

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**PLANNING AND ZONING COMMISSION**

January 16, 2020  
9:30 a.m.

Board of Supervisors Auditorium  
301 W. Jefferson Street  
Phoenix, Arizona

---

**MEMBERS PRESENT:**

Mr. Jimmy Lindblom, Chairman  
Ms. Francisca Montoya, Vice Chair  
Mr. Nathan Andersen  
Mr. Greg Arnett  
Mr. Bruce Burrows  
Mr. Michael Cowley  
Mr. Broc Hiatt  
Ms. Jennifer Ruby  
Mr. Lucas Schlosser

**MEMBERS ABSENT:**

Mr. Robert Zamora

**STAFF PRESENT:**

Mr. Darren Gerard, Planning Services Manager  
Ms. Rachel Applegate, Senior Planner  
Mr. Martin Martell, Planner  
Mr. Eric Smith, Planner  
Ms. Rosalie Pinney, Recording Secretary

**COUNTY AGENCIES:**

Mr. Wayne Peck, County Attorney

**CONTINUANCE:**

**Z2019105, CPA2019003, Z2019046, Z2018083, CPA2019009,  
Z2019082**

**CONSENT:**

**Z2019084, Z2019109, MCP2019002**

**REGULAR:**

**Z2019083, S2019027, Z2019033**

Chairman Lindblom called the meeting to order at 9:31 a.m. and requested the election of officers for 2020.

**COMMISSION ACTION: Chairman Lindblom motioned to elect Commissioner Schlosser to Chairman for 2020. Vice Chair Montoya second. Approved 9-0.**

**COMMISSION ACTION: Chairman Schlosser motioned to elect Commissioner Cowley to Vice Chairman for 2020. Commissioner Hiatt second. Approved 9-0.**

Chairman Schlosser made the standard announcements, and asked if there were any changes or comments to the minutes for November 7 and November 21, none.

**COMMISSION ACTION: Chairman Schlosser approved the November 7, 2019 minutes and November 21, 2019 ZIPPOR minutes as written.**

Mr. Gerard said case #11 – CPA2019009 and #12 – Z2019082 is moving to the continuance agenda.

**CONTINUANCE AGENDA**

**Special Use Permit - Z2019105 (Cont. from 12/12/19)**

**District 3**

Applicant: David Arambula, Phoenix Design Group  
Location: Generally located 300' west of the northwest corner of 15<sup>th</sup> Ave. and Irvine Rd. in the Phoenix area  
Request: Special Use Permit (SUP), Dog Rescue Facility and Kennel in the Rural-43 zoning district - Saving Paws

**Comprehensive Plan Amendment - CPA2019003**

**District 5**

Applicant: Mike Jang, JY Energy Solar Project  
Location: Generally located at the southwest corner of the 571<sup>st</sup> Avenue and Northern Avenue alignments in the Harquahala Valley area  
Request: General Comprehensive Plan Amendment to change the land use designation from Rural Densities (0-1 d.u./ac.) to Utilities - JY Energy Solar Project

**Zoning - Z2019046**

**District 5**

Applicant: Mike Jang, JY Energy Solar Project  
Location: Generally located at the southwest corner of the 571<sup>st</sup> Avenue and Northern Avenue alignments in the Harquahala Valley area  
Request: Zone Change from Rural-190 to IND-2 IUPD - JY Energy Solar Project

**Zoning - Z2018083**

**District 1**

Applicant: Godfrey Romero  
Location: Located at the southwest corner of Riggs Rd. and Haws Rd. in the Queen Creek area  
Request: Zone change from Rural-43 to C-2 - Romero Property

**Comprehensive Plan Amendment - CPA2019009 (Cont. from 12/12/19)**

**District 4**

Applicant: William Lally & Ashley Zimmerman Marsh, Tiffany & Bosco P.A.  
Location: Generally located at the northwest corner of Citrus and Bethany Home Roads in the Glendale area  
Request: Comprehensive Plan Amendment to change the White Tank / Grand Ave. Area Plan land use designation from Large Lot Residential (1-2 d.u./ac) to Single Family – Transitional Lot (3-5 d.u./ac) - Trigos

**Zoning - Z2019082 (Cont. from 12/12/19)**

**District 4**

Applicant: William Lally & Ashley Zimmerman Marsh, Tiffany & Bosco P.A.  
Location: Generally located at the northwest corner of Citrus and Bethany Home Roads in the Glendale area

Request: Zone change from Rural-43 to R1-6 Residential Unit Plan of Development (RUPD) - Trigos

Mr. Gerard presented the continuance agenda.

**COMMISSION ACTION: Commissioner Ruby motioned to approve the continuance agenda. Z2019105 and Z2018083 continue indefinitely, CPA2019003 and Z2019046 continue to the January 30, 2020 hearing, and CPA2019009 and Z2019082 continue to the February 13, 2020 hearing. Commissioner Burrows second. Approved 9-0.**

### **CONSENT AGENDA**

#### **Zoning - Z2019084**

**District 5**

Applicant: Ed Bull, Burch & Cracchiolo, P.A.  
Location: Generally located on the southwest corner of Litchfield Rd. and Yuma Rd. in the Goodyear area  
Request: Zone Change from Rural-43 and C-3 (General Commercial) to IND-2 IUPD (Light Industrial Unit Plan of Development) - Flite Goodyear

#### **Special Use Permit - Z2019109**

**District 4**

Applicant: Chelsea McCaw, Ritoch-Powell & Associates  
Location: Generally located approx. 2,300' south of the southeast corner of Bell Rd. and 115<sup>th</sup> Ave, in the Sun City area  
Request: Major Amendment to a Special Use Permit (SUP) to allow the addition of four new covered parking structures - Sun Cities RV

#### **Military Compatibility Permit - MCP2019002**

**District 4**

Applicant: Chris Webb, Rose Law Group, P.C.  
Location: Generally located one mile west of the northwest corner of Olive Ave. and Litchfield Rd. in the Glendale area  
Request: Military Compatibility Permit (MCP) with a precise Plan of Development (POD) for the existing liquid propane storage terminal - Plains Bumstead Terminal Facility

Chairman Schlosser said three items are moving from the consent agenda to the regular agenda. Mr. Gerard said case #5 – Z2019083, #6 – S2019027, and #7 – Z2019033.

Mr. Gerard presented the consent agenda.

**COMMISSION ACTION: Commissioner Andersen motioned to approve the consent agenda. Z2019084 with conditions 'a'-'h', Z2019109 with conditions 'a'-'g', and MCP2019002 with conditions 'a'-'e'. Commissioner Lindblom second. Approved 9-0.**

#### **Z2019084 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Flite Goodyear", consisting of one (1) full-sheet, dated

October 15, 2019, and stamped received November 7, 2019, except as modified by the following conditions.

- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Flite Goodyear", consisting of 12 pages, dated October 29, 2019, and stamp dated November 7, 2019, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
  1. Access and other improvements within the right-of-way of Litchfield Rd. and Yuma Rd. are subject to review and approval by the City of Goodyear.
  2. All new development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies & Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, and best practices at the time of application for construction.
  3. Engineering review of planning and/or zoning cases is for conceptual design only and does not represent final design approval not shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies & Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.
- d. The following IND-2 IUPD standards shall apply:
  1. Maximum structure height of 69 feet for buildings and 140 feet for existing water tower;
  2. Minimum front yard setback of 9 feet;
  3. Minimum street side yard setback of 13 feet;
  4. Maximum lot coverage of 75%;
  5. No parking requirements;
  6. No screening requirements;
  7. No landscaping requirements;
  8. Maximum sign height for freestanding signs of 27 feet;
  9. Maximum sign area of 185 square feet;
  10. Allow for five (5) freestanding signs anywhere on the property along Litchfield Rd.;
  11. Allow for two (2) freestanding signs anywhere on the property along Yuma Rd.;
  12. Allow signs to project into street right-of-ways;
  13. Maximum area for the main freestanding sign (Sign 'G') of 205 square feet;

14. Allow the main freestanding sign (Sign 'G') to be placed anywhere on the property along Litchfield Rd.;
  15. Maximum height of wall signs of 69 feet, excluding rooftop signs;
  16. Maximum aggregate area of wall signs of 25%;
  17. Allow for rooftop signs;
  18. Maximum height for rooftop signs of 15 feet above the roofline; and,
  19. Ability to have Electronic Message Displays of EMD Level 1, 2, 3, and
- e. The applicant/property owner shall submit a 'will-serve' letter for fire protection services for the project site. A copy of the 'will-serve' letter shall be required as part of the initial construction permit submittal.
  - f. The applicant/property owner shall contact and receive permission from the City of Goodyear prior to obtaining building permits for any proposed sign that protrudes into the City of Goodyear's right-of-way.
  - g. The property owner(s) and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
  - h. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the uses existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the land use designated that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

**Z2019109 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Sun Cities RV Compound, Inc. Covered Parking Site Plan", consisting of one full-sized sheet, dated December 3, 2019, and stamped received December 11, 2019, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Sun Cities R.V. Storage", consisting of four pages, dated December 9, 2019, and stamp received December 11, 2019, except as modified by the following conditions.

- c. Development of the site shall be in substantial conformance with the Typical Covered Parking Exhibit entitled "Sun Cities RV Compound Proposed Covered Parking Exhibit", consisting of one full-sized sheet, dated June 6, 2019, and stamp received December 11, 2019, except as modified by the following conditions.
- d. The applicant/property owner shall inform the Sun City Fire District prior to construction of any structure.
- e. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- f. The granting of this zone change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property owner to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, a hearing scheduled with the Board of Supervisors for consideration to revert the zoning that has existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Amendment. The Amendment enhances the value of the property above its value as of the date of the Amendment. Change is granted and reverting to the prior zoning results in the same value of the property as if the Amendment had never been granted.
- g. All other conditions of Special Use Permit Cases Z2017035 and Z2003122 shall apply.

**MCP2019002 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Plan of Development Terminal Site", consisting of three (3) full-size sheets, dated October 10, 2019, and stamped received November 7, 2019, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Plains Terminal Site Facility", consisting of nine (9) pages, dated October 28, 2019, and stamped received November 7, 2019.
- c. The following Planning Engineering condition shall apply:
  - 1. Engineering review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning

Ordinance and the Maricopa County Drainage Policies and Standards.

- d. All buildings subject to sound attenuation measures to meet the County's Building Requirements.
- e. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any conditions, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application due to such revocation of the MCP with a POD. The MCP with a POD is granted and reverting to the prior zoning results in the same value of the property as if the MCP with POD had never been granted.

### **REGULAR AGENDA**

#### **Zoning - Z2019083**

#### **District 4**

Applicant: Jorge Villasenor, EPS Group Inc.  
Location: Generally located at the northeast corner of El Mirage Rd. & Williams Dr. in the Sun City West area  
Request: Zone change from C-S to R1-6 RUPD – Camino Crossings

Mr. Smith presented Z2019083 and said staff recommends approval with changes to condition 'c.2' as noted in a hand out from staff.

**COMMISSION ACTION: Commissioner Ruby motioned to approve Z2019083 with conditions 'a'-'h' with modification to condition 'c.2'. Vice Chairman Cowley second. Approved 9-0.**

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "Camino Crossing, residential unit plan of development", consisting of 1 full-size sheet, dated December 17, 2019, and stamped received December 17, 2019, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Camino Crossing", consisting of 12 pages, dated December 17, 2019, and stamped received December 17, 2019, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
  2. The applicant is advised of MCDOT Transportation Improvement Project (TIP) TT0248 for improvements along Williams Drive. ~~A financial contribution~~ **If construction has not commenced on MCDOT TIP TT0248 before final plat approval by the Board of Supervisors, construction or a financial contribution** in lieu of constructing ultimate half-width improvements along Williams Drive ~~may~~ **will** be required/conditioned as part of future entitlements (i.e. preliminary and final plats). **If construction of MCDOT TIP Project TT0248 has commenced prior to the Board of Supervisor's final plat approval, the applicant will be under no obligation to construct or pay for the improvements along Williams Drive. For purposes of this condition, "commenced" shall be the Contractor's Notice to Proceed date for MCDOT TIP Project TT0248. The applicant is responsible for their driveway onto Williams Drive.**
  3. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
- d. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
  - e. Zoning approval is conditional per Maricopa County Zoning Ordinance, Article 304.6, and ARS § 11-814 for five (5) years for the initial phase and an additional five (5) years for each subsequent phase, within which time the subdivision infrastructure permit or construction permit for each phase must be obtained. The applicant shall submit a written report every five years from the date of Board of Supervisors approval of Z2019083 which details the status of this project, including progress on obtaining subdivision infrastructure and/or construction permits. The status report to be administratively reviewed by Planning and Development with the ability to administratively accept or to carry the status report to the Board of Supervisors (Board), upon recommendation by the Planning and Zoning Commission (Commission) for consideration of amendments or revocation of zoning for undeveloped parcels. Status reports will be required until completion of the initial subdivision infrastructure and/or construction permits for each zoning parcel CS-CUPD.



- f. The following R1-6 RUPD standards shall apply:
1. Average Lot Area per Dwelling Unit: 6,700 sq.-ft.
  2. Minimum Lot Area: 5,000 sq.-ft.
  3. Minimum Lot Width: 45'
  4. Maximum Lot Coverage: 60 %
  5. Maximum Height (ft./stories): 30/2 ft./stories
  6. Minimum Street Side Yard Setback: 10'
  7. Minimum Side Yard Setback: 5'
  8. Minimum Front Yard Setback: 15'
  9. Minimum Rear Yard Setback: 15'
  10. Minimum Parking Spaces 2/du
- g. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- h. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.

**Preliminary Plat - S2019027**

**District 4**

Applicant: Jorge Villasenor, EPS Group Inc.  
 Location: Generally located at the northeast corner of El Mirage Rd. & Williams Dr. in the Sun City West area  
 Request: Preliminary plat for a 123-lot, 6 tract single-family residential subdivision in the R1-6 RUPD zoning district – Camino Crossings

Mr. Smith presented S2019027 and noted correction to re-labeling of conditions 'a'-'n'.

**COMMISSION ACTION: Commissioner Ruby motioned to approve S2019027 with conditions 'a'-'n' with staff recommended correction to re-labeling of conditions. Vice Chairman Cowley second. Approved 9-0.**

- a. The Final Plat shall be in substantial conformance with the Preliminary Plat entitled "Preliminary Plat for Camino Crossing" consisting of 3 full-size sheets,

dated December 17, 2019, and stamped received December 17, 2019, except as modified by the following conditions.

- b. Development and use of the site shall in substantial conformance with the Narrative Report entitled "Narrative for Camino Crossing", consisting of 19 pages, dated December 17, 2019, and stamped received December 17, 2019, except as modified by the following conditions.
- c. The following Engineering conditions shall apply:
  1. The developer should mount the mast arm and signal faces on signal pole located on north-west corner, move the existing signal pole on north-east corner to the ultimate location and construct the site driveways with required turn lanes under offsite improvement.
  2. Applicant must coordinate with County Real Estate to vacate the two (2) drainage easements associated with MCDOT Transportation Improvement Project (TIP) TT0248, located within the site, north of Williams Drive.
  3. The applicant must coordinate with the MCDOT TIP TT0248 project manager to coordinate a final drainage solution along Williams Drive.
  4. DRB2019002 to allow a reduction from the 100 year, 2 hour storm retention requirement must be approved.
  5. One foot of freeboard shall be provided along the eastern sides of retention basins 3A/3B. If a berm is required, it shall contain a minimum top width of 8 feet.
  6. The property to the east is owned by the Flood Control District. Any work/disturbance within said property will require separate R/W permitting through the District.
  7. A financial contribution in lieu of constructing ultimate half-width improvements along Williams Drive may be required/conditioned as part of future entitlements (i.e. final plat).
  8. Applicant shall be required to design, permit and install its portion of the traffic signal located at the El Mirage Road and Corte Bella intersection, including required turn lanes, as an offsite improvement with its subdivision infrastructure.
  9. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
  10. Based on the conceptual design nature of the information submitted, changes to the site layout and/or a reduction in the number of building lots may be necessitated by the final engineering design of the subdivision drainage infrastructure.

11. Detailed Grading and Drainage (Infrastructure) Plans must be submitted with the application for Final Plat Approval and Building Permits.
- d. Prior to Final Plat and Infrastructure Permit submittal, the applicant is required to attend a pre-submittal meeting in order to coordinate the permitting process for improvements, fees, and assurances associated with the subdivision. Intake of the Final Plat and Infrastructure permit shall be by appointment only.
  - e. Concurrent with submittal of Final Plat, Improvement Plans shall be submitted to the Planning and Development Department.
  - f. After Final Plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
  - g. Prior to Final Plat approval, Water and Wastewater Plans shall be submitted to and approved by the Maricopa County Department of Environmental Services (MCESD) subject to their procedures.
  - h. Specific roadway cross-sections and pavement sections are not approved as shown on the Preliminary Plat. The number and width of lanes, including turn and auxiliary lanes, as well as pavement thickness, will be approved on construction improvement plans in conjunction with the Final Plat, in compliance with the Traffic Impact Statement (TIS) approved by the Maricopa County Department of Transportation (MCDOT).
  - i. Streetlights installed in County public streets must be approved and permitted by the Maricopa County Department of Transportation.

When public streetlights are provided, construction costs for said streetlights shall be borne by the Developer and said streetlight facilities will become property of the local power utility company. In addition, streetlights that are installed within public streets accepted by the Board of Supervisors must establish a Street Lighting Improvement District (SLID) or comparable authority to purchase or pay for the energy expended by the streetlights. The Developer should contact the Office of the Superintendent of Streets at (602) 506-8797 for information regarding the SLID establishment process.

NOTE: Maricopa County is not responsible for public street lighting operation or maintenance. Please contact the local power utility company regarding streetlight operation and maintenance.

- j. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your house should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends."

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department."

- k. All buildings subject to noise attenuation as per ARS § 28-8482(B).
- l. The applicant/owner shall comply with the standard assurance provisions as set forth in the Maricopa County Subdivision Regulations.
- m. Preliminary Plat approval shall expire two (2) years from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date and may be administratively approved in accordance with the Maricopa County Subdivision Regulations.
- n. The Final Plat shall include a note that states that there shall be no further division of land or delineation of parcels within the area of this subdivision plat without approval by the Board of Supervisors.

**Special Use Permit - Z2019033**

**District 4**

Applicant: Upfront Planning & Entitlements, LLC

Location: Generally located north of Vulture Mine Road, approx. 8.5 miles southeast of Wickenburg

Request: Special Use Permit (SUP) for regular walking tours and overnight accommodations - Vulture Peak Tours

Mr. Gerard presented Z2019033 and noted there is no known opposition from the neighbors, and staff recommends approval with addition to condition 'h' - all activity shall be conducted on site unless permit/s is/are obtained from the federal Bureau of Land Management.

Ms. Jessica Sarkissian said she is with Upfront Planning and this was a last minute addition. The BLM commented last night and they offered this stipulation to appease them.

Chairman Schlosser asked if she is fine with the stipulation. Ms. Sarkissian said yes.

**COMMISSION ACTION: Commissioner Andersen motioned to approve Z2019033 with conditions 'a'-'h' with staff and applicant recommended condition 'h'. Commissioner Burrows second. Approved 9-0.**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Vulture City-Site Plan", consisting of 1 full-size sheets, dated December 16, 2019, and stamped received December 16, 2019, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Vulture Peak Tours, LLC", consisting of 6 pages, dated November 2019, and stamped received November 8, 2019, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
  1. At the Time of the Building Permit Application:
    - a. The Engineered Grading and Drainage Plans must be updated to show the swales/ditches along the roads to direct the flow to the respective retention basins per the Drainage Report.
    - b. The grading for Retention Basins #4 and #5 must entirely be in cut. Maximum cut slope is 4:1. The maximum height of the lowest top of slope elevation cannot be more that 12-inches above the bottom of the basins.
    - c. The proposed contours downstream of Retention Basin #4 must show how the off-site and any flows above & beyond the 100-year, 2-hour storm event will flow downstream.
    - d. The retention basin emergency spillway will be sized according to the post condition flow rate. There will be no pre vs. post flow rates used to size drainage features.

- e. The retention basins' top of berms must have a minimum width of 8-feet.
  - f. The first flush volumes in Retention Basins #1 and #2 must have drain down calculations. Use either percolation tests or drywells.
  - g. The size of the riprap on the plans must be at the same size or greater than the riprap calculations in the Drainage Report.
  - h. Update the contributing area for Retention Basin #4 to include the area of the retention basin.
  - i. The area for Retention Basin 1 must match between the 100-year, 2-hour storm event and the first flush calculations.
  - j. Provide calculations to show how the bleed-off pipes will drain between 24-hr and 36-hr.
2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and the Maricopa County Drainage Policies and Standards.
  3. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.
  4. The existing Vulture Mine Road Right-of-Way (R/W) is 130-ft (65-ft on either side). The driveway within the existing R/W will need to be construct as a Minor Collector Roadway Connection.
  5. Any construction (driveway, utilities, etc.) within Vulture Mine Road Right-of-Ways will require a Maricopa County Department of Transportation (MCDOT) Right-of-Way Permit.
- d. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors. All of the site improvements shall be removed within 60 days of such termination or expiration.
  - e. Prior to occupying the existing residence or any portion thereof for any use associated with the Special Use Permit, the applicant shall obtain a Building Permits to retrofit the existing buildings to meet current commercial building code requirements as applicable and shall obtain a Certificate of Occupancy for the retrofitted building prior to occupancy.
  - f. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- g. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, and at the time of expiration of the Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, or the expiration of the Special Use Permit, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation or expiration of the Special Use Permit. The Special Use Permit enhances the value of the property above its value as of the date the Special Use Permit is granted and reverting to the prior zoning results in the same value of the property as if the Special Use Permit had never been granted.
- h. **All activity shall be contained on site unless separate permit/s is/are obtained from the federal Bureau of Land Management.**

Chairman Schlosser adjourned the meeting at 9:47 a.m.

Prepared by Rosalie Pinney  
Recording Secretary  
January 16, 2020