



# Planning & Development Department

ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE.

## ZONE CHANGE WITH OVERLAY APPLICATION

<b>REQUEST</b>	
Project Name	310 Dust Control, LLC
Description of Request:	Zone change from RU-43 to IND-3 (Heavy Industrial Zoning District) with Industrial Unit Plan of Development Overlay (IUPD)
Existing Use of Property:	Vacant
Existing Zoning District:	RU-43
Requested Zone Change with Overlay:	IND-3 with IUPD
Related Case Numbers: (List V# if site is subject to code violation):	N/A
<b>PROPERTY INFORMATION</b>	
Address (if known):	
General Location (include nearest city/town):	North of the NWC of I-17 Frontage Road and West Sunset Drive
Size in Acres:	7.33 +/-
Square Feet:	
Legal Description	Section: 27 Township: 7N Range: 2E
Assessor's Parcel Number(s):	202-12-015A; -017, -078, -083A
Subdivision Name (if applicable):	
<b>OWNER'S AUTHORIZED AGENT INFORMATION</b>	
Name:	Burch & Cracchiolo, P.A.
Contact:	Brian Greathouse
Address:	1850 N. Central Avenue, Suite 1700
City:	Phoenix
State:	AZ
Zip:	85004
Phone #:	(602) 234-9903
Fax #:	(602) 343-7903
Email:	bgreathouse@bcattorneys.com
<b>PROPERTY OWNER INFORMATION</b>	
Name:	The Cantelme Family Living Trust
Contact:	James Cantelme
Address:	515 E. Carefree Highway, PMB 868
City:	Phoenix
State:	AZ
Zip:	85085
Phone #:	(602) 390-0352
Fax #:	
Email:	James@310dustcontrol.com
<b>PROPERTY OWNER AND OWNER'S AGENT AUTHORIZATION</b>	
I (property owner) <u>James Cantelme</u> authorize (owner's agent) <u>Burch &amp; Cracchiolo, P.A.</u> to file this application on all matters relating to this request with Maricopa County. By signing this form as the property owner I hereby agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.	
<b>PROPOSITION 207 WAIVER</b>	
The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S. § 12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Maricopa County as result of the filing of this application.	
Property Owner Signature:	<u>James Cantelme</u> Date: <u>01/19/2022</u>
<b>VERIFICATION OF APPLICATION INFORMATION</b>	
I certify that the statements in this application and support material are true. Any approvals or permits granted by Maricopa County in reliance upon the truthfulness of these statements may be revoked or rescinded.	
Owner or Authorized Agent Signature:	<u>[Signature]</u> Date: <u>1/20/22</u>
<b>CASE INACTIVITY</b>	
Cases which are not active within six (6) months will be considered inactive and closed by staff. A letter addressing the inactivity will be sent to the owner's authorized agent or property owner with notification of the case to be closed within thirty (30) days. To pursue entitlement after the closing of the case, a new application and associated fees will need to be filed.	

**IND-3 IUPD Narrative Report**

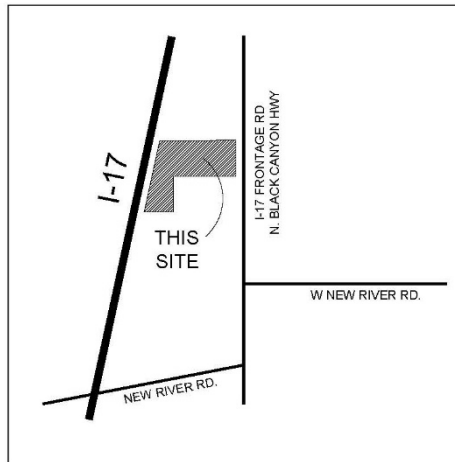
**FOR**

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**310 Dust Control, LLC**

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**NORTH OF THE NORTHWEST CORNER OF I-17 FRONTAGE ROAD  
AND WEST SUNSET DRIVE**



**VICINITY MAP**

N.T.S.



**Case No. Z \_\_\_\_\_**

**January 24, 2022**

## **PURPOSE OF REQUEST**

This request is for a Zone Change from RU-43 to IND-3 (Heavy Industrial Zoning District) with Industrial Unit Plan of Development Overlay (“IUPD”) on approximately 7.33 acres located north of the northwest corner of the I-17 Frontage Road and West Sunset Drive in Maricopa County (the “Site”). The Site is located in the I-17 Scenic Corridor within one of two primary commercial/retail designated areas identified in the Daisy Mountain/New River Area Plan. 310 Dust Control, LLC (“310”) requests this Site be rezoned from RU-43 to IND-3 IUPD to allow appropriate industrial uses on the Site, as modified through the IUPD Overlay.

## **DESCRIPTION OF PROPOSAL**

Enclosed with 310’s submittal are two Conceptual Site Plans. Phase I (see “Proposed Site Plan Phase 1”) of the proposed development will include an approximate 6,000 SF commercial/office building for up to four tenants and a potential outdoor dining area if a restaurant becomes a future tenant. Phase II (see “Proposed Site Plan Phase 2”) will consist of an approximate 12,000 SF incubator space for light manufacturing uses, an approximate 12,000 SF flex office/warehouse building, container storage units and 15 RV parking spaces. Additional proposed improvements on the Site include: new asphalt or concrete paved parking lot and a new 6’ rustic steel fence along the perimeter of the Site, except the east frontage along N. Black Canyon Highway frontage road. It is intended that the property improvements comply with the IND-3 Development Standards and Regulations.

Several potential uses on the Site include: RV storage, container storage, Flex-office for partial offices with indoor warehousing and workshop opportunities, commercial/office tenant suites, water hauling and dust control services, potential septic tank drainage and treatment service, incubator space for start-up companies and/or New River property owner cited with zoning violation, potential DPS storage yard for abandoned and impounded vehicles along I-17, semi-truck parking, and other related uses. The existing residential home located proximate to the Site’s southwest corner will continue to be operated as a residential and potential office use.

Like many of the parcels in the surrounding area, the Site is currently underutilized, and due to its irregular shape, size, and location immediately adjacent to the I-17 likely would never be utilized as residential property. The Site will be better utilized for industrial, commercial and office uses in the IND-3 Zoning District, as established by the neighboring existing veterinary clinic, the country western entertainment venue, and nearby storage facility.

As part of the IUPD, we propose to prohibit the following uses:

- Auction sales, including swap meet operations
- Circus and carnival grounds
- Dance halls and nightclubs
- Permanent facilities for rodeos, auctions, swap meets, campgrounds, and sites rented for private parties
- Truck stop
- Adult oriented facilities

- Liquor stores
- Gasoline service stations

## **RELATIONSHIP TO SURROUNDING PROPERTIES**

The Site is roughly two miles north of Anthem and sits between northbound I-17 and the I-17 frontage road, abutting the I-17 freeway in one of two primary commercial and retail areas designated in the Daisy Mountain/ New River Area Plan, which recognizes that “[e]xisting businesses along the I-17 frontage road provide locally-focused services including a medical clinic, veterinary hospital, marijuana dispensary, restaurants, a convenience store, self-storage, and a gravel mining business.”

The Site is indeed bounded by two C-3 zoned properties to the southeast, where the above-mentioned veterinary hospital operates. West of the veterinary hospital is an approximate 2.14-acre property zoned RU-43. The Roadrunner Restaurant & Saloon is located approximately 500 feet from the Site at the northeast corner of I-17 frontage road and New River Road. The storage facility and three large eclectic residentially zoned properties are located north of the Site. The I-17 Freeway bounds the Site’s west property line. On the east side of I-17 frontage road, across the street from the Site, are vacant BLM land and other vacant privately owned parcels.

The area is thinly populated, the Site borders the I-17 highway, and what land is not administered by the BLM generally consists of large, eclectic RU-43 zoned properties, many of which are vacant. Consistent with the purpose of the IND-3 Zoning District, the Site has adequate access to major streets/ highways – *i.e.* I-17 frontage road.

## **LOCATION AND ACCESSIBILITY**

The Site is accessible from the I-17 frontage road.

## **CIRCULATION SYSTEM**

Ingress and Egress will be provided via two driveways along Black Canyon Highway. The onsite circulation and parking layouts will be designed to provide a safe and convenient customer experience.

## **DEVELOPMENT SCHEDULE (PHASING)**

Phase One construction will be conducted on the eastern portion of Site and consist of the 6,000 SF building, paved driveway and parking area. Phase Two will occur on the western portion of the site and consist of the container and RV storage units, two 12,000 SF buildings, and additional paved driveway and parking spaces.

## **COMMUNITY FACILITIES AND SERVICES**

There are no adjacent or nearby community parks or amenities (other than hiking and off-road vehicle recreation opportunities vacant open space areas). The nearest public park, amenities

and recreation (other than hiking and off-road vehicle recreation) is located approximately 4.5 miles from the Site by car (New River Kiwanis Park). The Site is located in the Deer Valley Unified School District. The nearest school is New River Elementary located approximately 250 yards northeast of the Site. The surrounding area is mostly vacant desert land. The 310 development will not have any negative impacts on any school district, parks or other amenities in the area.

## **PUBLIC UTILITIES AND SERVICES**

Water: Private Water Well

Sewer: Onsite Septic

Police: Maricopa County Sheriff's Department

Fire: Daisy Mountain Fire Department

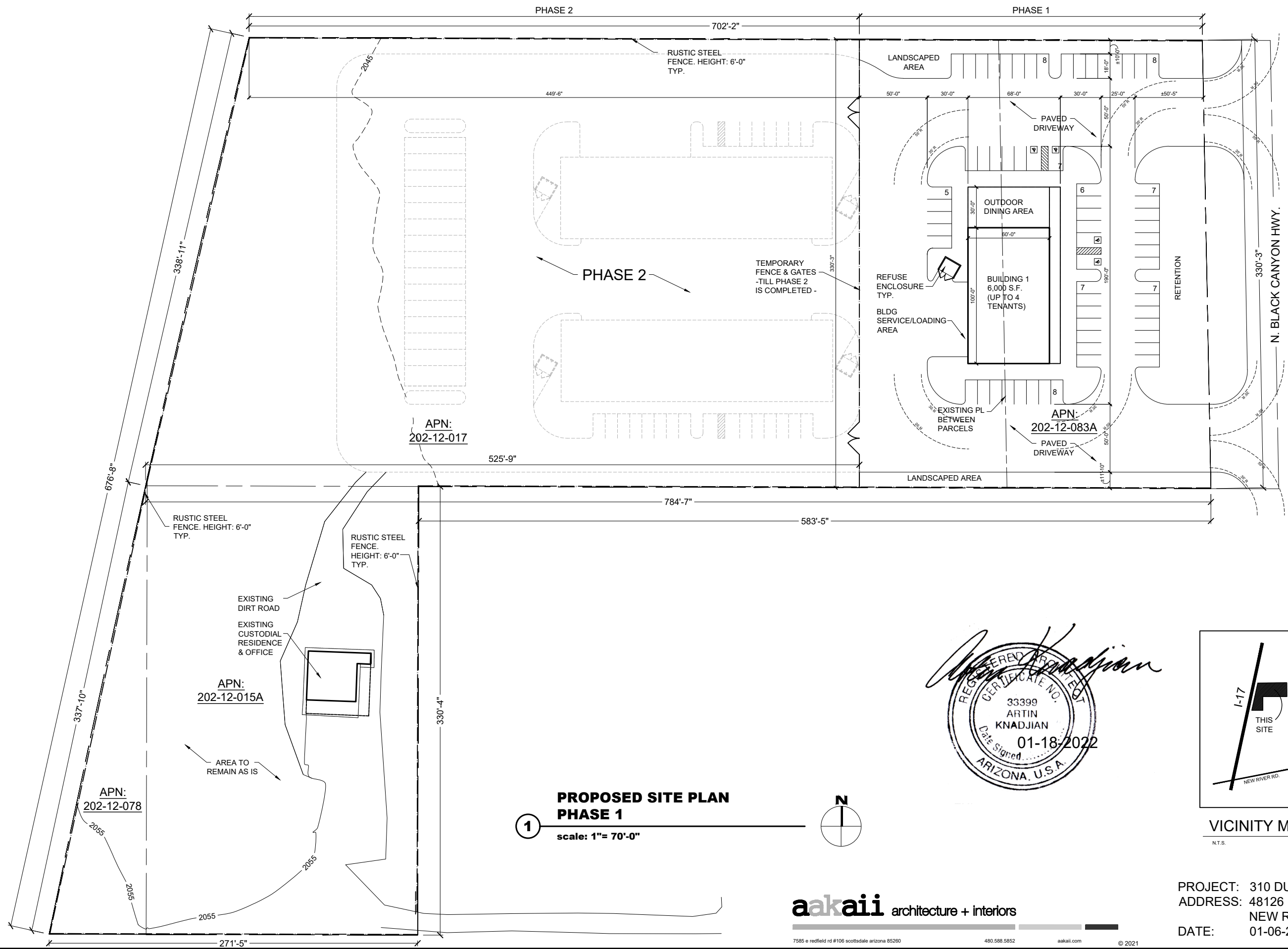
Refuse: Private Refuse Company

## **DEVELOPMENT STANDARDS**

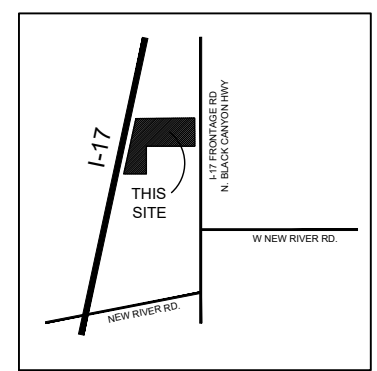
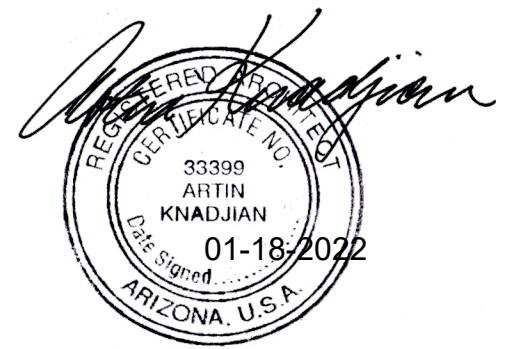
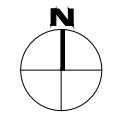
The IND-3 Development Standards shall apply to the Site.

## **CONCLUSION**

This Zone Change Application establishes uses and other criteria that are appropriate for the Site and compatible with the surrounding area. We request the County's Approval.



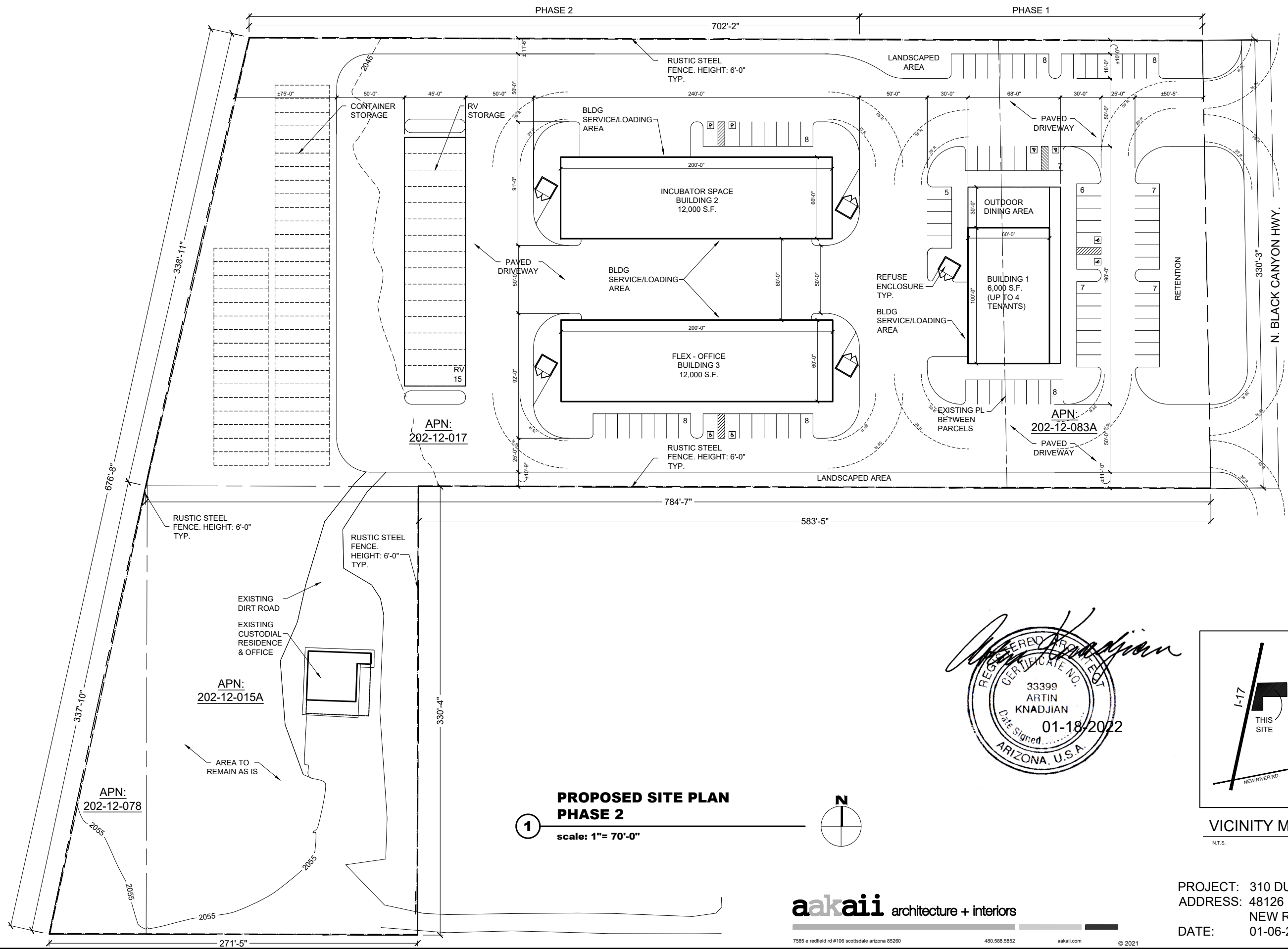
**1** **PROPOSED SITE PLAN**  
**PHASE 1**  
scale: 1"= 70'-0"



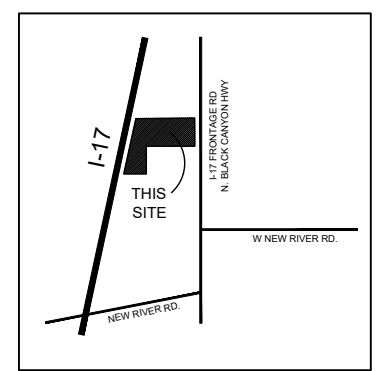
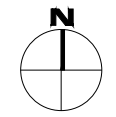
**VICINITY MAP**  
N.T.S.

PROJECT: 310 DUST CONTROL  
ADDRESS: 48126 N. BLACK CANYON HWY.  
NEW RIVER, 85087  
DATE: 01-06-2022

**aakai** architecture + interiors



**1** **PROPOSED SITE PLAN**  
**PHASE 2**  
 scale: 1" = 70'-0"



**VICINITY MAP**  
 N.T.S.

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