

**MINUTES OF THE REGULAR MEETING**  
**OF THE**  
**PLANNING AND ZONING COMMISSION**

September 26, 2019  
9:30 a.m.

Board of Supervisors Auditorium  
301 W. Jefferson Street  
Phoenix, Arizona

---

**MEMBERS PRESENT:**

Mr. Jimmy Lindblom, Chairman  
Ms. Francisca Montoya, Vice Chair (telephonically)  
Mr. Greg Arnett (telephonically)  
Mr. Bruce Burrows  
Mr. Michael Cowley  
Ms. Jennifer Ruby  
Mr. Lucas Schlosser

**MEMBERS ABSENT:**

Mr. Nathan Andersen  
Mr. Broc Hiatt  
Mr. Robert Zamora

**STAFF PRESENT:**

Mr. Darren Gerard, Planning Services Manager  
Mr. Farhad Tavassoli, Planner  
Ms. Rosalie Pinney, Recording Secretary  
Mr. Glenn Bak, Backup Admin

**COUNTY AGENCIES:**

Mr. Chad McBride, County Attorney

**CONSENT:**

**Z2018080, S2019003**

**REGULAR:**

**Z2019039, MCP2019001, Z2019016**

Chairman Lindblom called the meeting to order at 9:32 a.m. and made the standard announcements.

Chairman Lindblom asked if there were any changes or comments to the minutes for August 8, none.

**COMMISSION ACTION: Chairman Lindblom approved the August 8, 2019 minutes as written.**

Chairman Lindblom noted item #2 – Z2019039 is moving from the consent agenda to the regular agenda.

## CONSENT AGENDA

### Special Use Permit - Z2018080

**District 3**

Applicant: Susana Diaz, WestUSA Realty  
Location: Generally located approx. 660' southwest of Happy Valley Rd. and 11<sup>th</sup> Ave. alignment in the Phoenix area  
Request: Special Use Permit for Interim Industrial uses to allow retail sales of landscaping materials and storage of vehicles in the Rural-43 zoning district – MC APN 210-08-012A

### Preliminary Plat - S2019003

**District 4**

Applicant: Zach Hilgart, HilgartWilson  
Location: Approximately at the northwest corner of 181<sup>st</sup> Ave. and Camelback Rd. in the Glendale area  
Request: Preliminary Plat containing 333 lots, 30 tracts, and 4 parcels in the R1-18 RUPD and R1-10 RUPD zoning districts – Azure Canyon

Mr. Gerard presented the consent agenda.

**COMMISSION ACTION: Commissioner Burrows motioned to approve Z2018080 with conditions 'a'-'h', and S2019003 with conditions 'a'-'r'. Commissioner Cowley second. Approved 7-0.**

#### **Z2018080 conditions:**

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "SUP for 24714 N. 11<sup>th</sup> Ave. – MC APN 210-08-012A", consisting of 5 full-size sheets, dated revised July 10, 2019, and stamped received July 19, 2019, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "MC APN 210-08-012A", consisting of 9pages, dated revised March 15, 2019, and stamped received April 2, 2019, except as modified by the following conditions.
- c. The following Planning Engineering condition shall apply:
  1. A minimum of 24 feet of pavement width shall be required, adjacent to the easterly parcel boundary, from the southern property line to the paving of N. Happy Valley Road. The pavement section shall have a minimum structural number of 2.88.
- d. This Special Use Permit shall expire 10 years from the date of approval by the Board of Supervisors. All of the structures shall be removed within 60 days of such termination or expiration. If the SUP is not extended, then at the expiration of the SUP, the uses occurring on the property must be consistent with the underlying zoning district.

- e. The applicant/owner shall submit a written report outlining the status of the development at the end of 1 year from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved conditions.
- f. 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.
- 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, 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.

**S2019003 conditions:**

- a. The Final Plat shall be in substantial conformance with the Preliminary Plat entitled "Preliminary Plat for Azure Canyon" consisting of 11 full-size sheets, dated August 2019 and stamped received August 14, 2019 except as modified by the following conditions.
- b. Development and use of the site shall in substantial conformance with the Narrative Report entitled "Preliminary Plat Narrative for Azure Canyon", consisting of 30 sheets, dated May 23, 2019 and stamped received May 28, 2019 except as modified by the following conditions.
- c. Development of the site shall be generally consistent with the Landscape Plan entitled "Preliminary Landscape Plan", consisting of 26 sheets, dated August 14, 2019 and stamped received August 22, 2019 except as modified by the following conditions.
- d. The following Planning Engineering conditions shall apply:

- i. An updated Traffic Impact Study (TIS) is required with the first submittal of the final plat. The updated TIS must re-evaluate the need for any traffic signal improvements adjacent to the site based on the latest development in the area.
  - ii. The Owner shall provide and dedicate to the public a total half-width of right-of-way for the following roadway:
 

Camelback Road	65 feet
Perryville Road	65 feet
181 <sup>st</sup> Avenue	30 feet for the west side
181 <sup>st</sup> Avenue	Minimum 18' on the east side of the monument line (8' for additional pavement to make a 2-lane/2-way road and 10' for the clear zone distance)
  - iii. Construct ultimate half-width improvements for the above dedicated roadways except Camelback Road. The Camelback Road section shall be coordinated with the City of Goodyear. County roadways must meet County Standards in effect at the time they are constructed. A waiver from this requirement may be requested from MCDOT.
  - iv. For places where the sidewalk extends outside the right-of-way, additional access easements shall be dedicated to the public.
  - v. Provide MCDOT inspection and maintenance access easements for the portions of the box culvert structures that are outside of the right-of-way limits.
  - vi. A Developer's Agreement between the developer and MCDOT is required related to future traffic signal improvements at Perryville Road and Camelback Road. Evidence that this agreement has been approved by the Board is required before the final plat for this subdivision can be approved.
  - vii. Houses with side-loaded garages shall still provide a minimum 20' x 20' driveway area on-lot.
- e. Prior to Final Plat and Infrastructure Permit submittal, the applicant is required to attend a pre-submittal meeting in order to coordinate the permitting process for improvements, fees, and assurances associated with the subdivision. Intake of the Final Plat and Infrastructure permit shall be by appointment only.
  - f. Concurrent with submittal of Final Plat, Improvement Plans shall be submitted to the Planning and Development Department.

- g. After Final Plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
- h. Prior to Final Plat approval, Water and Wastewater Plans shall be submitted to and approved by the Maricopa County Department of Environmental Services (MCESD) subject to their procedures.
- i. The Final Plat shall include dedication of right-of-way as required by the related request (zoning case #Z2012092) and as deemed necessary by the Maricopa County Department of Transportation (MCDOT) unless the required dedication has been completed by deed of dedication prior to the final plat approval.
- j. Prior to or concurrent with the submittal of a Final Plat for any portion or phase of this development, a traffic impact analysis must be provided as deemed necessary by the Maricopa County Department of Transportation (MCDOT).
- k. Specific roadway cross-sections and pavement sections are not approved as shown on the Preliminary Plat. The number and width of lanes, including turn and auxiliary lanes, as well as pavement thickness, will be approved on construction improvement plans in conjunction with the Final Plat, in compliance with the Traffic Impact Statement (TIS) approved by the Maricopa County Department of Transportation (MCDOT).
- l. Prior to Final Plat approval or issuance of a grading permit, 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 applicable Fire District servicing the project. This information shall be included in the narrative report for the Final Plat and the associated public report for the subdivision. The Final Plat shall contain a note referencing the will serve letter.
- m. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a grading permit or approval of a Final Plat. The applicant must contact the state office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this condition.
- n. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your house should

include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department."

- o. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- p. The applicant/owner shall comply with the standard assurance provisions as set forth in the Maricopa County Subdivision Regulations.
- q. Preliminary Plat approval shall expire two (2) years from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date and may be administratively approved in accordance with the Maricopa County Subdivision Regulations.
- r. The Final Plat shall include a note that states that there shall be no further division of land or delineation of parcels within the area of this subdivision plat without approval by the Board of Supervisors.

**REGULAR AGENDA**

**Special Use Permit - Z2019039**

**District 4**

Applicant:	Gammage & Burnham, PLC
Location:	Southwest corner of 181 <sup>st</sup> Ave. and Van Buren St. in the Goodyear area
Request:	Special Use Permit (SUP) for a Home Occupation, Cottage Industry – Desert Services International Special Use Permit

Mr. Gerard presented Z2019039 and noted there's been a recent violation case V201802209 which was likely the result of the application filed. There is no registered opposition to the zoning case. The site is surrounded by agricultural land and fronting to an arterial street. There are three letters of support and a request for a 30 year SUP for the existing facility. The recommendation is approval subject to conditions 'a'-'l' with a typo in the staff report referring to 'm'. The case was pulled from consent so staff could revise stipulation 'i' consolidation of a single parcel, which should read consolidation into two parcels.

**COMMISSION ACTION: Commissioner Schlosser motioned to approve Z2019039 with conditions 'a'-'i' with revisions to condition 'i'. Commissioner Burrows second. Approved 7-0.**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Precise Plan for Desert Services", consisting of 8 full-size sheets, dated August 23, 2019, and stamped received August 26, 2019, except as modified by the following conditions. If approved by the Board of Supervisors, a revised site plan shall be submitted within 30 days showing correct SVTs and fencing moved out of SVTs.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Desert Services International", consisting of 11 pages, dated August 28, 2019, and stamped received August 28, 2019, except as modified by the following conditions.
- c. The following Planning Engineering condition shall apply:
  1. MCDOT R/W permit for the driveways along W Van Buren St. will be processed through planning and development. The R/W permit application can be submitted with the building application, or provided later as part of the review process if desired.
- d. This Special Use Permit shall expire 30 years from the date of approval by the Board of Supervisors. All of the site improvements shall be removed within 60 days of such termination or expiration.
- e. Applicant shall obtain all necessary building permits pursuant to Maricopa County requirements.
- f. 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.
- 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. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.
- i. Within 180 days of Board approval, the owner shall combine the parcels within the SUP boundary into a ~~single~~ **two** parcels.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- k. Cat's Claw (*Uncaria tomentosa*), Mondell Pines (*Pinus eldarica*), and/or Mesquite (*Prosopis glandulosa* or *chilensis*) shall be planted and maintained 20' on-center along the Van Buren Street frontage of Lots 1 & 2, as

described and depicted in the Narrative date stamped August 28, 2019, and along the 181<sup>st</sup> Avenue frontage. Any future outdoor storage within 30' of the west perimeter property line shall be screened with Cat's Claw (*Uncaria tomentosa*), Mondell Pines (*Pinus eldarica*), and/or Mesquite (*Prosopis glandulosa* or *chilensis*) planted and maintained 20' on-center along the west perimeter property line.

- 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.

**Military Compatibility Permit - MCP2019001 (Cont. from 8/8/19)**

**District 4**

Applicant: William E. Lally, Tiffany & Bosco, P.A.  
Location: Generally located approximately 180' south of the southeast corner of Perryville Rd. and the Interstate-10 highway in the Goodyear area  
Request: Military Compatibility Permit (MCP) for wholesale trade and an offsite sign (billboard) along with a precise Plan of Development (POD) for the billboard only - Perryville & I-10

Mr. Gerard presented MCP2019001 and noted there's no known opposition and three documents of support received. The staff report indicates a recommendation for denial but these are the same conditions of approval for a recent billboard zoning case a quarter mile to the east. There is stipulation of no access from 186<sup>th</sup> Drive except for the single family residence and the proposed billboard. There's a vehicular non-access easement along Perryville Road and this must be addressed prior to any Plan of Development (POD) approval for wholesale trade uses. In this instance, the Plan of Development will not be administratively approved because it's in the overlay zoning district and it will come back to this body for recommendation to the Board of Supervisors. The only POD use at this time is a billboard and there's no registered opposition. There's a similar to a case down the street, and staff is not concerned with an approval subject to conditions 'a' – 'i' in paragraph 18.

Mr. Bill Lally, the applicant with Tiffany & Bosco said this is similar to other cases. The area along I-10 since the expansion has really changed, there's old 70's and 80's subdivisions and many of the properties are now businesses. In order to get a POD approved for



something other than a billboard we've got to work with all of the property owners along Perryville to get the non-vehicular access easement removed, and to also work with the City Goodyear and Arizona Department of Transportation (ADOT). He believes they are going to be welcoming in their efforts to try and remove that easement going forward to allow future business. As Mr. Gerard indicated the business Plan of Development would come back through this body, and in the meantime process the POD for the billboard. The height and size are very similar to what you see in the text amendment with the portions supported. We are close to another billboard across the street but the new text amendment language and the deviations proposed are in line with everything the commission has seen in the text amendment. This is not a rezone it is just an overlay to a Military Compatibility Permit (MCP) with two uses, the wholesale trade use and the billboard use. No other commercial uses could come in the future.

Chairman Lindblom asked if there were any concerns with the conditions. Mr. Lally said there's no concerns with the conditions since they worked closely with staff.

**COMMISSION ACTION: Commissioner Schlosser motioned to approve MCP2019001 with conditions 'a'-'i'. Commissioner Cowley second. Approved 7-0.**

- a. Development of the site shall comply with the Site Plan entitled "Plan of Development – 1142 N. 186TH Dr.", consisting of 2 full-size sheets, stamped received September 16, 2019, except as modified by the following conditions.
- b. Within 30 days of Board of Supervisors approval, a revised site plan shall be provided to correct the following: billboard setbacks (add rear yard and fix side yard), property setbacks (fix side yard), and fix lot coverage/existing buildings percentages.
- c. Development of the site shall be in general conformance with the Narrative Report entitled "I-10 & Perryville Rd – Application for Military Compatibility Permit", consisting of 22 pages, stamped received June 10, 2019, except as modified by the following conditions.
- d. This Plan of Development (POD) shall only apply to the billboard land use. Any future land uses (including wholesale trade) shall require a new POD to be approved by the Board of Supervisors.
- e. No access other than for single-family residential uses or for the construction and maintenance of outdoor advertising shall be off of 186th Drive.
- f. The following standards shall apply for the offsite (billboard) sign:
  1. Maximum height: 66'
  2. Maximum sign area: 672 sq. ft.
  3. Side yard setback: 0' (north)
  4. Rear yard setback: 0' (west)
  5. Setback to Rural-43 zoning: 0'
  6. Setback to Rural-43 zoning for illuminated sign: 0'

7. Minimum distance from another offsite sign: 650'
- g. The following Engineering conditions shall apply:
    1. A separate Plan of Development must be submitted to include the wholesale trade use on the subject premises. The Plan of Development application must include an engineered grading and drainage plan and a signed and sealed Traffic Statement.
  - h. All buildings subject to noise attenuation as per ARS § 28-8482(B).
  - 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.

**Special Use Permit - Z2019016 (Cont. from 9/12/19)**

**District 4**

Applicant: Keith Sartorius, Ranch Venue LLC  
 Location: Generally located east of 175<sup>th</sup> Ave. alignment about ¼ mile north of Bethany Home Rd. in the Waddell area  
 Request: Special Use Permit (SUP) for a wedding venue in the Rural-43 zoning district – Ranch Venue LLC

Mr. Tavassoli presented Z2019016 and noted the site is located in a predominantly residential area with lots at least one acre. Existing buildings on the site include a home, a barn and a storage shed. No new construction is proposed with the application. The proposed use will primarily host wedding ceremonies and receptions. Additional functions may include quinceaneras, birthday parties, reunions, and holiday gatherings. Operations will be limited not to go beyond 200 guests/attendees per event and to conclude no later than 10:00 p.m. Most events will be typically held Fridays and Saturdays. Attendees will access the site by two access points along 175<sup>th</sup> Avenue, which is an ingress/egress easement at the western site boundary. The property will accommodate 123 vehicles. There is an existing block wall fence along the northern boundary. The applicant has discussed with the neighboring landowner to the east that additional fencing along that property line is not necessary. No persons will be residing at the site and the existing home will be used as a staging area. No food will be prepared at the site, but will be catered from outside businesses. A portion of the barn may be used for smaller gatherings or as shelter during inclement weather. The applicant

complied with the Maricopa County Citizen Review Process with the required posting of the property and notification by first class mail to landowners within 300' of the subject site. Prior to the SUP application submittal, the applicant did hold an open house where four people attended. There was no registered opposition. Staff believes the Special Use Permit request is reasonable given the proposed infrequency of events and the lack of opposition following the applicant's multiple outreach efforts. Although there is an existing 6-foot CMU block wall along the northern property line, staff is concerned about the lack of screening along the eastern site boundary with the adjacent vacant property to the east. Staff is recommending that a block wall be constructed or landscaping as described in condition 'f'.

Commissioner Arnett said he thought he heard the maximum occupancy was 200, but the staff report shows 250. Mr. Tavassoli said the applicant is expecting 200 guests, and staff recommended a condition to not exceed 250 which includes employees.

Commissioner Arnett said he didn't see anything in the stipulations and by right they could have events every day of the year. Mr. Tavassoli said it's in stipulation 'g' Friday and Saturdays only.

Chairman Lindblom said in stipulation 'g' it's really talking about structures and not the limitation of events. Mr. Tavassoli said correct, we may need to revise that.

Mr. Gerard said we could alter that first sentence to read installation of temporary structures for each event, and events shall occur no earlier than 12:00 p.m. Chairman Lindblom said we could be more specific, events shall be limited to Friday and Saturdays only and then installation of temporary structures. That would be a lot clearer.

Commissioner Ruby asked were there conversations about the 250 maximum people on site and the 123 parking spaces. Is that a fairly typical ratio? Mr. Gerard said they've had recent experience with wedding venues and they do tend to be a smaller parking ratio than a lot of uses.

Mr. Keith Sartorius, the applicant said they would like to include Sundays since most family activities are on weekends. He appreciates the concern for the time and number of events, but it would just be those three days. He is also requesting a waiver to be considered for the screening on the east side.

Chairman Lindblom asked if he talked to that property owner about their concerns. Mr. Sartorius said yes, they were the only ones that showed up at the barbecue open house and their only concern was dust control.

Commissioner Ruby asked are you asking for a waiver to eliminate any screening at all or just not a wall. Mr. Sartorius said he likes landscaping and it is open pasture with cows.

Commissioner Ruby asked if they add Sundays would they want the same operating hours. It seems Sunday events wouldn't go to midnight and the hours of operation for Sundays would be different than Friday or Saturdays. Mr. Sartorius said they could go to 10:00 p.m. and by adding Sundays he would like to go as late as possible.

Mr. Sartorius asked for clarification with the amplified music, it states only with wedding activity. Mr. Gerard said it could be a problem with an outdoor quinceanera.

Chairman Lindblom said under this language amplified music is only allowed in a wedding ceremony. Mr. Sartorius said he would ask for a waiver to allow for amplified music available for those other activities in the SUP application to include family reunions, quinceaneras, etc.

Mr. Gerard said we could strike part of stipulation 'f' and just have a general decibel maximum by keeping the last sentence to not exceed 55 dB average over a 10-minute period. Mr. Sartorius said yes, he would like part of it struck.

Chairman Lindblom asked would this change have additional opposition. Mr. Gerard said he doesn't believe so. If this was a smaller parcel surrounded by houses then yes, but this is a five acre parcel with really low density housing with vacant and agricultural land. Just having the decibel level should be sufficient. This is for a 10 year period and if land use patterns change, then it comes back in for renewal where there could be brand new stipulations.

Commissioner Ruby said we need to discuss stipulation 'f' with the idea of removing the buffer on the eastern boundary. Given the 10 year time frame and the property owner's lack of objection, she is comfortable removing that stipulation. In 10 years there might be a home built there, then they would have the opportunity to change it at that time. With stipulation 'g' we talked about striking the sentence starting with no live amplified music.

Mr. Gerard said events shall be limited to Fridays, Saturdays and Sundays only.

Commissioner Ruby said we should add the hours of events to that sentence to be clearer not just for the installation of structures. Mr. Gerard said we can say, events shall be limited from 12:00 noon to 12:00 midnight on Fridays and Saturdays and from 12:00 noon to 10:00 p.m. on Sundays.

Chairman Lindblom and Commissioner Ruby said yes that is perfect.

Chairman Lindblom asked the applicant if he is okay with the changes to the stipulations. Mr. Sartorius said he is okay with it.

**COMMISSION ACTION: Commissioner Ruby motioned to approve Z2019016 with conditions 'a'-'i' which included staff recommended conditions 'a'-'h' with revision to condition 'g', deletion of condition 'f' and subsequent renumbering of conditions to 'g'-'j' as 'f'-'i'. Commissioner Burrows second. Approved 7-0.**

- a. Development of the site shall be in substantial conformance with the Site Plan entitled "Ranch Venue LLC", consisting of 2 full-size sheets, dated June 11, 2019, and stamped received June 11, 2019 except as modified by the following conditions.

- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Narrative Report", consisting of 5 pages, dated June 6, 2019, and stamped received June 11, 2019, except as modified by the following conditions.
- c. This Special Use Permit shall expire 10 years from the date of approval by the Board of Supervisors. All of the site improvements shall be removed within 60 days of such termination or expiration.
- d. 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.
- e. The maximum number of guests and staff shall not exceed 250 at any one event.
- f. ~~The site shall be secured with a 6' (h) CMU wall along the east property line or shall be landscaped with Cat's Claw (Uncaria tomentosa), Mondell Pines (Pinus edlarica), and/or Mesquite (Prosopis glandulosa or chilensis) planted and maintained 20' on center along the east perimeter property line.~~
- f. **Events shall be limited from 12:00 noon to 12:00 midnight on Fridays and Saturdays and from 12:00 noon to 10:00 p.m. on Sundays.** Installation of temporary structures for each event shall occur no earlier than 12:00 ~~pm~~, **noon** Fridays, ~~and Saturdays~~ **and Sundays** only, and shall be fully removed by no later than 12:00 ~~am~~ **midnight**. ~~No live amplified music or speakers are permitted outside other than during a wedding ceremony officiated by an individual authorized to perform weddings.~~ Noise generated on site shall not exceed 55 dB average over a 10-minute period as measured outside the boundary of the special use permit.
- g. Outdoor parking lot lighting and wall lighting in excess of 60 watt incandescent or equivalent lumens shall be fully shielded and directed downward. Parking lot lighting, sign lighting, and wall lighting shall be turned off within 30 minutes after the event. This condition does not apply to outdoor light fixtures at the residential entrance to the building. There shall be no lighting on perimeter walls except at driveways. Light poles shall not exceed 15 feet.
- h. Prior to the first event, the existing residence and barn shall both be properly permitted and modified to accommodate public assembly per 2012 International Building Code.
- 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.

Chairman Lindblom adjourned the meeting at 10:07 a.m.

Prepared by Rosalie Pinney  
Recording Secretary  
September 26, 2019