

MINUTES OF THE REGULAR MEETING
OF THE
PLANNING AND ZONING COMMISSION

October 6, 2022
9:30 a.m.

205 W. Jefferson Street, Phoenix, Arizona
and by GoToWebinar

MEMBERS PRESENT:

In-person

Mr. Greg Arnett

Mr. T.J. Mitchell

GoToWebinar

Mr. Jimmy Lindblom, Chairman

Mr. Lucas Schlosser, Vice Chairman

Mr. Kevin Danzeisen

Mr. Erik Hernandez

Mr. Spike Lawrence

Ms. Kate McGee

MEMBERS ABSENT:

Ms. Francisca Montoya

Mr. Jay Swart

STAFF PRESENT:

Mr. Matt Holm, Planning Supervisor

Ms. Rachel Applegate, Senior Planner

Mr. Martin Martell, Planner

Mr. Joseph Mueller, Planner

Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES:

Mr. Nik Decker, County Attorney

Mr. David Anderson, Business Engagement Manager, OET

Ms. Pearl Duran, Technical Team

Ms. Alisha Bach, Technical Team

Mr. Martin Camacho, Technical Team

CONSENT:

Z2022108, MCP2022003

Commissioner Arnett to be acting Chairman.

Chairman Arnett made the standard announcements and asked if there were any changes or comments to the September 1 minutes. None.

COMMISSION ACTION: Chairman Arnett approved the minutes from September 1, 2022 minutes as written.

CONSENT AGENDA

Zoning - Z2022108

District 4

Project name: **Cactus & Perryville RV & Boat Storage**
Applicant: Alex Hayes, Withey Morris PLC
Request: Zone change with overlay from Rural-43 to C-3 CUPD for a commercial self-storage facility with outdoor storage of RVs and boats.
Location: Generally located at the NWC of Cactus Rd. and Perryville Rd. in the Surprise area

Military Compatibility Permit - MCP2022003

District 4

Project name: **VIP 2 (Virgin Industrial Park, Phase 2)**
Applicants: William Lally and Greg Loper, Tiffany & Bosco PA
Request: Military Compatibility Permit with Plan of Development for industrial/warehouse in the Rural-43 MAAMF zoning district
Location: Generally located about 230' west of the NWC of Olive Ave. and Reems Rd. in the Glendale area

Mr. Holm presented the consent agenda.

Chairman Arnett asked if anyone from the public wished to speak on the consent agenda. None.

COMMISSION ACTION: Commissioner McGee motioned to approve the consent agenda – Z2022108 with conditions ‘a’-‘h’ and MCP2022003 with conditions ‘a’-‘i’. Commissioner Lawrence second. Approved 8-0. Ayes: Lawrence, McGee, Mitchell, Arnett, Hernandez, Danzeisen, Schlosser, Lindblom.

Z2022108 conditions;

- a. Development of the site shall be in substantial conformance with the site plan entitled “Cactus & Perryville RV, Boat & Self Storage Campus” containing two full-size sheets, dated August 15, 2022, and stamped received August 16, 2022, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Cactus and Perryville RV, Boat and Storage Campus”, consisting of 13 pages, dated August 15, 2022, and stamped received August 16, 2022, except as modified by the following conditions.
- c. A Plan of Development is approved subject to site plan entitled “Cactus & Perryville RV, Boat & Self Storage Campus” consisting of two full-size sheets, dated August 15, 2022, and stamped received August 16, 2022. The Plan of Development may be amended administratively under separate application as long as the amendment complies with the established CUPD development standards as approved by the Board of Supervisors. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be

determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

- d. The following Planning Engineering conditions shall apply:
 - 1. 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.
 - 2. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the site's drainage infrastructure.
 - 3. Detailed Grading and Drainage (Site Infrastructure) Plans and a Final Drainage Report must be submitted with the application for Building Permits.
 - 4. The entire site and adjacent half-streets' runoff shall be retained onsite. If portions of adjacent right-of-way are controlled by other jurisdictions, the adjacent half-streets' runoff shall be retained unless separately addressed by the other jurisdictions.
 - 5. Sufficient retention volume shall be provided onsite to retain the required 100-year, 2-hour runoff from all contributing areas. Retention basins with stormwater depths exceeding one foot shall provide one foot of freeboard.
 - 6. All retention basins shall drain within 36 hours per County requirements.
 - 7. The County requires that the permission for access points to the site and other traffic impacts must be coordinated with the City of Surprise. A copy of the posed development Traffic Statement (TS) must be submitted to the City of Surprise for its review and approval. Coordination/approvals from City of Surprise shall be provided to PND for documentation.
- e. All buildings subject to noise attenuation as per ARS § 28-8482(B).
- f. The following C-3 CUPD standards shall apply:
 - 1. There shall be minimum side yard of five feet from the west zoning boundary.

2. There shall be minimum rear yard of five feet from the east zoning boundary.
 3. The fences along the lot's north and west property lines shall consist of chain link with screening slats and topped with barbed wire.
 4. The use of the site shall be limited to the commercial self-storage of RVs, boats, and personal belongs.
- 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.

MCP2022003 conditions;

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Phase 2 Virgin Industrial Park", consisting of 7 full-size sheets, dated July 21, 2022, and stamped received August 16, 2022, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "VIP Phase II (IndiCap)", consisting of 12 pages, dated July 21, 2022, and stamped received July 25, 2022, except as modified by the following conditions.
- c. The following Planning Engineering Comments shall apply:
 1. 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.

2. Bases on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the site's drainage infrastructure.
 3. At the time of application for building permits, detailed grading and drainage plans will be required to demonstrate how flow from each respective drainage area will be directed to its designated retention basin. This shall include the requirement to provide calculations to substantiate the storm drain design. The use of bubble-up structures in retention basins is discouraged and must be re-evaluated with the final design.
 4. Drainage (private) easements will be required for any drainage improvement that extends to Phase 1 of this project unless the Phase 1 and 2 parcels are combined.
 5. Retention basins with a design depth greater than 3 feet (to HWE) must be fenced (pool barrier compliant). Surface retention basins deeper than one (1) foot must contain one (1) foot of freeboard.
 6. Work in the floodplain will require a floodplain use permit issued concurrent with building permits for site development. In the event the owner/applicant pursues a FEMA CLOMR/LOMR, said application must be approved by the Flood Control District prior to issuance building permits required for site development.
 7. Access(es) to/from Reems Road; and the south drainage channel discharge contain Special Flood Hazard Areas (FEMA Zone A); and also contain lands owned or encumbered by the Flood Control District (FCD). In addition to floodplain use permitting, ROW permitting will be required by the FCD for work and discharges within FCD encumbered properties. Applicant shall refer to Permit | Maricopa County, AZ for more information. The FCD ROW permit(s) must be procured prior to issuance of any building permit(s).
 8. The owner/applicant's traffic analysis must demonstrate that the second (southern) access to Reems Road is warranted prior to issuance of an FCD Right-of-Way Permit for encroachment through FCD owned or encumbered properties.
 9. Owner/Applicant must coordinate with the City of Glendale regarding any street improvements required along Reems Road.
 10. Turn lane designs in Reems Road at both (if warranted) access shall be in accordance with the MCDOT approved Traffic Impact Study.
- d. Prior to issuance of a building permit, written confirmation will be required from the emergency fire protection jurisdiction having authority that the

facility has been designed in accordance with their regulations and requirements, and that emergency fire protection service will be provided to the facility. Prior to issuance of the certificate of occupancy, local fire protection jurisdiction review and approval will be required.

- e. The subject parcels, APNs 501-41-006K, 501-41-006T, 501-41-006U, and 501-41-006X, shall be consolidated in conformance to the parcel shown and the legal description provided on the POD prior to issuance of building permits.
- f. All internal roadway easements not a part of the final site must be abandoned and recorded documentation of such must be provided to staff prior to issuance of building permits.
- g. The following Maricopa County Department of Transportation conditions shall apply:
 - 1. In the revised 2nd submittal, a new access point is proposed for this Phase 2 development. The new proposed full access (Access B) as provided in the Study is acceptable to MCDOT. Developer must also seek R/W permits from MCDOT Flood Control District (for vehicle crossing via Access B) as necessary.
 - 2. Developer must provide turn lane lengths at proposed Access B as per the recommendations in the Study.
 - 3. Revised turn lane lengths at the Reems Road / Hatcher Road (Access A), as presented in the Study, are acceptable to MCDOT. Developer must provide turn lane lengths at proposed Access A as per the recommendations in the Study.
 - 4. Developer must coordinate with the City of Glendale with regards to any half-street improvements required along the site frontage on Reems Road.
- h. Memorialization of the following MCP district standards:
 - 1. Height – 55'
 - 2. Min. Front Yard – 15'
 - 3. Min. side Yard – 25'
 - 4. Min. Rear Yard - 25' (abutting rural or residential)
 - 5. Min. Lot Area - 6,000 sq. ft
 - 6. Min. Lot Width - 60'

7. Max. Lot Coverage -60%
 8. No shielding or screening wall is require along the property's northern, eastern, western and southern perimeter boundaries
 9. Outdoor industrial uses or enclosures can encroach into any required setback adjacent to any street
 10. Outdoor lighting – Maximum 25' in height
- 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 MCP. The MCP enhances the value of the property above its value as of the date the MCP is granted and reverting to the prior zoning results in the same value of the property as if the MCP had never been granted.

Mr. Holm said staff is preparing the Planning and Zoning schedule for 2023 and for the past few years the ZIPPOR meetings have been scheduled four times a year. He asked if the Commission would like to keep the ZIPPOR calendar as is or if there's any recommendations to add or subtract to that schedule. Staff will be updating to the White Tank / Grand Avenue Area Plan next year and this would be up for discussion at a ZIPPOR meeting.

Commissioner McGee said she likes the way these meetings have been scheduled and it has worked well for her.

Chair Lindblom asked what staff's recommendation is and what would they like to accomplish next year. Mr. Holm said when a ZIPPOR date is approaching we ask staff if there are any items that need to be brought to the commission for direction or discussion. If not, we cancel that meeting and send out the notices. It is hard to project, but staff will be updating the area plan and we will schedule a ZIPPOR meeting or two for discussion.

Mr. Holm said if four times a year works for everyone than we would just cancel those dates if there were no items on the agenda.

Chair Lindblom said four times a year has been working well and he recommends keeping it that way.

Chairman Arnett adjourned the meeting of October 6, 2022 at 9:42 a.m.

Prepared by Rosalie Pinney
Recording Secretary

October 6, 2022