

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE MAYOR AND COUNCIL
OF THE CITY OF CASA GRANDE
HELD IN THE COUNCIL CHAMBERS
510 E. FLORENCE BLVD., CASA GRANDE, AZ 85122
MONDAY, APRIL 1, 2013**

- A. Call to Order:** Mayor Jackson called the meeting to order at 7:00 p.m.
- Invocation:** Mayor Pro Tempore Powell delivered the invocation.
- Pledge of Allegiance:** Mayor Pro Tempore Powell led the Pledge of Allegiance to the Flag.
- B. Roll Call:**

The following Council Members were present:

Lisa Fitzgibbons	Council Member
Matt Herman	Council Member
Karl Montoya	Council Member
Mary Kortsen	Council Member
Dick Powell	Mayor Pro Tempore
Robert Jackson	Mayor

The following Council Member was absent:

Ralph Varela	Council Member
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Council Member Kortsen moved to excuse Council Member Varela from the meeting. Council Member Fitzgibbons seconded the motion and was carried unanimously.

Also Present:	
Jim Thompson	City Manager
Larry Rains	Deputy City Manager
Brett Wallace	City Attorney
Remilie S. Miller	City Clerk
Dawn Jett	Administrative Services Director

Also Present:

William Schwind	Community Service Director
Paul Tice	Planning & Development Director
Bob Huddleston	Police Chief
Scott Miller	Fire Chief
Kevin Louis	Public Works Director

C. Minutes:

Mayor Pro Tempore Powell moved to approve the following minutes:

City Council Regular	March 18, 2013
Fire Personnel Retirement Board	February 5, 2012

Council Member Montoya seconded the motion and was carried with a 6-0 voice vote.

D. Claims:

D.1 Claims Dated March 21, 2013

Council Member Herman declared a conflict of interest and did not participate in the discussion or voting on this item.

Council Member Fitzgibbons moved to approve and pay the reported claims dated March 21, 2013. Council Member Kortsen seconded the motion and was carried with a 5-0 voice vote, with Council Member Herman abstaining as stated above.

D.2 Claims Dated March 28, 2013

Council Member Kortsen moved to approve and pay the reported claims dated March 28, 2013. Council Member Montoya seconded the motion and was carried with a 6-0 voice vote.

E. Meeting Agenda Approval:

Council Member Montoya moved to approve the meeting agenda. Mayor Pro Tempore Powell seconded the motion and was carried unanimously.

F. Special Presentation:

F.1 Retirement Recognition of Police Chief Robert Huddleston

Mayor and Council recognized Police Chief Robert Huddleston after 33 years of service with the City of Casa Grande. Mayor Jackson presented a retirement plaque and a gift to Robert Huddleston.

G. Consent Agenda:

Mayor Jackson announced consideration of the Consent Agenda and explained that all items listed preceded by an asterisk (*) would be acted upon by a single roll call vote of the Council, unless some member of the Council or member of the public asked that specific items be removed from the Consent Agenda, discussed and voted upon separately.

Council Member Montoya moved for passage of the Consent Agenda. Council Member Fitzgibbons seconded the motion and the following roll call was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Fitzgibbons		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared that all items in these minutes identified by an asterisk (*) preceding the title of that item were passed and adopted.

G.6 *Consider Appointment to Board of Adjustment

City Clerk Miller recommended in her Request for Council Action form that the Mayor and Council appoint Clarence L. Martin to the Board of Adjustment with a term to extend through November 17, 2017.

Currently, there is one (1) board opening on the seven (7) members Board of Adjustment due to expiration of current term of a member. The board opening was advertised in the local newspaper and posted at City Hall and the Police Department. Two (2) applications were submitted for consideration, which included: Clarence L. Martin and Cheri Edington. Clarence L. Martin will take over the expired term of Stephen Gentzkow, whose term expired in November 2012.

Other members serving on the Board include the following:

<u>Name</u>	<u>Terms Extend Through</u>
Mark Ziebak	11/17/2015
Gordon E. Beck	11/17/2015
Harold W. Vangilder	11/17/2015
Charles E. Wright	11/17/2016
Rueben A. Garcia	11/17/2016
Lyle D. Riggs	11/17/2016

By a 6-0 roll call vote under the Consent Agenda, Council appointed Clarence L. Martin to the Board of Adjustment with a term to extend through November 17, 2017.

G.7 *Resolution No. 4774
Accepting Grant Funds from the
State of Arizona Department of Homeland Security
Purchase Hazardous Material Equipment

Fire Chief Miller recommended in his Request for Council Action form that Mayor and Council ratify the acceptance of the Arizona Department of Homeland Security Grant for \$113,315.00.

The Casa Grande Fire Department is asking the City Council to ratify the acceptance of this non-matching grant of \$113,315.00. The original grant submission application was for \$116,428.00 and approved by the City of Casa

Grande Council on April 2, 2012, Resolution No. 4656. There was a narrow window to accept and because there was no match, staff executed the agreement. This award is a partial funding of \$113,315.00. This grant will address equipment needed for chemical spill control, containment, fuel transfer and biological detection/metering to assist with the mitigation of Hazardous Material CBRNE Incidents. This grant was written in accordance with the National and State initiatives for Hazardous Materials CBRNE response

This is a no match grant and there is not a fiscal investment impact to the city at this time. After the initial warranty is up, the department would take care of the annual calibration and/or maintenance of the metering devices. The average cost for calibrating a device is approximately \$400 to \$500 annually.

By a 6-0 roll call vote under the Consent Agenda, Council passed and adopted Resolution No. 4774, ratifying the acceptance of grant funds from the State of Arizona Department of Homeland Security for the City of Casa Grande; authorizing the City Manager to execute a contract with the State of Arizona Department of Homeland Security for the purpose of purchasing hazardous materials equipment; and authorizing the City Finance Director to accept and disburse funds as necessary.

H. Public Comments:

Mayor Jackson called for public comments. No comments were offered.

I. Award of Contracts:

I.1

Ordinance No. 2803

Accepting a Bid from R.K Sanders, Inc.

Provide up to 43,000 Tons of Cover Soil for the Casa Grande Landfill

Public Works Director Louis recommended that Mayor and Council approve the expenditure of funds to purchase up to 43,000 tons of cover soil for the Casa Grande landfill from R.K Sanders, Inc. in an amount not to exceed \$181,675.

Director Louis reported that State and federal law requires that all waste in a municipal landfill be buried with a minimum of six (6) inches of soil at the end of each operating day. The Casa Grande landfill has a limited soil reserve and must import off-site soil to meet cover material requirements. R.K Sanders, Inc. was the

lowest responsive bidder at \$4.225 per ton for soil. The Phoenix based contractor will be required to secure, load and deliver the soil to the landfill. All soil delivered to the Casa Grande landfill must meet specifications identified in the bid package. The bid price includes all taxes and environmental fees. In FY12 cover soil was purchased for \$6.48 per cubic yard, or the equivalent of \$4.79 per ton.

Director Louis conveyed that the term of the contract with R.K Sanders, Inc. is for thirty-six (36) months. Approximately 43,000 tons of soil is required annually for the landfill operation. The contract will allow the City to purchase up to 43,000 tons of soil during each twelve (12) month period, at the sole discretion of the City. Potential price adjustments may occur during years two and three of the contract if mutually agreed upon, and based on the US Customer Price Index or other mutually agreed cost index.

There is currently \$256,000 budgeted in the landfill operating budget for cover soil. There will be a remaining balance of \$74,325 after the requested purchase.

City Clerk Miller read by title only Ordinance No. 2803, accepting a bid from R.K. Sanders, Inc. to provide up to 43,000 Tons of cover soil for the Casa Grande Landfill; authorizing expenditure of public funds in an amount not to exceed \$181,675.00; and authorizing the execution of a contract.

Council Member Kortsen moved for passage of Ordinance No. 2803 Council Member Fitzgibbons seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Fitzgibbons		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared Ordinance No. 2803 passed to a second reading.

J. Boards and Commissions: None

**K. Ordinances, Resolutions, and Other Matters or
Subjects Requiring Action by the Council:**

**K.1 Resolution No. 4775
Declaring and Adopting the Results
of the Primary Election Held on March 12, 2013**

City Clerk Miller recommended that Mayor and Council adopt the resolution, which adopts the results from the Primary Election held on March 12, 2013.

As required by A.R.S. 16-642, the Resolution and Certificate of Condensed Returns, reflects the official results from the City's Primary Election held on March 12, 2013. Below is a summary of the election results:

MAYOR	DISTRICT NO. 1	DISTRICT NO. 2	DISTRICT NO. 3	CUMULATIVE (EARLY VOTING INCLUDED)
JACKSON, Robert	1133	1582	847	3562

COUNCIL MEMBER	DISTRICT NO. 1	DISTRICT NO. 2	DISTRICT NO. 3	CUMULATIVE (EARLY VOTING INCLUDED)
HERMAN, Matthew N. "Matt"	917	1362	727	3006
POWELL, Dick	1041	1434	809	3284
VARELA, Ralph	898	1274	692	2864

City Clerk Miller read by title only Resolution No. 4775, declaring and adopting the results of the Primary Election held on March 12, 2013.

Mayor Pro Tempore Powell moved for passage of Resolution No. 4775. Council Member Kortsen seconded the motion and the following roll call vote was recorded:

- AYES**
 Council Member Fitzgibbons
 Council Member Herman
 Council Member Montoya
 Council Member Kortsen
 Mayor Pro Tempore Powell
 Mayor Jackson

ABSTAIN

NAYS

Mayor Jackson then declared Resolution No. 4775 passed and adopted.

K.2**Ordinance No. 2804****Approving the Basic Alignment of the Gila Bend Highway
Sewer Project, Acquisition of Rights-of-Way, Public Utility (Sewer)
Easements and Temporary Construction Easements**

Public Works Director Louis highlighted the below information as appeared in his Request for Council Action form.

Staff recommends that Mayor and Council authorize the City Manager to execute documentation for acquisition of easements for construction, operation, and maintenance of the proposed Gila Bend Highway Sewer Interceptor pipeline and to initiate any condemnation actions which may become necessary. Total cost of payments to landowners for acquisition of the required easements shall not exceed \$47,740.00.

Construction of the Gila Bend highway Sewer Project requires acquisition of easement areas through private property along the south side of Gila Bend Highway between Burris and Adams Avenue. Easement areas are to consist of a temporary easement sufficient for the construction of the pipeline and a permanent sewer easement sufficient for the operation and maintenance of the pipeline.

Staff is currently in the process of negotiating with each of the landowners of the nine (9) parcels upon which easements are required. Appraisals of each parcel have been ordered and received by staff and reviewed with each landowner where easements are to be purchased. Where purchase is required the landowner will be compensated in accordance with the appraised monetary value, or other valuable considerations the value of which are not to exceed the cash value of the appraisal.

While negotiations with affected landowners are proceeding, and it is anticipated that an amicable agreement will be reached with each party, staff recommends that the City Manager be authorized to pursue condemnation actions should it be deemed necessary to maintain the proposed project schedule.

This project will be funded with Wastewater Impact fees for Collection. The project included in the budget is project #11-WST-2467 “East side sewer expansion group upsize;” This project will not begin this year and the budget authority moved to the Gila Bend Highway Sewer Project

Director Louis conveyed that on December 3, 2012 the Mayor and Council approved Resolution No. 4754 authorizing a contract with Haydon Building Corporation to provide pre-construction services for this project. Selection of this Contractor was based upon qualifications-based criteria without regard to fees. Under that contract Haydon, as construction-manager-at-risk, was a part of the design team for the project to finalize construction drawings. As a result, costs were negotiated, and a final guaranteed-maximum-price proposal of \$2,246,953.91 (without the contingency and \$2,471,649.30 with the contingency) was negotiated for the construction of this project.

This project will be funded with Wastewater Impact fees for Collection. The project included in the budget is project #11-WST-2467 “East side sewer expansion group upsize”. This project will not begin this year and the budget authority moved to the Gila Bend Highway Sewer Project.

By eliminating lift station No. 5, we will remove the cost of operating and maintaining that station while increasing system reliability.

City Clerk Miller read by title only Ordinance No. 2805, accepting the Proposal for Professional Services from Haydon Building Corporation to provide construction services for the Gila Bend Highway Sewer Project; authorizing expenditure of public funds in an amount not to exceed \$2,471,649.30; and authorizing the execution of a Contract.

Council Member Kortsen moved for passage of Ordinance No. 2805. Council Member Montoya seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Fitzgibbons		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared Ordinance No. 2805 passed to a second reading.

L. Public Meetings, Public Hearings, Open Record Review, and Closed Record Reviews:

Planning & Development Director Tice presented at the same time Agenda Items L.1, L.2 and L.3.

L.1

Ordinance No. 2806

Abandonment of the Picacho Street Right-of-Way Located Between West Fourth Street and West Fifth Street Along with the Alley Between Picacho Street and Drylake Street

Planning & Development Director Tice recommended that Mayor and Council approve the proposed Right of Way Abandonment.

Director Tice reported that the City is proposing to abandon a portion of the Picacho Street right of way located between W. Fourth and W. Fifth Street along with the alley between Picacho St. and Drylake St. Specifically, the proposal is to abandon the 18 ft. alley platted in Block 32 between Picacho St. and Drylake St. and the easterly 40 ft. of Picacho St., between the north boundary of W. Fourth St. and the south boundary W. Fifth Street alignment, along with the westerly 40 ft. of Picacho St. located between the north boundary mid-block alley of Block 27 and the south boundary of the W. Fifth Street alignment (See Exhibit A). This area of Picacho Street proposed for abandonment is generally located between the Library and the Police Dispatch buildings. All of the right of way proposed to be abandoned will be included in a new Final Subdivision Plat which will place both the Library and Police Dispatch buildings on one consolidated lot. The right of way abandonment is also necessary to address an encroachment by the existing Library building into the alley and into the eastern edge of the Picacho Street right of way. Appropriate utility easements will be created with the Final Plat to accommodate the existing wastewater, water and cable infrastructure located within the areas of the right of way being abandoned.

City Clerk Miller read by title only Ordinance No. 2806, authorizing the abandonment of the Picacho Street Right-of-Way located between West Fourth Street and West Fifth Street along with the alley between Picacho Street and Drylake Street, Casa Grande, Arizona.

Director Tice conveyed that in addition to the proposed re-subdivision the City has submitted an application (DSA-13-00027) to the City Council to abandon the west 40 ft. of Picacho St. located between the north boundary of the block 27 alley and 5th St., and the east 40 ft. of Picacho St. located between 4th St. and 5th St. Additionally, the 18 foot alley within Block 32 which runs between Picacho and Drylake Streets is being abandoned and included into this new lot. These abandonments are being done to remove the library facility out from the Picacho St. and alley right-of-ways.

The proposed re-subdivision will combine the all current lots and the described Picacho St. and alley right-of-ways into one (1) large lot that will allow all current and future development to be on the same lot. Currently the library building and the south east corner of the said parking lot have old parcels running through them that will not allow compliance with current setbacks standards. With this re-subdivision and the subsequent zone change of the Police Dispatch site to B-3 all current and future buildings/structures will be in compliance with all City setback standards.

The proposed re-subdivision is being processed as a Preliminary and Final Plat in accordance with Section 16.12.290 C. of the City Code. The Planning Commission approved the Preliminary Plat on March 7, 2013.

City Clerk Miller read by title only Resolution No. 2825.191, approving the Final Plat for the Police Dispatch & Library Complex.

Mayor Pro Tempore Powell moved for passage of Resolution No. 2825.191, with technical corrections recommended by Staff. Council Member Montoya seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Fitzgibbons		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared Resolution No. 2825.191 passed and adopted.

L.3

Public Hearing
Ordinance No. 1178.358
Changing the Zoning from Community Services Zone (B-4)
to Central Business Zone (B-3) on Property Located at
520 N. Marshall Street (DSA-13-00021)

Planning & Development Director Tice reported that the Planning Commission voted unanimously to recommend that the Mayor and Council approve a zone change for the Police Dispatch Facility site from B-4 (Community Services) to B-3 (Central Business).

Director Tice conveyed that this zone change is primarily being proposed to match the existing B-3 zoning of the adjacent Library Facility and other surrounding downtown properties. City staff feels that this zone change is appropriate because B-4 zoning which allows heavy commercial and some light industrial uses is not an appropriate zoning for the core of the downtown area. The B-3 zone district also is more conducive to the creation of the development pattern and form set forth in the General Plan Community Center land use category in which this property is located. The more flexible setbacks associated with the B-3 zone district allows buildings to be brought closer to the street and utilize on-street and shared parking schemes thus creating a stronger pedestrian orientation as envisioned in the Community Center land use area.

Director Tice stated that the City is proposing a companion application for a Final Plat to combine the existing 30 lots; Picacho Street and Block 32 alley right of way that the Police Dispatch Facility and the Main Library Facility are currently constructed upon into one (1) large lot (see DSA-13-00032). This new large lot is required to be subject to one (1) zoning district which will be accomplished with the rezoning of the Police Dispatch building to match the B-3 zoning of the Downtown Library.

Mayor Jackson declared a public hearing to allow comments on this matter. There being no comments, Mayor Jackson declared the public bearing closed.

City Clerk Miller read by title only Ordinance No. 1178.358, amending Zoning Ordinance No. 1178 and its subsequent amendments by changing the zoning from Community Services Zone (B-4) to Central Business Zone (B-3) on property located at 520 N. Marshall Street, Casa Grande, Arizona.

Council Member Montoya moved for passage of Ordinance No. 1178.358. Council Member Kortsen seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Fitzgibbons		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared Ordinance No. 1178.358 passed to a second reading.

L.4

Public Hearing
Ordinance No. 1178.252.1
Major Amendment to the Odyssey PAD
Amend the Reserve at Peart PAD, Create the Odyssey PAD, and
Approving a Preliminary Development Plan (PDP) for the Odyssey
PAD on Property Generally Located at Peart Road (DSA-12-00104)

Planning & Development Director Tice highlighted the below information as appeared in his Request for Council Action form.

The Planning Commission and City Staff recommended that the Mayor and City Council approve an Ordinance approving DSA-12-00104, the Major Amendment to a PAD Zone/Preliminary Development Plan for Odyssey PAD subject to the following conditions:

1. The school use of the property is limited to a K-8 charter school with the maximum student population of 756 students based on the Traffic Impact Study dated January 17, 2013.
2. The PAD Development Guide must be revised to reflect the following technical corrections:
 1. Eliminate the percentage of turf variance on Page 5.
 2. Correct “Arizona Road” on vicinity maps to “Arizola Road”

The proposed site was approved for The Reserve at Peart PAD, a residential project for 51 lots (z-lot housing product). The Major Amendment to the PAD Zone/Preliminary Development Plan is to change the land use designation from residential to a commercial/school use for the Odyssey PAD (see page 35 of the PAD guide).

Per City Code section 17.68.330B, this request would be considered a major amendment (see below) as this request involves a change in land use from residential to commercial/school use.

17.68.330 Amendments to approval.

B. Major Changes. All changes not considered Minor Changes as defined under Section 17.68.330 A, shall be considered Major Changes. All Major Changes shall be submitted to the Planning and Zoning Commission for their review and approval in accordance the procedure and requirements defined under Article V of this Code, **except that only Major Changes requesting a change of land use**, changes to the proposed arterial or collector roadway transportation circulation system, loss of open space, increase in residential density, the addition of cluster type development, or any request pertaining to a Large Single Retail Use or Large Multiple Use Shopping Centers **shall be required to be forwarded to the City Council for final approval**. All other Major Changes shall be decided upon by the Planning and Zoning Commission.

Because this site is an infill site located between Commercial (Home Depot) and Residential (Silverhawk Subdivision), transitional land uses that are compatible to the residential development to the north and commercial development to the south, would be appropriate for the site. The types of land uses allowed in the Odyssey PAD are similar to the B-1 Neighborhood Business Zone. Some of the land uses that are typically allowed in a neighborhood business zone were eliminated (i.e. liquor stores, restaurants etc.) due to their incompatibility with the surrounding land uses.

The following is the list of permitted uses in the Odyssey PAD:

- Banks and other saving and lending institutions
- Barber Shop
- Beauty Parlor
- Churches
- Day Care Center
- Dry Cleaning & Laundry Establishment

- Medical Offices
- Offices
- Schools

Other Conditionally Permitted Uses (required to be approved by the Planning Commission) are as follows:

- Mortuary
- Photographic Studio

The PAD Zone/Preliminary Development Plan Review Criteria has been met as required by City Code Section 17.68.290 (see Planning Commission Staff report).

In addition to the amended PAD Preliminary Development Plan the Planning Commission reviewed and approved a Final Development Plan for the Odyssey Charter School. The revisions to the Final Development Plan, which does not require City Council approval, included:

1. Any future exterior lighting shall require an amendment to the Major Site Plan/Final Development and a photometric plan shall be provided with the amendment.
2. Prior to issuance of a building permit, the Map of Dedication for the Peart Road right-of-way dedication shall be recorded.
3. Future phases shall require a Major Site Plan/Final Development Plan.
4. The following review comments from the Public Works Department shall be addressed with the Final Drainage Report and Improvement Plans:
 - a. Section 2.2; According to the Master Drainage Study of Casa Grande (1985 revised 1987); the site area appears to be under the impact of offsite flows from local watershed. A drainage easement has been proposed on the west side of Peart Road. The proposed project should do due diligence of the offsite watershed area which may impact the project site and should delineated with appropriate estimation of storm water flows with their paths to and through the project site (15.40.080) for both pre-development and post development conditions (15.40.680).
 - b. Please specify how the stormwater runoff from the site is collected and conveyed to the proposed retention basins. If curb openings, catch basins

- or other structures are proposed then please provide hydrological & hydraulic calculations, erosion control, scour protection design and other design parameters, when applicable.
- c. Please provide bleed off calculations for the retention volume. A shallow pit percolation tests shall be performed in retention areas to determine natural percolation. Test results shall be submitted to the city engineer prior to approval of drainage plans (15.40.1290C).
 - d. The ultimate outfall of the eastern project site appears to be opposite of the existing/regional natural drainage. Please indicate in the drainage report that the change in the ultimate outfall will not impact neighboring properties. The minimum finished floor elevation should be at least 12” (preferably 14”) above the low outfall elevation of the drainage basins areas and/or project ultimate outfall/s.

The Planning Commission voted 4-3 on March 7, 2013, to recommend approval of the Major Amendment to a PAD Zone/Preliminary Development Plan for the Odyssey PAD. The Commission voiced their concerns regarding traffic, as the primary entrance is Peart Road, which is a right-in, right-out only and left turns are prohibited because of the existing median in Peart Road. In case, the entrance, Peart Road is blocked off there is a recorded 20' ft. - 26' ft. emergency access easement that begins at Florence Boulevard and goes north into the site and circulates through the parking area.

DISCUSSION

Planning & Development Director Tice offered a slide presentation regarding this project, and hereto attached as *Exhibit “A.”*

Director Tice conveyed that the Planning and Zoning Commission and Staff recommend that Mayor and Council approve the Major Amendments to the PAD and the Preliminary Development Plan for Odyssey PAD with the following conditions:

1. The School use of the property is limited to a K-8 Charter School with the maximum student population of 756 students based on the Traffic Impact Study dated January 17, 2013.
2. The PAD Development Guide must be revised to reflect the two technical corrections:

- (1) Eliminate the percentage of turf variance on Page 5
- (2) Correct “Arizona Road” on vicinity maps to “Arizola Road”

Director Tice stated that Staff has added a third condition based on the review of this matter:

- 3. Emergency access drive should be constructed to provide adequate emergency access from the school to Florence Boulevard prior to the issuance of the certificate of occupancy for any structure within the PAD.***

In response to Council Member Fitzgibbons, Director Tice conveyed that originally the Charter School was working on a site by Hacienda Road (east side) however, they ran into a barrier due to compliance with the State Statute requirement regarding the agricultural use (application of pesticide) that is being utilized by the adjacent owner next to the site. Since the applicant abandoned the site by Hacienda Road, they have proposed the current site at Peart PAD.

Director Tice explained that he has no idea why the applicant has chosen this site. The site has a little bit of the classic infill problems which is the access. The land use is compatible and transitional, but the access is challenging.

Council Member Fitzgibbons expressed her concerns that the site seems squeezed because traffic will only have one way in and out. Further, she believes that there is another place that is a better fit for this school.

Director Tice stated that generally the traffic impact analysis forecasts the traffic, taking into consideration of all the background traffic that is there today from Florence Boulevard going north on Peart Road, Peart Road and 9th Street, and will also forecast the traffic for future in a certain number of years. The traffic study also analyzed that there is a need for a cross guard on 9th Street.

Mayor Jackson expressed that he is not so much concerned on the distance from Florence Boulevard to the proposed school site with regard to the traffic.

Mayor Pro Tempore Powell expressed his concern about the traffic and suggested to add a condition that ***should the City Manager and Police Department find traffic conditions unsafe, the City will work with Odyssey Charter School to mitigate conditions to achieve a safe status.*** Further, he believes that the biggest concern is the school’s safety and emergency access to the school.

Council Member Montoya expressed his concern on the traffic pattern at Peart Road (45-50 speed limit) and brought up the scenario of what if parents start dropping off their kids by home depot to walk to school?

Council Member Kortsen expressed her concerns with parking, buses, emergency access, crosswalks, u-turns and parents leaving their kids at home depot.

Council Member Herman conveyed that this is a very interesting proposal. He was concerned about the neighborhood however, after talking to the people in the neighborhood; no one seems to have any objection with the proposed charter school. Further, Council Member Herman requested for the applicant to answer his questions/concerns during the public hearing portion:

- Where did the applicant get the percentage of bulking versus drop offs?
- U-turns and queuing along 9th Street.
- What are the regulations for walking kids being dropped off at Home Depot?
- Thoughts on buses for students.
- 150 parking spaces vs. 756 students
- Traffic and Crossing Guards

Mayor Jackson declared a public hearing to allow comments on this matter.

Jennifer Vitale, Project Engineer for Odyssey Charter School addressed the concerns of City Council as follows:

- Traffic - applicant hired an independent third party specialist in transportation engineering to conduct the traffic study based on a very conservative design. The traffic report is for a full design build out.
- U-turns at 9th Street - worked with City Traffic Engineer and the applicant Transportation Engineers and proposed the “no u-turn sign” on the south side of the intersection (Peart Road and 9th Street).
- Diesel Lane - it is per engineering standards (100 ft taper and 100 ft right turn lane). The idea is to get traffic out and away from 9th Street as far as possible.

- Parents cut corners by dropping off kids at Home Depot - Staff of Odyssey School will police the Home Depot parking lot. The school has a complete traffic mitigation plan that the parents have to follow.
- Odyssey Staff reviews and determines students that are car-pooling, dropped off, walking and biking once enrollment is completed. Transportation Buses will be determined if they have enough students. This may happen after the school is full phase built out. Parents are assigned a color coded car pool queuing lane. Two color-coded queuing lanes with a curved design would prevent traffic from backing up on to Florence Boulevard. Staff will start assigning single queuing lanes with K-5 and will double queuing lanes after the school is built out. There will be 3-single parking alleys that people will queue into a counterclockwise pattern. Odyssey Staff will do a soft-start at the beginning of the school session for parents/students and Staff to get acquainted with the site and traffic flow process.
- Drop-offs do not seem to be the issue it is typically the pick-ups that you'll see in the queuing issues. There will be Staff assigned to stay with the students until they actually get into their car in the proper queuing lane.
- Crosswalks were both recommended by the City Staff and in the traffic report. Placement of the crosswalk on the north side of Peart Road was recommended by City Staff. There will also be a crosswalk at McMurray and Florence Boulevard. Since these are the only breaks in the median, it is logical to place a crosswalk for safety. The sidewalks already exist from Florence Boulevard up to the north side of Home Depot parking lot, as well as the north side of Peart Road. The school will not be responsible for adults that want to trespass outside the crosswalks. The school will staff the crosswalks with crossing guards, utilize roll-out signs and assist kids to walk across both in the morning and afternoon.
- The parking on the project sites is for full phase built out (K-8). There will be approximately 50 staff members for full phase built out. These students will not be driving. The parking is intended for car-pooling, parents-teacher conferences, recital and other school events. The parking meets the zoning ordinance with respect to ADA compliance as well as if assures a number of spaces that are required based on the square footage of the building, lunch room and future gymnasium. This is a nice long site that has an advantage allowing the parking lot to stretch out in the front and adds additional

parking space and queuing space.

- The applicant has no problem with the added stipulation “*Emergency access drive should be constructed to provide adequate emergency access from the school to Florence Boulevard prior to the issuance of the certificate of occupancy for any structure within the PAD*”.
- The applicant percentages of bulking versus drop offs was determined effectively based on the other three schools that they currently have. This is a conservative estimate. At least 60% percent of the kids will probably be car pooling. The rest of the kids will either walk or bike to school.
- Queuing along 9th Street - Parents have a couple of different avenues that they use to approach the school, not just through 9th Street. It is not anticipated that all kids are coming from two neighborhoods adjacent to the south. Kids may come from different roads through out the city. The applicant doesn’t see the queuing along 9th Street as a problem.
- The School operates Monday through Thursday and there will be no traffic impact on Fridays and weekends.

Megan Olson, 6500 S. Apache Road, Buckeye, Arizona, Odyssey Staff member, offered her experiences on how the school handled traffic concerns, procedures for parents and students. The School and Staff takes pride in handling the design per traffic to make sure their scholars are safe and parents have a quick, easy convenient way to drop-off and pick-up their kids.

John T. Holland, 113 E. Cholla Street, Casa Grande, AZ 85122, expressed his concern that parking and speed limit will be a problem at this school.

Reese Anderson of 1744 S. Val Vista, Mesa, Arizona, Attorney for the applicant, addressed the concerns of City Council as follows:

- The site selection was a complicated process and the school wants to be in a road with good access and obtaining a balance between location, price/budget and availability.
- Odyssey School already received commitments from parents for their kids to attend their school. The school will open in August 2013.

- Acknowledged and concurred with the additional stipulation recommended by Mayor Pro Tempore Powell “*should the City Manager and Police Department find traffic conditions unsafe, the City will work with Odyssey Charter School to mitigate conditions to achieve a safe status*”.
- The times for the crossing guard will be from 7:00 to 7:30 in the morning and from 4:00 to 4:30 in the afternoon. If necessary, applicant will comply with the requested lighted crosswalk in the future.
- The applicant is fully committed to address whatever issues City Council and Staff might have.

Mayor Jackson conveyed that over the last 10 years there were some interest in this piece of property, but it is a very difficult piece to do anything on. What surprised him with Director Tice’s presentation was this site was originally a proposed zoning for housing development. The school site is a much better land use for this piece of property. The traffic study analysis presented is the best tool we have right now.

In response to Mayor Pro Tempore Powell, Duane Eitel, City Traffic Engineer conveyed that per State Law the speed limit for schools is 35 mph, for a short distance there will be a 35 mph speed limit at McMurray and Florence Boulevard.

In response to Council Member Kortsen, Mr. Eitel conveyed that Staff did not recommend placing a left turn brake in the median from the school to stay in control of the access on Peart Road.

Council Member Fitzgibbons expressed that she disagreed with regard to the traffic issue, switching the zoning from residential unit to propose school site is a better land use for this piece of property. There will be lots of activity going on during the weekend at the school. Safety is really a concern here.

There being no further comments, Mayor Jackson declared the public hearing closed.

City Clerk Miller read by title only Ordinance No. 1178.252.1, approving a Major Amendment to the Odyssey Planned Area Development (PAD) to amend the Reserve at Peart PAD to create the Odyssey PAD; and approving a Preliminary Development Plan (PDP) for the Odyssey PAD on property generally located at Peart Road, Casa Grande, Arizona.

In response to Mayor Jackson, City Attorney Wallace conveyed that the third condition regarding emergency access is not currently included in this ordinance. Ultimately it will be the moving party to determine whether to add any additional conditions such as conditions recommended by Director Tice and Mayor Pro Tempore Powell.

Council Member Herman moved for passage of Ordinance No. 1178.252.1, with the additional stipulation of an emergency access and the traffic mitigation review to the conditions.

City Manager Thompson requested for a short recess to draft the amendment to the ordinance including the two conditions stated in Council Member Herman's motion.

At this time, Mayor Jackson called for a recess (8:50 p.m.), and reconvened at approximately 8:55 p.m.

City Attorney Wallace clarified as he understands the motion as it's been moved and from the language prospective, he read the following conditions that will be included in the ordinance:

1. The school use of the property is limited to a K-8 charter school with the maximum student population of 756 students based on the Traffic Impact Study dated January 17, 2013.
2. The PAD Development Guide must be revised to reflect the two technical corrections:
 - 1) Eliminate the percentage of turf variance on Page 5
 - 2) Correct "Arizona Road" on vicinity maps to "Arizola Road"

- 3. An emergency access drive should be constructed to provide adequate emergency access from the school to Florence Boulevard prior to issuance of the certificate of occupancy for any structure within the PAD.
- 4. A traffic mitigation plan must be approved by the Police Chief, Development Services Director and City Manager prior to issuance of a certificate of occupancy for any structure within the PAD.

Further, City Attorney Wallace stated that from Staff’s prospective condition #4 can adequately address what we think council concerns are. The intent of Staff would be that as part of that traffic mitigation plan, it would require periodic reviews with Odyssey to look at the conditions of traffic as they change through time (potential triggers and level of service). This will allow Staff to determine whether any additional traffic improvements and any circulation changes that come up could be addressed at that time.

City Manager Thompson conveyed that based on the discussions, this will allow in future years to come consideration as traffic patterns change. Issues may present themselves that would allow Staff adequate time to sit down and thoroughly review what Odyssey is going to do with the Home Depot scenario and other scenario that may arise. If Staff starts to see concerns relative to the school, the mitigation plan will address all types of scenarios so that Staff will have the ability to go back no matter what situation is presented.

Council Member Montoya seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Herman		Council Member Fitzgibbons
Council Member Montoya		Council Member Kortsen
Mayor Pro Tempore Powell		
Mayor Jackson		

Mayor Jackson then declared Ordinance No. 1178.252.1 passed to a second reading.

M. Executive Session: None

N. Reports:

Council Member Herman reported on the following:

- Announced to invite everyone to the Art in the Alley at downtown Main Street on Tuesday, April 2, 2013.
- Announced the Casa Grande Rotary Auction is scheduled for Saturday, April 6, 2013 at St. Anthony Community Center.

Council Member Kortsen shared information on a Municipal Finance Challenge 2013 seminar she attended.

Mayor Pro Tempore Powell shared information that is on the current news regarding the fire at the Pioneer International Hotel that happened 40 years ago.

Mayor Jackson reported on the following:

- Announced the City Council Retreat/Study Session is scheduled for Thursday, April 4, 2013 at Holiday Inn.
- Announced the City Council Budget/Study Session is scheduled for Monday, April 22, 2013.
- Shared some information on the Science, Technology, Engineering and Mathematics (STEM) kick-off event held at Casa Grande Middle School he attended last week.
- Attended APEC roundtable forum last Thursday. APEC is a group focusing on improving education in Arizona.
- Encouraged City Council to attend future APEC roundtable forums.

O. Adjournment:

There being no further business at this time, the meeting was adjourned at approximately 9:09 p.m.

/s/Robert M. Jackson
Mayor

ATTEST:

/s/Remilie S. Miller, MMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Casa Grande, Arizona held on the 1st day of April 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of April, 2013

/s/Remilie S. Miller, MMC
City Clerk

EXHIBIT “A”

DSA-12-00104
Major Amendment to PAD Zone/PDP
The Reserve at Peart PAD to Odyssey PAD



Purpose of Major PAD Amendment

- Change the land use designation from residential to a commercial/school use.

CONFORMANCE WITH PAD ZONE PDP REVIEW CRITERIA 17.68.290

- Conformance to the City's General Plan;
- Relationship of the plan elements to conditions both on and off the property;
- Conformance to the City's Zoning Ordinance;
- The impact of the plan on the existing and anticipated traffic and parking conditions;
- The adequacy of the plan with respect to land use;
- Pedestrian and vehicular ingress and egress;
- Building location, height & Building Elevations;
- Landscaping;
- Lighting;
- Provisions for utilities;
- Site drainage & grading;
- Open space;
- Loading and unloading areas;
- Signage;
- Screening;
- Setbacks;

CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290

- Conformance to the City's General Plan

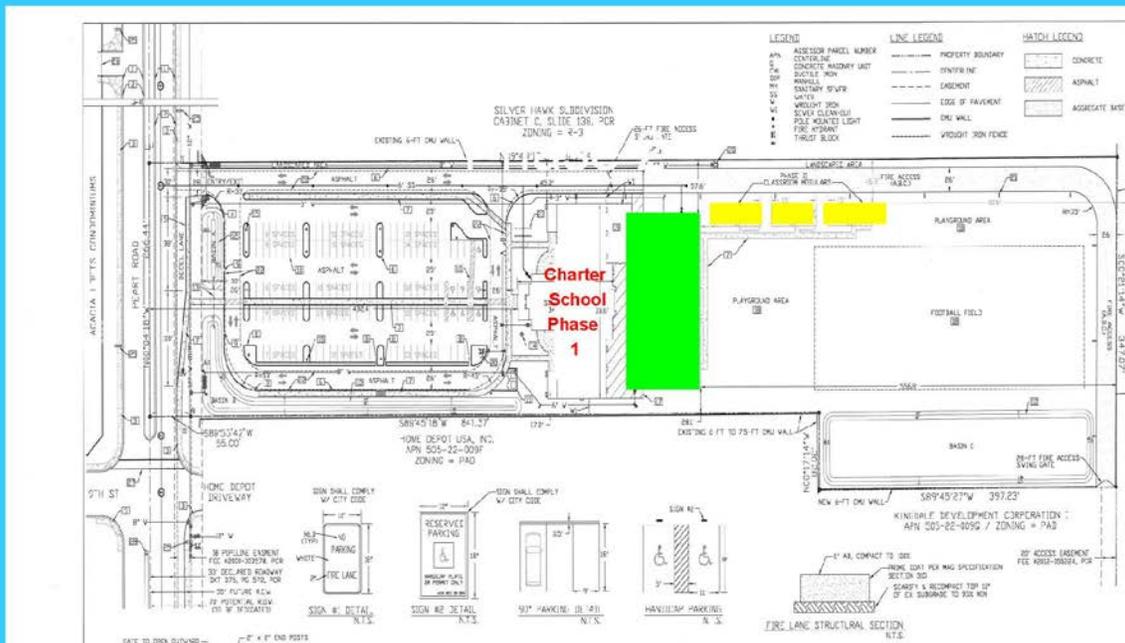


CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290

Relationship of the plan elements to conditions both on and off the property;



OVERVIEW OF THE FINAL DEVELOPMENT PLAN



- Phase 1**

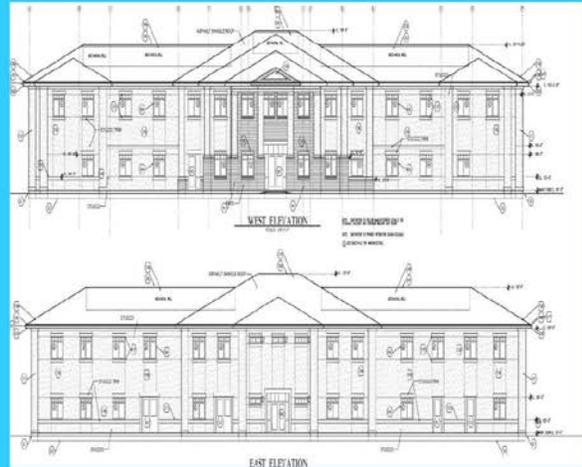
K-5
- Phase 2**

K-6,7,8 Modular Classrooms
- Phase 3**

K-6,7,8 Classrooms and Gymnasium permanent building

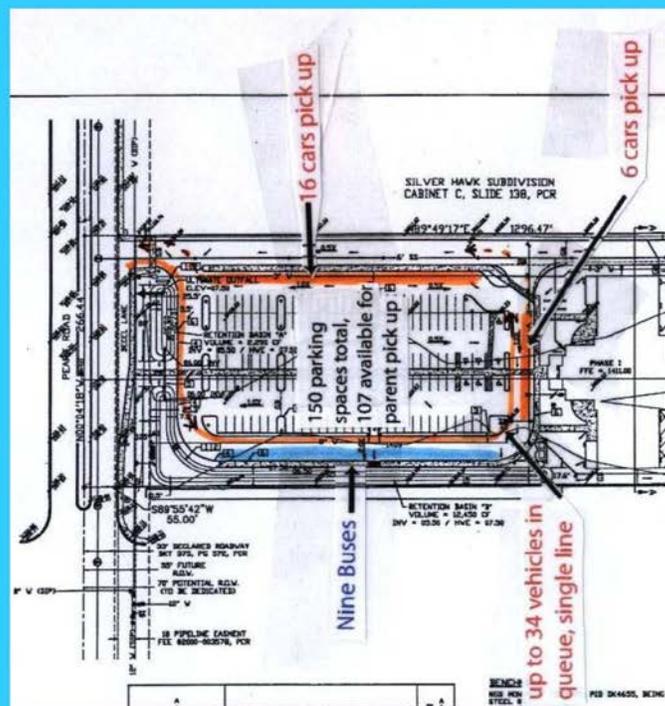
CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290

- **Building location, height & Building Elevations;**



CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290

- **The impact of the plan on the existing and anticipated traffic and parking conditions;**
- **Pedestrian and vehicular ingress and egress;**



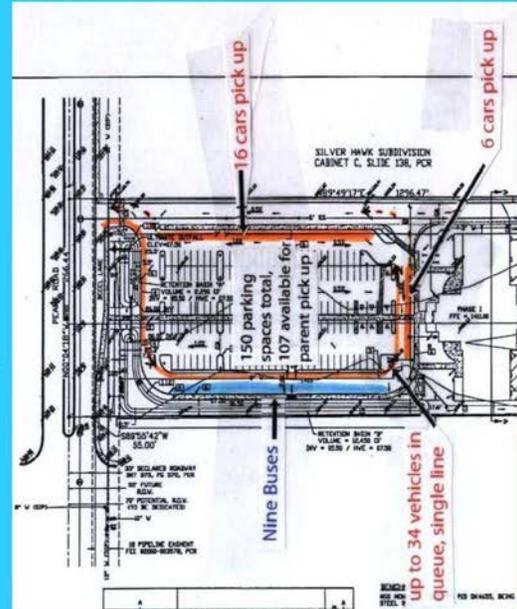
CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290

Peart Rd Access

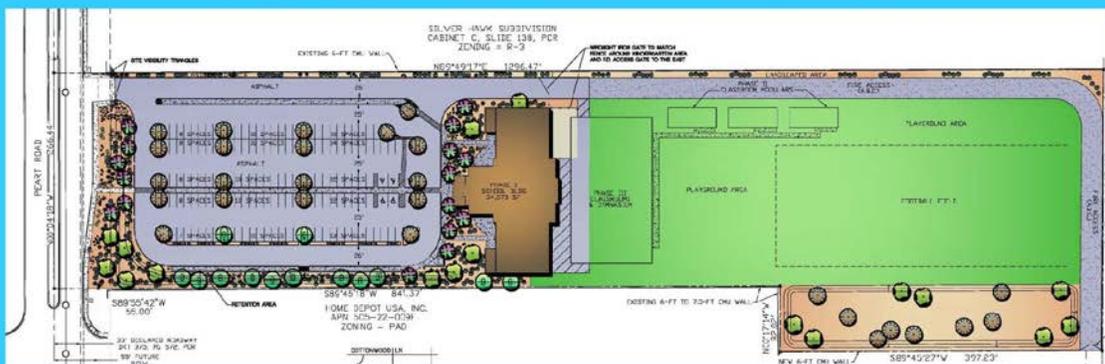
- Right in/Right out only
- Right Turn Storage Lane

On-Site Traffic Management

- Internal storage queuing & parking spaces able to accommodate 163 parent pick-up/drop off vehicles on site



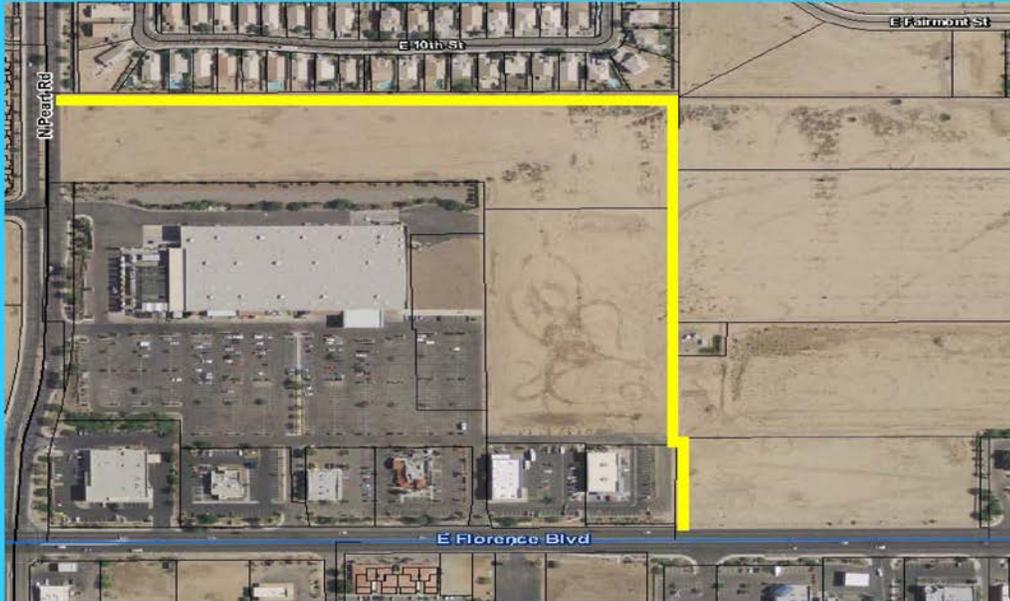
CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290



Emergency Access

26 ft. wide emergency access connected to property to the south

CONFORMANCE WITH PAD ZONE/PDP REVIEW CRITERIA 17.68.290



Emergency Access Easement Location

Notification/Public Comments

- Neighborhood Meeting – 12/12/12
- Casa Grande Dispatch
- Property Owner's Notices (300 ft.)
- Sign Posting

Public
Comments



Staff's Recommendation

Planning Commission and Staff recommend that the Mayor and City Council approve the Major Amendment to a PAD Zone/Preliminary Development Plan (DSA-12-00104) for Odyssey PAD with the following conditions:

1. The school use of the property is limited to a K-8 charter school with the maximum student population of 756 students based on the Traffic Impact Study dated January 17, 2013.
2. The PAD Development Guide must be revised to reflect the following technical corrections:
 - a. Eliminate the percentage of turf variance on Page 5.
 - b. Correct "Arizona Road" on vicinity maps to "Arizola Road"
3. *Emergency Access Drive shall be constructed to provide adequate emergency access from the school to Florence Blvd. prior to the issuance of a Certificate of Occupancy for any structure with the PAD.*

Questions?

