



Maricopa County

Planning & Development Department

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February 9, 2022

Kurt Waldier,
Beus Gilbert McGroder PLLC

Z2021051 - Bungalows at 19th Ave. & Parsons Road

Kurt,

On February 9, 2022 the Maricopa Board of Supervisors (BOS) by a vote of 5-0 subject to P&Z recommended conditions 'a' – 'h' as a regular agenda item **Approved** your request for:

1. Zone Change from RU-43 to R-2

Approval of Z2021051 is subject to the following conditions:

- a. Development of the site shall be in conformance with the Zoning Exhibit entitled "Bungalows at Norterra", consisting of 1 full-size sheet, stamped received October 12, 2021, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Bungalows at Norterra", consisting of 5 pages, dated October 8, 2021, and stamped received October 12, 2021, except as modified by the following conditions.
- c. The following Planning Engineering conditions shall apply:
 1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 2. The applicant will be responsible for coordinating with the City of Phoenix to review any traffic impact, right-of-way dedication, permitting or roadway improvement requirements for 19th Avenue in conjunction with this and future entitlement(s).

3. Design for site development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
 4. A traffic impact study must be submitted with any future entitlement application (i.e. plan of development).
 5. Design for site development must provide for at least two (2) paved points of access to existing and improved public roads.
 6. The site is encumbered by Federal Patent easements which must be abandoned prior to site development.
<https://www.maricopa.gov/775/Abandonment-of-Patent-Easements>
 7. 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.
- d. Prior to approval of the initial final plat or precise plan of development approval, the applicant shall provide the Maricopa County Planning and Development Department with an executed pre-annexation service agreement with the City of Phoenix that identifies the detail for when the proposed project will be annexed and the provision of water and sewer service. In lieu of pre-annexation service agreement, the developer must provide a 'will serve' letter from the certificated water and sewer providers.
 - e. Administrative approval of a Plan of Development will be required prior to approval and issuance of construction permits to develop and establish use of the site. 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.
 - f. 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.

- 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.

Please contact me if you have any questions at (602) 506-8358 or
Jose.Castaneda@Maricopa.Gov

Sincerely,



Jose Castañeda, Planner
Maricopa County Planning & Development Department