

BOARD OF SUPERVISORS' HEARING
PLANNING AND ZONING AGENDA
August 31, 2022

CONSENT AGENDA

Title: The Reserves at Lone Mountain
Case #: S2021034
Supervisor District: 2
Applicant / Owner: HilgartWilson / Shea Homes Limited Partnership
Request: Final Plat for The Reserves at Lone Mountain, which comprises 51 residential lots and 8 tracts in the R1-18 RUPD zoning district
Site Location: Generally located ¼ mile southeast of the southeast corner of Lone Mountain Rd. and 56th St. in the Phoenix area

Staff
Recommendation: Approval

Title: Arrow Concrete
Case #: MCP2021001
Supervisor District: 4
Applicant & Owners: Jack Gilmore, Gilmore Planning & Landscape Architecture / Raymond and Margarita Osie
Request: Military Compatibility Permit (MCP) with Plan of Development (POD) for a contractor's yard for storage of construction material, equipment and on-site storage and delivery of granular material in the Rural-43 MAAMF zoning district
Site Location: Generally located at the northeast corner of Sarival Ave. and Ocotillo Rd. (APN#501-60-040 & 501-60-039)

Commission
Recommendation: On 8/4/22, the Commission voted 9-0 to recommend **approval** of MCP2021001 subject to conditions 'a' – 'i':

- a. Development of the site shall be in substantial conformance with the Site Plan entitled, "Arrow Concrete & Rock 4 Less" consisting of one full-size sheet with engineer's seal dated May 12, 2022, and stamped received May 17, 2022, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled, "Application Military Compatibility Permit Arrow Concrete MCP 2021001", consisting of twenty-three pages, dated May 13, 2022, and stamped received May 17, 2022, except as modified by the following conditions.
- c. The Military Compatibility Permit shall be limited to the following uses:
 1. Storage of construction material, equipment and on-site storage and delivery of granular material
- d. The Planning Engineering comments as outlined in the memo dated 6/24/22 shall apply at the time of the first building permit for the grading/drainage plans.

- e. All new buildings are subject to noise attenuation as per ARS § 28-8482(B).
- f. The following Military Airport and Ancillary Military Facility Overlay Zoning District standards shall apply:
 - 1. Min. Lot Size – 43,480 sq. ft.
 - 2. Min. Lot Width – 115’
 - 3. Min. Front Yard Setback – 20’
 - 4. Min Side Yard – 10’
 - 5. Min. Street-side Setback – 15’
 - 6. Min. Rear Yard – 30’
 - 7. Pavement – Pavement may consist of asphalt or rolled and compacted decomposed granite with a dust control plan approved by Maricopa County Air Quality Control.

All other development standards of the underlying zoning shall remain.

- g. 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.
- 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, 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.

Title: Lot 14 & Tract A of Buckeye Ranch
 Case #: Z2021139
 Supervisor District: 4
 Applicant & Owner: David Hughes, EPS Group, Inc. / Global Water-Greater Tonopah Water Company
 Request: Special Use Permit (SUP) Major Amendment to expand water treatment facility in the Rural-43 zoning district

Site Location: Generally located at the SWC of Buckeye Rd. & 355th Ave. in the Tonopah area

Commission Recommendation: On 8/4/22, the Commission voted 9-0 to recommend **approval** of Z2021139 subject to conditions 'a' – 'n':

- a. Development and use of the site shall be in substantial conformance with the site plan entitled "Site Plan of Lot 14 & Tract A of Buckeye Ranch" consisting of one (1) full-size sheet dated June 20, 2022, and stamped received June 28, 2022, except as modified by the following conditions.
- b. Development and use of the site shall be in substantial conformance with the narrative report entitled "Lot 14 & Tract A of Buckeye Ranch Special Use Permit Major Amendment" consisting of twenty-three (23) pages, dated revised June 20, 2022, and stamped received June 28, 2022, except as modified by the following conditions.
- c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- d. Prior to commencing construction of the arsenic treatment system, the applicant shall obtain an Approval to Construct from Maricopa County Environmental Services Department (MCESD).
- e. Prior to the issuance of construction permits, the applicant shall submit a Grading and Drainage plan and Drainage Report that have been signed and sealed by an Arizona Registered Civil Engineer. Said plan and report shall include the following:
 1. Retention basin needs to provide for a maximum side slope of 4:1.
 2. Drainage 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 the Maricopa County Drainage Policies and Standards.
 3. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance and current engineering policies, standards and best practices at the time of application for construction.
 4. Any development in the floodplain will require a floodplain use permit issued concurrent with building permit(s) required for site development.
 5. Driveway access to Papago Street must be paved and will require a permit from MCDOT issued concurrent with building permit(s) required for site development. Drainage flow along the roadway must be maintained.

6. All retention basins shall drain within 36 hours per County requirements.
- f. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- g. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- h. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- i. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- j. In the event the use of this site is terminated for a period exceeding 180 days, the SUP shall expire and all related equipment shall be removed within 180 days.
- k. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- l. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance).
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- n. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.