

BOARD OF SUPERVISORS' MEETING
PLANNING AND ZONING AGENDA
May 8, 2019

CONSENT AGENDA

PZ-1 Title: Dog Gone Purr-Fect Pet Sitting and Doggie Daycare
Case #: Z2018096
Supervisor District: 3
Applicant / Owner: Rose Law Group / Noelle Alcaarez-Strassler
Request: Special Use Permit (SUP) for Pet Sitting and Dog Daycare in the Rural-43 zoning district
Site Location: Generally located on east side of 12th St. approx. 1,500' northeast of the intersection of Cloud Rd. and 12th St. in the north Phoenix and Cave Creek area
Commission Recommendation: On 4/25/19, the Commission voted 6-0 to recommend **approval** of Z2018096 subject to conditions 'a' – 'g':

- a. Development of the site shall comply with the Site Plan consisting of three full-size sheets, stamped received March 29, 2019, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Dog-Gone Purr-fect Pet Sitting and Doggie Daycare", consisting of 6 pages, and stamped received March 29, 2019, except as modified by the following conditions.
- c. Customers with vehicles dropping off or picking up pets shall be allowed to enter through the gate and turn around within the property. Customers with vehicles dropping off or picking up pets shall not be allowed to do so within the right of way.
- d. 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.
- e. This Special Use Permit shall expire 10 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.
- f. Within 30 days of Board of Supervisors approval, the applicant shall dedicate the additional required 8.75 feet of right of way for 12th Street.
- 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.

PZ-2 Title: Banner Boswell Medical Center
Case #: Z2019020
Supervisor District: 4
Applicant / Owners: Jeff Wimmer, Dibble Engineering / Banner Health and Sun Health Services
Request: Modification of Conditions to Z2018038
Site Location: Generally located between Thunderbird Blvd. to the north, Santa Fe Dr. to the south, 103rd Ave. to the east, and 105th Ave. to the west, in the Sun City area
Commission
Recommendation: On 4/25/19, the Commission voted 5-0-1 to recommend **approval** of Z2019020 subject to conditions 'a' – 'i':

- a. Development of the site shall comply with the Site Plan entitled "Precise Plan of Development Banner Boswell Webb Medical Center Emergency Department", consisting of 4 full-size sheets, dated April, 2018, and stamped received September 6, 2018, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Banner Boswell Medical Center ED Expansion Tower Project", consisting of 8 pages, dated April, 2018, and stamped received September 6, 2018, except as modified by the following conditions. Development of the site shall also be in conformance with the modification of conditions Narrative Report entitled, 'Modification of Conditions CUPD Case Z2019020 Narrative Report for Banner Boswell Medical Center', consisting of 9 pages dated March 14, 2019 and stamped received March 14, 2019.
- c. The following Planning Engineering conditions shall apply:
 1. At the time of the Building Permit, the Drainage Area Exhibits need to be printed full size and to scale.
 2. At the time of the Building Permit, the Drainage Area Map must be updated, or a new drainage area map must be created, to show the contributing areas of B1-1 to B1-8, offsite, Pipe 1, Pipe 2A, Pipe 2B, Pipe 3, RD1, and RD2.
 3. At the time of the Building Permit, provide a manhole at the pipe turn south of the far east underground storage pipe. See Sheet 3.2.

4. At the time of the Building Permit, existing and proposed spot elevations around New Medical Office Building and the New Parking Garage will be required.

The Engineered Grading and Drainage Plans.

5. At the time of the Building Permit for the Underground Storage, the submittal must go according to the Maricopa County Drainage Policies and Standards Manual Standard 6.10.9. Third party inspections will be required.
- d. The following Planning Engineering (Transportation) conditions shall apply
 1. Any construction (driveway, utilities, etc.) within Thunderbird Boulevard Right-of-Way will require a Maricopa County Department of Transportation (MCDOT) Right-of-Way Permit.
 2. Any construction (driveway, utilities, etc.) within 103rd Avenue Right-of-Way will require a Maricopa County Department of Transportation (MCDOT) Right-of-Way Permit.
 - e. The following C-2 CUPD standards shall apply:
 1. Building Height for the hospital tower: 125'
 2. Parking 1,495 spaces
 - f. 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.
 - g. 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.
 - h. 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.
 - i. 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 Plan of Development. The Plan of Development enhances the value of the property above its value as of the date the Plan of Development is granted and reverting

to the prior zoning results in the same value of the property as if the Plan of Development had never been granted.

PZ-3 Title: King's Equipment Storage and Contractor's Yard
Case #: Z2017123
Supervisor District: 2
Applicant / Owner: Greg Loper / John King
Request: Zone Change from Rural-43 to IND-2 Industrial Unit Planned Development (IUPD) for RV storage, equipment storage and contractor yard
Site Location: Generally located on the east side of Sossaman Rd. ½ mile north of Warner Rd. in the east Mesa area
Commission Recommendation: On 4/25/19, the Commission voted 6-0 to recommend **approval** of Z2017123 subject to conditions 'a' – 'j':

- a. Development of the site shall comply with the Site Plan entitled "Rezoning for King Enterprises", consisting of three full-sized sheets, dated October 21, 2018, and stamped received November 28, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised site plan showing required right of way dedication and all items out of the ultimate right of way, an updated IUPD development standards chart, and perimeter landscaping.
- b. Development of the site shall be in conformance with the Narrative Report entitled "King's Equipment Storage & Contractor Yard", consisting of six pages, dated November 5, 2018, and stamped received November 28, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised narrative report detailing varied development standard for the IND-2 IUPD zoning district for the type of screening required.
- c. Prior to zoning clearance for any construction permits the property owner shall dedicate the 40' ultimate half-width right-of-way for Mesquite Street unless there has been a written waiver from MCDOT for lesser or no dedication.
- d. Prior to zoning clearance for any construction issuance of any permits, a "Lot Split" of APN 304-30-008Q shall be completed to create a new and separate parcel for the subject 15-acre Z2017123 IND-2 IUPD site.
- e. The following IND-2 IUPD standard shall apply:
 1. Mondell Pines (*Pinus eldarica*) or Mesquite (*Prosopis glandulosa* or *chilensis*) shall be planted or maintained 20' on center along the west lot line and along the ultimate Mesquite St. street line. Outdoor storage of products and materials shall not exceed the height of the enclosure not to exceed 12'. Stored vehicles and related shade structures may not exceed a height of 20'.

- f. The IUPD overlay 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. Adult-oriented businesses and medical marijuana facilities shall be prohibited.
- g. 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.
- h. 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.
- i. 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.
- j. 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.

PZ-4 Title: King's Equipment Storage and Contractor's Yard
Case #: Z2017124
Supervisor District: 2
Applicant / Owner: Greg Loper / John King
Request: Zone Change from Rural-43 to IND-2 IUPD for an equipment storage and contractor yard
Site Location: Generally located 955' south of southwest corner of Mesquite St. and 202nd Pl. on the west side of 202nd Pl. in the east Mesa area
Commission
Recommendation: On 4/25/19, the Commission voted 6-0 to recommend **approval** of Z2017124 subject to conditions 'a' – 'h':

- a. Development of the site shall comply with the Site Plan entitled "Rezoning for King Enterprises", consisting of two full-sized sheets, dated August 20, 2018, and

- stamped received September 18, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised site plan showing an updated IUPD development standard chart, and perimeter landscaping.
- b. Development of the site shall be in conformance with the Narrative Report entitled "King's Equipment Storage & Contractor Yard", consisting of five pages, dated November 5, 2018, and stamped received November 28, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised narrative report detailing varied development standard for the IND-2 IUPD zoning district and perimeter landscaping.
 - c. The following IND-2 IUPD standard shall apply:
 - 1. Mondell Pines (*Pinus eldarica*) or Mesquite (*Prosopis glandulosa* or *chilensis*) shall be planted or maintained 20' on center along the north and south lot lines. Outdoor storage of products and materials shall not exceed the height of the enclosure not to exceed 12'. Stored vehicles and related shade structures may not exceed a height of 20'.
 - d. 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.
 - e. 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.
 - f. The IUPD overlay 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. Adult-oriented businesses and medical marijuana facilities shall be prohibited.
 - 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.

PZ-5 Title: King's Equipment Storage and Contractor's Yard
Case #: Z2017125
Supervisor District: 2
Applicant / Owner: Greg Loper / John King
Request: Zone Change from Rural-43 to IND-2 IUPD for an equipment storage and contractor yard
Site Location: Generally located at the southwest corner of Mesquite St. and 202nd Place in the east Mesa area
Commission Recommendation: On 4/25/19, the Commission voted 6-0 to recommend **approval** of Z2017125 subject to conditions 'a' - 'i':

- a. Development of the site shall comply with the Site Plan entitled "Rezoning for King Enterprises", consisting of two full-sized sheets, dated October 21, 2018, and stamped received November 28, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised site plan showing required right of way dedication and all items out of the ultimate right of way, an updated IUPD development standard chart, and perimeter landscaping.
- b. Development of the site shall be in conformance with the Narrative Report entitled "King's Equipment Storage & Contractor Yard", consisting of five pages, dated November 5, 2018, and stamped received November 28, 2018, except as modified by the following conditions. Within 30 days of Board approval the applicant shall submit a revised narrative report detailing varied development standard for the IND-2 IUPD zoning district.
- c. The following Planning Engineering conditions shall apply:
 1. Prior to zoning clearance for any construction permits the property owner shall dedicate the 40' ultimate half-width right-of-way for Mesquite Street, unless there has been a written waiver from MCDOT for lesser or no dedication.
 2. Retention basins must drain within 36 hours.
- d. The following IND-2 IUPD standard shall apply:
 1. Mondell Pines (*Pinus eldarica*) or Mesquite (*Prosopis glandulosa* or *chilensis*) shall be planted or maintained 20' on center along all lot lines adjacent to Rural-43 zoning and along the ultimate Mesquite St. street line. Outdoor storage of products and materials shall not exceed the height of the enclosure not to exceed 12'. Stored vehicles and related shade structures may not exceed a height of 20'.

- 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. 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.
- g. The IUPD overlay 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. Adult-oriented businesses and medical marijuana facilities shall be prohibited.
- h. 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.
- i. 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.

PZ-6 Title: Four Seasons in Sun City West
Case #: Z2018123
Supervisor District: 4
Applicant / Owner: Coe & Van Loo Consultants, Inc. / Sunwest Metro Ventures, LLC
Request: Zone change from R-3 SC to R-3 SC Residential Unit Plan of Development (RUPD)
Site Location: Approx. 650' northwest of the northwest corner of RH Johnson Blvd. and Camino del Sol Rd., in the Sun City West area
Commission
Recommendation: On 4/25/19, the Commission voted 6-0 to recommend **approval** of Z2018123 subject to conditions 'a' – 'g':

- a. Development of the site shall comply with the Zoning Exhibit entitled "Site Plan for K. Hovnanian's Four Seasons in Sun City West", consisting of three full-size sheets,

dated March 11, 2019, and stamped received March 12, 2019, except as modified by the following conditions.

- b. Development of the site shall be in conformance with the Narrative Report entitled "K. Hovnanian's Four Season An Active Adult Community in Sun City West", consisting of 13 pages, dated March 11, 2019, and stamped received March 12, 2019, except as modified by the following conditions.
- c. The following R1-6 RUPD standards shall apply:
 - 1. Minimum Lot Area: 3,000 sq. ft.
 - 2. Minimum Lot Area per Dwelling Unit: 3,000 sq. ft.
 - 3. Minimum Lot Width: 35'
 - 4. Open Space: 0%
 - 5. Maximum Lot Coverage: 75%
 - 6. Maximum Height: 40'
 - 7. Minimum Front Yard: 5'
 - 8. Minimum Interior Side Setback: 5' / 3' – Single family detached (6' minimum building separation)
 - 9. Minimum Rear Yard: 10'
- d. 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.
- e. 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.
- 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 25' x 25' sight visibility triangles (SVT's) along the Sandridge Dr. and RH Johnson Blvd. shall be waived. The developer must demonstrate safe sight visibility at this intersection based on Figures 9.1 and 9.1a of the MCDOT Roadway Design Manual with the final design of the subdivision's infrastructure. The internal 25' x 25' SVT's for the shared access easement along Sandridge Dr. will not be required.