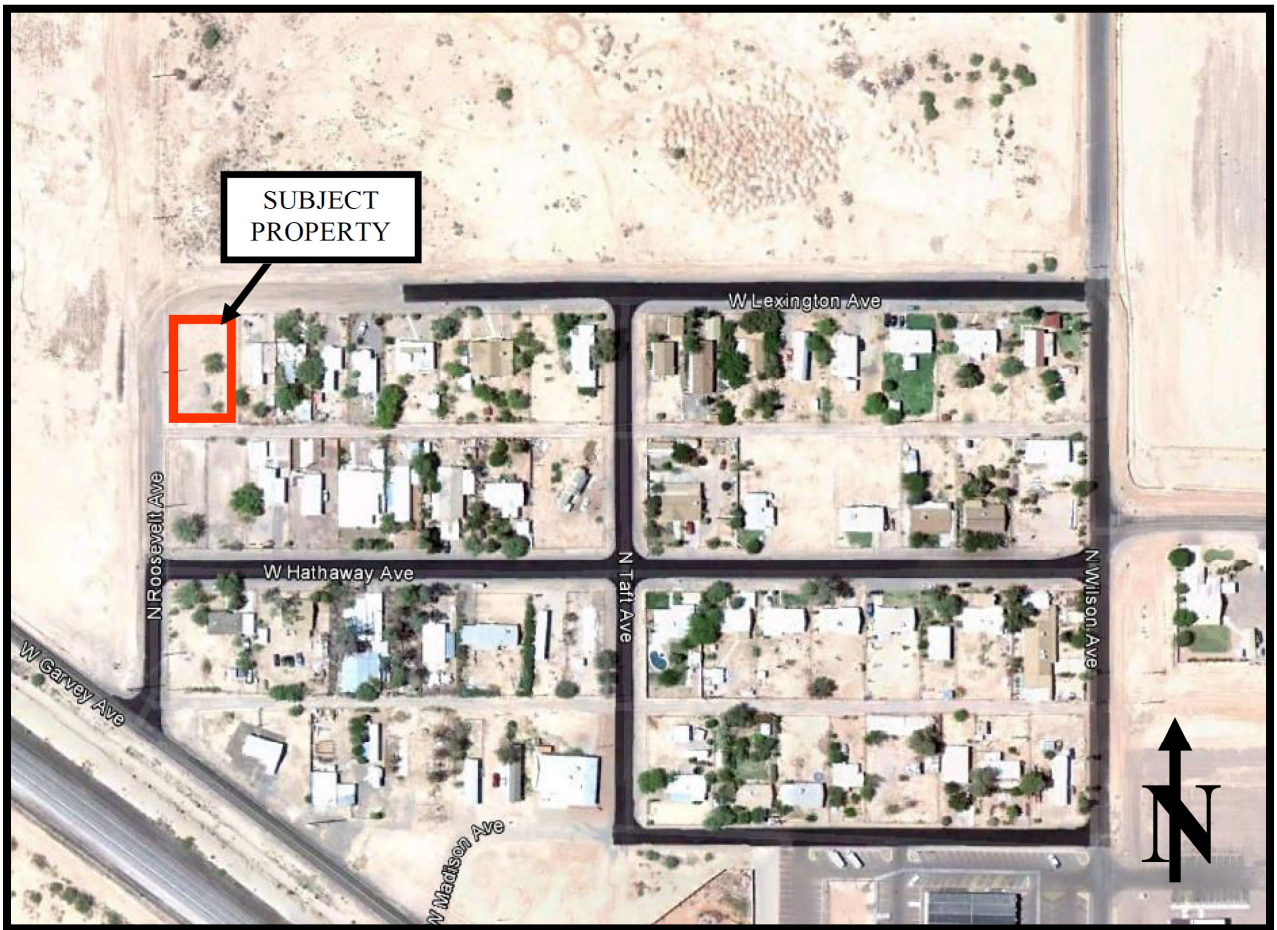


**MEMO**

**Surrounding land uses:**

North: Vacant Land	MH	-	Mobile/Manufactured Home
East: Residential Home	GR	-	General Rural
South: Vacant Land	GR	-	General Rural
West: Vacant Land	CI-2	-	Industrial Zone

**Site Location and Vicinity Map:**



**Project Site Data:**

- Parcel #: 510-20-030E
- Gross Site Acreage: .34 ± Acres
- Site Address: 45481 W. Lexington Ave.
- Current Zoning: General Rural (GR)
- General Plan Designation: Commercial





45145 W. Madison Ave.  
P.O. Box 610  
Maricopa, AZ 85139  
Ph: 520.568.9098  
Fx: 520.568.9120  
www.maricopa-az.gov

## MEMO

---

### Analysis:

#### Historical Background

With the growing population in the City, the demand for open space and recreation areas has also increased tremendously. This includes the demand for a dog park as being voiced by pet owners and citizens' of Maricopa. To respond to the overall demand, the City is currently working towards the completion of the Multi-Generational Center and a park area (Regional Park) at the city-owned property on the northeast corner John Wayne Parkway and Bowlin Road. The expected completion and opening of this center is tentatively scheduled for end of 2013.

To provide services in the interim, on August 16, 2011, the Council provided direction to staff to seek additional partners to explore options to find a location for a temporary dog park. Also, the City Council allocated \$10,000 in the Fiscal 2012 budget for a dog park. Staff worked with the members of Maricopa Dog Park Alliance (MDPA) for site selection. Due to improvements costs and limited budget, other suitable sites were not selected. The City-owned Lexington Avenue property was the best site location that could be implemented without major improvements costs and it is within the allocated budget. The City purchased this property in 2008 to mitigate drainage issue in this area and to clean-up the property. Improvements to this site will include installation of sod on the site along with benches and a trash receptacle. Once the Regional Park is built, the interim use of the dog park will cease and there will be an opportunity to convert this site to a neighborhood park.

A Conditional Use Permit request is being sought to develop a Public Dog Park on this vacant lot. A Conditional Use Permit is generally required when a specific "use" is not listed as a permitted use in the zoning district though it can be reviewed and approved on a conditional basis understanding that the "use" will not adversely affect the public health, safety, and general welfare of the area.

In addition, when a CUP is approved, a term limit of 5-10 years is usually recommended by staff so that the use permit can be re-evaluated for compliance at the end of the term. The proposed Public Dog Park will be fenced at the property line with chain link fencing, and off-street parking will be provided for vehicles. Screen fencing is proposed on the eastern and southern side of the property to buffer the use from the residential homes. Installation of sod grass will be placed inside the fenced area and the park area will be designed and serve as retention basin to mitigate drainage issues in this area (refer to Exhibit A and D).

#### Heritage District

This site is located in the Heritage District Redevelopment Area and in proximity to residential homes. When the City Council approved the Design Guidelines for the Heritage District in May 2011, one of the suggestions in the Design Guidelines is a recommendation for all new developments in this area to present their project/case to the Heritage District Committee for their review and buy-in on behalf of the District (Official approval is not required).



45145 W. Madison Ave.  
P.O. Box 610  
Maricopa, AZ 85139  
Ph: 520.568.9098  
Fx: 520.568.9120  
www.maricopa-az.gov

**MEMO**

---

As such, the Dog Park project was presented to the Heritage District Committee on April 12, 2012. The committee did not support the project due to the development not being compatible with the overall intent of the Heritage District Neighborhood character, potential nuisance, and overall dissatisfaction as perceived by the neighborhood on the proposed use of this site as a dog park.

▪ **CUP Site Plan**

- No building structures will be placed on site, as such, setbacks are not applicable for the site.

▪ **Parking:**

- Parking requirements for public dog park of this size (.34 acres) is not provided in Article 21 - Parking Regulations and Standards. The development proposes to provide seven (7) off-street parking spaces, including one (1) ADA space. Staff supports the # of parking stalls provided for the proposed use.
- Parking stalls for the site area are placed immediately in front of the public right-of-way. Sec 2101 of Article 21 of the Zoning Code, B restricts all vehicular egress from parking lots of a site to be forward motion only.

“All vehicular egress from parking lots to public right-of-way shall be forward motion only, except in the case of single residence fronting on a local street.”

*- Article 21 - Parking Regulations and Standards, Sec 2101, B*

- Deviation from Parking Regulations and Standards, Sec. 2101, B is also being requested with this Conditional Use Permit.

▪ **Transportation:**

- A Traffic impact study was not required based on the amount of trips that is expected to be generated during the peak hours.

▪ **Landscape Plans:**

- Landscaping is not required; however, the applicant is proposing to install sod within the fenced area.

▪ **Illumination:**

- No Illumination will be installed.



45145 W. Madison Ave.  
P.O. Box 610  
Maricopa, AZ 85139  
Ph: 520.568.9098  
Fx: 520.568.9120  
www.maricopa-az.gov

MEMO

---

▪ **Public Notice:**

Per Ordinance 07-01, the request requires the applicant to complete a Citizen Participation Plan (CPP - Ordinance 07-01). To fulfill the requirements of the CPP, the applicant was required to inform the public of this request by completing tasks such as posting the site, publishing the meeting dates in a local newspaper, and holding a Neighborhood Meeting within City limits, to mention a few. The applicant has successfully fulfilled all the requirements of the CPP.

▪ **Public Comments:**

*At the time of writing this report staff has received several comments for, and in opposition of the proposed Dog Park. Staff is providing the details as an exhibit to the staff report and as public record (Please refers to Exhibit C).*

▪ **Heritage District Committee:**

This property is located within the boundaries of the Heritage District. As part of the Design Guidelines that were established for the area in May 2011, all non-residential developments are recommended to present their case or projects to the Heritage District Committee for a letter of recommendation, which is then forwarded on to the Planning and Zoning Commission and the City Council.

This project was presented to the Heritage District Committee on April 12, 2012. The committee did not support the project due to the development not being compatible with the overall intent of the Heritage District Neighborhood, potential nuisance, and overall dissatisfaction as perceived by the neighborhood on the proposed use of this site as a dog park.

▪ **Planning and Zoning Commission:**

The case was presented to the Planning and Zoning Commission on April 23, 2012. Questions arose regarding the site selection process, facility rules and the operation and maintenance cost. During the public hearing portion of the item the Chair and a member of the Heritage District Committee voice their concern of the project and its impact to the immediate neighborhood. The Chair and the member further encouraged the Commissioners to recommend denial of the request.

A motion was made by Planning and Zoning Commissioner Wade to deny the Conditional Use Permit Case# CUP12-01 and was seconded by Commissioner Batt. Voice vote carried the motion 7-0.