.
- applicant owns both parcels but the southern parcel was not included in the original proposal.
- applicant decided on Starr Rd. instead of Old West for access.

Applicant Marc Russell Giveans also gave a presentation on case P-22-55-CUP. On condition #5, he stated that per Public Works, no sidewalk is required. He stated that Starr Rd. was a better access option as opposed to Old West Hwy. due to the state requirement of a 75' deceleration lane; there's no way to widen the lane due to the culvert.

The applicant discussed:

- sidewalk.
- 10' strip of landscaping with irrigation.
- hindrance to sight line when cars exit the property.

Questions and comments from the commission:

- sees the applicant's point.
- Is the road going to be dirt.
- how the wash crossing would happen.
- signage by the entry.
- is the 300' feet only south of the driveway.
- drought tolerant landscaping.
- does it have to be trees.
- any intention of landscaping along the private drive, split-rail fencing and shrubbery.
- location of current water meter.
- landscape strip would make venue look better.
- plans for development of the land south of the road.

Responses from applicant Giveans:

- the road will be asphalt or chip seal surface.
- engineers are working on building a culvert on the road over the wash.
- yes, Starr Rd. has room for signage.

- don't know, will have to defer to his wife on landscaping the private drive.
- water meter not yet established.
- no plans for development for south of the road, will remain natural desert.

Director Esquivias provided a couple of clarifications and responses to questions from the commission:

- the access point will be on Starr Rd., not 18th.
- we are requesting the same condition be applicable to his Starr frontage, which is 330' not 120'.
- Public Works deals with off-site issues, not on-site issues, or landscaping, they deal with the public right of way.
- there is a lesser standard for street improvements out in the rural areas (no sidewalks, curb and gutter, street lights required).
- the only thing we're asking the applicant to do is put in a 10' landscape strip along Starr.
- the city engineer requested a 40' turnout off Starr onto his property, and the private driveway would be improved to the parking lot at the venue.
- one of the main reasons for the lot combination request is that it becomes a private driveway and not a private access easement, which requires a separate council approval.
- the applicant can place signage on Old West Hwy. and Starr Rd.
- yes, the 300' is south of the driveway.
- yes, landscaping can be drought tolerant.
- yes, 24" box trees are standard in the landscape code, for example, for every 30' of lineal footage one tree is required.

Applicant Giveans asked for clarification on what shall be planted within a min. 10' deep strip inside the net property line.

Associate Planner Leftwich responded to the applicant and explained the location of the property line and the location of the 10' wide landscaping strip on the graphic.

Applicant Giveans asked for the option of having half 24" box trees and half 15-gallon trees for the landscape strip.

The commission responded that they wouldn't have a problem with using 15-gallon trees.

Vice Chair Hantzsche opened the public portion of the hearing.

Having no one speak, Vice Chair Hantzsche closed the public portion of the hearing.

Findings of fact were read and discussed by the commission.

Vice Chair Hantzsche called for a motion.

## **6. Old Business**

None.

## **7. New Business**

None.

## **8. Information and Reports**

None.

## 9. Director's Report

Director Esquivias mentioned the RFP for the Zoning Ordinance update and stated we should be selecting a consultant in the coming weeks. Director Esquivias also mentioned that it was his 36th wedding anniversary and introduced his wife, Rosie.

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

### [22-415](#)

Regular meeting at 7:00 pm on Tuesday, July 26, 2022 in the city council chambers located at 300 E. Superstition Boulevard, Apache Junction.

**Commissioner Barker moved that the Planning and Zoning Commission hold a regular meeting on July 26, 2022 in the city council chambers located at 300 E. Superstition Boulevard.**

**Commissioner Cross seconded the motion.**

**Yes:**                    6 -       Vice Chair Hantzsche, Commissioner Gage, Commissioner Begeman,  
   Commissioner Cross, Commissioner Cantwell and Commissioner Barker

**No:**                    0

Vice Chair Hantzsche called for a motion.

## 11. Adjournment

Vice Chair Hantzsche adjourned the meeting at 8:02 pm.

---

Vice Chair Dave Hantzsche