



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case: Z2020011 – Eagletail Airstrip

Hearing Date: July 23, 2020

Supervisor District: 5

Applicant: Gretchen House & Michael Tragarz, 99AZ Eagletail Runway Association

Owner: 99AZ Eagletail Runway Association

Request: Modification of Condition for permanent extension of Special Use Permit (SUP) Z99-87

Site Location: Generally located between Broadway Rd. and Southern Ave. approximately ¼ mile west of 539th Ave., in the Harquahala area

Site Size: Approx. 7.52 acres

Density: N/A

County Island: No

County Plan: Rural Development Area

Municipal Plan: N/A

Municipal Comments: None received

Support/Opposition: Opposition from Lyle Spargo

Recommendation: **Approve** with conditions

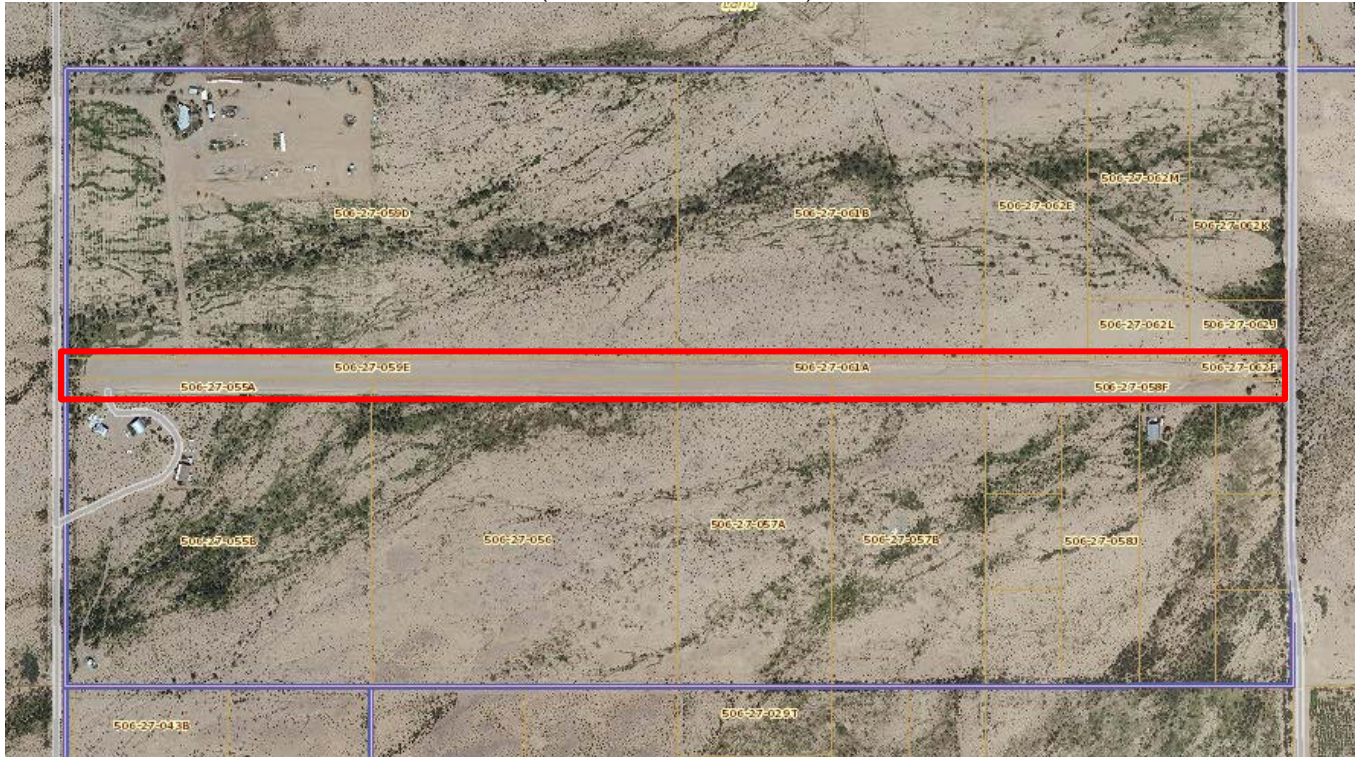
Project Summary:

1. The applicants are requesting a modification of condition 'd' of SUP Z99-87, to renew the SUP and allow continued use of Eagletail Airstrip in perpetuity. SUP Z99-87 was approved by the Board of Supervisors on April 5, 2000. That approval was to expire on April 5, 2020, however, on April 22, 2020 the County Board of Supervisors approved a resolution to extend all deadlines with critical dates from March 1, 2020 to July 1, 2020 for 120 days. Accordingly, the deadline for Z99-87 was extended to August 5, 2020.
2. Eagletail Airstrip is an approximately 3,280' x 100' (7.52 acre) private landing strip on the Eagletail Mountain Ranch. The strip bisects 11 approximately 40-acre parcels having 8 separate ownerships generally located between Broadway Road and Southern Avenue, and approximately 0.25 mile west of 539th Avenue, in the Harquahala area.
3. Violation V201902093 was opened and a Notice of Complaint was mailed to the Flying Ranch Properties LLC on November 15, 2019 in response to a complaint regarding alleged non-compliance of stipulations of approval of SUP Z99-87, specifically, unpermitted runway lighting. Code Enforcement followed-up on the complaint by visiting the subject property on January 6, 2020. No runway lighting was found and the complaint was determined to be invalid. Accordingly, the violation case was closed with no further action required.
4. Shown below is the existing language of Z99-87 condition 'd'
 - d. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors.

The requested modification of condition 'd' is shown with new language underlined and bold. Staff notes that the original approved narrative report with Z99-87 will remain as the original approved document. The changes to stipulation 'd' will only reference the requested modification of condition.

- d. This Special Use Permit shall **be in perpetuity or shall expire upon termination of the use. Any improvements associated exclusively with the SUP shall be removed within 180 days of such expiration.**

2018 Aerial Photo
(SUP Area Outlined in Red)

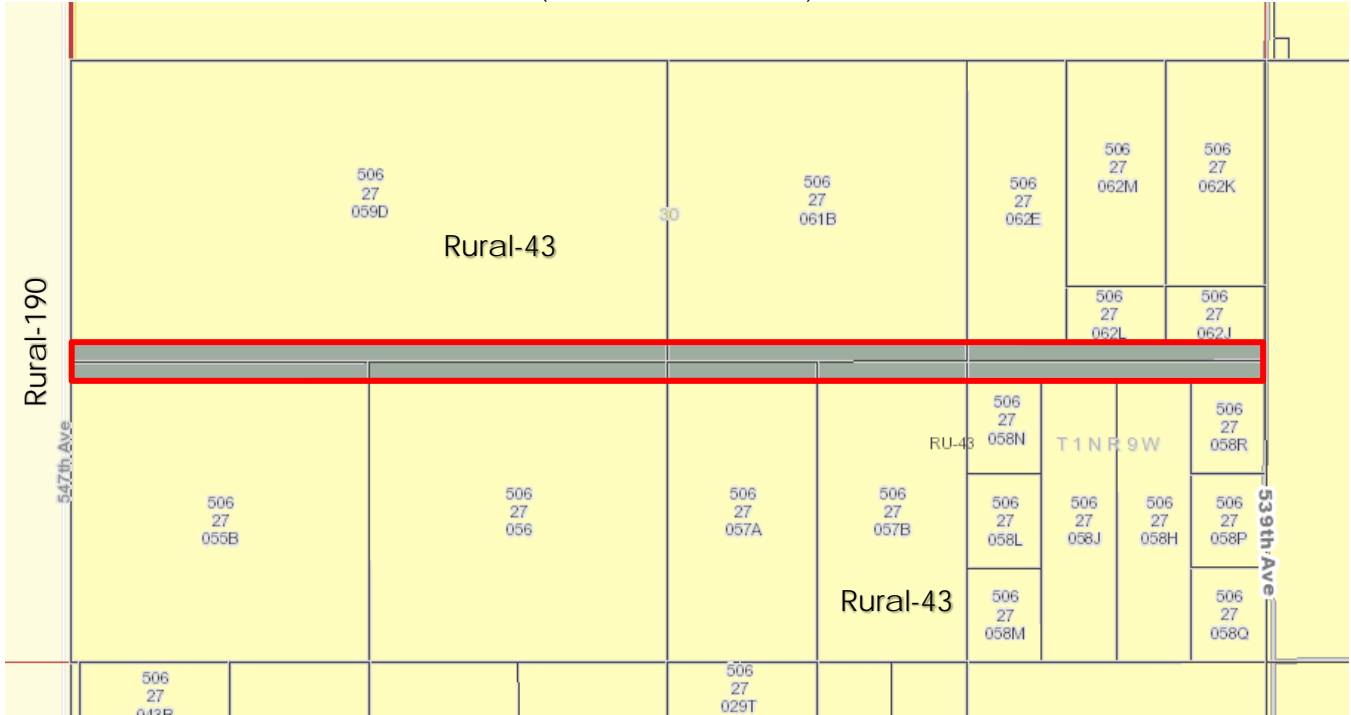


SUP Area Ownership and Support/Opposition Status



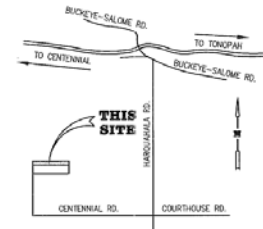
- SUP Area
- Owner Opposition
- Owner Support or No Comment

Zoning Map
(SUP Area Outlined in Red)

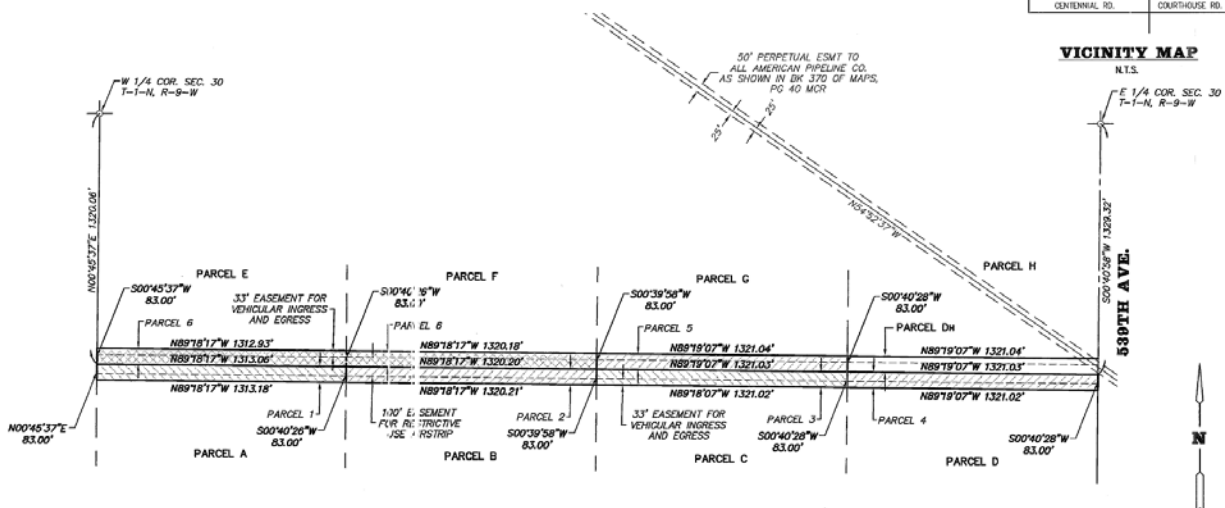


Site Plan

MAP TO ACCOMPANY LEGAL DESCRIPTIONS
OF
100' EASEMENT FOR RESTRICTIVE USE AIRSTRIP
AND VEHICULAR INGRESS AND EGRESS EASEMENT
OF THE AMENDED PLAT OF SUN UP, ARIZONA
BK 370 OF MAPS, PG 40 MCR



VICINITY MAP
N.T.S.



AREA

PARCEL 1	108,989 SF = 2.502 Ac.
PARCEL 2	109,577 SF = 2.516 Ac.
PARCEL 3	109,645 SF = 2.517 Ac.
PARCEL 4	109,645 SF = 2.517 Ac.
PARCEL 5	109,646 SF = 2.517 Ac.
PARCEL 6	218,553 SF = 5.017 Ac.

SHEET 1 OF 1

PREPARED FOR
Englot Ranch Airport Association
FAA Identifier 90AZ

MAP TO ACCOMPANY LEGAL DESCRIPTION
OF
A PORTION OF PARCELS A, B, C, D, E, F & G, SUN UP, ARIZONA
PER BK 370 OF MAPS, PG 40, MCR BEING SITUATED IN A PORTION
OF SEC. 30 T-1-N, R-9-W, GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA.

Keogh Engineering, Inc.
1415 W. WASHINGTON ST. • GLENDALE, ARIZONA 85305
PHONE: (602) 337-7900 FAX: (602) 337-7902
WWW.KEOGEHENGINEERING.COM

DRAWN BY: JJK
CHECKED BY: DFK
FIELD WORK BY: CJ

DATE: SEPT., 2000 JOB NO.: 20221 MAP NO.: C-20221

Existing On-Site and Adjacent Zoning / Land Use:

- 5. On-site: Rural-43 / Graded & Compacted Airstrip
- North: Rural-43 / Vacant and Single-Family Residential
- South: Rural-43 / Vacant and Single-Family Residential
- East: Rural-43 / Vacant
- West: Rural-190 / Vacant (state trust land)

Utilities and Services:

- 6. Water: Private wells (Eagletail Water Company)
- Wastewater: Septic
- School District: Arlington Elementary School District #47, Buckeye Union High School District #1
- Fire: Harquahala Valley Fire District
- Police: MCSO

Right-of-Way:

- 7. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

Street Name	Half-width Existing R/W	Half-width Proposed R/W	Future Classification
539 th Avenue	55'	55'	Minor Arterial
547 th Avenue	0'	0'	None

Adopted Plan:

- 8. **Comprehensive Plan Vision 2030 (adopted January 2016):** The plan designates the area as Rural Development Area.

Public Participation Summary:

- 9. The applicant complied with the Maricopa County Public Participation Process with the required site postings and notification by first class mail to the adjacent property owners within 300' of the subject site and interested parties. To date opposition has been received by staff from one party, Mr. Lyle Spargo who, along with Irene Spargo, owns one of the parcels that comprise the SUP area (APN: 506-27-055A) and an adjacent parcel (506-27-055B) which includes a residence and an apparent aircraft hangar with access to the airstrip. Mr. Spago opposes the current SUP renewal and inclusion of his property in it because he opposes the commercial (crop dusting) operations that have apparently been taking place at the airstrip, which Mr. Spargo believes were never part of the intent of the SUP. Additionally, Mr. Spargo believes the crop dusting aircraft create more noise and dust than non-commercial aircraft would produce. Finally, Mr. Spago does not believe that the materials submitted by Ms. House and Mr. Tragarz (on behalf of the 99AZ Eagletail Runway Association) provide authority to proceed with the current request over his objection.

Outstanding Concerns from Reviewing Agencies:

10. Staff has received no comments of concern from reviewing agencies including Luke Air Force Base, the Arizona State Land Department and the Arizona Department of Transportation.

Staff Analysis:

11. County records indicate that Eagletail Airstrip has adhered to the stipulations of approval for SUP Z99-87. There have been no zoning violation issues and staff is supportive of the current perpetual SUP renewal request. Reviewing County agencies have no objection to the modification of conditions.

Recommendation:

12. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to stipulations 'a' – 'j' of Z99-87 including modified condition "'d.'" All other stipulations associated with Z99-87 shall remain in effect.
 - a. Development shall comply with the site plan, entitled "Site Plan of Eagletail Airstrip," consisting of 1 sheet, dated January 3, 2000 and stamped received January 14, 2000 except as modified by the following stipulations.
 - b. Development shall comply with the provisions in the narrative report entitled "Eagletail Airstrip, Maricopa County, Arizona Special Use Permit Narrative Report", consisting of 7 pages, dated January 28, 2000 stamped received February 3, 2000 except as modified by the following stipulations.
 - c. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the special use is compatible with the surrounding area.
 - d. This Special Use Permit shall be in perpetuity or shall expire upon termination of the use. Any improvements associated exclusively with the SUP shall be removed within 180 days of such expiration.
 - e. All outdoor lighting shall conform to Section 2318 of the Maricopa County Zoning Ordinance.
 - f. Major changes to this Special Use Permit must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. The Department of Planning and Development may administratively approve minor changes.
 - g. No person shall operate, maintain, use or allow the use of any area larger than 5,000 square feet for the parking, storage, servicing or dispatching of motor vehicles without first implementing reasonably available control measures to effectively prevent or minimize fugitive dust.

- h. After zoning approval, but prior to issuance of any building permits or the issuance of a drainage clearance, the developer or his representatives must contact the Flood Control Permitting Office.
- i. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in Section 2806 of the Zoning Ordinance.
- j. The number of flights per month shall be unlimited.

Presented by: Sean Watkins, Planner
Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachments: Case map (1 page)
Opposition Comment (3 pages)
Narrative Report (8 pages)
Site Plan (reduced 8.5 x11, 4 pages)
MCENG comments (1 page)
MCENV comments (1 page)
Luke AFB comments (3 pages)
Arizona State Land Department comments (4 pages)
Arizona Department of Transportation comments (1 page)