

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

May 14, 2020  
9:30 a.m.

Gotowebinar.com  
Phoenix, Arizona

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**MEMBERS PRESENT:**

Mr. Lucas Schlosser, Chairman  
Mr. Greg Arnett, Vice Chairman  
Mr. Nathan Andersen  
Mr. Matt Gress (left @ 11:55 a.m.)  
Mr. Jimmy Lindblom  
Ms. Francisca Montoya  
Ms. Jennifer Ruby

**MEMBERS ABSENT:**

Mr. Bruce Burrows  
Mr. Broc Hiatt  
Mr. Robert Zamora

**STAFF PRESENT:**

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

**COUNTY AGENCIES:**

Mr. Wayne Peck, County Attorney  
Mr. David Anderson, Business Engagement Manager, OET  
Ms. Rebecca Quince, Senior Project Manager, OET

**CONSENT:**

**Z2019103, Z2019108, Z2019131, Z2019137**

**REGULAR:**

**MCP2020001, MCP2019005**

Chairman Schlosser called the meeting to order at 9:33 a.m. and made the standard announcements.

Chairman Schlosser asked if there were any changes or comments to the minutes for March 12, none.

**COMMISSION ACTION: Chairman Schlosser approved the March 12, 2020 minutes as written.**

**CONSENT AGENDA**

**Special Use Permit - Z2019103**

**District 4**

Applicant: Mark Preach, Preach Incorporated  
Location: Generally located ½ mile northeast of the northeast corner of 163<sup>rd</sup> Ave. and Grand Ave. in the Surprise area

Request: Special Use Permit (SUP) to allow commercial storage in the Rural-43 - Wickenburg Highway Scenic Corridor overlay zoning district – 29 Palms RV, Boat & Storage

**Special Use Permit - Z2019108**

**District 4**

Applicant: Reese Anderson & Jon Gillespie, Pew & Lake, PLC  
Location: Generally located 1,600 feet north of the NEC of Rose Garden Lane & 115th Avenue alignment, in the Peoria area  
Request: Special Use Permit (SUP) for Boat & RV Storage in the Rural-43 Zoning District - Guardian Boat & RV Storage

**Special Use Permit - Z2019131**

**District 1**

Applicant: Shelly Udall, Renovate  
Location: Approx. 1,600 feet south of the SEC of the intersection of 144<sup>th</sup> Street and Pecos Road, in the Gilbert area  
Request: Special Use Permit (SUP) to allow RV and Boat Storage in the Rural-43 Zoning District - Out of Sight RV & Boat Storage

**Zoning - Z2019137**

**District 1**

Applicant: Edwin Lamoreaux, Edwin and Linda Lamoreaux Family Trust  
Location: Generally located 2,300' east of the NEC of 144th St. & Willis Rd. in the Gilbert area  
Request: Rezone from Rural-43 to C-2 - Willis Road Project

Mr. Gerard presented the consent agenda.

Chairman Schlosser asked if anyone wished to speak on the consent agenda. None.

**COMMISSION ACTION: Commissioner Ruby motioned to approve the consent agenda, Z2019103 with conditions 'a'-'j', Z2019108 with conditions 'a'-'g', Z2020131 with conditions 'a'-'g', and Z2019137 with conditions 'a'-'g'. Commissioner Montoya second. Approved 7-0.**

**Z2019103 conditions;**

- a. Development of the site shall be in substantial conformance with the site plan entitled "29 Palms Storage", consisting of three full-size sheets, dated February 6, 2020, stamped dated received on February 25, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "29 Palms RV-Boat & Storage", consisting of seven pages, dated February 18, 2020, stamped dated received on February 25, 2020, except as modified by the following conditions.
- c. The Special Use Permit shall expire 20 years from the date if approved by the Board of Supervisors, which is June 10, 2040. Unless the Special Use Permit is renewed or extended or similar zoning entitlement approved, all

improvements shall be removed within 120 days of such expiration or termination of use.

- d. The following Planning Engineering conditions shall apply:
1. The applicant has indicated that a Flood Control access easement has been granted to the property, prior to issuance of any building permits, the applicant must obtain a right-of-way permit from the Flood Control District for access to the site,
  2. New buildings of the site must be elevated to conform to the Floodplain Regulations for Maricopa County,
  3. Renovations to existing building(s) on the site shall comply with FEMA's Substantial Improvement/Substantial damage guidelines. The cost of renovation of the existing building shall not exceed \$130,000 to comply with these guidelines.
  4. 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; MCODT Roadways Design Manual; and current engineering polices, standards and best practices at the time of application for construction.
  5. Detailed Grading and Drainage Plans must be submitted with application for Building Permits. Retention basin volume requirement for the site shall be the first flush volume of runoff.
- e. The following developing standards shall apply:
1. Ability to add chain link/cyclone fencing materials under eight-feet for perimeter fences;
  2. Ability to screen outdoor storage with chain link fences without view obscuring material;
  3. No setbacks for accessory structures;
  4. Ability to place accessory structures in required front/street side yards and ability to take up more than 30% of the required yards;
  5. Freestanding signs 72 square feet maximum;
  6. No setback requirements for freestanding signs;
  7. Wall signs of 90 square feet maximum;

8. Wall signs maximum height of 30 feet;
  9. The driveways, parking areas, and storage areas must be surfaced with decomposed granite, asphalt, or concrete to minimize dust pollution emanating from these areas.
- f. The four existing parcels shall be combined into a single property, within 90 days of Board of Supervisors approval.
  - g. All buildings subject to sound attenuation as per A.R.S § 28-8482(B) and Maricopa County regulations.
  - h. 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 Permit to retrofit the existing residence to meet current commercial building code requirements as applicable and shall obtain a Certificate of Occupancy for the retrofitted building prior to occupancy.
  - i. 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.
  - j. The granting of this change in use of the property has been granted 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 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 Special Use Permit, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agrees 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 of value as of the date of 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.

**Z2019108 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Guardian Boat & RV Storage", consisting of 2 full-size sheets, dated April 3, 2020, and stamped received April 6, 2020 except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Guardian Boat & RV Storage", consisting of 8 pages, stamped received March 24, 2020, except as modified by the following conditions.

- c. The following Planning Engineering conditions shall apply:
1. The abandonment of the patent easement in the parcel must be approved by the Board of Supervisors prior to acquisition of building permit(s) for any site improvements.
  2. The proposed access easement for the existing gravel road on parcels 200-12-011A, 200-12-011C, 200-12-014A, and 200-12-015F must be recorded prior to acquisition of building permit(s) for any site improvements.
  3. At the time of acquisition of building permit(s) for any site improvements, the alignment of the entire proposed 28-foot-wide access road must be shown on the grading and drainage plan from the site entrance south to Rose Garden Lane.
  4. 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.
  5. 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 Drainage Policies and Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.
  6. Detailed Grading and Drainage Plans showing the new site improvements must be submitted for the acquisition of building permits.
- d. The following Maricopa County Environmental Services Department (MCESD) condition shall apply:
1. Prior to any construction permit approval a NOID approval must be obtained
- e. This special use permit is valid for a period of 20 years and shall expire on **June 10, 2040** or upon termination of the use for a period of 90 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 90 days of such expiration or termination of use.

- 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.

**Z2019131 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Out of Sight RV Storage", consisting of 2 full-size sheets, stamped received March 23, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Out of Sight RV & Boat Storage", consisting of 6 pages, dated March 18, 2020, and stamped received March 18, 2020, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
  - 1. 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.
  - 2. 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 Drainage Policies and Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.

3. Detailed Grading and Drainage Plans and Final Drainage Report showing the new site improvements must be submitted for approval and acquisition of building permits.
- d. The following Maricopa County Environmental Services Department (MCESD) condition shall apply:
  1. The applicant must obtain NOID prior to construction permit approval.
- e. This Special Use Permit is valid for a period of 20 years and shall expire on May 10, 2040, or upon termination of the use for a period of 120 or more days, whichever occurs first. All site improvements associated with the special use permit shall be removed within 120 days of such expiration or termination of use.
- 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.

**Z2019137 conditions;**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Request for Rezoning from RU-43 to C-2", consisting of 1 full-size sheet, dated February 4, 2020, and stamped received February 5, 2020 except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "202 & Linsey Proposed Rezone from RU-43 to C-2", consisting of 10 pages, dated February 4, 2020, and stamped received February 5, 2020 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. A traffic impact study must be submitted with any future entitlement application (i.e. plan of development).
  3. 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. The following MCESD condition shall apply:
1. ATC for water and sewer are required prior to any construction permits approvals.
- e. 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.
- f. 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.
- g. The zone change is applied to restrict the use of the site. Until such time as the site is served by sewer, uses on the site shall only be those acceptable to the Maricopa County Environmental Services Department (MCESD) that can be accommodated by septic systems. A public water system and public sewer system shall be required prior to establishment of any non-residential use that requires potable water.



## REGULAR AGENDA

### Military Compatibility Permit - MCP2020001

**District 4**

Applicant: Tiffany and Bosco, PA  
Location: Generally located approx. ½ mile southwest of the southwest corner of Northern Ave. and El Mirage Rd. in the Glendale area  
Request: Military Compatibility Permit (MCP) for development of a water treatment facility in the Rural-43 Military Airport and Ancillary Military Facility (MAAMF) Overlay Zoning District - Marbella North Water Campus

Chairman Schlosser recused himself from this case – MCP2020001. Vice Chairman Arnett is interim Chairman for this case.

Mr. Gerard presented MCP2020001 and noted this is for a new water arsenic treatment facility to be operated by Liberty Utilities and it's in the Rural-43 Military Airport and Ancillary Military Facility Overlay District (MAAMF). The applicant is requesting to vary the height to 60', water storage tanks surrounded by other industrial type uses. The water campus will serve and benefit the area. Staff recommends approval with conditions 'a'- 'k'.

Ms. Ashley Marsh with Tiffany & Bosco said she is here with Mr. David Snow from Liberty Utilities. They are asking for approval of the Military Compatibility Permit (MCP). The site is located 1-1/2 miles east from Luke Air Force Base and they are required to have a Use and Compatibility Consistency Determination (UCCD) for the entire site prior to being able to apply for a MCP for the two acre site. They will be building a water station/well, and the drainage issues were minor and have already been resolved. This is allowed under the UCCD and the MCP required to establish specific use and site plan. The water campus will serve and benefit the area. We have stipulations in place with the revised site plan, and we have staff's approval with stipulations 'a'- 'k'.

Chairman Arnett asked if anyone from the public wishes to speak on this case. None.

**COMMISSION ACTION: Commissioner Andersen motioned to approve MCP2020001 with conditions 'a' – 'k'. Commissioner Montoya second. Approved 6-0-1 (Schlosser).**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Liberty Utilities", consisting of 16 full-size sheets, dated April 3, 2020, and stamped received April 8, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Marbella North Water Campus", consisting of 8 pages, dated April 7, 2020, and stamped received April 8, 2020, except as modified by the following conditions.

- c. A revised site plan addressing all outstanding Engineering-Drainage Review concerns and Planning concerns shall be submitted within 30 calendar days of approval of the Maricopa County Board of Supervisors.
- d. The following Planning Engineering conditions shall apply:
  - 1. 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.
  - 2. 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 Drainage Policies and Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.
  - 3. Detailed Grading and Drainage Plans and Final Drainage Report showing the new site improvements must be submitted for approval and acquisition of building permits.
- e. The following Maricopa County Environmental Services Department (MCESD) conditions shall apply:
  - 1. ATC must be obtained prior to construction permit approval.
- f. All buildings are subject to noise attenuation as per ARS § 28-8482(B).
- g. The following Rural-43 Military Airport and Ancillary Military Facility Overlay Zoning District standards shall apply:
  - a. Height – 60'
  - b. Front Yard – 20'
  - c. Side Yard – 0'
  - d. Street-side Yard – 0'
  - e. Rear Yard – 0'
  - f. Lot Area – 1 acre
  - g. Lot Width – 145'
  - h. Lot Coverage – 60%
  - i. Parking Spaces Required – 10 spaces, 1 of which to be ADA
- h. The following Luke Air Force Base condition shall apply:

FHF LLC shall notify future occupants/tenants that they are located near a military airport with the following language:

Luke Air Force Base executes an average of approximately 165 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 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.

For further information, please check the Luke Air Force Base website at [www.luke.af.mil/urbandevelopment](http://www.luke.af.mil/urbandevelopment) or contact the Maricopa County Planning and Development Department."

- i. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Military Compatibility Permit as set forth in the Maricopa County Zoning Ordinance.
- j. 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.
- k. 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 Military Compatibility 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 Military Compatibility 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 Military Compatibility Permit. The Military Compatibility Permit enhances the value of the property above its value as of the date the Military Compatibility Permit is granted and reverting to the prior zoning results in the same value of the property as if the Military Compatibility Permit had never been granted.

**Military Compatibility Permit – MCP2019005 (Cont. from 4/23/20)**

**District 4**

Applicant: Toni Bonar, HilgartWilson, LLC  
Location: Generally located north of the intersection of 152<sup>nd</sup> Avenue and Camelback Road, in the Glendale area.  
Request: Military Compatibility Permit with Precise Plan of Development - Falcon

Chairman Schlosser rejoined the hearing.

Mr. Gerard presented MCP2019005 and noted the applicant requests a Military Compatibility Permit (MCP) for a Cross-Dock Facility on a 157 acre site, and includes a plan of development on the 79 acre northern portion of the site. The White Tank/Grand Avenue Area Plan designates this area for military compatibility uses, and the Glendale General Plan designates the area for Luke compatible uses. To the immediate east and the south side of Camelback Road is the Goodyear General Plan designates the area for business and commerce, and further west it's designated for industrial. All are with a Luke compatible land-use overlay. There is one letter of support, and one e-mail in favor of the project. There is opposition from the City of Goodyear, the City of Litchfield Park and Luke Air Force Base with rescinded previous support. This morning there are 268 opposition e-mails, with 191 included in the staff report and 77 were received after the printing of the packet. There is an on-line web page with over 2,300 signatures in opposition. Staff's recommendation is for approval subject to conditions 'a'-'j'. The cross-dock truck terminal facility covers 79.36 acres of the northern portion of the site. This is a truck logistics to rearrange loads from national delivery to regional delivery to local delivery. The terminal will provide a 245,000 square foot building footprint and 683 vehicle spaces, and 15 ADA spaces for employees and visitors, plus 1,400 parking spaces for trucks and trailers of various sizes. The plan of development includes deviations from the underlining Rural-43 zoning standards includes a maximum 60-foot building height, front setback of 20 feet, maximum lot coverage of 60%, and allow outdoor lighting maximum pole height of 110 feet.

Mr. Gerard read the opposition letters received after the printing of the packet.

Commissioner Andersen asked staff what the Commission is being asked to consider today. Mr. Gerard said the zoning is already in place for this site and it is subject to a Military Air Base Ancillary Military Overlay Zoning District, and that overlay supersedes the use regulation of any underlining zoning district. There is a list of specific uses that are permitted in those uses and are determined by state statute to be consistent and compatible with the air base. There has to be a Use Consistency and Compatibility Determination (UCCD) obtained with Luke Air Force Base and the County. The UCCD has been obtained for this use, so the use is consistent and compatible with Luke Air Force Base. There has to be a Military Compatibility permit process, it looks at not just the use, but the specific layout to make sure the development is going to be appropriate for this location.

Mr. Peck said normally when you do a rezoning or an SUP you have to consider is the zone they are asking you to change to, and is it appropriate at that particular location. You have to decide if the use is compatible and consistent with the high noise or

accident potential zone, and Luke Air Force Base said it is. You can decide based on your own determination. Then you do the same as any other zoning, is this use appropriate for that proposed use. There is an extra layer with Planning and Zoning and Luke, and they signed off on that part of it. You can look at it as any Special Use Permit.

Commissioner Andersen asked so we are not just looking at how this particular use impacts the airport, but we have the discretion to look at how this impacts the neighborhood and the community at-large. Mr. Peck said yes and no. You can decide if it has a negative impact on the airport, but the issue we are talking about is the consistency and compatibility with the high noise or accident potential zone. The reason for zones is if a crash occurs, Luke and other air force bases around the country want to minimize the density to the least possible damage. Those people who are close to the runways, they are trying to minimize the noise impact. That is what the UCCD focuses on.

Commissioner Lindblom asked to clarify the existing property cannot have homes on it. Mr. Gerard said that is correct. New residential uses are not permitted anywhere within the Military Air Base Ancillary Military Overlay Zoning District.

Commissioner Ruby asked if the most recent letter from Luke Air Force Base impacts the original UCCD approval. Mr. Gerard read the letter from Luke Air Force Base which was included in the printed packet. The letter rescinded their previous support, but it does not address the statutory issue and it does not negate the fact there is a Use Consistency and Compatibility Determination made for this land use.

Chairman Schlosser asked if the City of Litchfield Park and the City of Goodyear are aware of that letter. Mr. Gerard said to his knowledge they are aware.

Chairman Schlosser stated Commissioner Gress had to leave the hearing and is no longer participating.

Chairman Schlosser said he will give the applicant 30 minutes for his presentation and there's 40 to 50 people registered to speak. He will limit the opposition up to two minutes.

Mr. Jason Morris said he is with Withey Morris representing the applicant. This is not only an appropriate application, it is a beneficial application for this area and one of the few uses that are permitted in this area. Mr. Cowley, the applicant has previously served on the Commission, and he has also served on the County's Boards and Commissions. It's not unusual to practice and volunteer in the community. The Board of Supervisors feels this position should be represented to give a good understanding and recommendation with knowledge. In terms of Mr. Cowley serving on the commission and now the land owner in this instance, it is not only disrespectful but it is distasteful on how he has been described in the opposition letters. Mr. Cowley was selected previously to serve on this commission for his expertise, and it is not unusual for members to regularly recuse themselves. You cannot have a commission with no experience of land use on a land use board. The commission is merely a recommending body, and not the decision makers for the ultimate zoning and entitlement.

Mr. Morris said the 160 acres is immediately adjacent to Luke Air Force Base and it is at the foot of the runway. The surrounding area is industrial or slated for industrial. The residential is in the lower right hand corner of the site plan shown. The site context and jurisdiction aerial shows to the north the City of Glendale's planning area, and to the south the City of Goodyear's planning area, and to the east and north and south of Camelback Road is the City of Litchfield Park's planning area. It is a confluence of an area where there are several plans that we'll investigate. This property owner and applicant did a thorough vetting of this site before moving forward. The White Tanks/Grand Avenue Area Plan shows Military Compatible use for this area, and nothing else is permitted in this area. The residential developer knew the uses surrounding those residents would in fact be industrial uses. This is not a recent land use decision, this area plan was adopted 20 years ago and it was discussed long before that time that this is an industrial area and a protective buffer around Luke Air Force Base. The City of Glendale General Plan has indicated this as the Luke compatible area in their plan and no other use is appropriate. We fall in the City of Glendale area General Plan and it makes reference of an industrial area. The City of Goodyear's General Plan lists this area in the Business and Commerce Category. There virtually is no other use that could be made of this property. The golf course has never been a long term use, it is an interim use and it is still privately owned. The City of Goodyear has shown this as a truck route in their master transportation plan, and it gives notice not only to the residents of the area, but the other property owners the intent of Camelback Road between the Loop 303 and Litchfield Road. They talk about what that truck route entails and it talks about the improvements that will be necessary in order for this to be designated as a truck route. They will be improving Camelback Road to that standard, and the City of Goodyear will have a seat at the table before a building is built and utilized. Camelback Road as it is situated today is not appropriate for heavy truck traffic noted by the some of the opposition letters. Which is true, and we also recognize that roadways are developed in conjunction with the properties adjacent to them. We are not comparing the existing Camelback Road, to what is proposed in this application for the future to what Camelback Road will and must be in order to accommodate future land use planning. The roadway development occurs with this application. This is a Military Airport and Ancillary Facility Zoning area and no other use is permissible and this is what was clearly intended for this site. The project is a cross-dock facility, and it is not an intense traffic generator in the industrial categories. We are not looking at a distribution facility, or a fulfillment center on this property, both would be legitimate uses given the underlining Military Compatibility. Instead we are proposing a cross-dock facility which is really focused on efficient transportation with limited routes and part of an international logistics company profile, which will have all company owned vehicles and every driver is a company employee. Every truck will be branded and monitored, and the operator will know where every truck is at any given time. They can trace their routes to ensure they are following the rules and procedures. This a cross-dock facility where items will be loaded and unloaded within that facility, and will be done within an enclosed spaced. The bay doors will only be opened when a truck is going to be affixed to it, and you will not hear a forklift or beeping outside of that area. There is a significant distance to the nearest residence. The current Camelback Road and the surrounding properties cannot take this amount of traffic. The amount of traffic has been inflated by the fact that we actually provided the County a 160 acre overview of what future traffic could be. Not only for this project but the future projects, as well as the other 80 acres that is not being developed at this time. Regarding trip generation,

there is the difference between the employee numbers which would not be truck traffic. They are included in the trip traffic, but this would be no different than the existing traffic on Camelback Road. The employee traffic can be disbursed 50 percent from the west and 50 percent from the east depending where they are driving from and going to. Ninety percent of the heavy truck traffic is covering the mile plus with this site and the 303. The heavy vehicles is not the 4,000 or 6,000 number that we have heard from the opposition, in fact the daily trip is 1,170. The daily trips is how many ingress and egress trips occur during a day, which means an individual vehicle can only enter once and depart once, that would be two trips on this number. The 585 number would be a more accurate number of vehicles instead of 1,170. If you take that number, and recognize that 90 percent of those 585 vehicles are heading west to the 303. Only 10 percent, roughly 59 vehicles would be headed east on Camelback Road to Litchfield Road because there is a route that receives palletized freight to utilize that area. We have provided the City of Goodyear with our initial traffic study and they made comments based upon where driveways were located and the striping, and made suggestions to what should be changed. We revised the access and improvements, and moved the traffic light to 152<sup>nd</sup> Avenue and improvements to what Camelback Road would be developed compared to what it looks like today. This is a significant investment. He pointed out the Palm Valley 303 which is a significant industrial complex located on both sides of the 303 going as far as 152<sup>nd</sup> Avenue. PV303 is across the street on the south side of Camelback Road from the proposed project. This is a well-planned, sought out industrial area, and it was approved by the City of Goodyear and shows up on their economic development page. This is on the future truck route that the City of Goodyear is promoting. He said the PV303 largest building is Palm Valley Unit 5, and it is 1,250,000 square feet under one roof in this industrial building. The smallest building immediately south closest to the neighborhood, is a 214,000 square feet building. Our entire development with future phases is 245,000 square feet, slightly larger than that one building closest to the neighbors. Our site is far more in distance to any of the homes. Our project is a movie theatre as to what we are looking at across the street is like Disneyland, in terms of traffic production and impact.

Mr. Gerard said he was informed one of the Commissioner's needs to leave at 1:00 and we will lose our quorum. This case will need to be rescheduled to the next Planning and Zoning hearing.

Mr. Peck said we need six for a quorum and if Commissioner Montoya leaves the Commission can no longer conduct business.

**No action due to loss of quorum, case to reconvene May 28, 2020.**

Chairman Schlosser adjourned the meeting at 12:50 p.m.

Prepared by Rosalie Pinney  
Recording Secretary  
May 14, 2020