



## Planning and Development Department

**DATE:** March 25, 2021

**TO:** Planning and Zoning Commission

**FROM:** Jose Castañeda, Planner

**SUBJECT:** Z2020098 - Innovation Villas on Camelback  
Agenda Item: #4

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Since the publishing of the staff report for the above case, the applicant presented additional conditions of approval related to the Innovation Villas on Camelback zone change case. These conditions were crafted in consultation with Engineering Plan Review.

Shown below is the additional condition in leg-edit format with new language underlined and bolded.

- j. **There is a canal that runs along Camelback so there may have to be some deviations from the Urban Principal Arterial Cross Section to adjust to the canal. Any such deviation must be approved by MCDOT and/or other affected jurisdictions.**

Engineering Plan Review provided an updated condition to correct the requested condition related to the Urban Principle Arterial Cross Section. The memo is included as an attachment for informational purposes only.

Staff recommends **approval** of **Z2020098** subject to conditions 'a' – 'j' with the proposed additional conditions. Shown below are the proposed conditions in final format:

- a. Development of the site shall be in substantial conformance with the Narrative Report entitled "Innovation Villas on Camelback", consisting of 12 pages, dated February 18, 2021, and stamped received February 21, 2021, except as modified by the following conditions.
- b. The following Engineering conditions shall apply:
1. The MCDOT Major Streets and Routes Plan requires a detached sidewalk for the Urban Principal Arterial Cross Section. Final Plat and building permit submittals must show the detached sidewalk along Camelback Road.
  2. The subject premises is located within the County's Urbanized Area and will disturb more than one (1) acre. A Storm Water Pollution Prevention Permit (SWPPP), issued by the County (PND), will be

required prior to issuance of any building permits required for site development. See: <https://www.maricopa.gov/DocumentCenter/View/6577>

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.
  4. 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.
  5. Detailed Grading and Drainage (Infrastructure) Plans must be submitted with the application for Final Plat Approval and Building Permits.
- c. 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.
  - d. All buildings subject to noise attenuation as per ARS § 28-8482(B).
  - e. The following R-5 RUPD standards shall apply:
    1. 20-foot minimum rear yard setback.
  - f. The following Luke Air Force Base condition shall apply:

The Innovation Villas on Camelback shall notify future occupants/tenants that they are located near a military airport with the following language:

"You are locating in a residential dwelling outside the "territory in the vicinity of a military airport," however aircraft flying in this area are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.

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."

Such notification shall be permanently posted on not less than a 3 foot by 5 foot sign in front of all leasing offices and be permanently posted on the front door of all leasing offices on not less than 8½ inch by 11 inch sign.

- 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 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.
- j. There is a canal that runs along Camelback so there may have to be some deviations from the Urban Principal Arterial Cross Section to adjust to the canal. Any such deviation must be approved by MCDOT and/or other affected jurisdictions.

Attachments: 3/16/21 E-mail – Applicant Requests Condition (2 page)  
3/17/21 Engineering Comments (2 pages)

**From:** [Jose Castaneda \(PND\)](#)  
**To:** [Michelle Santoro](#)  
**Subject:** RE: Z2020098 - Innovation Villas on Camelback -  
**Date:** Wednesday, March 17, 2021 11:52:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Michelle,

The deadline for comments on the conditions closed as of 5:00p.m. on 03/16/2021. Also yes we are considering the south property line the front, east is side, and northwestern is rear.

If you can submit the presentation by Monday 03/22/2021 at noon that would be fine.

**Jose Castañeda**

**Planner**

[Planning & Development](#)

Desk: 602-506-8358

[Jose.Castaneda@Maricopa.Gov](mailto:Jose.Castaneda@Maricopa.Gov)

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**From:** Michelle Santoro <MSantoro@EarlCurley.com>  
**Sent:** Wednesday, March 17, 2021 11:33 AM  
**To:** Jose Castaneda (PND) <Jose.Castaneda@maricopa.gov>  
**Subject:** RE: Z2020098 - Innovation Villas on Camelback -

Good morning Jose! We have two comments/questions:

1. For the first condition, we'd like to add "or as approved/modified by Maricopa County Development staff due to canal constraints"
  - a. There is a canal that runs along Camelback so there may have to be some deviations from the Urban Principal Arterial Cross Section to adjust to the canal.
2. We just wanted to confirm, what you and I spoke about earlier – the Airline Canal property line is considered our "rear yard", the eastern boundary is a "side yard" and of course Camelback is our "front yard". And again – we can have 6' cmu walls in the read and side yard setbacks. Correct?

Also – what is the deadline for me to send you our presentation for the hearing?

Thank you!

**Michelle Santoro**  
Senior Planner  
Earl & Curley

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**From:** Jose Castaneda (PND) <[Jose.Castaneda@maricopa.gov](mailto:Jose.Castaneda@maricopa.gov)>  
**Sent:** Monday, March 15, 2021 10:11 AM

**To:** Michelle Santoro <[MSantoro@EarlCurley.com](mailto:MSantoro@EarlCurley.com)>

**Subject:** Z2020098 - Innovation Villas on Camelback -

Good Morning,

Please see the copy of the draft conditions for the subject project. Any recommendations for changes and or comments to the conditions must be received by 5:00p.m. on 03/16/2021.

Thank you,



**Jose Castañeda**

**Planner**

[Maricopa County Planning & Development Department](#)

501 N. 44<sup>th</sup> Street, Suite 200, Phoenix, AZ 85008

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[Jose.Castaneda@Maricopa.Gov](mailto:Jose.Castaneda@Maricopa.Gov)

Desk: 602-506-8358  
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P&D is now 100% digital. Find information on our new permit process [here](#).  
Effective Monday, March 29, P&D's main office will be relocated to 301 W. Jefferson St.

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**From:** Bob Fedorka (PND) <[Bob.Fedorka@Maricopa.Gov](mailto:Bob.Fedorka@Maricopa.Gov)>  
**Sent:** Tuesday, March 23, 2021 10:15 AM  
**To:** Darren V. Gérard (PND) <[Darren.Gerard@Maricopa.Gov](mailto:Darren.Gerard@Maricopa.Gov)>; Larry Morden (PND) <[Larry.Morden@Maricopa.Gov](mailto:Larry.Morden@Maricopa.Gov)>  
**Cc:** Tony Regis (PND) <[Tony.Regis@Maricopa.Gov](mailto:Tony.Regis@Maricopa.Gov)>; Jose Castaneda (PND) <[Jose.Castaneda@maricopa.gov](mailto:Jose.Castaneda@maricopa.gov)>  
**Subject:** RE: Z2020098 - Innovation Villas

My suggestion would be to add the red text below to their requested condition

Best Regards,

**Bob Fedorka, PE**  
**Engineering Supervisor**  
[Planning & Development](#)  
602-506-7151  
[Bob.Fedorka@maricopa.gov](mailto:Bob.Fedorka@maricopa.gov)

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Phoenix*

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**From:** Darren V. Gérard (PND) <[Darren.Gerard@Maricopa.Gov](mailto:Darren.Gerard@Maricopa.Gov)>  
**Sent:** Tuesday, March 23, 2021 8:52 AM  
**To:** Bob Fedorka (PND) <[Bob.Fedorka@Maricopa.Gov](mailto:Bob.Fedorka@Maricopa.Gov)>; Larry Morden (PND) <[Larry.Morden@Maricopa.Gov](mailto:Larry.Morden@Maricopa.Gov)>  
**Subject:** FW: Z2020098 - Innovation Villas

FYI

**Darren V. Gérard, AICP**  
**Planning Services Manager**  
Planning & Development  
602-506-7139  
[Darren.Gerard@maricopa.gov](mailto:Darren.Gerard@maricopa.gov)

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**From:** Jose Castaneda (PND) <[Jose.Castaneda@maricopa.gov](mailto:Jose.Castaneda@maricopa.gov)>  
**Sent:** Tuesday, March 23, 2021 8:51 AM  
**To:** Tony Regis (PND) <[Tony.Regis@Maricopa.Gov](mailto:Tony.Regis@Maricopa.Gov)>  
**Cc:** Darren V. Gérard (PND) <[Darren.Gerard@Maricopa.Gov](mailto:Darren.Gerard@Maricopa.Gov)>; Matthew Holm (PND) <[Matthew.Holm@Maricopa.Gov](mailto:Matthew.Holm@Maricopa.Gov)>  
**Subject:** Z2020098 - Innovation Villas

Hi Tony,

The applicant wants to add the following stipulation and we need to make sure ENG is ok with it stip so we can create a handout:

1. For the first condition, we'd like to add "or as approved/modified by Maricopa County Development staff due to canal constraints"
  - a. There is a canal that runs along Camelback so there may have to be some deviations from the Urban Principal Arterial Cross Section to adjust to the canal. **Any such deviation must be approved by MCDOT and/or other affected jurisdictions.**

Thank you,

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<image004.png>

**Jose Castañeda**  
**Planner**

[Maricopa County Planning & Development Department](#)

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85008

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