

NOTICE OF REGULAR MEETING OF THE GUADALUPE TOWN COUNCIL

THURSDAY, MARCH 23, 2023

6:00 P.M.

GUADALUPE TOWN HALL
9241 SOUTH AVENIDA DEL YAQUI, COUNCIL CHAMBERS
GUADALUPE, ARIZONA

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Esteban F. V. Fuerte
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

Anita Cota Soto
Councilmember

Agendas/Minutes:
www.guadalupez.org

Town Council Chambers
9241 S. Avenida del Yaqui
Guadalupe, AZ 85283
Phone: (480) 730-3080
Fax: (480)-505-5368

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Guadalupe Town Council and to the public that the Guadalupe Town Council will hold a meeting, open to the public, on Thursday, March 23, 2023, at 6:00 P.M., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. INVOCATION/PLEDGE OF ALLEGIANCE

D. APPROVAL OF MINUTES

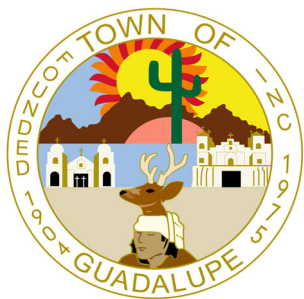
1. Approval of the March 09, 2023, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC: An opportunity is provided to the public to address the Council on items that are not on the agenda or included on the consent agenda. A total of 3 minutes will be provided for the Call to the Audience agenda item unless the Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

F. MAYOR AND COUNCIL PRESENTATION:

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. PUBLIC HEARING – VARIANCE REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (V2023-01): Hold a public hearing to receive public input regarding a variance request of the Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations. The variance request is to decrease the Minimum Lot Width requirement of 60' to 50'. The property is located at 9403 South Calle Bella Vista, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-43-180. The lot is zoned R1-6, Single-family Residential. The Applicant is Martin Esparza. Council may provide direction to the Town Manager / Clerk. *(related to item G2)*



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2. VARIANCE REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (V2023-01): Council will consider and may take action to approve or deny a variance request of the Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations. The variance request is to decrease the Minimum Lot Width requirement of 60' to 50'. The property is located at 9403 South Calle Bella Vista, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-43-180. The lot is zoned R1-6, Single-family Residential. The Applicant is Martin Esparza. Council may provide direction to the Town Manager / Clerk. *(related to item G1)*

3. PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (CU2023-02): Hold a public hearing for a Conditional Use Permit request to locate a manufactured home on the property of 9403 S Calle Bella Vista Guadalupe, AZ, per the Guadalupe Town Code, Section § 154.065 (D) (5). The property is zoned R1-6, Maricopa County Assessor Parcel APN 301-43-180. The Applicant is Martin Esparza. Council may provide direction to the Town Manager / Clerk. *(related to G4)*

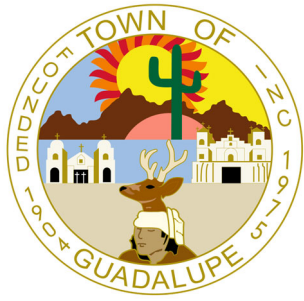
4. CONDITIONAL USE PERMIT REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (CU2023-02): Council will consider and may take action to approve or deny a Conditional Use Permit request to locate a manufactured home on the property of 9403 S Calle Bella Vista Guadalupe, AZ, per the Guadalupe Town Code, Section § 154.065 (D) (5). The property is zoned R1-6, Maricopa County Assessor Parcel APN 301-43-180. The Applicant is Martin Esparza. *(related to G3)*

5. PUBLIC HEARING – VARIANCE REQUEST FOR 5536 EAST CALLE ENCINAS (V2023-02): Hold a public hearing to receive public input regarding a variance request of the Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations. The variance request is to decrease the Minimum Lot Width requirement of 60' to 50'. The property is located at 5536 E Calle Encinas, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-12-104D. The lot is zoned R1-6, Single-family Residential. The Applicant is Petra Alicia Mendez Neyoy. Council may provide direction to the Town Manager / Clerk. *(related to item G6)*

6. VARIANCE REQUEST FOR 5536 EAST CALLE ENCINAS (V2023-02): Council will consider and may take action to approve or deny a variance of the Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations. The variance request is to decrease the Minimum Lot Width requirement of 60' to 50'. The property is located at 5536 E Calle Encinas, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-12-104D. The lot is zoned R1-6, Single-family Residential. The Applicant is Petra Alicia Mendez Neyoy. Council may provide direction to the Town Manager / Clerk. *(related to item G5)*

7. PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST FOR 5536 EAST CALLE ENCINAS (CU2023-03): Hold a public hearing for a Conditional Use Permit request to locate a manufactured home on the property of 5536 East Calle Encinas Guadalupe, AZ, per the Guadalupe Town Code, Section § 154.065 (D) (5). The property is zoned R1-6, Maricopa County Assessor Parcel APN 301-12-104D. The Applicant is Petra Alicia Mendez Neyoy. Council may provide direction to the Town Manager / Clerk. *(related to G8)*

8. CONDITIONAL USE PERMIT REQUEST FOR 5536 EAST CALLE ENCINAS (CU2023-03): Council will consider and may take action to approve or deny a Conditional Use Permit request for a manufactured home to be located on the property of 5536 E Calle Encinas Guadalupe, AZ, per the Guadalupe Town Code, Section § 154.065 (D) (5). The property is zoned R1-6, Maricopa County Assessor Parcel APN 301-12-104D. The Applicant is Petra Alicia Mendez Neyoy. *(related to G7)*



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9. PUBLIC HEARING – REZONING REQUEST FOR 5605 EAST CALLE MEXICO (RZ2023-01):

Hold a public hearing for a rezoning request of the property located at 5605 East Calle Mexico Guadalupe, AZ, currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section § 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes. Maricopa County Assessor Parcel APN 301-06-194. The Applicant is Jose Abel Armenta, property owner. Council may provide direction to the Town Manager / Clerk. *(related to G10)*

10. REZONING REQUEST – 5605 EAST CALLE MEXICO (RZ2023-01):

Council will consider and may take action to approve or deny a rezoning request of the property located at 5605 East Calle Mexico Guadalupe, AZ, currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section § 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes. Maricopa County Assessor Parcel APN 301-06-194. The Applicant is Jose Abel Armenta, property owner. Council may provide direction to the Town Manager / Clerk. *(related to G9)*

H. TOWN MANAGER/CLERK'S COMMENTS

I. COUNCILMEMBERS' COMMENTS

J. ADJOURNMENT



March 17, 2023

To: The Honorable Mayor and Town Council

From: Jeff Kulaga, Town Manager / Clerk

RE: March 23, 2023, Town Council Regular Meeting Information Report

The purpose of this report is to provide brief information regarding each agenda item.

Agenda Items:

D1. MARCH 09, 2023, REGULAR COUNCIL MEETING MINUTES (PAGES 11 – 18)

G1. PUBLIC HEARING – 9403 SOUTH CALLE BELLA VISTA (V2023-01) (PAGES 19 – 39): The Applicant, Mr. Martin Esparza, is requesting a variance to the zoned R1-6, Single-family Residential property located at 9403 South Calle Bella Vista, Guadalupe, AZ, Maricopa County Assessor Parcel 301-43-180. The variance is requested to locate a manufactured home on the property through an approved Conditional Use permit. The requested variance is to allow a decrease in the minimum lot width requirement from 60' to 50' as required for R1-6 zoning of 6,000 square feet per Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E)(1), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations:

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Minimum Yard Setbacks				Max. Bldg. Height
				Front	Side	Street Side	Rear	
R-1-9	9,000 square feet	80'	100'	30'	10'	20'	10'	30'; accessory building
R-1-6	6,000 square feet	60'	90'	25'	7'	15'	10'	30'

*for ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.

The public hearing for this variance request has been properly posted on site and published in a newspaper of general circulation; and properties within a 150-foot radius of the applicant's property were notified via postal mail, as required by the Town of Guadalupe Zoning Ordinance § 154.034 NOTIFICATION (B) (1) – (5). The Applicant has properly submitted all information and paid all applicable fees. As of March 15, 2023, no public comments have been received. *Agenda items G1 – G4 are related.*

G2. VARIANCE REQUEST - 9403 SOUTH CALLE BELLA VISTA (V2023-01) (PAGES 19 – 39): Town Council may approve or deny a variance request for 9403 South Calle Bella Vista. Per the Town Zoning Code, Part II, Administration, B. 1 and B. 2 a,b,c: a variance, as requested by the applicant, Mr. Martin Esparza, for the zoned R1-6, Single-family Residential property located at 9403 South Calle Bella Vista, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-43-180, shall not be authorized unless the Town Council shall find upon sufficient evidence:

- a. That there are special circumstances or conditions applying to the property, including its size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive such property of privileges enjoyed by other properties in the same district; and,
- b. That such special circumstances were not created by the owner or applicant; and,
- c. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity not constitute the granting of special privileges inconsistent with the limitations of adjacent property, the neighborhood, or the public-welfare, in general.

Because of the property is 50' wide, it does not comply with Town Code. In review, this existing condition provides sufficient evidence to recommend approval of the variance.

Town staff recommends approval of the variance as this is a special lot size circumstance, is not a self-imposed circumstance, and will not be materially detrimental to the area. Council also has the authority to add and or modify various stipulations to a Variance. *Agenda items G1 – G4 are related.*

301-43-180	
Owner Information	
Owner Name:	ACERO MARTIN ESPARZA
Property:	9403 S CALLE BELLA VISTA
Address:	GUADALUPE 85283
Mailing:	4605 S PRIEST DR TEMPE AZ USA
Address:	85282
Deed Number:	20180019881
Sale Date:	01/01/2018
Sale Price:	\$
Property Information	
Lat/Long:	33.361721,-111.967190
S/T/R:	8 15 4E
Jurisdiction:	GUADALUPE
Zoning:	R1-6
PUC:	0011
Lot Size (sq ft):	6,390.00
MCR #:	43-27
Subdivision:	SENDE VISTA 2
Lot #:	180
Floor:	1
Construction Year:	
Living Space (sq ft):	



G3. PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (CU2023-02) (PAGES 19 – 39): This is a public hearing to consider the issuance of a Conditional Use Permit (#CU2023-02) to locate a manufactured home at 9403 South Calle Bella Vista, Guadalupe, AZ 85283, Maricopa County Assessor Parcel APN 301-43-180. The applicant is Martin Esparza and the property is zoned R-1-6 Residential. Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner occupied. If approved, Mr. Esparza intends to locate a manufactured home on the property and reside at this address.

Resolution 95-19

A resolution of the mayor and town council of the town of Guadalupe, Maricopa county, Arizona, establishing town policy against manufactured housing units (mobile homes) having frontage on Avenida del Yaqui and Guadalupe road; and establishing a town policy requiring mobile homes in the remaining areas of the town to be owner-occupied for issuance of a conditional use permit.

The property has been posted, notifying the public of the conditional use permit and variance requests; a legal advertisement for this public hearing has been published in the newspaper; and, property owners within 150' of the subject address have also been notified of the conditional use permit and variance requests. The applicant has paid all applicable fees associated with this request. As of March 15, 2023, no public comments have been received.

The Applicant, Martin Esparza, is also applying for a variance of property minimum width requirements. *Agenda items G1 – G4 are related.*

G4. CONDITIONAL USE PERMIT REQUEST FOR 9403 SOUTH CALLE BELLA VISTA (CU2023-02) (PAGES 19 – 39): Town Council may approve or deny a Conditional Use Permit (#CU2023-02) request is to locate a manufactured home at 9403 South Calle Bella Vista, Guadalupe, AZ 85283, Maricopa County Assessor Parcel APN 301-43-180 . The Applicant is Martin Esparza. The property is zoned R-1-6 Residential.

Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner occupied. If approved, Mr. Esparza intends to locate a manufactured home on the property and reside at this address.

Resolution 95-19

A resolution of the mayor and town council of the town of Guadalupe, Maricopa county, Arizona, establishing town policy against manufactured housing units (mobile homes) having frontage on Avenida del Yaqui and Guadalupe road; and establishing a town policy requiring mobile homes in the remaining areas of the town to be owner-occupied for issuance of a conditional use permit.

The property located at the southeast corner of Calle Bella Vista and Calle Barbarita has been vacant since 2012, per the Maricopa County Assessor maps.

Should the Conditional Use permit be approved, and prior to the issuance of a certificate of occupancy, Town staff will inspect the premises to ensure the home complies with applicable Town building codes.

Staff recommends approval of the Conditional Use permit. *Agenda items G1 – G4 are related.*

G5. PUBLIC HEARING – VARIANCE REQUEST FOR 5536 EAST CALLE ENCINAS (V2023-02) (PAGES 40 – 61): The Applicant, Ms. Petra Alicia Mendez Neyoy, is requesting a variance to the zoned R1-6, Single-family Residential property located at 5536 East Calle Encinas , Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-12-104C. The variance is requested to locate a manufactured home on the property through an approved Conditional Use permit. The requested variance is to allow a decrease in the minimum lot width requirement from 60’ to 50’ as required for R1-6 zoning of 6,000 square feet per Town of Guadalupe Zoning Code of Ordinances Chapter 54, Zoning, Section § 154.065(E)(1), Single Family Residential Districts R-1-9 and R-1-6, Area Height and Setback Regulations:

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Minimum Yard Setbacks				Max. Bldg. Height
				Front	Side	Street Side	Rear	
R-1-9	9,000 square feet	80’	100’	30’	10’	20’	10’	30’; accessory building
R-1-6	6,000 square feet	60’	90’	25’	7’*	15’	10’	30’

*for ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.

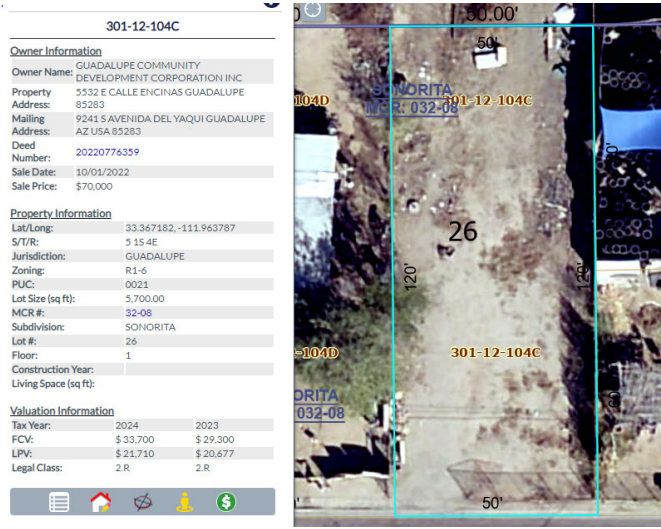
The public hearing for this variance request has been properly posted on site and published in a newspaper of general circulation; and properties within a 150-foot radius of the applicant’s property were notified via postal mail, as required by the Town of Guadalupe Zoning Ordinance § 154.034 NOTIFICATION (B) (1) – (5). The Applicant has properly submitted all information and paid all applicable fees. As of March 15, 2023, no public comments have been received. *Agenda items G5 – G8 are related.*

G6. VARIANCE REQUEST FOR 5536 EAST CALLE ENCINAS (V2023-02) (PAGES 40 – 61): Town Council may approve or deny a variance request for 5536 East Calle Encinas. Per the Town Zoning Code, Part II, Administration, B. 1 and B. 2 a,b,c: a variance, as requested by the applicant, Ms. Ms. Petra Alicia Mendez Neyoy , for the zoned R1-6, Single-family Residential property located at 5536 East Calle Encinas, Guadalupe, AZ. Maricopa County Assessor Parcel APN 301-12-104C, shall not be authorized unless the Town Council shall find upon sufficient evidence:

- a. That there are special circumstances or conditions applying to the property, including its size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive such property of privileges enjoyed by other properties in the same district; and,
- b. That such special circumstances were not created by the owner or applicant; and,
- c. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity not constitute the granting of special privileges inconsistent with the limitations of adjacent property, the neighborhood, or the public-welfare, in general.

Because of the property is 50' wide, it does not comply with Town Code. In review, this existing condition provides sufficient evidence to recommend approval of the variance.

Town staff recommends approval of the variance as this is a special lot size circumstance, is not a self-imposed circumstance, and will not be materially detrimental to the area. Council also has the authority to add and or modify various stipulations to a Variance. *Agenda items G5 – G8 are related.*



G7. PUBLIC HEARING – CONDITIONAL USE PERMIT REQUEST FOR 5536 EAST CALLE ENCINAS (CU2023-03) (PAGES 40 – 61): This is a public hearing to consider the issuance of a Conditional Use Permit (#CU2023-03) to locate a manufactured home at 5536 East Calle Encinas, Guadalupe, AZ 85283, Maricopa County Assessor Parcel APN 301-12-104C. The applicant is Petra Alicia Mendez Neyoy and the property is zoned R-1-6 Residential. Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner occupied. If approved, Mr. Mendez Neyoy intends to locate a manufactured home on the property and reside at this address.

Resolution 95-19

A resolution of the mayor and town council of the town of Guadalupe, Maricopa county, Arizona, establishing town policy against manufactured housing units

(mobile homes) having frontage on Avenida del Yaqui and Guadalupe road; and establishing a town policy requiring mobile homes in the remaining areas of the town to be owner-occupied for issuance of a conditional use permit.

The property has been posted, notifying the public of the conditional use permit and variance requests; a legal advertisement for this public hearing has been published in the newspaper; and, property owners within 150' of the subject address have also been notified of the conditional use permit and variance requests. The applicant has paid all applicable fees associated with this request. As of March 15, 2023, no public comments have been received.

The Applicant, Petra Alicia Mendez Neyoy, is also applying for a variance of property minimum width requirements *Agenda items G5 – G8 are related.*

G8. CONDITIONAL USE PERMIT REQUEST FOR 5536 EAST CALLE ENCINAS (CU2023-03) (PAGES 40 – 61): Town Council may approve or deny a Conditional Use Permit (#CU2023-03) request is to locate a manufactured home at 5536 East Calle Encinas, Guadalupe, AZ 85283, Maricopa County Assessor Parcel APN 301-12-104C. The Applicant is Petra Alicia Mendez Neyoy. The property is zoned R-1-6 Residential.

Per Resolution 95-19, Conditional Use Permits will be issued only upon substantial justification and where the manufactured home is owner occupied. If approved, Ms. Mendez-Neyoy, intends to locate a manufactured home on the property and reside at this address.

Resolution 95-19

A resolution of the mayor and town council of the town of Guadalupe, Maricopa county, Arizona, establishing town policy against manufactured housing units (mobile homes) having frontage on Avenida del Yaqui and Guadalupe road; and establishing a town policy requiring mobile homes in the remaining areas of the town to be owner-occupied for issuance of a conditional use permit.

The property located approximately 160 feet west of the Avenida del Yaqui and Calle Encinas intersection and has had a dilapidated mobile home removed within the past 6 months.

Should the Conditional Use permit be approved, and prior to the issuance of a certificate of occupancy, Town staff will inspect the premises to ensure the home complies with applicable Town building codes.

Staff recommends approval of the Conditional Use permit. *Agenda items G5 – G8 are related.*

G9. PUBLIC HEARING PUBLIC HEARING – REZONING REQUEST FOR 5605 EAST CALLE MEXICO (RZ2023-01) (PAGES 62 - 82): A public hearing is required for rezoning requests. This request is to rezone the property located at 5605 East Calle Mexico Guadalupe, AZ, Maricopa County Assessor Parcel APN 301-06-194, currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section § 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes. The Applicant is Jose Abel Armenta, property owner.

The 9,227 Square foot property is presently vacant, surrounded by a chain link fence. It is located at the southeast corner of Avenida del Yaqui and Calle Mexico and is bordered to the east by a R1-9 residential property. *Agenda items G9 & G10 are related. Information*

301-06-194	
Owner Information	
Owner Name:	BOJORQUEZ JOSE ABEL ARMENTA
Property:	5605 E CALLE MEXICO GUADALUPE
Address:	85283
Mailing:	5740 E CALLE MEXICO GUADALUPE AZ
Address:	USA 85283
Deed Number:	20190861415
Sale Date:	09/01/2019
Sale Price:	\$65,000
Property Information	
Lat/Long:	33.365791,-111.962921
S/T/R:	4 15 4E
Jurisdiction:	GUADALUPE
Zoning:	C-1
PUC:	0011
Lot Size (sq ft):	9,227.00
MCR #:	211-18
Subdivision:	EAST GUADALUPE
Lot #:	1
Floor:	1
Construction Year:	
Living Space (sq ft):	
Valuation Information	
Tax Year:	2024 2023
FCV:	\$ 75,400 \$ 65,600
LPV:	\$ 48,904 \$ 48,576
Legal Class:	2.R 2.R



G10. REZONING REQUEST FOR 5605 EAST CALLE MEXICO (RZ2023-01) (PAGES 62 – 82): Town Council may approve or deny the Rezoning request (RZ2023-01) is to rezone the property located at 5605 East Calle Mexico Guadalupe, AZ, Maricopa County Assessor Parcel APN 301-06-194, currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section § 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes. The Applicant is Jose Abel Armenta, property owner.

Rezoning Request:

The requested rezoning to C-2 Zoning Designation, under the Guadalupe Town Code, Section 154.067(C)(4)(a) would allow for:

(4) The following outdoor general retail business and service establishments shall be permitted in the C-2 and C-M Districts:

- (a) Automobile service stations, including minor repairs and lubricating, automobile car wash service;

The current C-1 Zoning does not allow for these auto related uses.

In general, per the Guadalupe Town Code of Ordinances, Section § 154.067 COMMERCIAL DISTRICTS; C-1 NEIGHBORHOOD COMMERCIAL, C-2 GENERAL COMMERCIAL...

(A) Intent.

(1) The **C-1 Neighborhood Commercial District** is intended to preserve and protect neighborhood commercial areas located in close proximity of residential areas and to provide retailing of convenience goods and services to meet the frequent needs of the neighborhood. **(Existing zoning designation)**

(2) The **C-2 General Commercial District** is intended to provide space for general retail and office uses, and efficient development of major retail shopping areas to serve the needs of the community and regional area. **(Requested zoning designation)**

C-1 and C-2 zoning designations must also comply with Sections § 154.067 (B) General Regulations:

(B) General regulations.

(3) In the C-1, C-2, and C-M Districts, overhead doors and loading and service bays shall be screened from public street view by opaque fences or walls, six feet in height.

(4) In the C-1, C-2, and C-M Districts, the yards required adjacent to public streets shall be entirely landscaped except for necessary driveways and walkways; parking and maneuvering areas shall be located beyond those required landscaped yards.

Application and Notification:

The Town Manager/Clerk and Town Planning Consultant have reviewed the rezoning application packet for completeness and conformance with the Town Code of Ordinances. The property has been properly posted, a notification of the rezoning request and public hearing has been mailed to property owners located within 150' of the property, and properly advertised in a newspaper per State Statutes. To date, the Town has not received any comment or feedback regarding this request.

Analysis:

The Town Manager/Clerk and Town Planning Consultant have examined the rezoning request and recommends approval of the rezoning from C-1 to C-2.

Development may proceed upon submittal, review and approval of site plan and construction documents. Future development project shall conform to all development standards in Town Code, including but not limited to:

- Enclosed building,
- Site fencing,
- On Site and off-site landscaping,
- Paved parking area and driveways,
- On site retention.

Agenda items G9 & G10 are related.



Minutes Town Council Regular Meeting March 09, 2023

Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Esteban F. V. Fuerte
Councilmember

Elvira Osuna
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Minutes of the Guadalupe Town Council Regular Meeting held on March 09, 2023, at 6:00 p.m., at Guadalupe Town Hall, 9241 South Avenida del Yaqui, Council Chambers, Guadalupe, Arizona.

A. Mayor Molina called the meeting to order at 6:25 p.m.

B. ROLL CALL

Councilmembers Present: Mayor Valerie Molina, Vice Mayor Ricardo Vital, Councilmember Anita Cota Soto, Councilmember Elvira Osuna, Councilmember Esteban F. V. Fuerte, Councilmember Joe Sanchez, and Councilmember Mary Bravo.

Staff Present: Jeff Kulaga – Town Manager / Clerk and Rocio Ruiz – Deputy Town Clerk

Staff Present via Zoom: Barry Aylstock – Town Attorney

C. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Soto and Councilmember Bravo provided the invocation. Mayor Molina then led the Pledge of Allegiance.

D. APPROVAL OF MINUTES

1. Approval of the February 23, 2023, Town Council Regular Meeting Minutes.

Motion by Councilmember Fuerte to approve agenda item D1; second by Councilmember Soto. Motion passed unanimously on a voice vote 7-0.

1. Councilmembers approved the February 23, 2023, Town Council Regular Meeting Minutes.

E. CALL TO THE PUBLIC:

Mayor Molina called upon Veronica Tolliver with the YMCA to address the Council. Ms. Tolliver attended the meeting via Zoom. Ms. Tolliver stated she is a Manager at the YMCA at Rural Road and Guadalupe Road. Ms. Tolliver stated the YMCA received a Covid Relief Grant called Y Achievers Program, which will expire June 30th, 2023. The Y Achievers Program serves youth ages 18-24 and helps further their education and teaches life skills. Ms. Tolliver provided an overview of specialized services the program offers. To join the Y Achievers Program, residents may call their local branch or register online.

Mayor Molina asked Ms. Tolliver to provide the Town Manager her information so she may be added on a future agenda item and Council may interact.



Valerie Molina
Mayor

Ricardo Vital
Vice Mayor

Mary Bravo
Councilmember

Esteban F. V. Fuerte
Councilmember

Elvira Osuna
Councilmember

Joe Sánchez
Councilmember

Anita Cota Soto
Councilmember

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Mayor Molina called upon Dr. John Molina to address Council. Dr. Molina stated he has been a lifelong resident of Guadalupe and expressed his appreciation for the Council's work to maintain the integrity of the Town financially and economically. Dr. Molina stated he is retired however he continues to be involved in the Pascua Yaqui Health Clinic that is now being utilized by the National Institution of Health. Dr. Molina stated he published a book that talks about growing up in the Town of Guadalupe, Dr. Molina's journey, challenges, failures, successes, how the clinic was built, and issues faced with the land and The Biehn Colony Trust. The name of the book is Im Jittoa Bo'o (My Healing Journey) and is currently available on Amazon. Dr. Molina hopes to present the book to the Guadalupe Library.

Mayor Molina called upon Russell Cage. Mr. Cage introduced himself and his wife, Magic Cage, to the community. Mr. and Mrs. Cage are tenants of 8045 S. Avenida del Yaqui and owners of Mi Amore Catering, which offers catering and hosts special events/gatherings. Mr. Cage stated he and his wife attended the meeting to answer any questions the community may have regarding the property located at 8045 S. Avenida del Yaqui.

Mayor Molina thanked Mr. Cage for attending and stated Council is unable to discuss as it is not an Agenda item. Mayor Molina welcomed Mr. and Mrs. Cage to the Community and stated Town Manager could add them on future agenda items so the Council could interact.

F. MAYOR AND COUNCIL PRESENTATION:

Mayor Molina read a proclamation declaring Saturday, March 11th, 2023, Little League Baseball Day. Mayor Molina presented the proclamation to the president of Tempe Guadalupe Little League Baseball, Councilmember Esteban F.V. Fuerte.

G. DISCUSSION AND POSSIBLE ACTION ITEMS:

1. SPECIAL EVENT LIQUOR LICENSE REQUEST

Mayor Molina stated that this agenda item is for Council to consider approval, denial, or no recommendation to the Arizona Department of Liquor Licenses and Control for a Special Event Liquor License. The Applicant is Ralph Cota on behalf of the American Legion Post 124 Guadalupe Veterans, a non-profit organization.

Jeff Kulaga Town Manager/Clerk stated the applicant is Ralph Cota and the special event liquor license is for the Legion's annual Spring Dance at the Mercado. The Legion has provided the proper application for the lease of the Mercado, proper staff, and has obtained MCSO for public safety. Staff recommends approval.

Mr. Kulaga called upon Rudy Quezada, representative of the American Legion Post 124 Guadalupe Veterans to help answer questions the Council may have.

In response to a question from Mayor Molina regarding if the event is profitable and well attended, Mr. Quezada stated the event is well attended and gets better each year.

Motion by Councilmember Bravo to forward a recommendation of APPROVAL of the special event liquor license application to the Arizona Department of Liquor Licenses and Control; second by Councilmember Osuna. Motion passed unanimously on a voice vote 5-0-2 with Councilmember Osuna and Vice Mayor Vital abstaining.

Councilmembers approved forwarding a recommendation of APPROVAL to the Arizona Department of Liquor Licenses and Control for a Special Event Liquor License. The Applicant is Ralph Cota on behalf of the American Legion Post 124 Guadalupe Veterans, a non-profit organization. The event location is



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the Mercado de Guadalupe patio and Multi-purpose Room Suite #3, 9201 South Avenida del Yaqui, Guadalupe, AZ. The proposed event will be held on Saturday, April 15, 2023, 7:00 p.m. – 12:00 Midnight. Maricopa County Sheriff's Office personnel will provide event security and the Post will provide age identification verification for alcohol consumption.

2. THE RICHMAN GROUP PROPOSED MIX USE DEVELOPMENT

Mayor Molina stated Council will receive a presentation from The Richman Group regarding their response to the Request for Proposals of lease and/or purchase and development of certain Town-owned property. The Town-owned properties are located at the northwest, northeast and southeast corners of Avenida del Yaqui and Guadalupe Road. The proposal includes 3,000 square feet of retail, 5,000 square feet of community space, and 230 affordable residential units.

Jeff Kulaga Town Manager/Clerk stated this item is for The Richman Group's proposal as they were one of three proposals received for the Request for Proposals done in December 2022. Should Council decide to proceed with this proposal, item G3 would allow the Town of Guadalupe to proceed with an exclusivity agreement with The Richman Group. Mr. Kulaga introduced Nick Wood with the law firm of Snell & Wilmer who represents The Richman Group.

Mr. Wood introduced himself to Council and discussed his background, profession, and qualifications in building affordable housing. Mr. Wood introduced The Richman Group's proposal for Town owned land. The Richman Group intends to build a total of three affordable housing complexes, two for family housing and the third for senior housing. The proposal is inclusive of 230 affordable dwelling units, a community area, and a community center available free of charge for residents of Guadalupe. Mr. Wood exhibited a circulation diagram that showed a path for pedestrians to enjoy new soccer fields, a shaded walkway, and new landscaping. Retail space will be available as part of this proposal. Mr. Wood concluded his presentation asking for permission from Council to begin negotiations with Mr. Kulaga and Town Attorney for an acquisition development agreement.

In response to a question from Councilmember Fuerte regarding who would manage the space for community events, Mr. Wood stated The Richman Group would manage the space.

In response to a question from Councilmember Bravo regarding what the extra space is for shown on the senior living complex, Mr. Wood stated that is parking. Councilmember Bravo stated the only architectural aspect of the buildings that matched the community are the arches.

In response to a question from Councilmember Soto regarding how many stories the buildings are projected to be, Mr. Wood stated three stories.

In response to a question from Mayor Molina regarding how The Richman Group intends on keeping housing affordable and for how long, Mr. Wood stated there is a program that is overseen by the Arizona Department of Housing and created by HUD that determines ranges of income for the County. Part of the development agreement will outline that The Richman Group will comply with that program and tax credits offered will allow them to bring rents down to that affordability rate.

In response to a question from Mayor Molina regarding if The Richman Group will hold public meetings, Mr. Wood stated the Council will be part of all the components of a final decision. Mr. Wood stated he will work closely with the Town Council, Town Manager, and Town Consultant.

In response to a question from Mayor Molina regarding if The Richman Group would consider increasing the retail space proposed to help the Town's main source of income being businesses, Mr. Wood stated yes increase in retail space could be considered and currently 3,000 square feet of retail space does not include leasing office or gym space.



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In response to a question from Councilmember Fuerte regarding the architectural features of the building and if it is possible to include a more cultural aspect, Mr. Wood stated the design will be included in the negotiation of the development agreement.

In response to a question from Councilmember Soto regarding what the considerations for the current Mercado tenants would be, Mr. Wood stated that is a later phase and gives the tenants the opportunity and time to find a new place to operate and the completed project will have retail space available.

Mayor Molina called upon Steve Langstaff to address Council regarding this agenda item. Mr. Langstaff is the executive director of Guadalupe Community Development Corporation (GCDC), a local non-profit organization focused on affordable housing for homeownership. GCDC has built 175 houses for the community since 1992; in the last few years, GCDC has built three houses per year and projected to build six houses this year. GCDC is a general partner in two multi-family complexes in Guadalupe, Nuestra Senora Apartments and Itom A'e Apartments. Mr. Langstaff stated that regarding demand for affordable housing in the community, there are currently 350 applicants for Nuestra Senora Apartments.

In response to a question from Mayor Molina regarding if the rent for Nuestra Senora Apartments is considered affordable or low income, Mr. Langstaff stated the rent is affordable. Mayor Molina stated the community is in need of 350 affordable housing units and The Richman Group's proposal is for 230 affordable units.

Councilmember Bravo stated she had a question for Mr. Langstaff however, Mr. Kulaga stated GCDC is not on the agenda and could be added to a future agenda to discuss with Mr. Langstaff.

3. THE RICHMAN GROUP PROPOSED MIX USE DEVELOPMENT EXCLUSIVITY AGREEMENT

Mayor Molina stated Council will consider and may take action to authorize the Town Manager or designee to proceed to an exclusive negotiation phase with The Richman Group LLC to formulate a Development Agreement for the purchase and/or lease and development of Town-owned land, described as Sites A-D in the Request for Proposals issued by the Town on December 9, 2022. The Development Agreement will require approval from the Town Council on a future agenda.

Jeff Kulaga Town Manager/Clerk stated if Council authorizes the Town Manager and designees to proceed with an exclusive negotiation phase with The Richman Group LLC, Mr. Kulaga will come back to Council for consideration.

In response to a question from Mayor Molina regarding the timeline for submitting for this year's tax credit is tight, Nick Wood, The Richman Group Attorney, stated that while there is a lot of work to be done, The Richman Group will attempt to meet the April 1st deadline.

In response to a question from Mayor Molina regarding entering this exclusivity agreement and how soon the public would be informed, Mr. Wood stated they will begin informing the public as soon as they have a framework for the agreement. Mr. Wood stated he has previously worked with the city of Tempe and has experience keeping the community updated, such as providing updates on the city website and holding informational hearings, and The Richman Group intends to do the same with Guadalupe residents.

Motion by Vice Mayor Vital to authorize the Town Manager or designee to proceed to an exclusive negotiation phase with The Richman Group LLC; second by Councilmember Fuerte.

Councilmembers authorized the Town Manager/Clerk to proceed to an exclusive negotiation phase with The Richman Group LLC to formulate a Development Agreement for the purchase and/or lease and development of Town-owned land, described as Sites A-D in the Request for Proposals issued by the Town on December 9, 2022.



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4. **REQUEST TO CONTINUE TO APRIL 13, 2023, REGULAR COUNCIL MEETING: MARICOPA COUNTY SHERIFF'S OFFICE UPDATE**

Mayor Molina stated Council will receive an update from Maricopa County Sheriff's Office representatives regarding public safety in the Town of Guadalupe.

Jeff Kulaga Town Manager/Clerk stated representatives from the Maricopa County Sheriff's Office were unable to attend tonight's meeting and this item will be continued to the April 13th, 2023, Regular Council Meeting.

5. **2023 12% REVENUE SHARING GRANT PROGRAM**

Mayor Molina stated Council will receive recommendations for sixteen 12% revenue sharing (gaming) grant submittals for the 2023 grant cycle from Town Manager / Clerk. The sixteen recommended grant submittals to five entities total \$1,101,000.00 for the 2023 grant cycle.

Jeff Kulaga Town Manager/Clerk stated the resolutions to the individual entities follow as Agenda Items 6 through 10. Mr. Kulaga stated Item 6 is a proposal for \$179,000 from the Ak-Chin Indian Community to fund Public Access Cardiac AED's and equipment for the Guadalupe Fire Department, Cultural Heritage events programming, and Public Works vehicle shade canopy. Mr. Kulaga stated Item 7 is a proposal for \$107,000 from the Fort McDowell Yavapai Nation for the Senior Center entry patio remodel and Public Works maintenance yard restroom renovation. Mr. Kulaga stated Item 8 is a proposal for \$280,000 from the Gila River Indian Community to fund Fire Department Public Safety equipment, Fire Department command/community service vehicle, Senior Center elderly activity programs, and Community Action Program utility assistance. Mr. Kulaga stated Item 9 is a proposal for \$425,000 from the Pascua Yaqui Tribe for the renovation of the Guadalupe Fire Station truck bay flooring, doors, and roof; renovation of Biehn Park restrooms, ballpark, and playground; installation of flagpoles, renovation of a ramada, and replacement of gates at the Guadalupe Cemetery; and Public Safety Services – cultural and community events. Mr. Kulaga stated Item 10 is a proposal for \$110,000 from the Tohono O'odham Nation the purchase of two dump trucks for Public Works, Neighborhood Clean Up events for Public works, Community Action Program food, hygiene, and holiday meals assistance.

Mr. Kulaga stated staff has recognized these needs for the community and facilities totaling \$1,101,000.00. Each grant application requires an approved Resolution by Council.

In response to a question from Mayor Molina regarding if the Town was just granted gear money, Mr. Kulaga stated that was two years ago.

6. **AK-CHIN INDIAN COMMUNITY 12% REVENUE SHARING GRANT (RESOLUTION NO. R2023.02)**

Mayor Molina stated that this agenda item is for Council to consider adopting Resolution No. R2023.02 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$179,000 from the Ak-Chin Indian Community to fund Public Access Cardiac AED's and equipment for the Guadalupe Fire Department, Cultural Heritage events programming, and Public Works vehicle shade canopy; and, direct the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

Motion by Vice Mayor Vital to approve Resolution No. R2023.02; second by Councilmember Soto. Motion passed unanimously on a voice vote 7-0

Councilmembers adopted RESOLUTION NO. R2023.02 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$179,000 from the Ak-Chin Indian Community to fund Public Access Cardiac AED's and equipment for the Guadalupe Fire Department, Cultural Heritage events programming, and Public Works vehicle shade canopy; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.



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7. FORT MCDOWELL YAVAPAI NATION 12% REVENUE SHARING GRANT (RESOLUTION NO. R2023.03)

Mayor Molina stated that this agenda item is for Council to consider adopting Resolution No. R2023.03 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$107,000 from the Fort McDowell Yavapai Nation for the Senior Center entry patio remodel and Public Works maintenance yard restroom renovation; and direct the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

Motion by Vice Mayor Vital to approve Resolution No. R2023.03; second by Councilmember Bravo. Motion passed unanimously on a voice vote 7-0

Councilmembers adopted RESOLUTION NO. R2023.03 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$107,000 from the Fort McDowell Yavapai Nation for the Senior Center entry patio remodel and Public Works maintenance yard restroom renovation; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

8. GILA RIVER INDIAN COMMUNITY 12% REVENUE SHARING GRANT (RESOLUTION NO. R2023.04)

Mayor Molina stated that this agenda item is for Council to consider adopting Resolution No. R2023.04 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$280,000 from the Gila River Indian Community to fund Fire Department Public Safety equipment, Fire Department command/community service vehicle, Senior Center elderly activity programs, and Community Action Program utility assistance; and, direct the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

Motion by Vice Mayor Vital to approve Resolution No. R2023.04; second by Councilmember Soto. Motion passed unanimously on a voice vote 7-0

Councilmembers adopted RESOLUTION NO. R2023.04 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$280,000 from the Gila River Indian Community to fund Fire Department Public Safety equipment, Fire Department command/community service vehicle, Senior Center elderly activity programs, and Community Action Program utility assistance; and directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

9. PASCUA YAQUI TRIBE 12% REVENUE SHARING GRANT (RESOLUTION NO. R2023.05)

Mayor Molina stated that this agenda item is for Council to consider adopting Resolution No. R2023.05 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$425,000 from the Pascua Yaqui Tribe for the renovation of the Guadalupe Fire Station truck bay flooring, doors, and roof; renovation of Biehn Park restrooms, ballpark, and playground; installation of flagpoles, renovation of a ramada, and replacement of gates at the Guadalupe Cemetery; and, Public Safety Services – cultural and community events; and, direct the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

Motion by Vice Mayor Vital to approve Resolution No. R2023.05; second by Councilmember Soto. Motion passed unanimously on a voice vote 7-0

Councilmembers adopted RESOLUTION NO. R2023.05 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$425,000 from the Pascua Yaqui Tribe for the renovation of the Guadalupe Fire Station truck bay flooring, doors, and roof; renovation of Biehn Park restrooms, ballpark, and playground; installation of flagpoles, renovation of a ramada, and replacement of gates at the Guadalupe Cemetery; and, Public Safety Services – cultural and community events; and, directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.



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10. TOHONO O'ODHAM NATION 12% REVENUE SHARING GRANT (RESOLUTION NO. R2023.06)

Mayor Molina stated that this agenda item is for Council to consider adopting Resolution No. R2023.06 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$110,000 from the Tohono O'odham Nation the purchase of two dump trucks for Public Works, Neighborhood Clean Up events for Public works, Community Action Program food, hygiene, and holiday meals assistance; and, direct the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

Motion by Vice Mayor Vital to approve Resolution No. R2023.06; second by Councilmember Soto. Motion passed unanimously on a voice vote 7-0

Councilmembers adopted RESOLUTION NO. R2023.06 authorizing the submittal of an application for a 12% revenue sharing (gaming) grant of \$110,000 from the Tohono O'odham Nation the purchase of two dump trucks for Public Works, Neighborhood Clean Up events for public works, Community Action Program food, hygiene, and holiday meals assistance; and, directed the Mayor, or designee, to sign all necessary documents in furtherance of this grant application.

11. APPROVAL OF CONTRACT - AVENIDA DEL YAQUI SIDEWALK DESIGN

Mayor Molina stated that this agenda item is for Council to award contract (C2023-06) with Dibble Engineering, the Town Engineer, in the amount of \$62,786.00. The purpose of the contract is for design and engineering services, utility coordination with SRP and the City of Tempe, complete construction documents, permit review and construction management and inspection needed for the installation of a new curb, gutter, sidewalk, and driveway improvements along the west side of Avenida Del Yaqui from the Highline Canal Multi-Use Path to approximately 100 feet north of the Highline Canal. Funding for this project is available through approved SRP neighborhood aesthetic funds.

Jeff Kulaga Town Manager/Clerk stated this is the first step in completing the sidewalk along the west side of Avenida Del Yaqui from the Highline Canal Multi-Use Path to approximately 100 feet north of the Highline Canal. Funding for this project is available through approved SRP neighborhood aesthetic funds of \$180,000. Staff recommends approval.

In response to a question from Mayor Molina regarding when construction will begin, Mr. Kulaga stated Fall/Winter of 2023. Mr. Kulaga stated construction would start after Tempe Guadalupe Little League fall ball and will work through any conflicts with Town events.

Motion by Councilmember Fuerte to approve agenda item G11; second by Councilmember Osuna. Motion passed unanimously on a voice vote 7-0.

Councilmembers awarded a contract (C2023-06) to Dibble Engineering, the Town Engineer, in the amount of \$62,786.00. The purpose of the contract is for design and engineering services, utility coordination with SRP and the City of Tempe, complete construction documents, permit review and construction management and inspection needed for the installation of a new curb, gutter, sidewalk, and driveway improvements along the west side of Avenida Del Yaqui from the Highline Canal Multi-Use Path to approximately 100 feet north of the Highline Canal. Funding for this project is available through approved SRP neighborhood aesthetic funds.

H. TOWN MANAGER/CLERK'S COMMENTS: NONE.



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I. COUNCILMEMBERS' COMMENTS

Councilmember Bravo

- o Thanked staff for their work.

Councilmember Sanchez

- o Thanked staff for their work.

Councilmember Fuerte

- o Thanked staff for the Little League Baseball Day Proclamation.
- o Announced Little League Opening Day this Saturday.

Councilmember Soto

- o Thanked staff for their work.
- o Thanked Pascua Yaqui Tribe for their role in remodeling Council Chambers.
- o Promoted families this season and asked for prayers for each other during Cuaresma.
- o Thanked San Diego Bay and their employees.

Councilmember Osuna

- o Thanked staff for their work.
- o Asked residents to remain vigilant about cultural participants and take care of kids and elders.

Vice Mayor Vital

- o Thanked staff for their work.
- o Announced Groundbreaking Ceremony for the new Health Clinic on March 15th at 10 a.m.
- o Wished Mayor Molina a Happy Birthday.

Mayor Molina

- o Thanked staff for their work.
- o Reminded the community not to take pictures of the cultural ceremonies and be respectful.
- o Announced possible fireworks on Good Friday.

J. ADJOURNMENT

Motion by Councilmember Bravo to adjourn the Regular Council Meeting; second by Councilmember Fuerte. Motion passed unanimously on a voice vote 7-0.

The meeting was adjourned at 7:24 p.m.

Valerie Molina, Mayor

ATTEST:

Jeff Kulaga, Town Manager / Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the March 9, 2023, Town of Guadalupe, Town Council Regular Meeting. I further certify the meeting was duly called and held, and that a quorum was present.

Jeff Kulaga, Town Manager / Town Clerk



PLANNING & ZONING APPLICATION FOR: VARIANCE, CONDITIONAL USE OR ZONING CHANGE

1. Please complete this application and attach all required items as outlined.
2. Once submitted, please allow a minimum of two weeks for staff to review and determine whether submittal is complete or additional information/material is needed.
3. Once application is determined complete and acceptable, staff will schedule a public hearing.
4. Complete/accepted application must be submitted to the Town Clerk in final form no less than 30 days prior to scheduled Town council meeting. **Applicant must attend all public hearings/meetings.**

GENERAL INFORMATION:

Project name: Manufactured Home
 Existing use of property: Empty lot
 Proposed use of property: Family Home
 Existing zoning: R10 Requested zoning (if applicable): _____

PROPERTY INFORMATION:

Address: 9403 S Calle Bella Vista Guadalupe 85283
 Legal Description*: Section 8 Township 15 Range 4 E
 Maricopa County Assessor's Parcel Number (APN)*: 301-43-180
 Subdivision Name & Lot # (if applicable/available) SENDE VISTA 2 #180

*Available at: <https://mcassessor.maricopa.gov/>

APPLICANT INFORMATION:

Name: Martin Esparza
 Mailing Address: 4605 S Priest dr #226
 Contact phone #: 480 217 1765 Email: djesparza53@msn.com
 Status (owner, agent, lessee, etc): owner

APPLICATION MUST INCLUDE THE FOLLOWING (per Town Code 154.036):

- Filing fee(s) (as outlined on page 2) – *attach*
- Legal description – *attach*
- Letter of explanation – *complete page 3*
- Plot plan – *attach*
- Site plan (drawn to scale, showing what is planned for the property, including lot dimensions, existing and proposed buildings, etc.) – *attach*
- Vicinity map of property owners within 150' of property – *attach*
- Mailing labels (Name/Address) for property owners within 150' of property – *attach*
- Proof of property ownership

TYPE OF REQUEST:

CONDITIONAL USE PERMIT

VARIANCE FOR (CHECK ALL THAT APPLY):

Lot width

_____ Lot depth

_____ Building height

_____ Front setback

_____ Rear setback

_____ Sideyard setback

_____ ZONING CHANGE - AMENDMENT TO THE ZONING MAP FOR:

_____ Single-family Residential

_____ Multi-family Residential, Commercial, or Industrial Districts

_____ Planned Area Development

PROPERTY OWNER: (If different from Applicant, complete the Property Owner Authorization statement below. Property owner's signature must be notarized. For more than one owner, attach a separate sheet with notarized signatures, names and addresses.)

Name: Martin Esparzu

Mailing Address: 4605 S priest dr #226

Phone #: 480 217-1765 Email: djesparzu53@msn.com

PROPERTY OWNER AUTHORIZATION:

I hereby authorize Town of guadalupe to file this application and act on my behalf in regard to this application.

Esparzu

(Signature)

01/11/2023

(Date)

Notary (Rezoning Applications Only)

The State of Arizona County of Maricopa
Subscribed, sworn to and acknowledged before me by Martin Esparzu, the principal,
and subscribed and sworn to me by Leo Flores, the witness, this 11th day of
January (month), 2023 (year).



(signed) _____

Leo Flores

(Notary Public)

LETTER OF EXPLANATION:

Briefly describe the nature and intent of the proposed development and reasons justifying the request. Include references to effects on surrounding neighborhoods and the town at large.

bring the trailer and live in it

FEE SCHEDULE:

Type of Application	Fee	Calculate Fees
Appeals of administrative decisions	\$25	
Site plan review application	\$50	
Amendments to the Zoning Map for:		
Continued items, continued at the request of the applicant after the property has been posted and public hearing notices are mailed	\$25	
Multi-family residential, commercial and industrial districts	\$400	
Planned area development	\$400	
Single-family residential	\$100	
Site plan review application	\$50 + \$25/acre for each acre over one	
Conditional Use Permits		
Manufactured homes	\$50	✓ - Paid 1/11/23
All other	\$50	
Variances		
Single-family residential	\$50	✓ Paid 03/16/23
All other	\$50	
TOTAL		

APPLICANT SIGNATURE:

Espinoza

(Signature)

01/11/2023

(Date)

STAFF USE ONLY

Town of Guadalupe Review Process

Case# _____

Zoning District: _____

Date of Application: _____

Fee: _____

Accepted by: _____

Date Application Deemed Acceptable by Staff: _____

Date of Legal Advertisement: _____

Date(s) of Public Hearing(s): _____

Council Decision: _____



TOWN OF GUADALUPE – ZONING CODE SETBACK REQUIREMENTS

RESIDENTIAL ZONING DISTRICTS – TOWN CODE §154.066 (E) (1) & (2)

Zoning District	Minimum Lot Area per D.U. First 2 D.U.	Minimum Lot Area per D.U. Add'l D.U.	Minimum Lot Width	MINIMUM YARD SETBACKS				Maximum Building Height
				Front	Side	Street Side	Rear	
R-2	5,000 square feet		75'	25'	7**	20'	20'	30'
R-3	5,000 square feet	2,500 square feet	100'	20'	7**	15'	15'	30'
R-4	5,000 square feet	1,250 square feet	100'	20'	7**	15'	15'	30'

*For ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.

The minimum provisions listed above shall not apply to any lot of smaller size already of record in the office of the County Recorder of Maricopa County, Arizona, before the effective date of this chapter.

Zoning District	MINIMUM YARD SETBACKS				Maximum Height
	Front	Side	Street Side	Rear	
R-1-9	30'	10'	20'	10'	30'
R-1-6	25'	7'	15'	10'	30'

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COMMERCIAL ZONING DISTRICTS – TOWN CODE §154.067(F)

Zoning District	MINIMUM YARD SETBACKS				Maximum Height
	Front	Side	Street Side	Rear	
C-1	25'	12'	15'	15'	30'
C-2	20'	12'	15'	15'	30'
C-Mix	30'	20'	30'	30'	40'

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Notice of Public Hearing

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PUBLIC HEARING: Request for a conditional use permit and Variance to locate a manufactured home on the 9403 South Calle Bella Vista, zoned R1-6 Residential.

- 1. Conditional Use Permit Application (CU2023-02)** – Martin Esparza, Applicant, is requesting a conditional use permit to install a manufactured home on the property located at 9403 South Calle Bella Vista, Guadalupe, AZ. APN 301-43-180. The lot is zoned R1-6, Single-family Residential.
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Written comments or objections may be filed via email at clerk@guadalupeaz.org prior to, or at the hearing. Copies of the Application are available for review at Guadalupe Town Hall.

Publish: Tuesday, March 7, 2023

Town of Guadalupe
9241 South Avenida del Yaqui
Guadalupe, AZ 85283
(480) 730-3080

THE RECORD REPORTER

~SINCE 1914~

Mailing Address : 2025 N THIRD ST #155, PHOENIX, AZ 85004-1425
Telephone (602) 417-9900 / Fax (602) 417-9910
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ROCIO RUIZ
TOWN OF GUADALUPE
9241 S AVENIDA DEL YAQUI
GUADALUPE, AZ 85283

RR# 3676530

COPY OF NOTICE

(Not an Affidavit of Publication. Do not file.)

Reference # 66399
Notice Type: MCHRG NOTICE OF HEARING
Ad Description
9403 SOUTH CALLE BELLA VISTA

To the right is a copy of the notice you sent to us for publication in THE RECORD REPORTER. Please read this notice carefully and fax or e-mail (record_reporter@dailyjournal.com) any corrections. The Affidavit will be filed, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

03/06/2023

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$3.40
Arizona Sales Tax	\$0.02
Total	\$3.42

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3/6/23

RR-3676530#

Your Legal Publishing



* A 0 0 0 0 0 6 2 4 5 1 0 5 *

PUBLIC HEARING

TOWN OF GUADALUPE TOWN COUNCIL



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Publish: Tuesday, March 7, 2023

FOR THE FOLLOWING ADDRESS PROPERTY
Town of Guadalupe
9241 South Avenida del Yaqui
Guadalupe, AZ 85283
(480) 730-3080

Interested person should be present. Any person wishing to protest said request may appear in person before the Town Council, or by filing a written protest with the Town Clerk on or before the date of hearing. For more information, please call (480) 730-3080.

TOWN OF GUADALUPE, ARIZONA
Town Clerk

POSTING DATE 3/3/2023

TOWN OF GUADALUPE

03/03/2023





Prepared By:
Douglas Jason Keffler, Esq
AZ Bar ID #033520
2316 W Impala Ave
Mesa, AZ 85202

After Recording Mail To:
Martin Esparza Acero
9403 Calle Bella Vista
Guadalupe, AZ

20:
00:
Ho:

Exempt Per ARS 11-1134 B

Space Above for Recorder's Use

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Charles Bryan Euske, a single man,
do/does hereby convey to

Martin Esparza Acero, a single man,

the following real property situated in Maricopa County, ARIZONA:

Lot ONE HUNDRED EIGHTY (180), SENDE VISTA TWO, according to the Plat on Record in the Office of the County Recorder, Maricopa County, Arizona, Recorded in Book 43 of Maps, Page 7.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

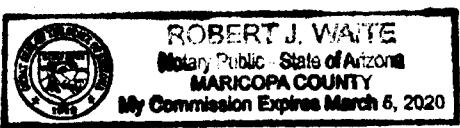
Dated 01/04/2018

GRANTOR(S):

Charles B. Euske
Charles Bryan Euske

State of Arizona }ss:
County of **Maricopa**

On 4 JANUARY 2018, before me, The Undersigned, a Notary Public in and for said County and State, personally appeared **Charles Bryan Euske**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.



WITNESS my hand and official seal.

Robert J. Waite
Notary Public
My Commission Expires: 3/5/2020



9403 S. Calle Bella Vista: G1. & G2. Variance Request G3. & G4. Conditional Use Permit Request



9403 S. Calle Bella Vista

Zoning: R1-6

Lot Size: 6390 Sq ft.

**Seeking Variance And
Conditional Use Permit for
Manufactured Home**



9403 S. Calle Bella Vista: G1. & G2. Variance Request

§ 154.065 SINGLE-FAMILY RESIDENTIAL DISTRICTS: R-1-9 AND R-1-6.

The composition of the districts listed above shall be as follows.

(E) *Area, height, and setback regulations.*

(1) The following requirements shall be observed for residential uses in the R-1-9 and R-1-6 zoning districts.

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Minimum Yard Setbacks				Max. Bldg. Height
				Front	Side	Street Side	Rear	
R-1-9	9,000 square feet	80'	100'	30'	10'	20'	10'	30'; accessory building
R-1-6	6,000 square feet	60'	90'	25'	7**	15'	10'	30'

*for ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.



9403 S. Calle Bella Vista: G1. & G2. Variance Request

301-43-180	
Owner Information	
Owner Name:	ACERO MARTIN ESPARZA
Property Address:	9403 S CALLE BELLA VISTA GUADALUPE 85283
Mailing Address:	4605 S PRIEST DR TEMPE AZ USA 85282
Deed Number:	20180019881
Sale Date:	01/01/2018
Sale Price:	\$
Property Information	
Lat/Long:	33.361721, -111.967190
S/T/R:	8 15 4E
Jurisdiction:	GUADALUPE
Zoning:	R1-6
PUC:	0011
Lot Size (sq ft):	6,390.00
MCR #:	43-27
Subdivision:	SENDE VISTA 2
Lot #:	180
Floor:	1
Construction Year:	
Living Space (sq ft):	





9403 S. Calle Bella Vista: G1. & G2. Variance Request

§ 154.031 VARIANCES.

(A) Application for a variance of zoning regulations shall be filed upon a form provided and shall be accompanied by plans and description sufficient to indicate the nature of the variance involved.

(B) A variance from the provisions of this chapter shall not be authorized unless the Town Council shall find upon sufficient evidence:

(1) There are special circumstances or conditions applying to the property, including **its size**, shape, topography, location, or surroundings, the strict application of this chapter will deprive such property of privileges enjoyed by other properties in the same district;

(2) Such special circumstances were **not created by the owner or applicant**; and

(3) The authorizing of the application **will not be materially detrimental** to persons residing or working in the vicinity nor constitute the **granting of special privileges** inconsistent with the limitations of adjacent property, the neighborhood, or the public welfare in general.



9403 S. Calle Bella Vista: G1. & G2. Variance Request

35

301-43-180	
Owner Information	
Owner Name:	ACERO MARTIN ESPARZA
Property Address:	9403 S CALLE BELLA VISTA GUADALUPE 85283
Mailing Address:	4605 S PRIEST DR TEMPE AZ USA 85282
Deed Number:	20180019881
Sale Date:	01/01/2018
Sale Price:	\$
Property Information	
Lat/Long:	33.361721, -111.967190
S/T/R:	8 15 4E
Jurisdiction:	GUADALUPE
Zoning:	R1-6
PUC:	0011
Lot Size (sq ft):	6,390.00
MCR #:	43-27
Subdivision:	SENDE VISTA 2
Lot #:	180
Floor:	1
Construction Year:	
Living Space (sq ft):	



Town Staff Recommendation: Approve variance

Sufficient evidence demonstrates:

- **Special circumstances – existing lot width of 50 feet**
- **Special circumstances – not created by owner**
- **Not detrimental to neighboring area, nor granting of special privileges.**



9403 S. Calle Bella Vista:

G3. & G4. Conditional Use Permit Request

§ 154.065 SINGLE-FAMILY RESIDENTIAL DISTRICTS: R-1-9 AND R-1-6.

The composition of the districts listed above shall be as follows.

(A) *Intent.* The single-family residential districts are intended to provide for low density, detached housing in the R-1-9 district and medium density, detached housing in the R-1-6 District.

(B) *Permitted uses.*

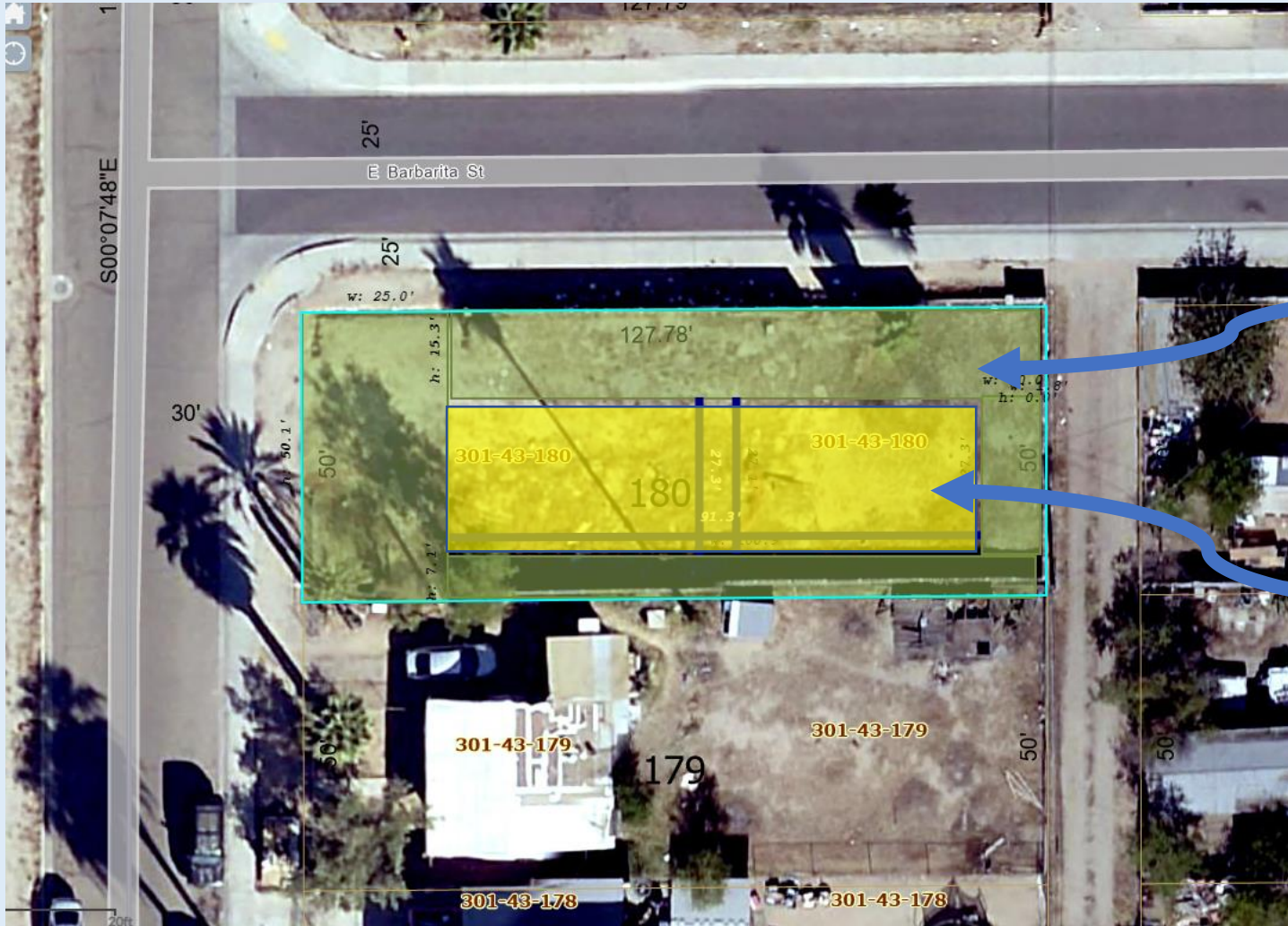
(1) One-family dwelling

(D) ***Conditional uses.*** The following uses shall be permitted as conditional uses, subject to obtaining a conditional use permit.

(5) One mobile home per lot.



9403 S. Calle Bella Vista: G3. & G4. Conditional Use Permit Request



- Setbacks
- 25' front
 - 7' side
 - 15' street side
 - 15' rear

- Building envelope
- 91' x 27'



9403 S. Calle Bella Vista: G3. & G4. Conditional Use Permit Request



- Setbacks
- 25' front
 - 7' side
 - 15' street side
 - 15' rear

- Building envelope
- 91' x 27'

- Building Footprint
- 44' X 24'



9403 S. Calle Bella Vista: G3. & G4. Conditional Use Permit Request



North



9403 S. Calle Bella Vista

Zoning: R1-6

Lot Size: 6390 Sq ft.

Seeking Conditional Use Permit for Manufactured / Mobile Home

Recommendation:
Approve conditional use permit with stipulation to comply with all Town manufactured / mobile home requirements, February 2020.



**PLANNING & ZONING APPLICATION
FOR: VARIANCE, CONDITIONAL USE OR ZONING CHANGE**

1. Please complete this application and attach all required items as outlined.
2. Once submitted, please allow a minimum of two weeks for staff to review and determine whether submittal is complete or additional information/material is needed.
3. Once application is determined complete and acceptable, staff will schedule a public hearing.
4. Complete/accepted application must be submitted to the Town Clerk in final form no less than 30 days prior to scheduled Town council meeting. **Applicant must attend all public hearings/meetings.**

GENERAL INFORMATION:

Project name: Manufacture Home Replacement
 Existing use of property: lot with previous Manufacture Home Foundation
 Proposed use of property: family home
 Existing zoning: R1-6 Requested zoning (if applicable): None

PROPERTY INFORMATION:

Address: 5536 E. calle encinas guadalupe AZ 85283
 Legal Description*: Section 5 Township 15 Range 4E
 Maricopa County Assessor's Parcel Number (APN)*: 301-12-104D
 Subdivision Name & Lot # (if applicable/available) Sonora lot 25
 *Available at: <https://mcassessor.maricopa.gov/>

APPLICANT INFORMATION:

Name: Petra Alicia Mendez Neyoy
 Mailing Address: 1021 W. 5th St mesa AZ 85201
 Contact phone #: 480-524-9612 Email: petralicia42@gmail
 Status (owner, agent, lessee, etc): owner

APPLICATION MUST INCLUDE THE FOLLOWING (per Town Code 154.036):

- Filing fee(s) (as outlined on page 2) – *attach*
- Legal description – *attach*
- Letter of explanation – *complete page 3*
- Plot plan – *attach*
- Site plan (drawn to scale, showing what is planned for the property, including lot dimensions, existing and proposed buildings, etc.) – *attach*
- Vicinity map of property owners within 150' of property – *attach*
- Mailing labels (Name/Address) for property owners within 150' of property – *attach*
- Proof of property ownership

TYPE OF REQUEST:

CONDITIONAL USE PERMIT

VARIANCE FOR (CHECK ALL THAT APPLY):

Lot width

_____ Lot depth

_____ Building height

_____ Front setback

_____ Rear setback

_____ Sideyard setback

_____ **ZONING CHANGE – AMENDMENT TO THE ZONING MAP FOR:**

_____ Single-family Residential

_____ Multi-family Residential, Commercial, or Industrial Districts

_____ Planned Area Development

PROPERTY OWNER: (If different from Applicant, complete the Property Owner Authorization statement below. Property owner's signature must be notarized. For more than one owner, attach a separate sheet with notarized signatures, names and addresses.)

Name: Petra Alicia Mendez Neyoy

Mailing Address: 1021 W. 5th St. Mesa AZ 85201

Phone #: 480-524-9612

Email: ~~petra~~ petralicia4.2@gmail

PROPERTY OWNER AUTHORIZATION:

I hereby authorize Town of Guadalupe to file this application and act on my behalf in regard to this application.

Petra A. Mendez-N.

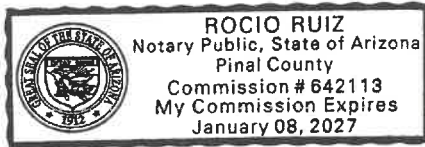
(Signature)

2/13/2023

(Date)

Notary (Rezoning Applications Only)

The State of Arizona County of Maricopa
Subscribed, sworn to and acknowledged before me by Petra Alicia Mendez Neyoy the principal,
and subscribed and sworn to me by _____, the witness, this 13 day of
February (month), 2023 (year).



(signed) Petra A. Mendez-N.

Rocio Ruiz

(Notary Public)

LETTER OF EXPLANATION:

Briefly describe the nature and intent of the proposed development and reasons justifying the request. Include references to effects on surrounding neighborhoods and the town at large.

I would like to live in Guadalupe.

FEE SCHEDULE:

Type of Application	Fee	Calculate Fees
Appeals of administrative decisions	\$25	
Site plan review application	\$50	
Amendments to the Zoning Map for:		
Continued items, continued at the request of the applicant after the property has been posted and public hearing notices are mailed	\$25	
Multi-family residential, commercial and industrial districts	\$400	
Planned area development	\$400	
Single-family residential	\$100	
Site plan review application	\$50 + \$25/acre for each acre over one	
Conditional Use Permits		
Manufactured homes	\$50	
All other	\$50	
Variances		
Single-family residential	\$50	
All other	\$50	
TOTAL		

APPLICANT SIGNATURE:

Petra A. M. 2/16/2023
 (Signature) (Date)

STAFF USE ONLY

Town of Guadalupe Review Process

Case# _____

Zoning District: _____

Date of Application: _____

Fee: _____

Accepted by: _____

Date Application Deemed Acceptable by Staff: _____

Date of Legal Advertisement: _____

Date(s) of Public Hearing(s): _____

Council Decision: _____

TOWN OF GUADALUPE – ZONING CODE SETBACK REQUIREMENTS



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Town of Guadalupe
9241 South Avenida del Yaqui
Guadalupe, AZ 85283
(480) 730-3080

THE RECORD REPORTER

~SINCE 1914~

Mailing Address : 2025 N THIRD ST #155, PHOENIX, AZ 85004-1425
Telephone (602) 417-9900 / Fax (602) 417-9910
Visit us @ www.RecordReporter.com

ROCIO RUIZ
TOWN OF GUADALUPE
9241 S AVENIDA DEL YAQUI
GUADALUPE, AZ 85283

RR# 3676527

COPY OF NOTICE

(Not an Affidavit of Publication. Do not file.)

Reference #

Notice Type: MCHRG NOTICE OF HEARING

Ad Description

5536 EAST CALLE ENCINAS

To the right is a copy of the notice you sent to us for publication in THE RECORD REPORTER. Please read this notice carefully and fax or e-mail (record_reporter@dailyjournal.com) any corrections. The Affidavit will be filed, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

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3/6/23

RR-3676527#

Your Legal Publishing



* A 0 0 0 0 0 6 2 4 5 1 0 2 *

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Guadalupe, AZ 85283
(480) 730-3080

Interested person should be present. Any person wishing to protest said request may appear in person before the Town Council, or by filing a written protest with the Town Clerk on or before the date of hearing. For more information, please call (480) 730-3080.

TOWN OF GUADALUPE, ARIZONA
Town Clerk

POSTING DATE 3/3/2023

03/03/2023

Littlefield

TRU Homes Series - Single Section

902 SQ. FT. (Approximate) 3 Bedroom, 2 Bath



Last Updated: 9-13-22



14' x 66'



FACTORY EXPO OUTLET CENTER
5757 S. Palo Verde Rd., #202
Tucson, AZ 85706

Tag # BEL01963TX

factoryBuiltHomesDirect.com | 1-800-965-2781

IMPORTANT: Alta Cima Corp reserves the right to modify, cancel or substitute products or features of this event at any time without prior notice or obligation. Pictures and other promotional materials are representative and may depict or contain color plans, square footages, elevations, options, upgrades, extra design features, decorations, floor coverings, specialty light fixtures, custom paint and wall coverings, window treatments, landscaping, sound and alarm systems, furnishings, appliances, and other designer/decorator features and amenities that are not included as part of the home and/or may not be available at all locations. Home, pricing and community information is subject to change, and homes to prior sale, any time without notice or obligation. ©2020 Alta Cima Corp. All rights reserved.

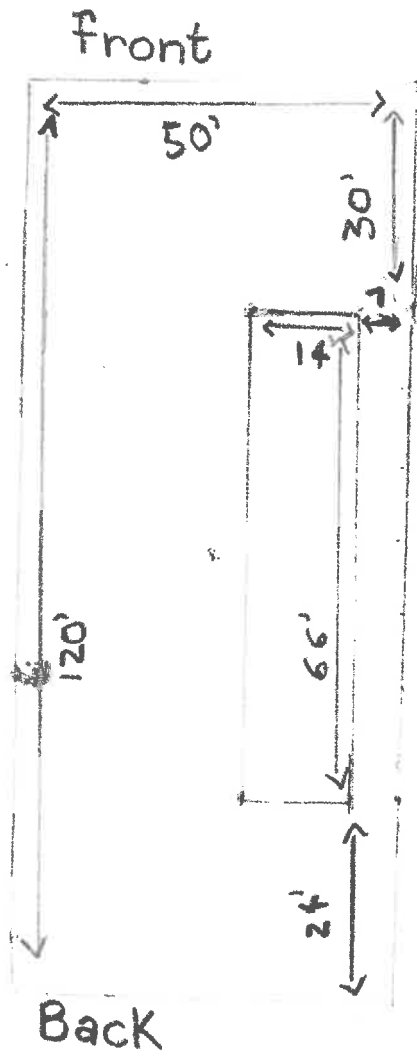
MANUFACTURED BY:



I authorize Factory Expo Outlet Center to build my house, per this plan.

X _____

Customer Signature/Date



at the request of Pioneer Title Agency, Inc.

When recorded mail to
Petra Alicia Mendez Neyoy
Ramiro Popoca Beltran
45570 W. Guilder Ave.
Maricopa, AZ 85139

73
mo

73504205-DIW

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, I or we,

Benjamin Encinas and Enedina Encinas, Husband and Wife, as Community Property with Right of Survivorship

do/does hereby convey to

Petra Alicia Mendez Neyoy, A Married Woman, as her Sole and Separate Property and Ramiro Popoca Beltran, A Married Man, as his Sole and Separate Property

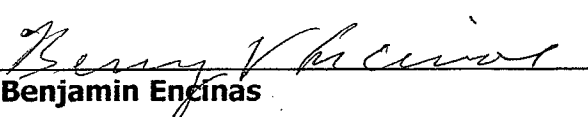
the following real property situated in Maricopa County, Arizona:

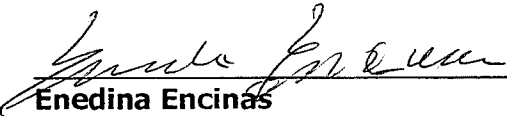
Lot 25, of SONORITA, a Subdivision, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 32 of Maps, Page 8.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

The Grantor warrants the title against all persons whomsoever.

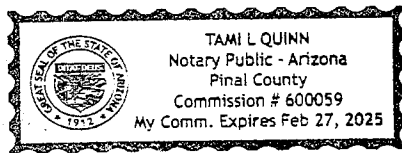
DATED: May 5, 2022

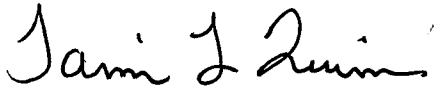

Benjamin Encinas


Enedina Encinas

State of Arizona }
 } ss.
County of Pinal }

The foregoing instrument was acknowledged before me this 9th day of May, 2022, by Benjamin Encinas and Enedina Encinas.




NOTARY PUBLIC
My commission expires: 2-27-2025

73504205-DIW

ACCEPTANCE OF JOINT TENANTS
WITH RIGHT OF SURVIVORSHIP
(Deed)

Petra Alicia Mendez Neyoy, A Married Woman, as her Sole and Separate Property and Ramiro Popoca Beltran, A Married Man, as his Sole and Separate Property, each being first duly sworn upon oath each for himself or herself and jointly but not one for the other deposes and says:

THAT I am one of the Grantees named in that certain Deed attached hereto and which is dated May 5, 2022 and executed by Benjamin Encinas and Enedina Encinas, Husband and Wife, as Community Property with Right of Survivorship, as Grantors, to Petra Alicia Mendez Neyoy, A Married Woman, as her Sole and Separate Property and Ramiro Popoca Beltran, A Married Man, as his Sole and Separate Property, as Grantees, and which conveys certain premises described as:
Lot 25, of SONORITA, a Subdivision, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 32 of Maps, Page 8.

to the Grantees named therein, not as Tenants in Common nor as a Community Property Estate nor as Community Property with Right of Survivorship, but as Joint Tenants with Right of Survivorship.

THAT each of us individually and jointly as Grantees hereby assert and affirm that it is our intention to accept said conveyance as Joint Tenants with Right of Survivorship and to acquire any interest we may have in said premises under the terms of said Deed as Joint Tenants with Right of Survivorship.

DATED: May 5, 2022

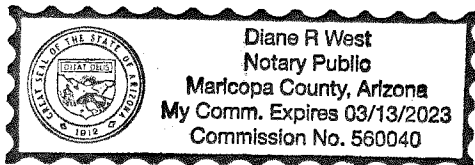
Unofficial Document

Petra A. Mendez N.
Petra Alicia Mendez Neyoy

Ramiro B. Popoca
Ramiro Popoca Beltran

State of Arizona }
 } ss.
County of Pinal }

The foregoing instrument was acknowledged before me this 9 day of May, 2022, by Petra Alicia Mendez Neyoy and Ramiro Popoca Beltran.



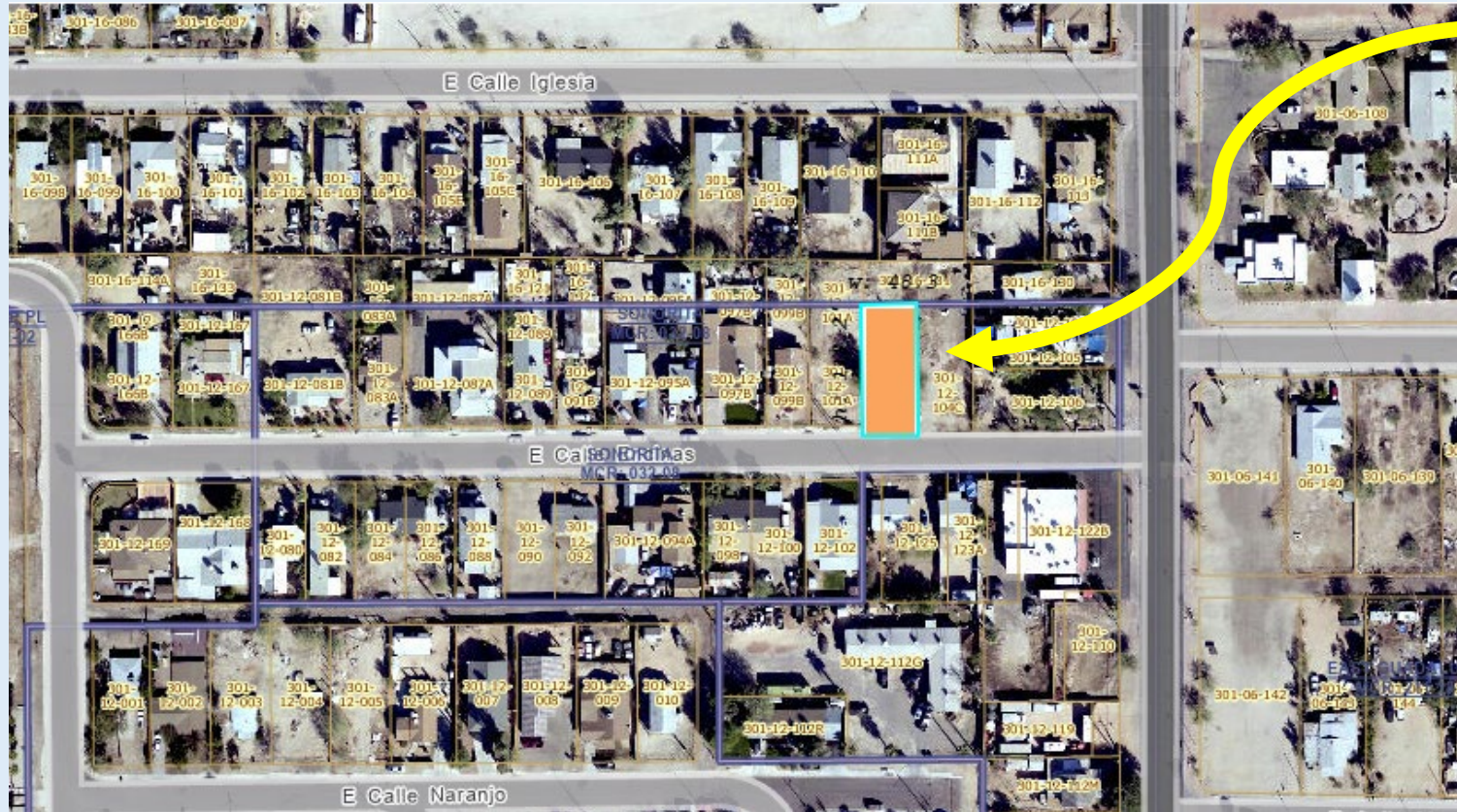
[Signature]
NOTARY PUBLIC
My commission expires: 3/13/23



5536 E. Calle Encinas: G5. & G6. Variance Request G7. & G8. Conditional Use Permit Request



North



5536 E. Calle Encinas

Zoning: R1-6

Lot Size: 6007 Sq ft.

Seeking Variance And
Conditional Use Permit for
Manufactured Home

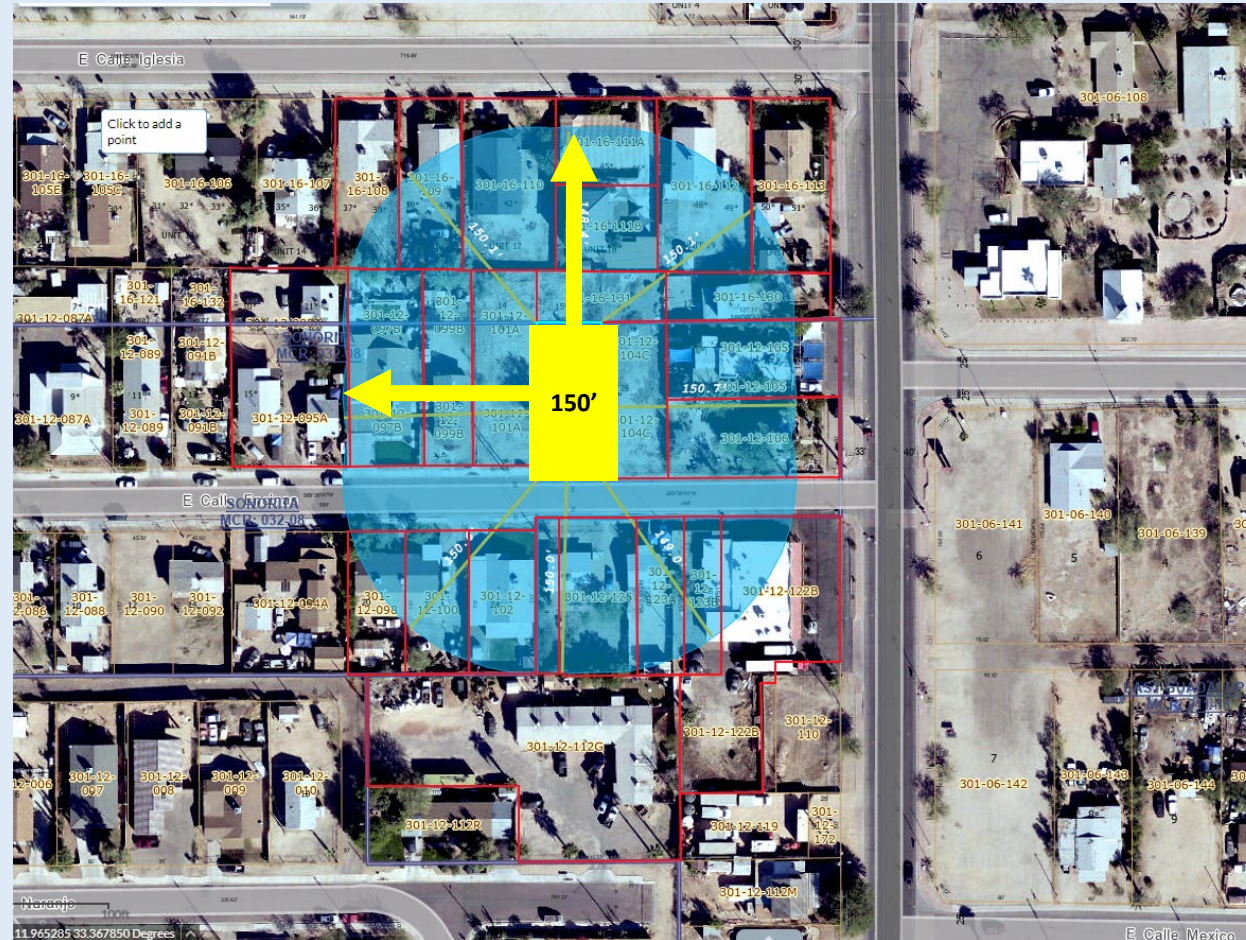


5536 E. Calle Encinas – Public Notice

G5. Variance Request

G7. Conditional Use Permit Request

Notification:





5536 E. Calle Encinas: G5. & G6. Variance Request

§ 154.065 SINGLE-FAMILY RESIDENTIAL DISTRICTS: R-1-9 AND R-1-6.

The composition of the districts listed above shall be as follows.

(E) *Area, height, and setback regulations.*

(1) The following requirements shall be observed for residential uses in the R-1-9 and R-1-6 zoning districts.

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Minimum Yard Setbacks				Max. Bldg. Height
				Front	Side	Street Side	Rear	
R-1-9	9,000 square feet	80'	100'	30'	10'	20'	10'	30'; accessory building
R-1-6	6,000 square feet	60'	90'	25'	7**	15'	10'	30'

*for ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.



5536 E. Calle Encinas: G5. & G6. Variance Request

301-12-104D

Owner Information	
Owner Name:	NEYOY PETRA ALICIA MENDEZ/BELTRAN RAMIRO POPOCA
Property Address:	5536 E CALLE ENCINAS GUADALUPE 85283
Mailing Address:	45570 W GUILDER AVE MARICOPA, AZ USA 85139
Deed Number:	20220403339
Sale Date:	04/01/2022
Sale Price:	\$100,000

Property Information	
Lat/Long:	33.367182, -111.963951
S/T/R:	5 1S 4E
Jurisdiction:	GUADALUPE
Zoning:	R1-6
PUC:	0829
Lot Size (sq ft):	6,007.00
MCR #:	32-08
Subdivision:	SONORITA
Lot #:	25
Floor:	1
Construction Year:	1984
Living Space (sq ft):	

Valuation Information		
Tax Year:	2024	2023
FCV:	\$ 47,312	\$ 42,300
LPV:	\$ 42,072	\$ 40,069
Legal Class:	3.1	3.1





5536 E. Calle Encinas: G5. & G6. Variance Request

§ 154.031 VARIANCES.

(A) Application for a variance of zoning regulations shall be filed upon a form provided and shall be accompanied by plans and description sufficient to indicate the nature of the variance involved.

(B) A variance from the provisions of this chapter shall not be authorized unless the Town Council shall find upon sufficient evidence:

(1) There are special circumstances or conditions applying to the property, including its size, shape, topography, location, or surroundings, the strict application of this chapter will deprive such property of privileges enjoyed by other properties in the same district;

(2) Such special circumstances were not created by the owner or applicant; and

(3) The authorizing of the application will not be materially detrimental to persons residing or working in the vicinity nor constitute the granting of special privileges inconsistent with the limitations of adjacent property, the neighborhood, or the public welfare in general.



5536 E. Calle Encinas: G5. & G6. Variance Request

**Town Staff Recommendation:
Approve variance**

Sufficient evidence demonstrates:

- **Special circumstances – existing lot width of 50 feet**
- **Special circumstances – not created by owner**
- **Not detrimental to neighboring area, nor granting of special privileges.**

301-12-104D		
Owner Information		
Owner Name:	NEYOY PETRA ALICIA MENDEZ/BELTRAN RAMIRO POPOCA	
Property Address:	5536 E CALLE ENCINAS GUADALUPE 85283	
Mailing Address:	45570 W GUILDER AVE MARICOPA AZ USA 85139	
Deed Number:	20220403339	
Sale Date:	04/01/2022	
Sale Price:	\$100,000	
Property Information		
Lat/Long:	33.367182, -111.963951	
S/T/R:	5 15 4E	
Jurisdiction:	GUADALUPE	
Zoning:	R1-6	
PUC:	0829	
Lot Size (sq ft):	6,007.00	
MCR #:	32-08	
Subdivision:	SONORITA	
Lot #:	25	
Floor:	1	
Construction Year:	1984	
Living Space (sq ft):		
Valuation Information		
Tax Year:	2024	2023
FCV:	\$ 47,312	\$ 42,300
LPV:	\$ 42,072	\$ 40,069
Legal Class:	3.1	3.1





5536 E. Calle Encinas:

G7. & G8. Conditional Use Permit Request

§ 154.065 SINGLE-FAMILY RESIDENTIAL DISTRICTS: R-1-9 AND R-1-6.

The composition of the districts listed above shall be as follows.

(A) *Intent.* The single-family residential districts are intended to provide for low density, detached housing in the R-1-9 district and medium density, detached housing in the R-1-6 District.

(B) *Permitted uses.*

(1) One-family dwelling

(D) ***Conditional uses.*** The following uses shall be permitted as conditional uses, subject to obtaining a conditional use permit.

(5) One mobile home per lot.



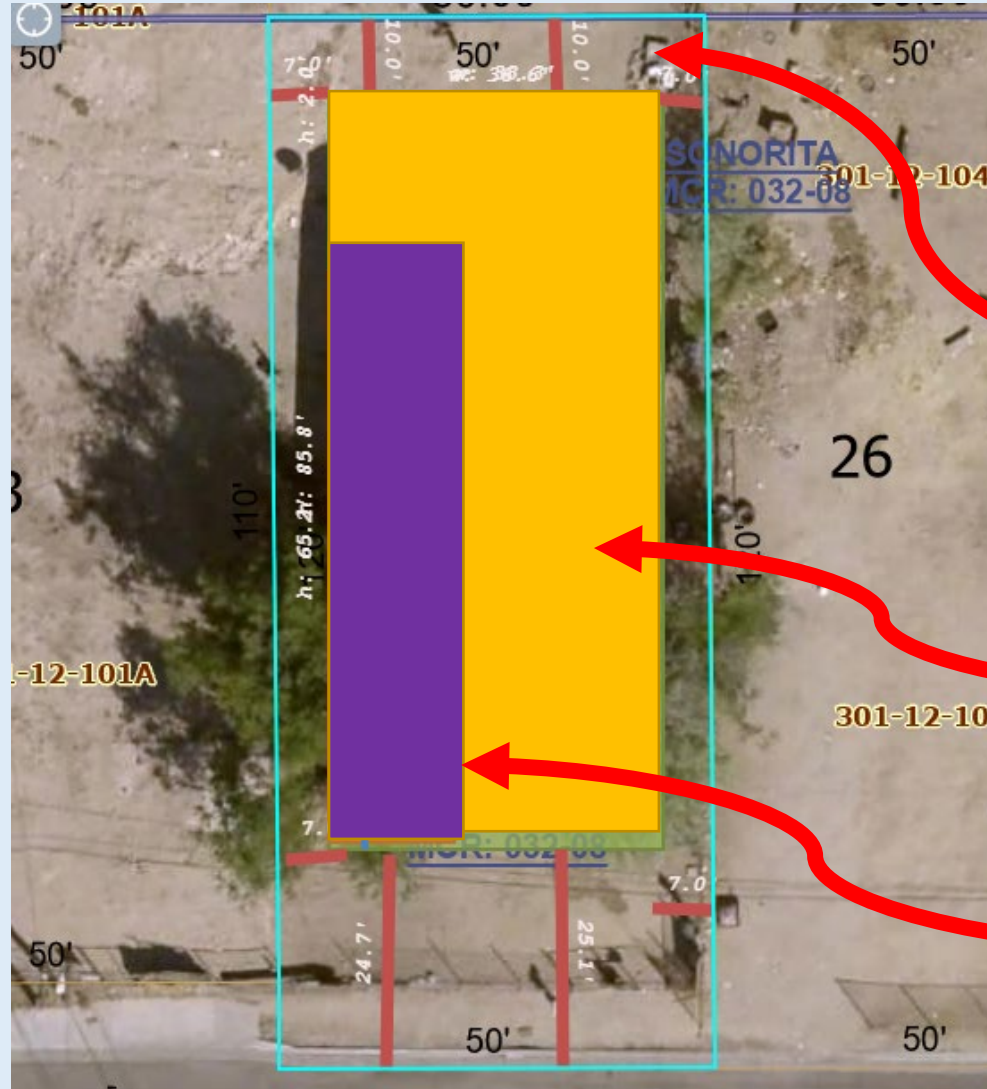
5536 E. Calle Encinas: G7. & G8. Conditional Use Permit Request



- Setbacks
- 25' front
 - 7' side
 - 15' street side
 - 10' rear
- Building envelope
- 37' x 85'



5536 E. Calle Encinas: G7. & G8. Conditional Use Permit Request



- Setbacks
- 25' front
 - 7' side
 - 15' street side
 - 10' rear

- Building envelope
- 37' x 85'

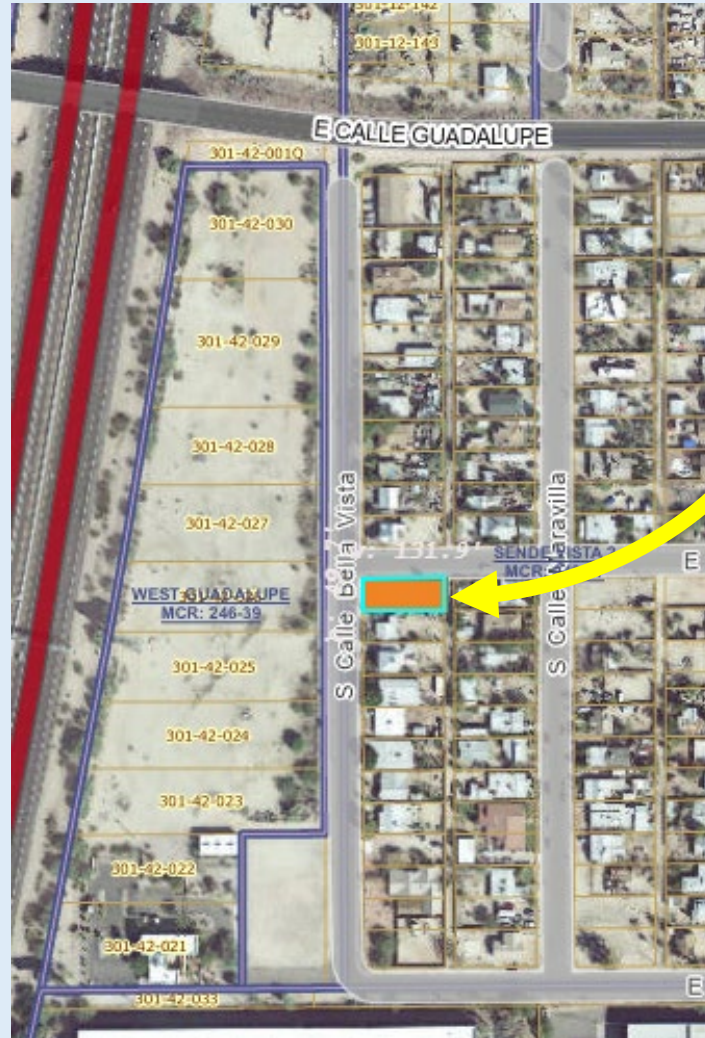
- Building Footprint
- 14' X 66'



5536 E. Calle Encinas: G7. & G8. Conditional Use Permit Request



North



5536 E. Calle Encinas

Zoning: R1-6

Lot Size: 6007 Sq ft.

Seeking Conditional Use Permit for Manufactured / Mobile Home

Recommendation:
Approve conditional use permit with stipulation to comply with all Town manufactured / mobile home requirements, February 2020.

Rec'd 2/16/2023



PLANNING & ZONING APPLICATION
FOR: VARIANCE, CONDITIONAL USE OR ZONING CHANGE

- 1. Please complete this application and attach all required items as outlined.
2. Once submitted, please allow a minimum of two weeks for staff to review and determine whether submittal is complete or additional information/material is needed.
3. Once application is determined complete and acceptable, staff will schedule a public hearing.
4. Complete/accepted application must be submitted to the Town Clerk in final form no less than 30 days prior to scheduled Town council meeting. Applicant must attend all public hearings/meetings.

GENERAL INFORMATION:

Project name: ABEL Armenta
Existing use of property: Vacant lot
Proposed use of property: Auto Service
Existing zoning: C1 Requested zoning (if applicable): C2

PROPERTY INFORMATION:

Address: 9412 S. Ave. Del Yaqui
Legal Description*: Section 4 Township 1S Range 4E
Maricopa County Assessor's Parcel Number (APN)*: 301-06-194 MCR
Subdivision Name & Lot # (if applicable/available)

*Available at: https://mcassessor.maricopa.gov/

APPLICANT INFORMATION:

Name: JOSE ABEL ARMENTA
Mailing Address: 5740 E. Calle Mexico Guadalupe AZ 85288
Contact phone #: 480-217-8515 Email: ABELAutoService@GMPIC.com
Status (owner, agent, lessee, etc): OWNER

APPLICATION MUST INCLUDE THE FOLLOWING (per Town Code 154.036):

- Filing fee(s) (as outlined on page 2) - attach
Legal description - attach
Letter of explanation - complete page 3
Plot plan - attach
Site plan (drawn to scale, showing what is planned for the property, including lot dimensions, existing and proposed buildings, etc.) - attach
Vicinity map of property owners within 150' of property - attach
Mailing labels (Name/Address) for property owners within 150' of property - attach
Proof of property ownership

TYPE OF REQUEST:

____ CONDITIONAL USE PERMIT

____ VARIANCE FOR (CHECK ALL THAT APPLY):

____ Lot width

____ Lot depth

____ Building height

____ Front setback

____ Rear setback

____ Sideyard setback

ZONING CHANGE – AMENDMENT TO THE ZONING MAP FOR:

____ Single-family Residential

Multi-family Residential, Commercial, or Industrial Districts

____ Planned Area Development

PROPERTY OWNER: *(If different from Applicant, complete the Property Owner Authorization statement below. Property owner's signature must be notarized. For more than one owner, attach a separate sheet with notarized signatures, names and addresses.)*

Name: _____

Mailing Address: _____

Phone #: _____ Email: _____

PROPERTY OWNER AUTHORIZATION:

I hereby authorize Jose Abel Armenta B to file this application and act on my behalf in regard to this application.

Jose Abel Armenta B _____
(Signature) (Date)

Notary (Rezoning Applications Only)

The State of _____ County of _____
Subscribed, sworn to and acknowledged before me by _____, the principal,
and subscribed and sworn to me by _____, the witness, this _____ day of _____
(month), _____ (year).

(signed) _____

(Notary Public)

LETTER OF EXPLANATION:

Briefly describe the nature and intent of the proposed development and reasons justifying the request. Include references to effects on surrounding neighborhoods and the town at large.

Build an auto service to perform oil changes, & Tune-ups -

FEE SCHEDULE:

Type of Application	Fee	Calculate Fees
Appeals of administrative decisions	\$25	
Site plan review application	\$50	
Amendments to the Zoning Map for:		
Continued items, continued at the request of the applicant after the property has been posted and public hearing notices are mailed	\$25	
Multi-family residential, commercial and industrial districts	\$400	
Planned area development	\$400	
Single-family residential	\$100	
Site plan review application	\$50 + \$25/acre for each acre over one	
Conditional Use Permits		
Manufactured homes	\$50	
All other	\$50	
Variances		
Single-family residential	\$50	
All other	\$50	
TOTAL		

APPLICANT SIGNATURE:

Abel Lopez B.

 (Signature)

2-16-2023

 (Date)

STAFF USE ONLY

Town of Guadalupe Review Process

Case# _____

Zoning District: _____

Date of Application: _____

Fee: _____

Accepted by: _____

Date Application Deemed Acceptable by Staff: _____

Date of Legal Advertisement: _____

Date(s) of Public Hearing(s): _____

Council Decision: _____



TOWN OF GUADALUPE – ZONING CODE SETBACK REQUIREMENTS

RESIDENTIAL ZONING DISTRICTS – TOWN CODE §154.066 (E) (1) & (2)

Zoning District	Minimum Lot Area per D.U. First 2 D.U.	Minimum Lot Area per D.U. Add'l D.U.	Minimum Lot Width	MINIMUM YARD SETBACKS				Maximum Building Height
				Front	Side	Street Side	Rear	
R-2	5,000 square feet		75'	25'	7'*	20'	20'	30'
R-3	5,000 square feet	2,500 square feet	100'	20'	7'*	15'	15'	30'
R-4	5,000 square feet	1,250 square feet	100'	20'	7'*	15'	15'	30'

*For ease of access, 1 side shall be at least 10 feet in width. Churches and schools 35 feet on each side.

The minimum provisions listed above shall not apply to any lot of smaller size already of record in the office of the County Recorder of Maricopa County, Arizona, before the effective date of this chapter.

Zoning District	MINIMUM YARD SETBACKS				Maximum Height
	Front	Side	Street Side	Rear	
R-1-9	30'	10'	20'	10'	30'
R-1-6	25'	7'	15'	10'	30'

The minimum provisions listed above shall not apply to any lot of smaller size already of record in the office of the County Recorder of Maricopa County, Arizona, before the effective date of this chapter.

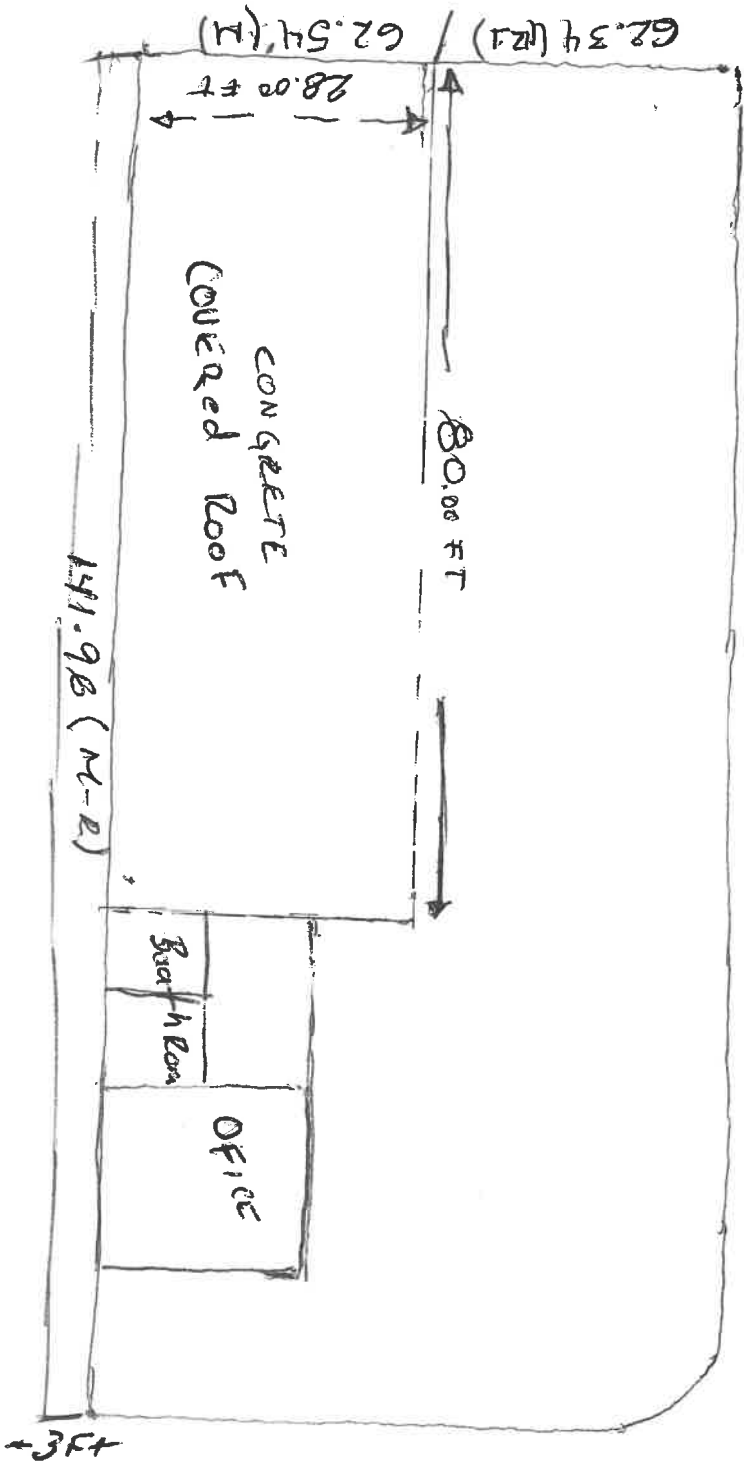
COMMERCIAL ZONING DISTRICTS – TOWN CODE §154.067(F)

Zoning District	MINIMUM YARD SETBACKS				Maximum Height
	Front	Side	Street Side	Rear	
C-1	25'	12'	15'	15'	30'
C-2	20'	12'	15'	15'	30'
C-Mix	30'	20'	30'	30'	40'

The minimum provisions listed above shall not apply to any lot of smaller size already of record in the office of the County Recorder of Maricopa County, Arizona, before the effective date of this chapter.

PROPIETARY ADDRESSES
9412 S. Avenida del Yagui
Guadalupe Az 85283
Mailing Address
5740 E Calle Mexico
Guadalupe Az 85283

Ave. del Yagui



9,062 SQUARE FEET

Calle Mexico



Notice of Public Hearing

The Guadalupe Town Council will hold a public hearing on Thursday, March 23, 2023, at 6:00 p.m., Guadalupe Town Hall, 9241 S. Avenida del Yaqui, Council Chambers, Guadalupe, AZ 85283, to receive public comment on the following:

PUBLIC HEARING: Request for a Rezoning to build an Auto Service to perform automobile minor repairs, tune ups and oil changes on 5605 East Calle Mexico, currently zoned C-1 Neighborhood Commercial.

1. **Rezoning Application (RZ2023-01) – 9412 South Avenida del Yaqui:** Jose Abel Armenta, Applicant, is requesting to rezone the property located at 5605 East Calle Mexico (APN #301-06-194) that is currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes.

Written comments or objections may be filed via email at clerk@guadalupeaz.org prior to, or at the hearing. Copies of the Application are available for review at Guadalupe Town Hall.

Publish: Tuesday, March 7, 2023

Town of Guadalupe
9241 South Avenida del Yaqui
Guadalupe, AZ 85283
(480) 730-3080

THE RECORD REPORTER

~SINCE 1914~

Mailing Address : 2025 N THIRD ST #155, PHOENIX, AZ 85004-1425
Telephone (602) 417-9900 / Fax (602) 417-9910
Visit us @ www.RecordReporter.com

ROCIO RUIZ
TOWN OF GUADALUPE
9241 S AVENIDA DEL YAQUI
GUADALUPE, AZ 85283

RR# 3676532

COPY OF NOTICE

(Not an Affidavit of Publication. Do not file.)

Reference # 66399
Notice Type: MCHRG NOTICE OF HEARING
Ad Description
5605 EAST CALLE MEXICO

Notice of Public Hearing The Guadalupe Town Council will hold a public hearing on Thursday, March 23, 2023, at 6:00 p.m., Guadalupe Town Hall, 9241 S. Avenida del Yaqui, Council Chambers, Guadalupe, AZ 85283, to receive public comment on the following: PUBLIC HEARING: Request for a Rezoning to build an Auto Service to perform automobile minor repairs, tune ups and oil changes on 5605 East Calle Mexico, currently zoned C-1 Neighborhood Commercial. 1. Rezoning Application (RZ2023-01) - 9412 South Avenida del Yaqui: Jose Abel Armenta, Applicant, is requesting to rezone the property located at 5605 East Calle Mexico (APN #301-06-194) that is currently zoned C-1 Neighborhood Commercial to C-2 General Commercial, so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section 154.067(C)(3 & 4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes. Written comments or objections may be filed via email at clerk@guadalupeaz.org prior to, or at the hearing. Copies of the Application are available for review at Guadalupe Town Hall. Publish: Monday, March 6, 2023
3/6/23

RR-3676532#

To the right is a copy of the notice you sent to us for publication in THE RECORD REPORTER. Please read this notice carefully and fax or e-mail (record_reporter@dailyjournal.com) any corrections. The Affidavit will be filed, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

03/06/2023

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$3.00
Arizona Sales Tax	\$0.02
Total	\$3.02

Your Legal Publishing



* A 0 0 0 0 0 6 2 4 5 1 1 0 *

PUBLIC HEARING

TOWN OF GUADALUPE TOWN COUNCIL



Notice of Public Hearing

The Guadalupe Town Council will hold a public hearing on Thursday, March 23, 2023, at 6:00 p.m., Guadalupe Town Hall, 9241 S. Avenida del Yaque, Council Chambers, Guadalupe, AZ 85203, to receive public comment on the following:

PUBLIC HEARING: Request for a Rezoning to build an Auto Service to perform automobile minor repairs, tune ups and oil changes on 5625 East Calle Mexico, currently zoned C-1 Neighborhood Commercial.

- 1. Rezoning Application (RZ2023-01) - 5412 South Avenida del Yaque, Jose Abel Armenta, Applicant, is requesting to rezone the property located at 5625 East Calle Mexico (APN 8001 06 154) that is currently zoned C-1 Neighborhood Commercial to C-2 General Commercial so that the proposed use of the property would comply with allowable uses with the C-2 zoning designation as defined in Guadalupe Town Code, Section 154.061(C)(3) & (4). The proposed use for the property is to perform automobile minor repairs, tune ups and oil changes.

Written comments or objections may be filed via email at city@townofguadalupe.com prior to, or at the hearing. Copies of the Application are available for review at Guadalupe Town Hall.

Publish: Tuesday, March 7, 2023

FOR THE FOLLOWING PARTY
 CASE NO. _____

Town of Guadalupe
 9241 South Avenida del Yaque
 Guadalupe, AZ 85203
 (480) 730-3080

Interested person should be present. Any person wishing to protest said request may appear in person before the Town Council, or by filing a written protest with the Town Clerk on or before the date of hearing. For more information, please call (480) 730-3080.

POSTING DATE 3/3/2023

TOWN OF GUADALUPE, ARIZONA
 Town Clerk

RECORDING REQUESTED BY

Magnus Title Agency

AND WHEN RECORDED MAIL TO:

**Jose Abel Armenta Bojorquez
5740 E. Calle Mexico**

Guadalupe, AZ 85283

ESCROW NO.: **08097630-856-DAB**

15
na

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

Ramiro Popoca Beltran and Karla Y. Popoca, Husband and Wife

do/does hereby convey to

Jose Abel Armenta Bojorquez, An Unmarried Man

the following real property situated in Maricopa County, Arizona:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record. And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated October 28, 2019

SELLERS:



Ramiro Popoca Beltran



Karly Y. Popoca

State of ARIZONA
County of Maricopa } ss:

On 10/28/19, before me,
The Undersigned

FOR NOTARY SEAL OR STAMP

a Notary Public in and for said County and State, personally appeared Ramiro Popoca Beltran and Karly Y. Popoca personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



DAWN BLANTON
Notary Public - Arizona
Maricopa Co. / #565060
Expires 07/02/2023

WITNESS my hand and official seal

Unofficial Document

Signature  _____

EXHIBIT "A"
Legal Description

That part of Block 14 of East Guadalupe, a subdivision recorded in Book 162, Page 35, Maricopa County, Arizona records described as follows:

From the Northernmost terminus of the curve at the Northwest corner of the said Block 14, said point lying South 88 degrees 46 Minutes 32 Seconds East 52.80 feet and South 01 degrees 12 Minutes 28 Seconds West 25.00 feet from the intersection of 56th Street and Mexico Street, as shown and delineated on the plat of the said East Guadalupe, and said point being the POINT OF BEGINNING;

THENCE South 88 degrees 46 Minutes 32 Seconds East along the north line of the said Block 14, a distance of 53.32 feet; thence South 01 degrees 13 Minutes 28 Seconds West 141.96 feet,

THENCE North 66 degrees 46 Minutes 32 Seconds West 62.34 feet to a point on the West line of the said Block 14;

THENCE North 00 degrees 00 Minutes 09 Seconds West along said West line of Block 14, a distance of 129.73 feet to the beginning of a curve to the right, having a radius point bearing North 89 degrees 59 Minutes 51 Seconds East, 12.00 feet;

THENCE Northeasterly along the arc of this curve a distance of 19.11 feet through 91 degrees 13 Minutes 37 Seconds of central angle to the POINT OF BEGINNING.

Unofficial Document



5605 E. Calle Mexico – Rezoning Request



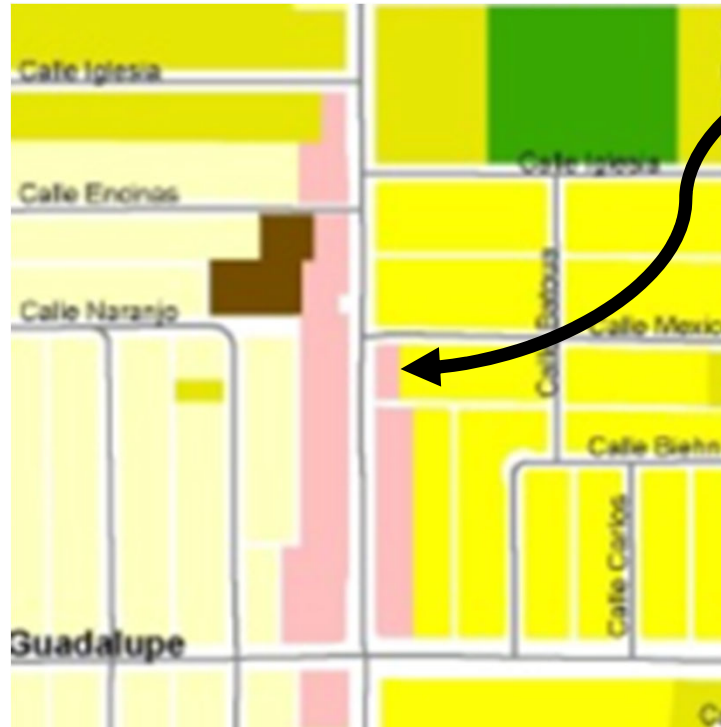
5606 E. Calle Mexico
Lot Size: 9,227 sq. ft.

**Current Zoning:
C-1**

**Requested Zoning:
C-2**



5605 E. Calle Mexico – Rezoning Request



5605 E. Calle Mexico

Zoning

- C-1: Commercial
- C-2: Commercial
- C-MIX: Commercial
- OS: Open Space
- PF: Public Facility
- R1-6: Single Family Residential
- R1-9 Single Family Residential
- R-2 Single Family Residential
- R-3 Multi Family Residential
- R-3 and 4 Multi Family Residential



5605 E. Calle Mexico – Rezoning Request, Conditional Use Permit Request NOT Required for Requested Use in C-2

§ 154.067 COMMERCIAL DISTRICTS; C-1 NEIGHBORHOOD COMMERCIAL, C-2 GENERAL COMMERCIAL and C-M MIXED-USE COMMERCIAL

(A.) *Intent.* The C-2 District is intended to provide space for general retail and office uses, and efficient development of major retail shopping areas to serve the needs of the community and regional area.

(B.) General regulations. Overhead doors, loading and service bays, and outdoor storage shall be screened from public view; Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration, or noise, or may impose hazard to health or property, shall be prohibited. Yards required adjacent to public streets shall be entirely landscaped except for necessary driveways and walkways;

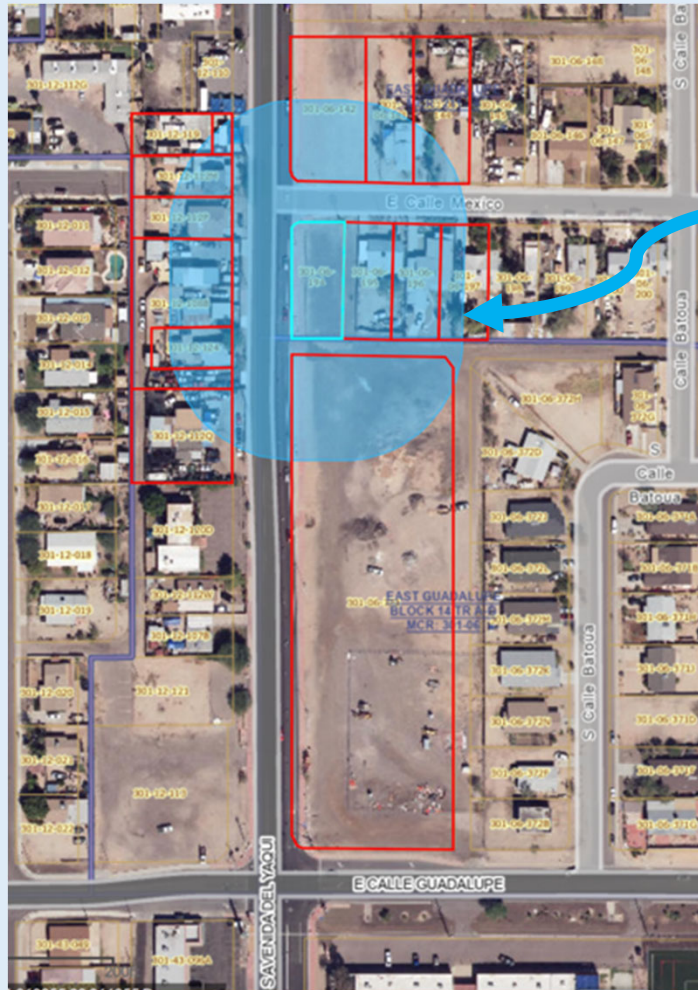
(C.4.) The following outdoor general retail business and service establishments shall be permitted in the C-2 and C-M Districts:

- (a) **Automobile service stations**, including **minor repairs and lubricating**, automobile car wash service;



North

5605 E. Calle Mexico – Rezoning Request



150' Notification Area



5605 E. Calle Mexico – Rezoning Request



Setbacks

Zoning District	Minimum Yard Setbacks				Max-Height
	Front	Side	Street Side	Rear	
C-1	25'	12'	15'	15'	30'
C-2	20'	12'	15'	15'	30'
C-Mix	30'	20'	30'	30'	40'

Building footprint

Town Council Meeting March 23, 2023

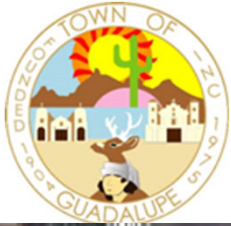


5605 E. Calle Mexico – Rezoning Request

These development standards apply to the property:

- 1. Per Code §154.067. B.3, Maintain screening from public street view and adjacent properties by opaque fences or walls, six feet in height.
- 2. Per Code §154.067. B.4, Yards required adjacent to public streets shall be entirely landscaped except for necessary driveways and walkways.
- 3. Per Code §154.067. B.7, Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration, or noise, or may impose hazard to health or property, shall be prohibited.





5605 E. Calle Mexico – Rezoning Request

These standards also apply to the property:

4. Per Code §103.07 NOISE.

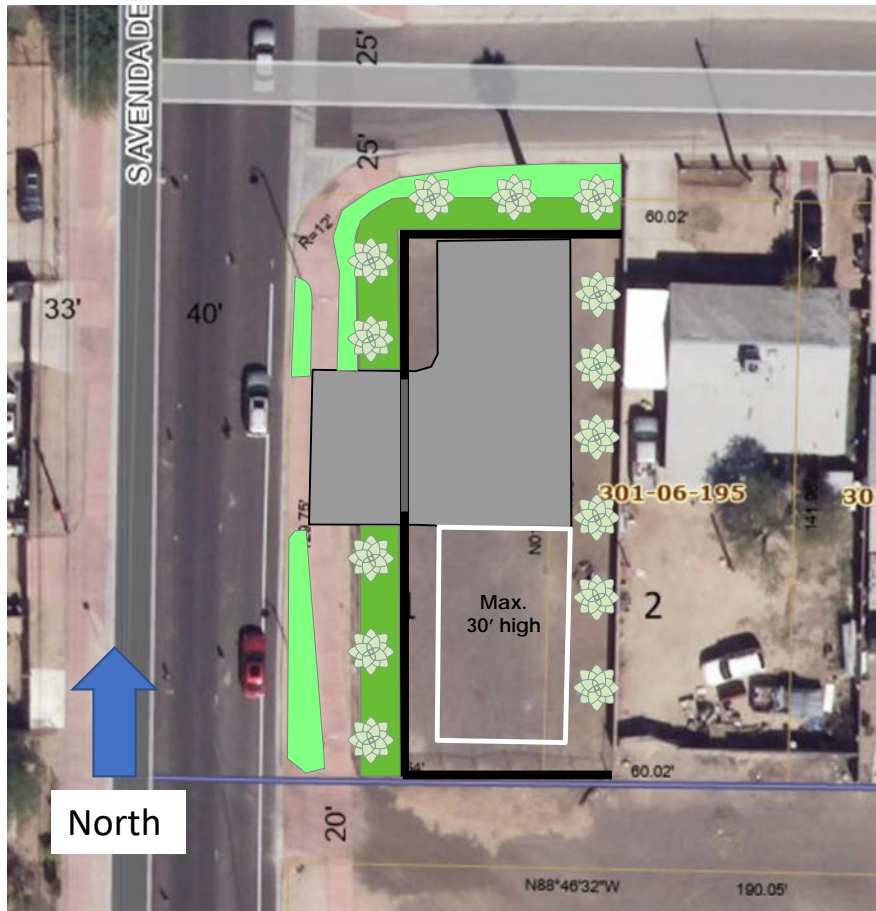
(4) *Public disturbances.*

(a) It shall be unlawful for any person to cause, or for any person in possession of property to allow to originate from the property, any noise which disturbs the peace or quiet of any neighborhood if such noise can be heard from within closed residential structures located within 500 feet of the boundary of the property from which such noise emanates. This division shall not apply to noise produced in the normal conduct of business provided that such noise occurs within the normal and customary hours for the conduct of such business, which is based on the normal and customary hours of operation of similar, existing businesses, and the operation is legally conducted within the scope of all ordinances, laws, and statutes of the Town of Guadalupe, Maricopa County, and the State of Arizona.





5605 E. Calle Mexico – Rezoning Request



5. Per Code §103.07 NOISE.

(D.e.):

It is unlawful for any person to cause the excessive revving of any motor vehicle engine while such vehicle is not in motion, except when done during the repair or testing of such vehicle **between the hours of 7:00 a.m. and 8:00 p.m.** provided the following conditions are met:

1. The motor vehicle engine is equipped with a muffler in proper working order and in constant operation.
2. The motor vehicle engine is not equipped with a cut-out, bypass, or similar muffler elimination unit.
3. The motor vehicle engine is not equipped with any device that amplifies motor noise or motor vehicle exhaust noise.

6. PER § 51.05 OPERATING FACILITIES OR ACTIVITIES.

(A) All persons owning or operating premises or engaged in activities who are required by federal or state law to submit to EPA and/or ADEQ a notice of intent (NOI) to comply with an NPDES or AZPDES storm water permit **shall provide a copy of such notice to the Director upon request.**



5605 E. Calle Mexico – Rezoning Request

5606 E. Calle Mexico
Lot Size: 9,227 sq. ft.

**Current Zoning:
C-1**

**Requested Zoning:
C-2**

Recommendation: Approve the rezoning C-2 request.

Intensification from C-1 to C-2 Commercial uses along this block of the S. Avenida Del Yaqui commercial arterial may be compatible with the surrounding area. Use and screening protections limit negative impacts to adjacent residential properties. Existing development standards apply for new construction.



North