

BOARD OF SUPERVISORS' MEETING
PLANNING AND ZONING AGENDA
June 12, 2019

CONSENT AGENDA

PZ-1 Title: Enclave at Anthem Senior Living
Case #: Z2019017
Supervisor District: 3
Applicant / Owner: Wendy Riddell, Barry Riddell, LLC / Spectrum Acquisition Anthem, LLC
Request: Special Use Permit (SUP) Major Amendment to add duplex casitas and parking
Site Location: Approximately 1,300' southeast of the intersection of Venture Drive and Anthem Way in the Anthem area
Commission Recommendation: On 5/16/19, the Commission voted 9-0 to recommend **approval** of Z2019017 subject to conditions 'a' - 'i':

- a. Development of the site shall comply with the Site Plan entitled "The Enclave at Anthem, Senior Living Cottages", consisting of one full-size sheet, stamped received May 1, 2019, except as modified by the following conditions.
- b. Development of the site shall be in conformance with the Narrative Report entitled "Enclave at Anthem", consisting of six (6) pages, stamped received April 8, 2019 except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
 - 1. Detailed Grading and Drainage Plans showing the new site improvements must be submitted for approval and acquisition of building permits.
 - 2. Work within the Venture Drive ROW (sidewalk and utility connections) will require a MCDOT ROW Permit issued concurrent with the building permit.
- d. The following MCESD conditions shall apply:
 - 1. Development and engineering design shall be in conformance with the Maricopa County Stormwater Quality Management and Discharge Control Regulation. The owner/developer shall prepare a Stormwater Site Plan and obtain approval by MCESD prior to construction. (A separate submittal to MCESD is required.)
 - 2. Upon completion of construction, the owner shall fulfill MCESD post-construction requirements. This will include appropriate operation and maintenance requirements.
- e. The applicant/property owner shall submit a cross-access agreement prior to issuance of building permits.

- 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. Continued compliance with the conditions of approval for Z2014098 and Z2015084 as applicable.
- h. 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.
- 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, 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: Marbella Ranch Parcel 4
Case #: S2018018
Supervisor District: 4
Applicant / Owner: EPS Group / Marbella Ranch, LP
Request: Final plat containing 153 residential lots and 10 tracts in the R-5 RUPD zoning district
Site Location: Approx. ¼ mile north of the northwest corner of Glendale Ave. and El Mirage Rd. in the Glendale area
Staff
Recommendation: Approval

PZ-3 Title: Marbella Ranch Parcel 3
Case #: S2018045
Supervisor District: 4
Applicant / Owner: EPS Group LLC / Marbella Ranch, LP
Request: Final plat containing 145 residential lots and 11 tracts in the R-5 RUPD zoning district
Site Location: Approx. ¼ mile north of Glendale Ave. and ¼ mile west of El Mirage Rd. in the Glendale area
Staff
Recommendation: Approval

REGULAR AGENDA

PZ-4 Title: Laborde Property (Cont. from 3/13/19)
Case #: Z2018124
Supervisor District: 2
Applicant / Owner: Karen Nabity / Lucie E. Laborde Living Trust /Lucie Laborde
Request: Zone Change from Rural-190 to Rural-43
Site Location: Approximately 300' south of the southeast corner of 144th St. and Cavedale Dr. in the Rio Verde area

Commission
Recommendation: On 1/17/19, the Commission voted 9-0 to recommend **approval** of Z2018124 subject to conditions 'a' – 'c':

- a. Development of the site shall be in general conformance with the Narrative Report entitled "Laborde Property Narrative", consisting of 2 pages, undated, and stamped received November 7, 2018, except as modified by the following conditions.
- b. 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.
- c. 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.