

Regular Meeting
October 14, 2014

**MINUTES OF A REGULAR MEETING OF THE CASA GRANDE BOARD
OF ADJUSTMENT HELD ON TUESDAY, OCTOBER 14, 2014 AT 6:00
P.M. IN THE COUNCIL CHAMBERS LOCATED AT CITY HALL, 510 E.
FLORENCE BOULEVARD, CASA GRANDE, ARIZONA**

I. Call to Order and Pledge:

Vice-Chairman Zeibak called the meeting to order at 6:10 p.m.

II. Roll Call:

Members Present:

Member Debra Shaw-Rhodes

Member Charles Wright

Member Gordon Beck

Vice-Chairman Mark Zeibak

Chairman Rueben Garcia

Delayed

Members Absent:

Member Clarence Martin

Unexcused

City Staff Present:

Paul Tice, Planning and Development Director

Laura Blakeman, Planner

James Gagliardi, Planner

Melanie Podolak, Administrative Assistant

III. Approval of Minutes:

July 8, 2014

July 15, 2014

Member Wright made a motion to approve the minutes dated July 8, 2014. Member Beck seconded the motion. A voice call vote was called, all were in favor.

Member Shaw-Rhodes made a motion to approve the minutes dated July 15, 2014. Member Beck seconded the motion. A voice call vote was called, all were in favor.

IV. Changes to the Agenda:

Director Tice requested the Board take item "D", out of sequence and hear the case first; all Members present agreed.

V. New Business:

D. Request by Dawson Holdings, Inc. for the following land use requested for the Kachina Apartments located at 316 N. Avenue A; APN's 505-30-016A and 505-30-035B:

- 1. DSA-14-00168: Variance request** from Section 17.20.450 to allow:
 - a. The apartment buildings on Parcel 1 (505-30-016A) to be 19.5 feet and 19.4 feet from the front property line where a 20 foot setback is required
 - b. The apartment buildings on Parcel 2 (505-30-035B) to be 17.8 feet and 17.9 feet from the rear property line where 20 feet is required.

Laura Blakeman, Planner came forward to address the Board. Ms. Blakeman explained that after the public notice process was completed staff realized the Variance request did not include all the needed variance setbacks, therefore staff is requesting this request be tabled to the November 11, 2014, meeting.

Member Beck made a motion to table DSA-14-00168 to the November 11, 2014, meeting. Member Wright seconded the motion.

Vice-Chairman Zeibak made a call to the public; no one came forward.

The following roll call vote was recorded:

Member Shaw-Rhodes	Aye
Member Wright	Aye
Member Beck	Aye
Vice-Chairman Zeibak	Aye

The motion passed 4 – 0.

Vice-Chairman Zeibak notified those present that per Variance voting requirements the Board needs two-thirds (five) of all the members of the Board present in order to approve or deny a Variance request, or by simple majority of those present the requests can be tabled. He explained that Chairman Garcia was on his way from the town of Florence and it would be a while before he arrived. Vice-Chairman Zeibak asked the applicants present if they were willing to wait; all present signified yes.

Vice-Chairman Zeibak called for recess to wait for Chairman Garcia.

The meeting resumed at 6:48 p.m. with Chairman Garcia arriving at 6:58 p.m.

A. Request by Brady Jones of Glen Jones Auto for the following signage request located at 1932 N. Pinal Avenue; APN 504-42-022B:

- 1. DSA-14-00140: Variance request** from Section 603 of the sign code to allow:
 - a. Three (3) detached signs where one (1) is permitted

- b.** To allow a sign to be 160 ft. from another detached sign where a distance of 300 ft. is required.

James Gagliardi, Planner came forward to present a brief overview of the case as stated in the Staff Report. Mr. Gagliardi read the Variance requests into the record. He then overviewed the criteria for a Variance noting this site is unique due to the frontage road, drainage channel and landscaping that separate the site from the main roadway (Pinal Avenue). Mr. Gagliardi stated the site is allowed 550 square feet of detached signage, and with the addition of the third sign they will only have 318.63 square feet of detached signage. He explained a third sign was already approved through a Variance in 2002, but was removed by Lincoln Motors. The requested sign will be similar in height using the existing sign pedestal of the sign that was removed except they are proposing to install an electronic messaging sign. Mr. Gagliardi read the conditions of approval into the record, explaining the conditions were based on the Arizona Department of Transportation (ADOT) standards for messaging center signage. No public comments were received by staff.

Vice-Chairman Zeibak made a call for the applicant to come forward.

Brady Jones, 1928 N. Kachina, Mesa, applicant, came forward to address the Board. Mr. Jones stated they are replacing a sign that was removed without sufficient notification.

Vice-Chairman Zeibak asked Mr. Jones if he was in agreement with the conditions.

Mr. Jones stated he did not know what a NIT was, but being the conditions are ADOT standards they are in agreement.

Member Shaw-Rhodes questioned the purpose of the electronic message board.

Mr. Jones stated they will display specials, advertisements and events.

Member Shaw-Rhodes commented that the messaging center is going to be located at the bottom of the sign. She questioned if the fence located in front of the sign will impact the visibility of the messages.

Mr. Jones stated they feel the sign will be visible from the roadways. He commented that the message board can also be used for amber alerts and other messages the City needs to get out to the public.

Vice-Chairman Zeibak made a call to the public; no one came forward.

Member Beck made a motion to approve DSA-14-00140 Variance to allow three (3) detached signs where one (1) is permitted and to allow a sign to be 160 feet from another detached sign where a distance of 300 feet is required, with the following conditions:

1. The electronic message center display shall not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
2. The electronic message center shall not display any form of animation, and shall remain static for at least 8 seconds with a transition time no greater than 2 seconds.

Member Wright seconded the motion.

The following roll call vote was recorded:

Member Shaw-Rhodes	Aye
Member Wright	Aye
Member Beck	Aye
Vice-Chairman Zeibak	Aye
Chairman Garcia	Aye

The motion passed 5 – 0.

B. Request by Ben Lee of Water Works Engineers, on behalf of Arizona Water Company for the following land use approval for a new water treatment and equipment within the R-1 zone district at 1300 N Hennes Rd (APN # 505-23-002J):

1. **DSA-14-00158: Variance request** from Table 17.20.140 of the City Code to allow:
 - a. A front setback of 10 ft. where 20 ft. is required
 - b. A rear setback 5 ft. where 20 ft. is required
 - c. A side setback of 6.5 ft. where 10 ft. is required from the south-side property line. (Planner: James Gagliardi)

James Gagliardi, Planner came forward to present a brief overview of the case as stated in the Staff Report. Mr. Gagliardi read the Variance requests into the record. He explained the well site, arsenic treatment facility is located adjacent to Palm Creek RV Resort and was annexed into the City in 1989, therefore the use has been "grand fathered" in as a legal non-conforming use. Since this time Arizona Water Company has applied for and received a Conditional Use Permit (CUP), Variance, and their Zone Change request has received first reading by City Council and the 2nd reading of the Ordinance granting the Zone Change request will be considered by City Council on October 20th and become effective on November 18, 2014. Mr. Gagliardi stated the applicant requested the zone change from Urban Ranch (UR) to Residential (R-1) to make the site more conforming to the setback requirements of their existing and proposed structures. Mr. Gagliardi mentioned that the applicant is only proposing a new chemical storage and feed area. The remaining structures included in this request already exist and will only be expanded. He then overviewed the criteria for a Variance

mentioning the south side of this site that abuts the RV resort was mitigated in 2005, during the CUP process. The applicant planted trees and constructed a wall to address the visual impact to the abutting lots. Mr. Gagliardi read the conditions into the record. No public comments were received by staff.

Member Beck asked what chemicals were stored/used on site. He then stated the chemicals can cause a public hazard.

Mr. Gagliardi commented he did not know the specific names of the chemicals but stated the chemicals used are to extract the arsenic from the water. He indicated that the applicant could probably better address this issue for the Board.

Vice-Chairman Zeibak questioned if the Fire Department reviewed the access, setbacks and chemical storage.

Mr. Gagliardi replied the Fire Department reviewed the request; no comments were received.

Member Shaw-Rhodes questioned the noise and if any one from Palm Creek RV has commented. She then questioned the thickness of the wall.

Mr. Gagliardi stated no complaints regarding the noise were received from Palm Creek RV. He mentioned the applicant stated the noise is similar to a vacuum; this request will not intensify the noise. Mr. Gagliardi deferred the wall thickness question to the applicant.

Member Wright questioned the on-site retention.

Director Tice cited that if this Variance is approved the applicant will then need to go through the Major Site Plan (MSP) process, which is heard by the Planning and Zoning Commission. The MSP will address the access and drainage issues. Director Tice noted the MSP request is tentatively scheduled for the November 6, 2014, Planning Commission meeting.

Member Wright commented that the site has been through the original approval in 2005, and the drainage was not addressed at that time. He questioned how they can be assured the drainage will be addressed at MSP review.

Mr. Gagliardi stated drainage will be reviewed by the Planning Commission at the MSP stage. He pointed out most of the site is largely covered with pervious material, and the Engineer who reviewed this request did not have comments.

Member Beck questioned who will monitor the noise.

Mr. Gagliardi commented the best form of noise monitoring is complaint driven. When staff receives a complaint we ask Code Enforcement to go to the site and if the

complaint in valid then a notice will be sent to the property owner.

Vice-Chairman Zeibak made a call for the applicant to come forward.

James Wilson, 9094 E Halifax, Mesa, Senior Engineer with Arizona Water Company, came forward to address the Board. Mr. Wilson thanked staff and stated they are in agreement with the conditions. He then addressed the Boards questions. Mr. Wilson stated the chemicals they currently have on-site is ferric chloride, which is a coagulant that is added to the water to bond with the arsenic so it can be filtered out of the water. They also have hydrochloric acid, which improves the efficiency of the process and sodium hydrochloride bleach for disinfection. These chemicals have been on-site since 2005. Mr. Wilson then addressed the noise citing they have only received one complaint from Palm Creek and it was on a weekend when they were conducting on-site repairs and Palm Creek was holding a tennis tournament. When the complaint about the dust and noise was received they shut down working at the site until the tournament was over. He mentioned when they discharge their water it is directed to go into the Palm Creek RV Resorts ponds. Mr. Wilson stated the noise is like a vacuum and comes from the pumps; they are not requesting additional pumps so the noise level will be the same. He also added that the expansion should cut down on the site visits, which presently are daily; they have a weekly chemical delivery and waste removal visit.

Member Beck asked if there are any EPA restrictions and monitoring of the on-site chemicals.

Mr. Wilson stated there are restrictions. They have a compliance officer that monitors and tracks all the required information. He noted they do use secondary containment which is one of the requirements; it is a tank within a tank. They are proposing to demolish the existing chemical storage area and construct a new one which will incorporate a concrete spill containment area.

Member Beck questioned if the chemicals can become gas.

Mr. Wilson replied that if the hydrochloric acid or ferric chloride mixed with the chlorine it could release chlorine gas, but they have separate containment areas, so they will not combine. He noted they have been operating seven of these facilities and had no cross contamination issues. The facilities are regulated by ADEQ and EPA.

Vice-Chairman Zeibak questioned the height of the wall that abuts to Palm Creek RV Resort.

Mr. Wilson stated the wall is 8 feet tall and 8 inches thick.

Vice-Chairman Zeibak made a call to the public; no one came forward.

Member Shaw-Rhodes made a motion to approve DSA-14-00158 Variance to allow a front setback of ten (10) feet where twenty (20) feet is required, and a rear setback of

five (5) feet where twenty (20) feet is required and to allow a side setback of six and a half (6.5) feet where ten (10) feet is required from the south-side property line, with the following conditions:

1. This variance is for relief of setbacks from R-1 development standards, to become enacted by ordinance on November 18, 2014. If this property does not become R-1 zoned by ordinance, a new variance request shall be required to seek relief to setbacks within the UR zone.
2. If the equipment makes noise beyond the limits of the enclosed site, the City, with the cooperation of the applicant, shall determine the most suitable noise mitigation to be implemented by the applicant.

Chairman Garcia seconded the motion.

Member Beck asked that planning staff go over safety issues with chemicals and the EPA evacuation plan.

Director Tice stated he will ask the Fire Department to take a close look at the containment areas in conjunction with the Major Site Plan review.

The following roll call vote was recorded:

Member Shaw-Rhodes	Aye
Member Wright	Aye
Member Beck	Aye
Vice-Chairman Zeibak	Aye
Chairman Garcia	Aye

The motion passed 5 – 0.

C. Request by Reliant Land Services for the following land use request for a 70 foot tall wireless communication tower located at 517 N. Colorado Street; APN 505-30-003C:

1. **DSA-14-00166: Variance request** from Section 17.68.120B.7a, to allow a 70 foot tall Wireless Telecommunications Tower to be 67.6 feet from the west property line where 70 feet is required, and 47.6 feet from the south property line where 70 feet is required.

Laura Blakeman, Planner came forward to present a brief overview of the case as stated in the Staff Report. Ms. Blakeman read the Variance requests into the record. She stated the applicant is requesting a wireless tower be located at the southwest corner of the existing storage facility site. She then overviewed the criteria for a Variance, noting there are no other properties in the area that zoned Community Service (B-4), which is an appropriate location for a wireless communications tower,

and meets the service area needs of the applicant; the applicant has stated their radio frequency is limited without this service area. Ms. Blakeman stated city staff does not find justification for the south variance request because it will have a negative impact on the adjacent future residential property. She noted there is another tower owned by Verizon to the west of this area, which met all required set-backs for their 70 foot tower, and has received Conditional Use Permit approval. Ms. Blakeman stated staff suggest the tower be moved further north within the existing site to meet the setback requirements on the south side. Ms. Blakeman mentioned staff held a neighborhood meeting, but no residents attend. Staff received a phone call from the property manager of the Tri-Valley Plaza who just had general inquiries regarding the proposed variance. Ms. Blakeman recommended approval for the Variance request for the west property line but denial of the portion of the Variance on the south property line. She then read the condition into the record.

Member Shaw-Rhodes questioned if the two towers being is such close proximately to each other will cause operation conflicts.

Ms. Blakeman deferred the question to the applicant.

Member Wright questioned if the city code has any distance regulations between cell towers.

Ms. Blakeman replied "no" we do not have actual distance requirements, but other factors are reviewed such as height, setbacks etc.

Member Wright commented he feels the towers are "eye sores". He stated he would like to see the tower located further to the east.

Member Beck asked Ms. Blakeman to clarify staff's recommendation; approve one part and deny the other part of the request.

Ms. Blakeman explained that the Board can refer to the project number then refer to the part of the Variance that will be approved and/or denied.

Director Tice stated there are two parts to the Variance; one from the west property line and the other from the south property line. Staff is recommending that the request for the south variance not be approved, which would result in the applicant shifting the tower to the north but the tower can still stay 67.6 feet from the west property line.

Member Wright stated he would prefer the tower be located on the northeast corner of the site.

Member Shaw-Rhodes stated she feels more distance is needed between the two towers. She cited she has read that radio waves affect your health and there are homes in the area.

Vice-Chairman Zeibak questioned the height of the Verizon tower and if they were able to meet all setbacks.

Ms. Blakeman stated the Verizon tower is 70 feet tall and met all city setback requirements.

Director Tice explained to the Board that under the City Zoning Code there is only one commercial zone district that allows wireless towers which is our B-4 zone. This property is zoned B-4 and the surrounding properties are not, this is why the applicant is requesting their tower at this location. He did note that a wireless tower can be located within an Urban Ranch (UR) zone but they must apply and receive a CUP, which is what Verizon has done for their tower.

Vice-Chairman Zeibak made a call for the applicant to come forward.

David Ullrich, applicant with Reliant Land Services, 7201 E. Camelback Road, Scottsdale, came forward to address the Board. Mr. Ullrich stated the reason they want to locate at this site is because of the B-4 zoning. He commented there are not a lot of choices in the area; they did want to locate as far away from the residential area as possible. Mr. Ullrich stated when they initially were looking for a location staff indicated they did not want the tower close to Florence Boulevard, so they decided to locate the tower at the southwest corner of the property. He commented that per staff's condition, they will be happy to locate the tower at the northwest corner of the site. The location has been discussed with the property owner and they are in agreement with moving the tower to the northwest corner. Mr. Ullrich stated the east/west setback would be the same as they are currently requesting and there would not be a need for the south variance.

Member Beck questioned if the tower is moved to the northwest corner what would the distance be from the north property line.

Mr. Ullrich stated the tower would be approximately 30 feet from the north property line.

Director Tice cited if the tower is moved to the northwest corner the applicant would still need to submit a Variance request. The setback is one foot per each foot of height. Director Tice stated staff would not be as concerned with the tower moved to the northwest corner seeing that the adjacent site is commercial.

Member Beck expressed his concern for the commercial builder of the adjacent site.

Director Tice explained the reason for the setback distance is to limit the visual impact of the tower, and fall hazards. If the tower falls we want to make sure it falls within the confines of the property.

Mr. Ullrich stated staff requested they provide fall zone criteria. He explained that if the towers fall they bend at every joint so it basically "crumbles". Mr. Ullrich noted the

towers are very well built and will be reviewed during the building safety process, at that time they will provide the fall zone criteria.

Member Wright questioned if the tower can be moved to the northeast or southeast corner of the site.

Mr. Ullrich replied "no", they would have to remove existing buildings to locate the tower at the northeast or southeast corners.

Member Wright expressed his concern with the visual impact of the two towers being in such close proximity.

Member Shaw-Rhodes commented that she did not even know there was a tower in the area until she read the staff report and went to the site; she was pleased to see how the palm tree look hides the cell tower. She stated her only concern is disrupting of reception/service for the cellular customers of both companies, since the towers are so close together.

Mr. Ullrich explained there will be no interruption in service for either user; they use different wave lengths.

Member Beck questioned if there is a tower across the street from City Hall.

Ms. Blakeman replied "yes", the tower is for the Police Department and is approximately 150 feet.

Vice-Chairman Zeibak made a call to the public; no one came forward.

Vice-Chairman Zeibak questioned if the Board and applicant agree to move the tower could they incorporate it into this request.

Director Tice replied "no". The request will need to be re-advertized. He then explained the Board could grant the Variance to the west and deny the one to the south, and the applicant can come back and ask for a Variance to the north or the Board could table this request and the applicant can modify their request to change the tower location to the northwest corner, and staff will re-advertize the request.

Member Shaw-Rhodes asked the applicant if they have a time-line for the construction of the tower.

Mr. Ullrich stated they hope to start construction May 2015. They need to go through the Major Site Plan and Conditional Use Permit process.

Member Wright made a motion to table DSA-14-00166 to the November 11, 2014, meeting. Member Beck seconded the motion.

Discussion took place regarding the placement of the tower.

The following roll call vote was recorded:

Member Shaw-Rhodes	Aye
Member Wright	Aye
Member Beck	Aye
Vice-Chairman Zeibak	Aye
Chairman Garcia	Aye

The motion passed 5 – 0.

VI. Call to the Public:

There were no comments received from the public

VII. Report by Planning Director:

Director Tice informed the Board the City received one application to fill the vacant position of the Board, and the Mayor will conduct the interview in the very near future.

VII. Adjournment:

Member Beck motioned for adjournment, Member Wright seconded; a voice call vote was called and all were in favor.

Vice-Chairman Zeibak called for adjournment at 8:12 p.m.

Submitted this 17th day of October, 2014, by Melanie Podolak, Administrative Assistant to the Casa Grande Board of Adjustment, subject to the Board's approval.

Approved this 11th day of November, 2014 by the Casa Grande Board of Adjustment.



Chairman Garcia



Board of Adjustment STAFF REPORT

AGENDA

TO: CASA GRANDE BOARD OF ADJUSTMENT

FROM: Laura Blakeman, City Planner

MEETING DATE: October 14, 2014

REQUEST

Request by Dawson Holdings, Inc. for the following land use requested for the Kachina Apartments located at 316 N. Avenue A; APN's 505-30-016A and 505-30-035B:

1. DSA-14-00168: Variance request from Section 17.20.450 to allow:
 - a. The apartment buildings on Parcel 1 (505-30-016A) to be 19.5 feet and 19.4 feet from the front property line where a 20 foot setback is required
 - b. The apartment buildings on Parcel 2 (505-30-035B) to be 17.8 feet and 17.9 feet from the rear property line where 20 feet is required.

Discussion

This request is being table by City Staff, as the above public notice did not reflect all the setback variances needed for this request. Staff is requesting that the Variance request be tabled to the November 11, 2014 Board of Adjustment meeting.

	Board of Adjustment STAFF REPORT	AGENDA # _____
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TO: CASA GRANDE BOARD OF ADJUSTMENT

FROM: James Gagliardi, City Planner

MEETING DATE: October 14, 2014

REQUEST

Request by Brady Jones of Glen Jones Auto for the following signage request located at 1932 N. Pinal Avenue; APN 504-42-022B:

1. **DSA-14-00140: Variance requests** from Section 603 of the sign code to allow:
 - a. Three (3) detached signs where one (1) is permitted
 - b. To allow a sign to be 160 ft. from another detached sign where a distance of 300 ft. is required.

APPLICANT/OWNER

Brandy Jones, Glenn Jones Ford Lincoln Mercury, LLLP 1932 N Pinal Avenue Casa Grande, AZ 85122 Phone: 480-773-4886 Email: bradyjonesjd@gmail.com	Jones Brothers Investments, LLC 23454 W US Hwy 85 Buckeye, AZ 85326 Phone: 480-773-4886 Email: bradyjonesjd@gmail.com
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HISTORY

- May 18, 1955: The site was annexed into the City limits of Casa Grande as part of the Gilbert Acres Annexation via Ordinance No. 208 and subsequently zoned B-2 (General Business) with the 1987 Adoption of the City Zoning Ordinance.
- June 18, 1996: Major Site Plan approval (CGPZ-29-96) for Glenn Jones automotive, sales and service facility.
- January 8, 2002: Variance approved by the Board of Adjustment (BOA-01-002) allowing for a third detached sign where one is maximum number of detached signs permitted, and allowing for less than 300 feet between detached signs.

Surrounding Land Use and Zoning

Direction	General Plan Designation	Existing Zoning	Current Uses
North	Community Center	B-2	Auto sales and service
South	Community Center/ Neighborhoods	B-2	Undeveloped
East	Neighborhoods	R-2 (Multi-family Residential)	Undeveloped
West	Community Center	UR (Urban Ranch)	Undeveloped

Aerial of the site:



Overview

City Code allows one detached sign per 600 ft. of lot frontage; and where more than one sign is allowed, the code also requires a minimum of 300 ft. between detached signs. The subject site has 550 ft. of lot frontage. Consequently, the applicant received variance approvals to these two code requirements in 2002 for the placement of a third sign at the southwest corner of its site, which was 160 feet from another one of its detached signs (Exhibit A). This sign which advertised for Lincoln was recently removed by the manufacturer, as the dealership no longer sells new Lincoln vehicles. The applicant desires to erect a new sign in its place to advertise for the dealership itself, since the other two signs are specifically for its manufacturers. Due to the requirements of these manufactures, general signage for the dealership cannot be placed with these other signs.

The former sign stood at 10 ft. 1 in. in height and had a sign area of 38.5 sq. ft. (Exhibit B). The applicant proposes to keep the existing pedestal and place new sign upon it. A portion of this new sign would be an electronic message center, and the remainder would have permanent sign lettering. The total height would be 10 ft. and have a total sign area of 66.63 sq. ft. (Exhibit C).

The subject site is along the Pinal Avenue frontage road. This frontage road is separated from Pinal Avenue by a tree-lined drainage channel. The applicant contends this right of way separation from the main thoroughfare and obstruction of view due to the trees warrants the need for additional detached signage. The applicant also reasons that one detached sign is allowed per parcel; therefore if the dealership was simply placed into multiple parcels, it could technically have multiple signs without the need for a variance. While staff doesn't find that to be compelling justification by itself, staff does support the request for two reasons:

- 1) The first reason staff supports the variance request is that there was already approval granted for a third sign, less than 300 ft. from another detached sign. The separation between the two signs is not proposed to be any less than what was already granted. Though the sign area is expanding, the height is the same; and is specifically for general dealership signage and not for one specifically dedicated for a manufacturer, which is the purpose of the other two signs on the site.
- 2) The second reason staff supports the variance request is that the City Sign Code allows one square foot of sign area for every lineal foot of property frontage. With 550 ft. of frontage, the property is entitled to a maximum of 550 sq. ft. of detached signage. With the proposed third sign, the total square footage falls well below the maximum as shown below:

	Message	Height	Sign Area Square footage
Sign One	GMC / Buick	30 ft.	126 sq. ft.
Sign Two	Ford	24 ft.	126 sq. ft.
Proposed Sign Three	Glenn Jones Auto Center	10 ft.	66.63 sq. ft.
Total (Max 550 sq. ft. allowed)			318.63 sq. ft.

CONFORMANCE WITH THE VARIANCE CRITERIA

In reviewing Variance requests, the Board of Adjustment shall find that the requests satisfy the considerations listed below per Section 17.54 of the City Code.

The applicant has provided justification for the variance criteria as provided in their justification statement (Exhibit D).

A. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone;

- The property does not directly abut the nearest arterial road. There is over 80 ft. separation from the parcel to Pinal Avenue due to the presence of a drainage channel and frontage road. The Pinal Avenue frontage road does present a special condition for this property, as this is one of the few areas that Pinal Avenue is served by a frontage road. This frontage road is .75-mile length on one side of Pinal Avenue between O'Neil Dr and Kortsen Rd; and not a condition commonly present in other areas. The majority of B-2 zoned properties within the City do not have this type of separation.

B. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights

- An additional property right was afforded to this site with the granting of the 2002 variance allowing a third detached sign less than 300 ft. from another detached sign. This new request does not seek additional rights than what was previously granted for a third sign. If a strict application of the Code were applied and this third sign was not allowed; the remaining two detached signs would continue to specifically advertise for particular manufacturers and not promote the auto dealership in general, yet, the City Code allows a total of 550 sq. ft. of detached signage for the site and it would only have 252 sq. ft. of signage, less than half the sign area allowed. Though the Code would allow one 550 sq. ft. sign without a variance, the presence of three smaller detached signs collectively totaling well below 550 sq. ft. is not an unreasonable alternative and allows the continuance of a property right that has been present

at the site.

C. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

- The third sign that was previously located at the site had not posed any threat of injury nor affected the health or safety of persons in the area. This new sign is proposed to utilize the existing sign pedestal of the former sign and would not result in any substantially different level of impact. Since an electronic message center is proposed for the new sign, to ensure that there is not an intensified impact compared to the previous sign, two conditions of approval are recommended:
 - The electronic message center display shall not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
 - The electronic message center shall not display any form of animation, and shall remain static for at least 8 seconds with a transition time no greater than 2 seconds.

Public Notification

Public hearing notification efforts for this request meet the requirement set out by City Code:

- A notice was published in the Casa Grande Dispatch on September 26, 2014.
- A notice was sent to all property owners within 200 ft. of the subject site on May 29, 2014.
- A public hearing sign was posted by the applicant on the subject site before September 29, 2014.

Inquiries/Comments

No inquires or comments have been received.

STAFF RECOMMENDATION

Staff recommends the Board approve DSA-14-00140, the variance requests from Section 603 of the sign code to allow:

- a. Three (3) detached signs where one (1) is permitted
- b. To allow a sign to be 160 ft. from another detached sign where a distance of 300 ft. is required

with the following conditions:

1. The electronic message center display shall not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
2. The electronic message center shall not display any form of animation, and shall remain static for at least 8 seconds with a transition time no greater than 2 seconds.

Exhibits:

- Exhibit A – Minutes from 2002 BOA Variance
- Exhibit B – Former sign permit excerpt & photos of former sign
- Exhibit C – New Sign layout
- Exhibit D – Applicant's Justification Statement

Exhibit A – Minutes from the 2002 BOA Variance

- C. BOA-01-02: Request by Glenn Jones Ford Lincoln Mercury Inc. for a variance from Sections 603.6.a., 603.6.a.1., and 603.6.a.2. of the City Sign Code to allow for a third detached sign and less than 300 hundred feet between detached signs on property located at 1932 N. Pinal Avenue; A.K.A., a portion of Section 17, T6S, R6E, G&SRM, Pinal County, Arizona; APN 504-42-022B.

This is a request by Glenn Jones Ford Lincoln Mercury Inc. for a variance from of Sections 603.6.a., 603.6.a.1., and 603.a.2. of the City Sign Code to allow for a third detached sign and less than 300 hundred feet between detached signs on property located at 1932 N. Pinal Avenue; A.K.A., a portion of Section 17, T6S, R6E, G&SRM, Pinal County, Arizona; APN 504-42-022B.

Sections 603.6.a., 603.6.a.1., and 603.a.2. of the City Sign Code pertain to detached sign requirements in the B-2 Zoning District (and other commercial and industrial zoning districts as well). The zoning designation of the subject property is B-2. Generally, the requirements state that B-2 businesses are allowed one detached sign per each 300 feet of street frontage, provided the signs maintain a 300 foot separation distance.

Currently, the subject property, which has 554 feet± of street frontage, has two detached permitted signs. One sign has Ford, Lincoln, and Mercury brands advertised. The second sign advertises the dealer's other brands. The applicant requests approval to replace the Ford/Lincoln/Mercury sign with a new updated Ford pole sign and add one new monument sign for the Lincoln and Mercury product. There are no plans to remove or modify the other existing detached sign.

According to the applicant, the main reason for this request is Ford Motor Company's desire to update their signs with the new individual blue oval Ford sign. The sign brochure provided states that "Ford's re-imaging project promotes a new and consistent nationwide image for Ford dealers." There are no special conditions or circumstances stated to support this request.

When the Board of Adjustment considers variance requests the applicant must show the following:

- A. That there are special circumstances or conditions applicable to the property referred to in the application, which do not prevail on other property in that zone;
- B. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights; and
- C. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially

detrimental to the public welfare or injurious to property or improvements of the neighborhood.

Staff finds that approval of this request would not create any health or safety concerns, nor would the new signs be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood. It's staff's contention that the new signs are actually aesthetically preferable to the existing Ford/Lincoln/Mercury sign. However, staff also finds that there are no special circumstances or conditions applicable to the subject property which do not prevail on other property in that zone; that the strict application of the subject sign regulations would not work an unnecessary hardship for the applicant; and that the granting of the application is not necessary for the preservation and enjoyment of substantial existing property rights. While it is Ford's preference to change the sign and add a third sign, no special circumstances, special conditions, or hardships are evident. Staff notes that if for some reason all existing brands could not be represented on detached signage, they are still represented by attached signs on the dealership's two buildings.

Furthermore, staff finds that approval of this request could set a undesirable precedent for other property owners to request new signs beyond that allowed by the City's Sign Code simply because it was a corporate or business preference.

Based on the findings stated above, staff recommends denial of this request.

Staff notes that Dave's Collision, an auto body business in Casa Grande, called staff to object to this variance request.

Mike Underwood, Glenn Jones Ford Lincoln Mercury Inc., 1932 N. Pinal Avenue Casa Grande, AZ 85222, came forward to address the Board.

Mr. Underwood stated that Ford Motor Company is removing the Lincoln Mercury sign causing them an economic hardship. It is costing them \$25,000 to make the change Ford is requesting. Mr. Underwood presented signage pictures to the Board. Mr. Underwood believes that refusal to keep the Lincoln Mercury sign is an inadequate market representation.

Mark Eckhoff, Senior Planner, explained that would be a total of three existing detached signs on site: two pole mounted signs and one monument sign. Due to the amount of frontage the site has, the city code limits them to two detached signs.

Mr. Eckhoff stated that the variance is for signage quantity and separation distance.

Member Ramsdell stated that the applicant is well within the sign footage and suggested bringing the two signs closer together.

Mr. Underwood stated that the Lincoln Mercury sign could be relocated and the same height as the Ford Sign.

Mr. Eckhoff stated that placing two signs close together does not create one sign.

Member Collings stated that if the sign is erected off one foundation he would consider that one sign.

Mr. Underwood stated that he believes that they meet the variance requirements and are willing to work with the city.

Senior Planner Eckhoff stated that the Board should give strong findings to avoid the potential of precedence and show that this variance applies only to this property.

Member Martin described how this request would satisfy the variance requirements. The City would be getting rid of an older high pole mounted sign, the large separation from the frontage road to Pinal Avenue is unique, the low monument style sign would be added and this is what the city prefers and this request won't affect the safety of the residents.

The Board discussed their lenience toward a variance due to the fact that the right of way is unique, the local business has no control over Ford Motor Company's request to take down the existing sign, the aesthetics of the new sign and the 55 mph speed limit created more need for visible signage.

Mr. Underwood reported that he discussed this request with Mr. Dave Ellis and he has no objections to this request.

Mr. Collings supports this request because the business has no control over the removal of the sign, which creates a hardship for the business.

Member Martin made a motion to approve BOA-01-02, with the findings as stated above and with the conditions that the applicant work with the City Planning Staff on the exact location of the signs and the size and the height of the new "Ford" sign shall not exceed that of the existing "Ford" sign. Member Swain seconded the motion. The following roll call vote was recorded:

Member Collings	Aye
Member Swain	Aye
Member Ramsdell	Aye
Vice-Chairman Martin	Aye
Chairman Mennenga	Aye

The motion passed 5 – 0.

Exhibit B – Former sign permit excerpt & photos of former sign

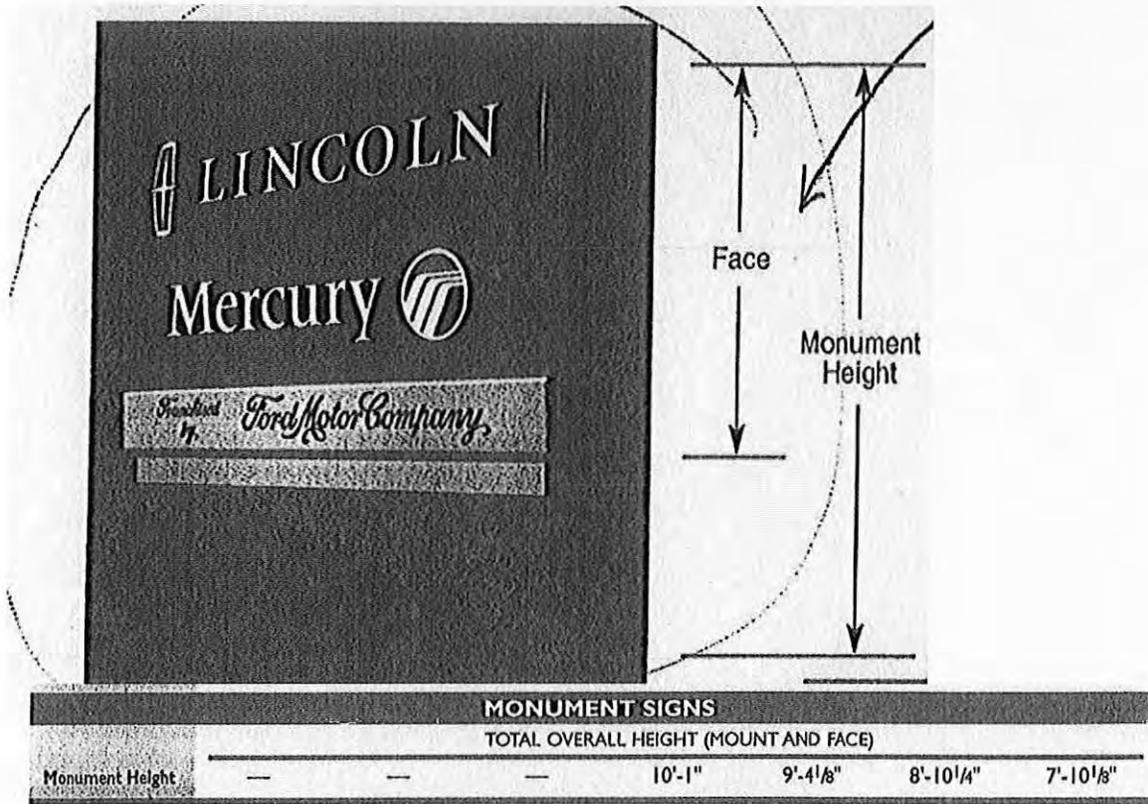


Exhibit C – New Sign Layout

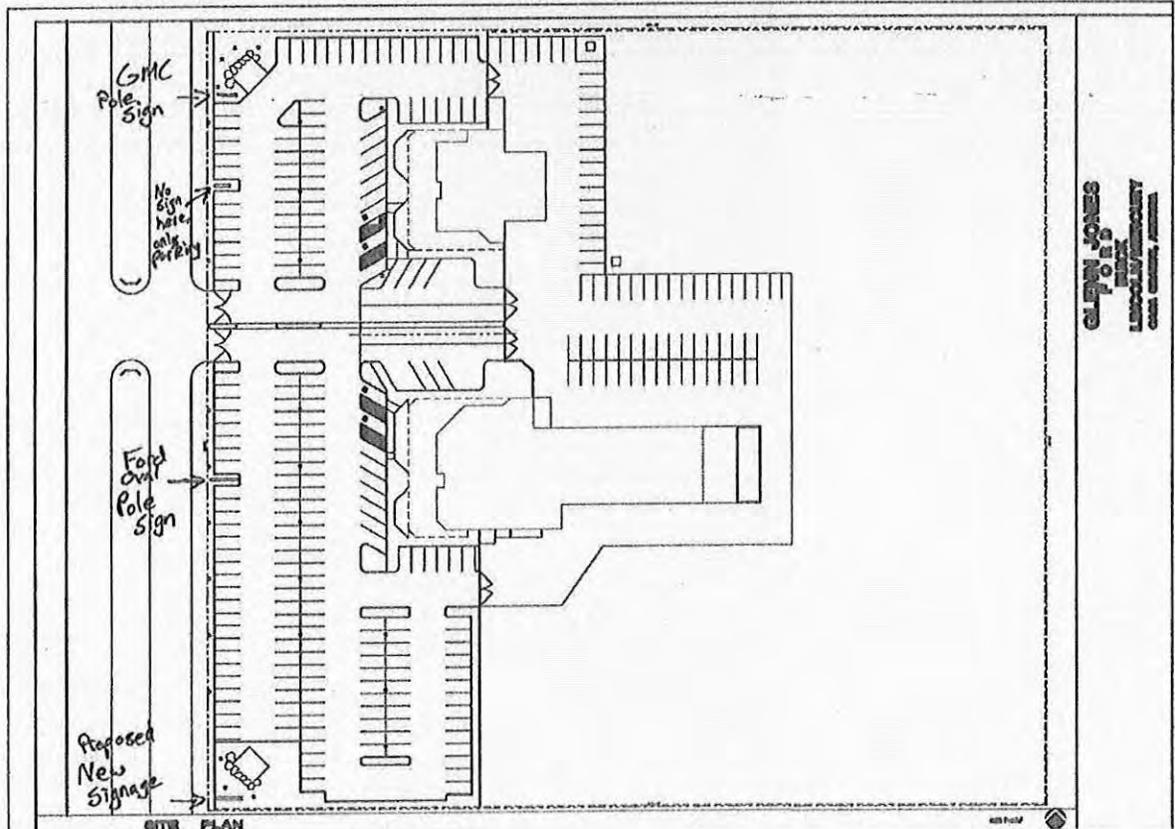
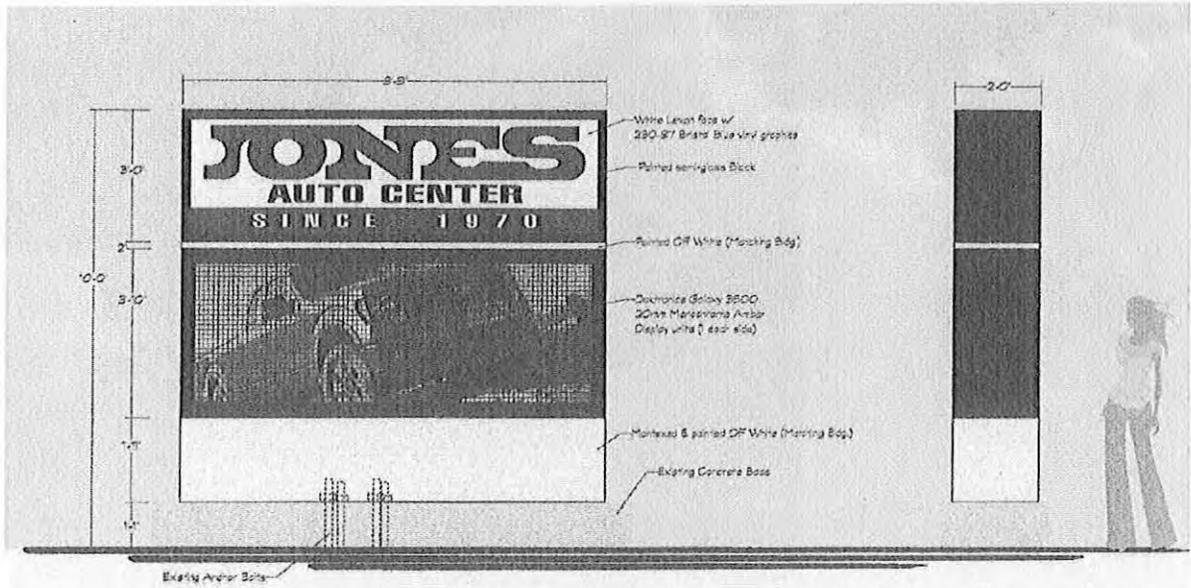


Exhibit D – Applicant's Justification Statement

Applicant Variance Justification – Casa Grande Monument Sign

Special circumstances or conditions are applicable to this parcel but that do not prevail on other B-2 zoned parcels.

This property is distinguished from most parcels that have been designated as B-2 due to a number of special circumstances. The most readily apparent difference is that this parcel does not abut directly to the nearest arterial road, Pinal Avenue; there is a frontage road in front of the parcel that distances it from the main road by over 80 feet. This extra distance makes signage and other methods of on-property advertising and identification substantially less effective than on other B-2 parcels that abut directly to their respective roads and can therefore place signage mere feet from their prospective clientele.

Further, there is a canal median lined with palm trees that separates the above frontage road, and therefore the parcel also, from Pinal Avenue. The trees, chosen and maintained by the city, substantially obstruct line of sight to this parcel from Pinal Avenue. This visual impediment, over which the parcel owner has no control, makes signage and other methods of on-property advertising and identification markedly less effective than similar signage on other B-2 parcels. This visual impairment especially affects wall signage, which makes this variance for a detached sign all the more necessary to allow this parcel to effectively advertise as other B-2 zoned parcels are allowed. Most other B-2 parcels are designed to share a border with the arterial street and can therefore plan and control the landscaping, walls, and any other potential visual obstructions.

Finally, this parcel is substantially larger in acreage than most other B-2 parcels, especially those nearby. Since the signage rule determines the allotted number of detached signs by parcel and not per contiguously-used property grouping, this parcel is entitled to far fewer signs than other B-2 properties have the potential for. See Casa Grande Zoning Section 603.6a(6). By way of example, if the parcels directly adjacent to the subject parcel to the south were used together to create a similar-sized piece of property, that property would be entitled to approximately 6 detached signs which could each be of similar size to those currently in use by the subject parcel.

For the above reasons, the frontage road, the visual obstructions, and the unusual parcel size, this parcel is subject to special circumstances and conditions that do not prevail on other B-2 zoned parcels.

Strict application of the regulations would work an unnecessary hardship and granting this application is necessary for the preservation and enjoyment of substantial existing property rights.

Considering the above explained special circumstances for this parcel, a strict application of the regulations would deny the parcel owner of substantial property rights and work an unnecessary hardship. For example, this parcel would have truncated rights of advertising its presence to the community. The rules regarding signage for land with B-2 zoning were intended to allow a business to adequately advertise its presence, goods, and services. In this case, strict application of the zoning rules would substantially impair those property rights due to the distance from an arterial street and the visual impairment from the palm trees. Granting this variance is necessary for the preservation and enjoyment of the right to advertise the business of the property owner.

Further, property that has been zoned as B-2 is intended to be for low-intensity retail or service outlets which deal directly with the consumer, as described on Casa Grande's official government website. These outlets are intended to provide their goods and services on a community market scale. It is an unnecessary hardship to ask this parcel to meet the demands of providing service on a community market scale and yet impede its ability to market itself to that community with the frontage road buffer and the visual impairments of the median of palm trees that stand in front of the property. This variance would assist in overcoming those difficulties.

In addition, due to the current nature of the car business, for which this parcel has historically been developed and used, the existing signage cannot be altered or added to due to requirements from the two manufacturers. See attached signage and identification lease agreements with Ford and GMC. Therefore, rather than modifying one of the existing two signs, a new sign would be necessary in order for this parcel to place signage that will assist the parcel's business to effectively market its presence and maintain viability as a business. For most parcels, such business agreements do not exist and signage modifications would be a possible resolution. However, this parcel was historically developed as a car dealership and such requirements by manufacturers are now standard practice in the car sales industry. Further, allowing this variance is necessary to allow the parcel to maintain pace with standard practices in the industry so that business and customers, and the resulting sales taxes, stay in town rather than going to Phoenix.

Finally, the current signage limitations, if strictly applied, put the parcel owner's license to conduct business in jeopardy. According to Arizona law, each dealer must have a permanent sign indicating that the dealer is in the business of selling automobiles. In the case of this property, which is unusually large, there are two dealerships, requiring two licenses to do business. Therefore, the parcel owner's licenses may be at risk if it is not allowed to re-construct the prior sign that was on the property as it is believed that Arizona state law requires that the parcel have two signs indicating that the dealer is in the auto sales business. See attached copies of A.R.S. 28-4406 and Licensing Information Page from the ADOT MVD. Considering the distance from the arterial road and the visual obstructions, the property is trapped and without effective recourse as wall signage is less effective and not as easily discernible to passersby. Strict application of these signage restrictions would work an unnecessary hardship on the property and

endanger the property rights of the owner because the local restrictions are at odds with state requirements for this parcel.

Granting the application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

This variance will mean only allowing the replacement of a monument sign, using the same foundation as its predecessor. The prior monument sign was on the premises for several years prior to being removed by a third party. That sign was removed when the agreement with Lincoln expired and the sign was removed without sufficient notice for it to be replaced. Considering the lack of accidents, complaints, injuries or other problems attributed to the prior sign during the years it existed, it is clear that putting a new, similarly-sized sign in its place would not be materially detrimental to the public welfare or injurious to property or neighborhood improvements.

Further, even with the additional sign, the parcel in question would still be well below the maximum sign facing size allowed for the parcel. Considering also that the neighboring parcel to the north also exhibits three detached signs, without a significant difference in the lineal parcel size, this variance would materially injure neither the public welfare nor the improvements of the neighborhood.

Finally, if the variance is allowed, this parcel will be made more able to market itself to the community and keep business and customers from going to Phoenix for the vehicle purchasing and service needs. The intended sign will consist of a portion that is permanent lettering and a portion that would be electronic signage that would change at fixed intervals, to be established in compliance with signage restrictions. Further, this electronic portion would be beneficial to the community, as it would be usable to provide real time alerts to the public regarding impending dangerous weather conditions or Amber alerts. The parcel owner would be willing to display such when requested by appropriate authorities.

As described and demonstrated above, this parcel meets all the requirements for granting a variance of the sort requested.

28-4406 - Sign requirements

Page 1 of 1

28-4406. Sign requirements

A. Each motor vehicle dealer and automotive recycler shall erect and maintain at the entrance to the motor vehicle dealer's or automotive recycler's established place of business a permanent sign indicating that the business of a motor vehicle dealer or automotive recycler is conducted at or from the premises. The sign shall be legible at a distance of at least three hundred feet during daylight.

B. A wholesale motor vehicle dealer or broker shall erect and maintain at the entrance of the wholesale motor vehicle dealer's or broker's principal place of business a permanent sign indicating that the business of a wholesale motor vehicle dealer or broker is conducted at or from the premises.



Board of Adjustment STAFF REPORT

AGENDA

TO: CASA GRANDE BOARD OF ADJUSTMENT

FROM: James Gagliardi, City Planner

MEETING DATE: October 14, 2014

REQUEST

Request by Ben Lee of Water Works Engineers, on behalf of Arizona Water Company for the following land use approval for a new water treatment and equipment within the R-1 zone district at 1300 N Henness Rd (APN # 505-23-002J):

1. **DSA-14-00158: Variance request** from Table 17.20.140 of the City Code to allow:
 - a. A front setback of 10 ft. where 20 ft. is required
 - b. A rear setback 5 ft. where 20 ft. is required
 - c. A side setback of 6.5 ft. where 10 ft. is required from the south-side property line.

APPLICANT/OWNER

Ben Lee, Water Works Engineers
7580 N Dobson Rd #200
Scottsdale, AZ 85256
Phone: 480-661-1742 X112
Email: benl@wwengineers.com

Arizona Water Company
3805 N Black Canyon Hwy
Phoenix, AZ 85015
Phone: 602-240-6860
Email: jwilson@azwater.com

HISTORY

October 2, 1989: The site was annexed into the City limits of Casa Grande with Ordinance No. 1178.18 known as the "I-194 Ordinance" and subsequently zoned UR.

May 5, 2005: Conditional Use Permit and Site Plan approved (CGPZ-088-005) by the Planning & Zoning Commission for the allowance of a well site and arsenic treatment facility upon a UR-zoned property.

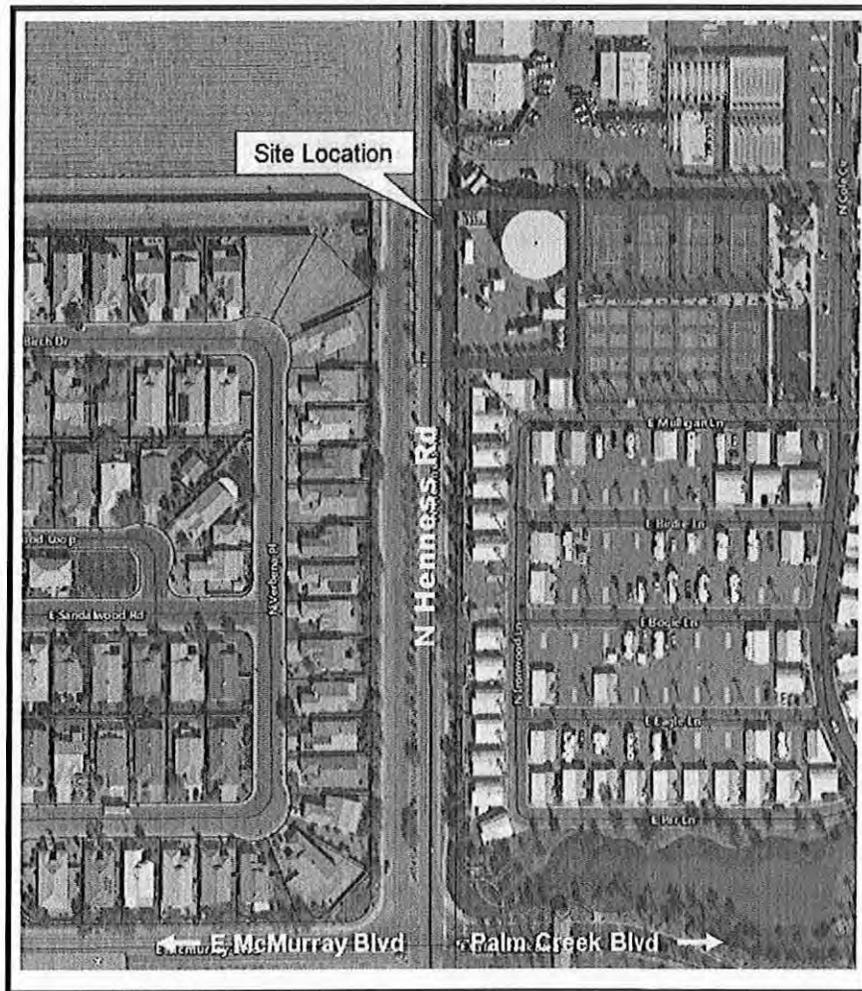
May 10, 2005: Variance approved by the Board of Adjustment (BOA-01-005) allowing for an 8 ft. rear yard and 8 ft. side yard setback where 50 ft. is required to accommodate the facility.

October 6, 2014: 1st Reading of Ordinance by City Council approving a zone change from UR (Urban Ranch) to R-1 (Single-family residential) (DSA-14-00116)

Surrounding Land Use and Zoning

Direction	General Plan Designation	Existing Zoning	Current Uses
North	<i>Neighborhoods</i>	PAD – Palm Creek	Manufactured housing
South	<i>Neighborhoods</i>	PAD – Palm Creek	Manufactured housing
East	<i>Neighborhoods</i>	PAD – Palm Creek	Manufactured housing
West	<i>Neighborhoods</i>	R-2 (multi-family residential)	Single family residences

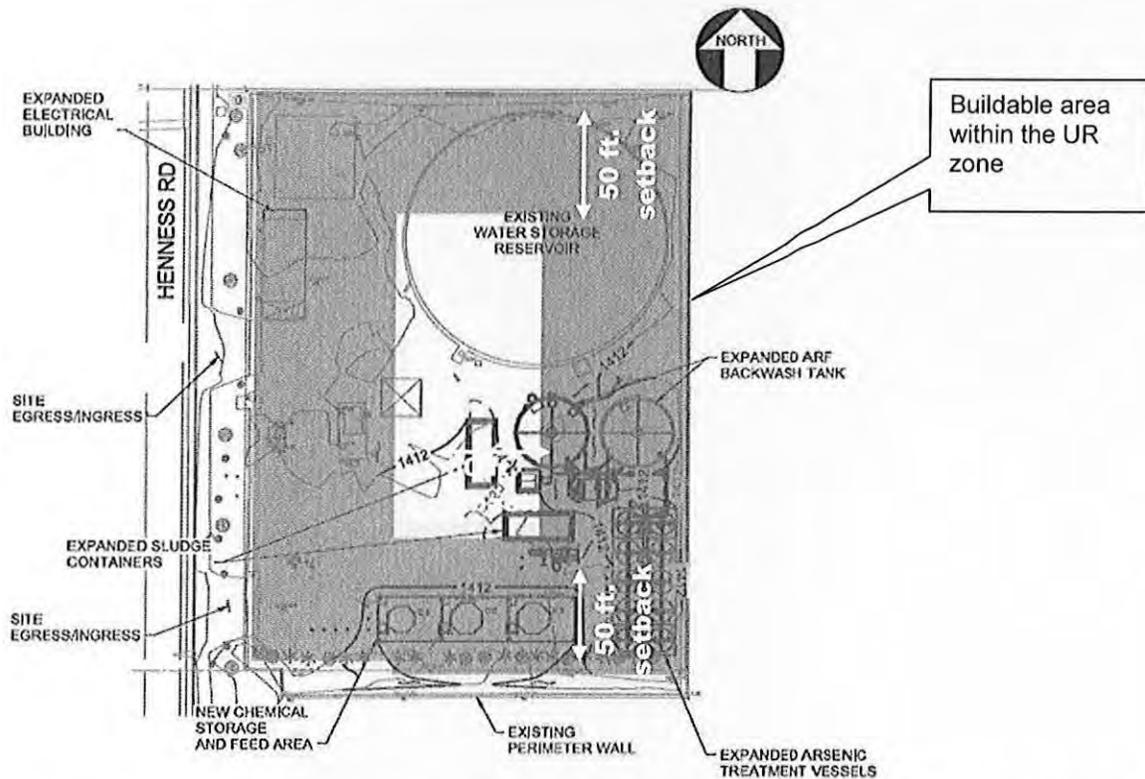
Aerial of the site:



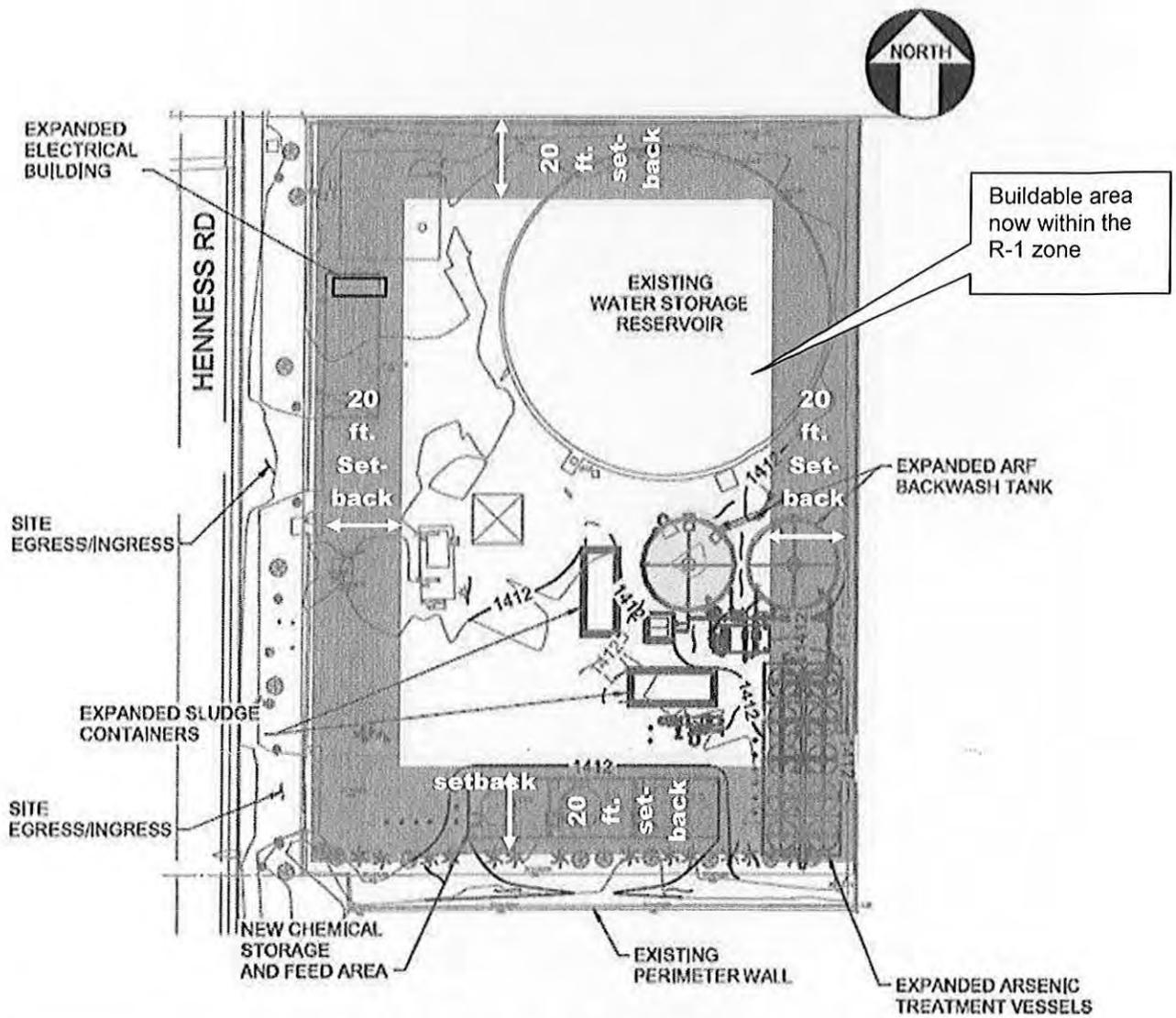
Overview

This Arizona Water Company site has been in operation since 1980, prior to annexation into the City of Casa Grande. In addition to a well, the property consists of an arsenic removal facility, water storage reservoir, and a booster pump station. In 2005, the site received a Conditional Use Permit for additional equipment. This equipment required a variance to the setbacks, which was subsequently approved by the Board of Adjustment (Exhibit A), modifying the site plan associated with the Conditional Use Permit (Exhibit B). As an UR-zoned property, 50 ft. setbacks are required from structures to all property lines for conditionally permitted uses. The variance granted in 2005 approved an 8 ft. rear yard setback and an 8 ft. south side yard setback for the placement of the particular equipment proposed.

Arizona Water Company requests to expand the arsenic removal facility to increase treatment capacity to meet water supply demands of the community as further described in the applicant's justification statement (Exhibit C). The location for the additional equipment proposes a ten (10) ft. setback from the front property line, a five (5) ft. setback from the rear property line, and a 6.5 ft. setback from the south property line. The heights of that equipment that will be encroaching into the 20 ft. setback vary between 13 ft.-17 ft. but no taller than existing structures already on the site. As an UR-zoned property, this was especially problematic because many of the existing structures encroach into the required setbacks, and the new proposed equipment would require a substantial variance request from the 50 ft. required setback.



Staff advised the applicant to seek a zone change to R1. Development standards of an R-1 zone are more appropriate for the existing site and its land area, making this site more conforming to City Code. R-1 is also less restrictive with regard to setbacks for conditionally approved uses. Within the R-1 zone, 20 ft. is the required setback from the front, rear, and side property lines. Planning & Zoning heard the zone change request and forwarded a recommendation to City Council to approve the rezone at its September 4, 2014 hearing (Exhibit D). Upon first reading on October 6, 2014, City Council approved of the zone change, officially to be adopted into ordinance November 18. Though variances are still needed to accommodate the proposed equipment, the pursuit of a zone change demonstrates that all possible recourse has been taken by the applicant to comply with City Code. Should the variance requests be approved by the Board of Adjustment, a Major Site Plan amendment will be submitted for consideration by Planning Commission (Exhibit E).



CONFORMANCE WITH THE VARIANCE CRITERIA

In reviewing a Variance request, the Board of Adjustment shall find that the request satisfies the considerations listed below per Section 17.54 of the City Code.

The applicant has provided justification for the variance criteria as provided in their justification statement (Exhibit C).

A. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone;

- The use of the property is quite different from other properties within the same zone district. As a well site, and more specifically an arsenic

treatment facility for the City's water supply, the particular placement of additional equipment is necessary for the proper functioning of the site.

- The proposed additions are not any closer to the property lines than the site's existing equipment, except the particular footprints of that which was approved is now being elongated. There will now be more equipment the same distance to property lines as the formerly approved and existing equipment. For the same reasons the variance was necessary in 2005, a variance is needed now. However, the added effort of the changing the zone district, makes the site more conforming and lessens the degree of the variances being requested.

B. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights

- The existing conditional use affords the applicant to operate the property as a water facility and enables the removal of arsenic out of the water supply. If a strict application of the 20 ft. requirement were to apply, the purpose of the conditional use would be negated because the property could not function as a water treatment facility. It would deny applicant reasonable use of the land.
- In addition to the granted conditional use permit, this property and much of its inherent property rights were provided to it prior to City annexation. The applicant has taken all possible steps to comply with the City's development standards for the expansion of the site by proposing the placement of additional equipment no closer to the property lines than the site's existing equipment. The site is now in a zone district with the least restrictive setbacks for this use, yet still restricts the applicant. A variance is the only alternative.

C. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

- The area is bordered by a principal arterial road to the west, and the Palm Creek RV Park to the north, east, and south. There is an eight-foot wall that provides screening and a barrier between the uses and structures of the well site and Palm Creek. To the north and east of the site are Palm Creek's maintenance facility and tennis courts. There are not particular compatibility issues from those two directions.

The biggest area of concern is to the south of the well site, where there are leased plots for seasonal residents of Palm Creek. Necessary steps were already taken in 2005, however, when the previous variance was granted. To alleviate the impact that the equipment could have on the adjacent resident's

enjoyment of their space, a condition of approval was that the wall be constructed and that palm trees be planted with trunks as tall as the wall. Further steps were taken at that time to provide additional screening by planting evergreens in addition to the palm trees. This serves as added benefit because as the palm trees grew, their canopies became much taller than the wall; therefore they no longer specifically screen the site. The stoutness of the evergreens, however, sufficiently buffers the well site from the RV park. There will not be any increased noise intensity as a result of the additional equipment. In 2005 when the first variance was granted, the noise was compared to a vacuum. A condition of approval that is recommended to be carried forward from the 2005 approval is that if there is any noise beyond the limits of the enclosed site, the City, with the cooperation of the applicant, shall determine the most suitable noise mitigation to be implemented by the applicant.

- The existing wall that provides buffer from well site property and the leased RV spaces to the south is approximately 9 ft. beyond the south property line. Therefore, perceptively, this is 9 ft. of land that serves as additional spatial buffer where no structures can be placed, as the setbacks are based on the property line, not the wall itself.

Public Notification

Public hearing notification efforts for this request meet the requirement set out by City Code:

- A notice was published in the Casa Grande Dispatch on September 26, 2014.
- A notice was sent to all property owners within 200 ft. of the subject site on May 29, 2014.
- A public hearing sign was posted by the applicant on the subject site before September 29, 2014.

Inquiries/Comments

No inquires or comments have been received. Staff contacted Palm Creek's management to discuss this project with them to assess if any further outreach or steps would be preferred. Palm Creek management thanked staff for the notification but has not followed up with any additional response. Should the variance application be approved, the next step would be to obtain Major Site Plan approval in front of the Planning and Zoning Commission. Further notification will occur prior to that hearing.

STAFF RECOMMENDATION

Staff recommends the Board approve DSA-14-00158, the variance requests from Table 17.20.140 to allow:

- a. A front setback of 10 ft. where 20 ft. is required
- b. A rear setback 5 ft. where 20 ft. is required
- c. A side setback of 6.5 ft. where 10 ft. is required from the south-side property line.
- d.

with the following conditions:

1. This variance is for relief of setbacks from R-1 development standards, to become enacted by ordinance on November 18, 2014. If this property does not become R-1 zoned by ordinance, a new variance request shall be required to seek relief to setbacks within the UR zone.
2. If the equipment makes noise beyond the limits of the enclosed site, the City, with the cooperation of the applicant, shall determine the most suitable noise mitigation to be implemented by the applicant.

Exhibits:

Exhibit A – Minutes from 2005 BOA Variance

Exhibit B – 2005 site plan

Exhibit C – Applicant's justification statement

Exhibit D – Planning Commission Minutes regarding zone change

Exhibit E – New site plan

Exhibit A – Minutes from the 2005 BOA Variance

BOA Minutes
5-10-05
Page 2 of 5

BOA-01-05: Variance request for 8' setbacks along the rear and side yard property line (42' variance) by Arizona Water Company to construct a well site and arsenic treatment facility located at 1300 N. Henness Road, a portion of Section 23, T6S, R6E, G&SRM, Pinal County, Arizona, APN 505-23-002J.

Rick Miller, Planning and Development Director, gave an overview of this case as stated in Staff's report.

Surrounding properties are zoned and developed as follows:

Location	Zoning	Current Use
North	PAD Planned Area Development	Palm Creek RV Park and Golf Resort
South	PAD Planned Area Development	Palm Creek RV Park and Golf Resort
West	PAD Planned Area Development	Villa de Jardines Retirement Community
East	PAD Planned Area Development	Palm Creek Golf and RV Resort

Federal mandates have tightened the standards for water quality with respect to treatment for arsenic. The Arizona Water Company is submitting this request for a variance to allow for the construction of an arsenic treatment facility in the Henness Road well site location. The attached plans show the location of the arsenic treatment equipment and the proposed water tank that is necessary for complying with the federal water quality requirements.

The site is adjacent to the Palm Creek Golf and RV Resort's golf maintenance facility and wood shop to the north, tennis courts to the east and RV spaces to the south. The site has access entirely off of Henness Road. The treatment facility will serve to treat several other Arizona Water Company production wells. The facility represents a public health benefit by reducing a known carcinogen in the drinking water supply.

The site is zoned UR (Urban Ranch). This zoning district requires a 50' setback for conditional or accessory use structures. Surrounding property is zoned PAD allowing for a higher density recreational vehicle park and a small lot age restricted community. The 42' variance seems excessive, however, this facility could be rezoned to low density residential and the setback variance would be reduced to 12'.

The variance request is supported by City staff due to the existing well site restricted size and the federal clean water mandate that requires a reduction in the arsenic levels in our drinking water. The Planning and Zoning Commission reviewed this facility on May 5th and recommended approval of a conditional use permit subject to several conditions that will mitigate the visual impact of the well site facilities on adjacent uses.

Staff has not received written or verbal opposition to the variance request as of the date of this staff report.

Staff recommends approval of the variance as requested.

James Wilson, Senior Engineer, Arizona Water Company, P.O. Box 29006, Phoenix, AZ 85038-9006 distributed information regarding the facility and the process to the Board.

Presiding Chairman Martin questioned whether the property owners within Palm Creek were notified of this request.

Mr. Wilson informed the Board that he did not know if the residents were aware of this request.

Mr. Miller informed the Board that the City sends notification to the property owner.

Member Collings questioned whether the largest tank could be relocated north of the chlorination tanks.

Mr. Wilson agreed that the unit could be relocated.

Member Hennessey questioned the noise and whether the pumps run simultaneously.

Mr. Willson informed the Board that the pumps can run simultaneously and the noise compares to a vacuum. Mr. Wilson stated that the operation of the pumps could be set to a timer.

The Board discussed buffering, location of equipment, service and relocation of the tanks.

Presiding Chairman Martin stated that he would vote in favor of this request since the applicant agreed to move the largest tank north of the chlorination tanks.

Member Hennessey stated her concern that the residents in Palm Creek were not notified of this request.

Member Collings made a motion to approve this request with relocating the 20' tank north of the chlorination tanks and meeting the 8' foot setbacks as stated in the variance request. Member Swain seconded the motion. The following roll call vote was taken:

Member Hennessey	Nay
Member Collings	Aye
Member Swain	Aye

Presiding Chairman Martin Aye

The motion failed 3 – 1.

In response to Member Collings question, Mr. Miller informed the Board that if the property was zoned commercial, the Arizona Water Company would still have the same issues.

Member Hennessey stated that her concern is the limited space for the facility.

Mr. Kevin Pakta, Arizona Water Company, informed the Board that this is the biggest site that they have available.

Mr. James Wilson conveyed that the facility needs to be in place by January 2006.

The Board discussed the federal mandate, timing and locations.

Mr. Miller conveyed that this request is a hardship imposed by a Federal mandate.

Member Martin suggested that the applicant add a couple of feet to the height of the south wall, as well as landscaping to hide the view of facility to the residents of the RV Park.

Mr. Miller suggested adding palm trees with palm frawns, whereas the trunk height would be equal to the height of the wall and placed 6' feet on center along the interior of the south wall.

Member Hennessey conveyed that she would be willing to vote in favor of this request with the latest suggestions.

Mr. Wilson stated that they would be in agreement with the suggestions.

Member Collings made a motion to approve BOA-1-05, including the relocation of the tank, meeting the 8' setbacks and adding a condition:

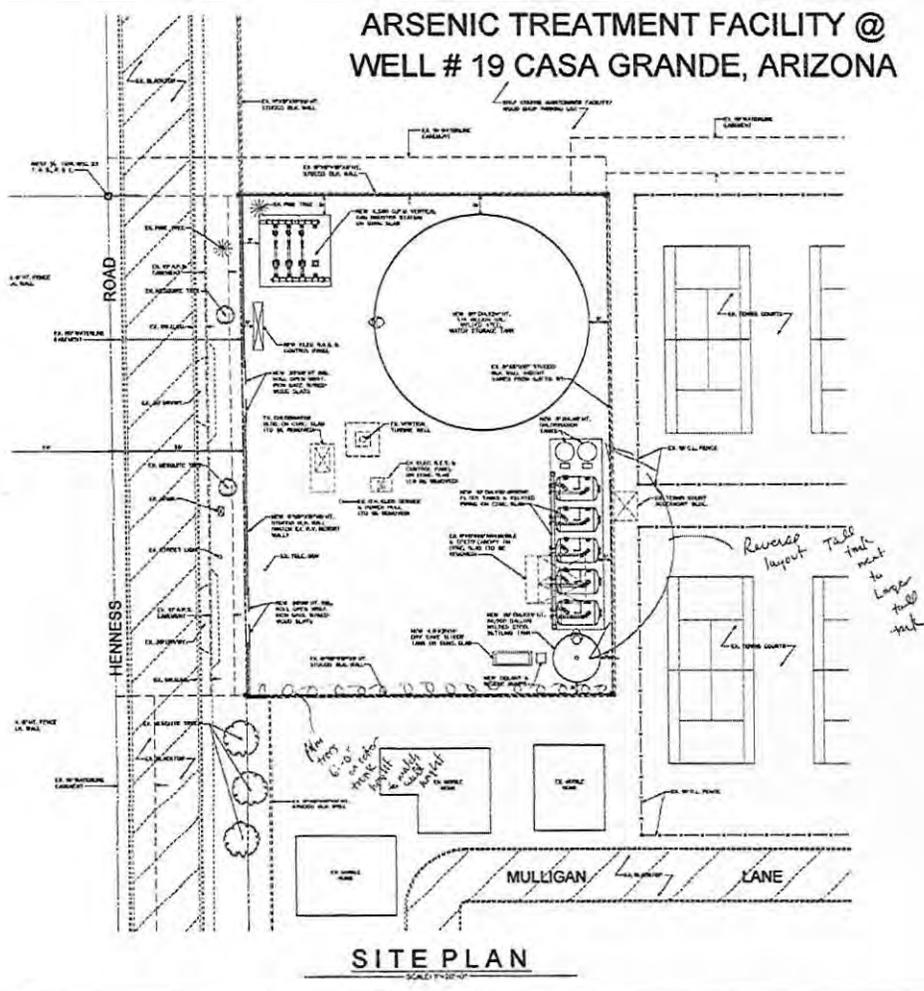
1. The applicant shall install Palm Trees with a trunk height of 8' feet along the interior south property wall with 6' spacing between trees.

Member Swain seconded the motion. The following roll call vote was taken:

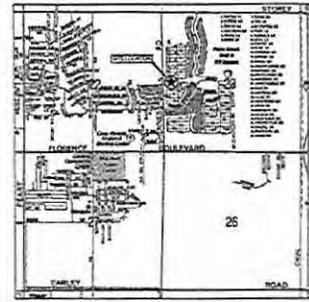
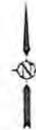
Member Hennessey	Aye
Member Collings	Aye
Member Swain	Aye
Presiding Chairman Martin	Aye

The motion passed 4 – 0.

ARSENIC TREATMENT FACILITY @ WELL # 19 CASA GRANDE, ARIZONA



SITE PLAN
SCALE 1"=20'-0"



SITE LOCATION
N.T.S.

OWNER/DEVELOPER/ENGINEER
ARIZONA WATER COMPANY
POST OFFICE BOX 29006
PHOENIX, AZ 85068-0006
VOICE (602) 248-4000 FAX (602) 248-0678
CONTACT: JAMES WELSON

SITE ADDRESS
1300 N. HENNESS ROAD
CASA GRANDE, ARIZONA

LEGAL DESCRIPTION
THE NORTH 208.71 FEET OF THE WEST 208.71 FEET OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 6 SOUTH, RANGE 8 EAST, G1A AND SALT RIVER BASIN AND MERIDIAN, IN PINAL COUNTY, ARIZONA.
EXCEPT THE WEST 55 FEET OF THE ABOVE DESCRIBED PARCELS OF LAND.

SITE STATISTICS
A.P.N. 100-22-0023
ZONING: UR
SITE AREA: 0.736 ACRES (32,081 SQ. FT.)
TOTAL STORAGE TANK AREA: 6,678 SQ. FT.
LANDSCAPE AREA: 2,970 SQ. FT.

COMPLIANCE AGENCIES
ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

- LEGEND**
- ⊙ PROPERTY CORNER
 - STREET CENTERLINE/MONUMENT LINE
 - RIGHT-OF-WAY LINE
 - PROPERTY LINE

ARIZONA WATER COMPANY	
3600 N. BLACK CANYON HWY. POST OFFICE BOX 29006 PHOENIX, ARIZONA 85028-0006 PH: (602) 248-0000	
PROJECT: CONSTRUCT AN ARSENIC TREATMENT FACILITY @ WELL # 19 IN CASA GRANDE, ARIZONA. NO. 13-2785 CITY: CASA GRANDE SUBDIVISION: 20W14 SEC.23 - T.6S. R.8E. DATE: 04/22/05 DRAWN BY: JPK CHECKED BY: ASH/SMH SHEET 1 OF 2	The above information is to be included in accordance with the Arizona Water Company standard specifications and the rules of the Arizona Department of Environmental Quality. CG-933
FOR WATER ONLY	

Exhibit B – 2005 Site Plan

Exhibit C – Applicant's justification statement

Variance Justification Criteria and Response

The City's zoning ordinance paragraph 17.54.040 requires an applicant seeking variance to development ordinance(s) (e.g. setbacks) to present a statement and adequate evidence in such form as the board may require for the purpose of showing:

A. *That there are special circumstances or conditions applicable to the property referred to in the application which does not prevail on other property in that zone;*

Title 17 of the Casa Grande City Code defines the requirements of various zoning categories, along with principally, conditionally, and permitted accessory uses. The Site is a water production facility that includes a groundwater well, ARF, storage reservoir, a booster pump station and ancillary equipment. As shown in Table 17.16.030 A of the City code, "Water pump station(s)" and "Water tower(s)" are conditionally allowed in residential zones.

The site has been in continuous operation since 1980, and, prior to 2005, operated under the nonconforming use clause (17.64). In 2005, a conditional use permit and variance was granted to allow construction of the ARF, storage reservoir, a booster pump station and ancillary equipment. A setback variance was granted as the UR setback requirements (50' from on front, side and rear 'yard' for all conditional use structures) would have severely reduced the useable space and the Company's use of the property.

The Company must increase water production at the site to maintain a safe and reliable supply of drinking water to satisfy the community's growing water demand. The Company is currently in the design process to expand the ARF capacity to satisfy the community's growing water demand. The ARF expansion is consistent with the use of the site as a water production facility since 1980, and is

consistent with the conditional use and variance granted in 2005. The new equipment proposed by this project is no closer to the property line than the existing equipment already installed under the previous conditional use permit and setback variance.

The setbacks required under Zone R-1 were established with the residential uses specifically in mind. This facility, while in a residential zone, is not a single family dwelling and has already been given a conditional use permit as a water production facility. Therefore, the use of this property is unique and the setbacks that should be applied differ from those that prevail on other residential properties in the same zone.

Exhibit 2 shows the expanded ARF vessels, located near the southeast corner of the property, with a minimum 5 ft setback from the east property line and a minimum 6.5 ft setback from the southern property line. The setbacks are consistent with minimum setback requirements previously approved for the existing ARF vessels. Exhibit 2 also shows the electrical building expansion, located near the northwest corner of the property, with a minimum 10 ft setback. The 10 ft setback is consistent with minimum setback requirement previously approved for the electrical building.

As indicated, the Site's use remains unchanged with the ARF expansion. The proposed expansion has maintained the previously approved setback requirements for the existing equipment.

- B. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights;**

The existing Zoning Code, as written, does not have a specific zone for water production facilities. Instead, it grants conditional use to water production facilities in any of the residential zones. Therefore, no setback requirements specific to water production facilities have been considered. In order to preserve the use of the existing site as a water production facility for Arizona Water Company to provide safe, reliable and adequate water supply, a variance to the residential setback requirements should be granted. Any other determination would be an unnecessary hardship on Arizona Water Company and the residents of Casa Grande.

- C. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.**

The granting of the application will not affect the health or safety of the neighbors or neighborhood. As stated previously, the proposed work is consistent with the existing conditional use permit and variance already granted. All work proposed will occur within the currently approved variance setback requirements.

Exhibit D – Planning Commission Minutes regarding zone change

A. Request by Ben Lee of Water Works Engineers, on behalf of Arizona Water Company for the following land use approval at 1300 N Henness Rd (APN # 505-23-002J):

- 1. DSA-14-00116: Zone Change from Urban Ranch (UR) to R-1 (single-family residential) to allow for reduced setback requirements to help accommodate a forthcoming proposal for placement of new treatment equipment and tank.**

Mr. Gagliardi, Planner, came forward and presented a brief overview of the case as stated in the Staff Report. Mr. Gagliardi stated the site is located next to Palm Creek RV Resort on the east side of Henness Road. The request is to change the zoning from Urban Ranch (UR) to Single-Family Residential (R-1), which will help legitimize the existing site conditions, by allowing a reduction in the set-backs. Mr. Gagliardi noted the existing facility has received Variance approvals from the Board of Adjustment for what is presently located on the site. No public comments were received.

Vice-Chairman Henderson questioned if this request was discussed with Palm Creek.

Mr. Gagliardi replied that the Manager of Palm Creek was notified. The Manager indicated to staff that he wanted to speak with the owners before commenting, but staff has not been contacted. Mr. Gagliardi noted that the applicant will be submitting a request for a Variance and a Major Site Plan, and staff has recommended the applicant meet with representatives of Palm Creek RV Resort to ensure that any impact the additional tank and equipment might have on the adjacent residences are mitigated as much as possible.

Member Lynch questioned if there has been any complaint from the residents of Palm Creek regarding noise or odor from the existing facility.

Mr. Gagliardi noted the east side of the facility is bordered by the tennis courts and the north side is adjacent to Palm Creek's maintenance shop. He did state the facility emits a very low sound volume. Mr. Gagliardi stated the primary concern is the two abutting spaces to the south of the facility. Currently the area is bordered by trees and a wall, but the addition of the treatment facility will be a concern and staff is waiting to hear from Palm Creek. He noted that through the Variance and Major Site Plan process staff will look at ways to mitigate any adverse impact the new equipment might have to the areas to the south.

Vice-Chairman Henderson called the applicant to come forward.

James Wilson, 3805 N. Black Canyon Hwy, Phoenix, Sr. Engineer with Arizona Water Company, came forward to address the Commission. Mr. Wilson thanked staff. He then stated their goal is to expand the facility to meet the increased demands for water.

The height of the addition will not increase and there will not be any additional site visits or noise associated with the expansion.

Vice-Chairman Henderson asked if this site is for arsenic removal, and if it is done site by site.

Mr. Wilson replied that this site is the centralized location for arsenic removal.

Vice-Chairman Henderson made a call to the public; no one came forward.

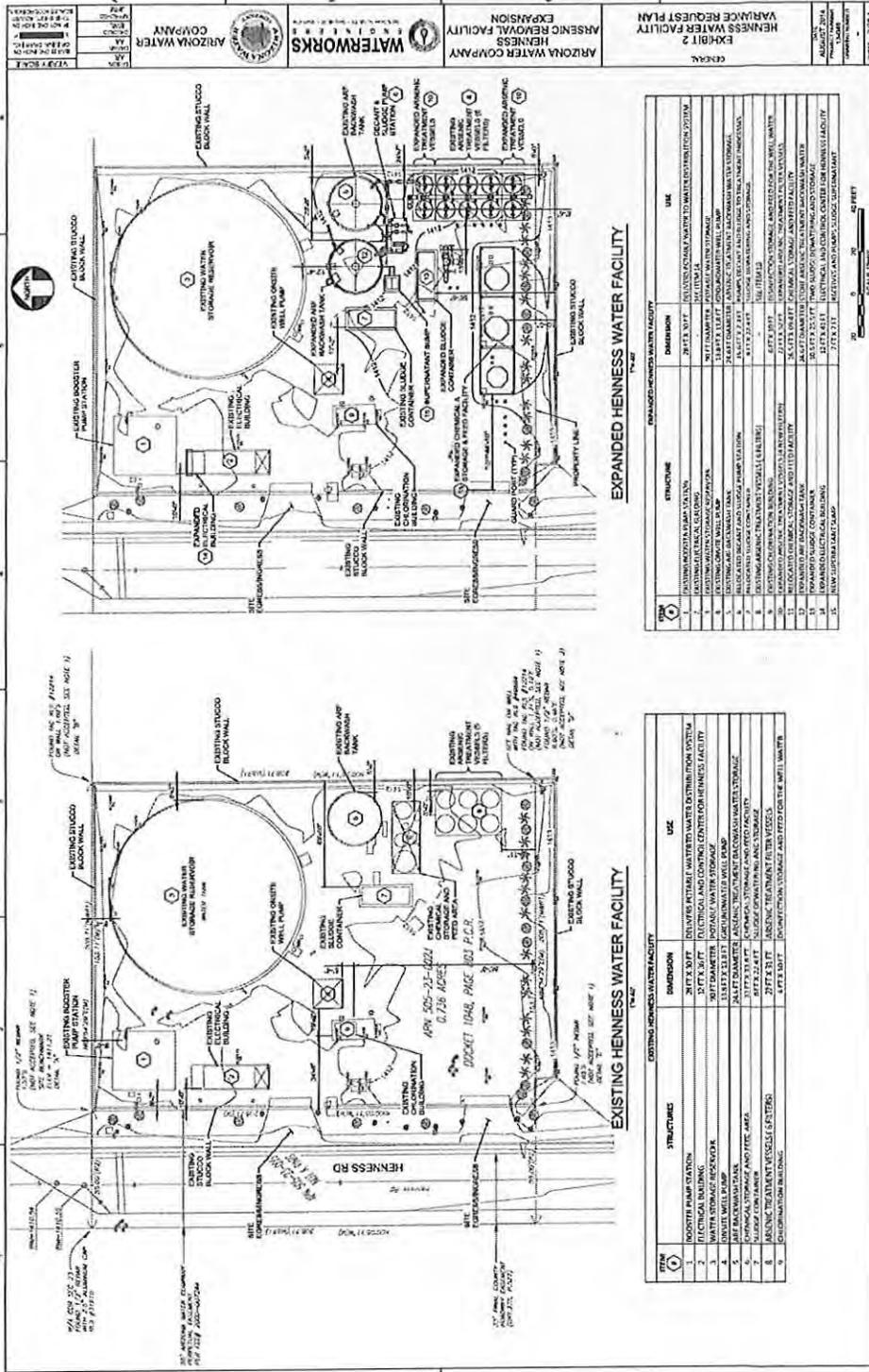
Member Tucker made a motion to forward a favorable recommendation to the City Council regarding DSA-14-00116, Zone Change from Urban Ranch (UR) to Single-Family Residential (R-1). Member Benedict seconded the motion.

The following roll call vote was recorded:

Member Gentzkow	Aye
Member Tucker	Aye
Member Lynch	Aye
Member Benedict	Aye
Vice-Chairman Henderson	Aye

The motion passed 5 – 0.

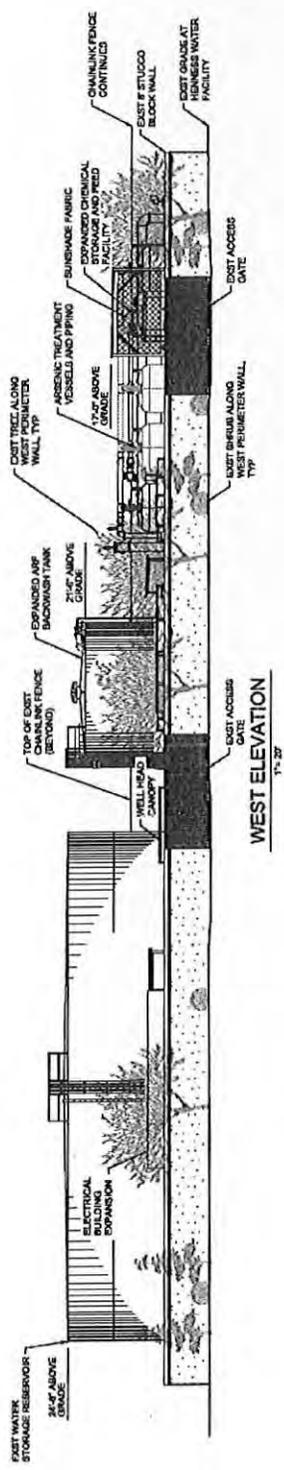
Exhibit E – New Site Plan



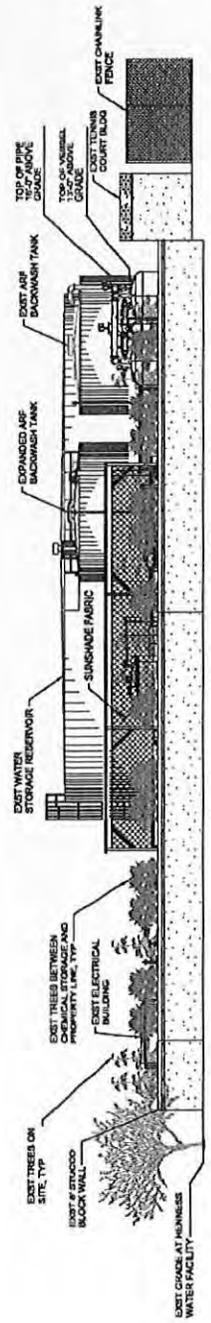
ITEM #	STRUCTURE	DESCRIPTION	USE
1	INDUSTRIAL PUMP STATION	317 X 317 FT	DELIVER WATER TO WATER DISTRIBUTION SYSTEM
2	ELECTRICAL BUILDING	317 X 317 FT	ELECTRICAL AND CONTROL CENTER FOR HENNESS FACILITY
3	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
4	INDUSTRIAL PUMP	15.87 X 23.81 FT	GROUNDWATER WELL PUMP
5	ELECTRICAL BUILDING	317 X 317 FT	ELECTRICAL AND CONTROL CENTER FOR HENNESS FACILITY
6	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
7	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
8	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
9	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
10	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
11	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
12	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
13	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
14	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE
15	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE

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15	WATER STORAGE RESERVOIR	30 FT DIAMETER	INDUSTRIAL WATER STORAGE

ARIZONA WATER COMPANY
WATERWORKS
HENNESS WATER FACILITY
EXPANDED HENNESS WATER FACILITY



WEST ELEVATION
1/4" = 1'-0"



SOUTH ELEVATION
1/4" = 1'-0"



Board of Adjustment STAFF REPORT

AGENDA

TO: CASA GRANDE BOARD OF ADJUSTMENT

FROM: Laura Blakeman, City Planner

MEETING DATE: October 14, 2014

REQUEST

Request by Reliant Land Services for the following land use request for a 70 foot tall wireless communication tower located at 517 N. Colorado Street; APN 505-30-003C:

1. DSA-14-00166: Variance request from Section 17.68.120B.7a, to allow a 70 foot tall Wireless Telecommunications Tower to be 67.6 feet from the west property line where 70 feet is required, and 47.6 feet from the south property line where 70 feet is required.

APPLICANT/OWNER

David Ullrich
Reliant Land Services
7201 E. Camelback Road
Scottsdale, AZ 85251
P: 480-266-8753
Email: david.ullrich@rlsusa.com

Houghton Acquisition Co. LLC
14241 Dallas Parkway #350
Dallas, TX 75254
P: 520-350-9483

HISTORY

April 21, 1968: DSA-10-00136: The site was annexed into the city limits by Ordinance #340.

November 16, 1987: The site received official zoning of R-3 (Multi-family Residential) with the adoption of the Zoning Ordinance and map.

November 20, 1995: The site received a zone change from R-3 (Multi-family Residential) to B-2 (General Business) with Ordinance 1178.59.1.

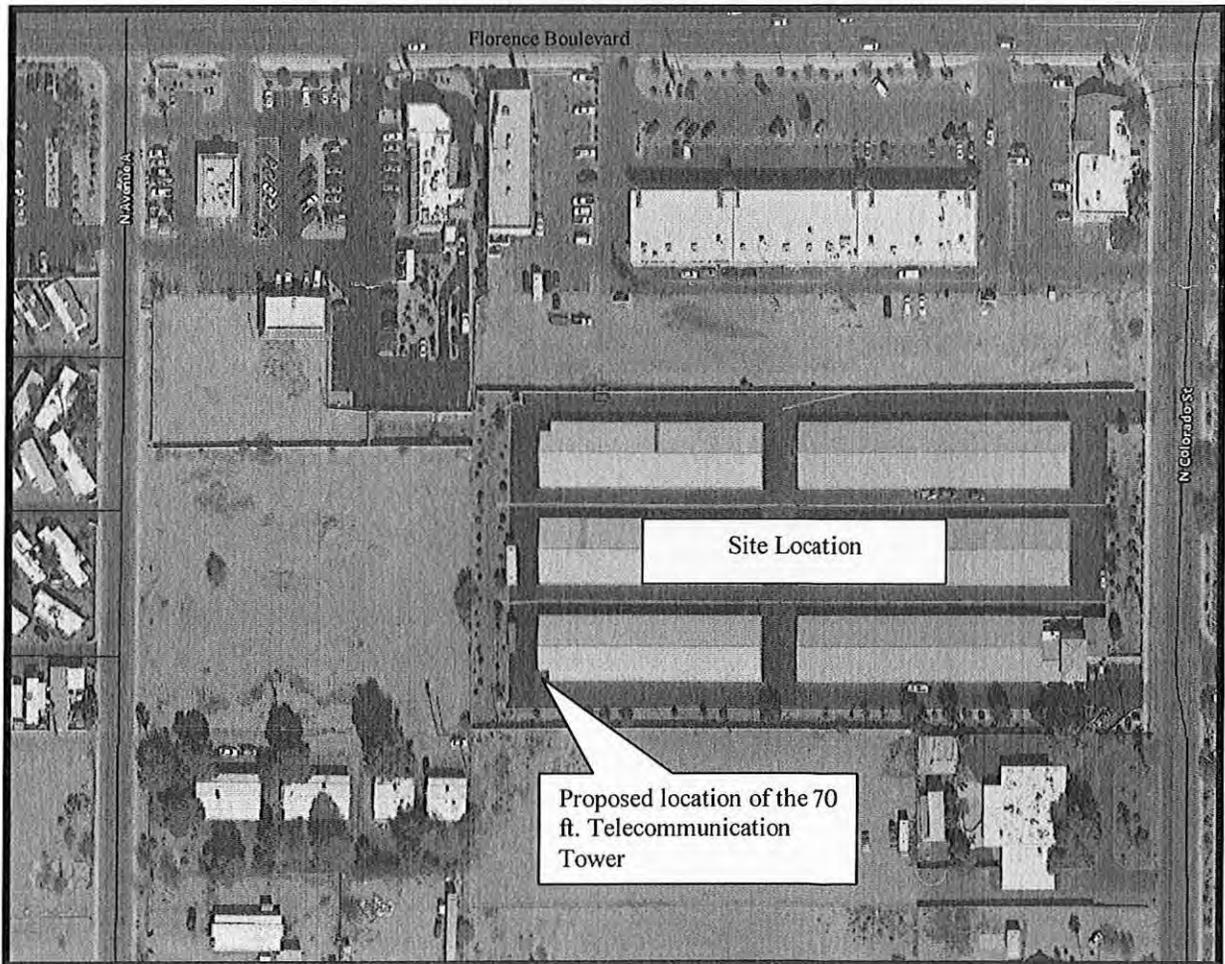
July 15, 1996: CGPZ-19/20/21-96/Ordinance 1178.76: The site received a Zone Change from B-2 (General Business) to B-4 (Community Service), Conditional Use Permit and a Major Site Plan for a mini-warehouse

facility.

Surrounding Area Land Use and Zoning

Direction	General Plan Designation	Existing Zoning	Current Uses
North	Community Center	B-2 (General Business)	Manana Grande Commercial Center
South	Neighborhoods	UR (Urban Ranch)	Vacant land, Residential home
East	Community Center	B-2 (General Business)	Tri-Valley Plaza
West	Community Center	B-2 (General Business), UR (Urban Ranch)	Vacant Land

Aerial of the site:



Overview

T-Mobile is requesting to construct a new Wireless Telecommunication Facility located at 517 N. Colorado Street. The site is located with the Securlock mini-storage facility. The tower is proposed to be located at the southwest corner of the storage facility. The request consists of the development of a new 70 foot tall stealth Palm Tree tower within a 10' x 30' lease area. The majority of the equipment will be located in the adjacent storage unit (See Exhibit B).

The variance request is to allow the proposed 70 foot tall Wireless Telecommunications Tower to be 67.6 feet from the west property line where 70 feet is required, and 47.6 feet from the south property line where 70 feet is required.

According to City Code Section 17.68.120.B.7.a:

The setback requirements shall be thirty-five feet from any property line, plus an additional one foot for every foot of height above thirty-five feet.

The variance is being requested because the applicant cannot place a wireless telecommunications tower on the lot and meet the City's setback requirements in regards to the west and south property lines (see Exhibit A).

According to City Code 17.54.010, the Board of Adjustment may allow a departure from the terms of these zoning regulations pertaining to height or width of structures or the size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the action of the applicant, the literal enforcement of this title would deprive the owner of the reasonable use of the land and/or building involved.

If the variance is granted, the applicant will need to apply for a Conditional Use Permit and Major Site Plan to address the review criteria for wireless telecommunications facilities.

CONFORMANCE WITH THE VARIANCE CRITERIA:
--

The Board, in reviewing a Variance request, shall find that the request satisfies the considerations listed below.

The applicant provided a Justification Statement (Exhibit A) that presents how they believe their request meets the criteria. Staff's analysis is as follows:

- A. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone;**

- The site is zoned B-4 (Community Services) Zoning District and there are no other properties in close proximity that have B-4 zoning. This zoning district allows land intensive retail and service establishments. These types of services have good accessibility to the public but are buffered from other uses and visibly buffered from arterial streets. The B-4 zoning district provides a good transitional land use from the adjacent residential property to the south to the commercial/retail land uses to the north. Because of the types of land uses allowed in the B-4 zoning district (more intense than commercial but not quite industrial), the proposal to locate a wireless telecommunication facility in this district seems appropriate. The other commercial zoning districts (CO, B-1, B-2, B-3) are not conducive to these types of facilities as they generally have land use compatibility issues. However, even though wireless telecommunications facilities provide a service to the community, these towers over 35' feet in height involve a conditional use permit review process to address any potential negative effects on the adjacent residents.

B. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights

- The applicant is seeking to construct a 70 foot tall wireless communications tower in an area that would provide the radio frequency for T-mobile's focus area. This is an area that T-Mobile is trying to service and without the tower their service area is limited.
- The enforcement of the City Code requirements would deprive the owner of the reasonable use of his land.
- Currently, there is an existing wireless communications tower located to the west of this site, approximately 160 feet from the proposed tower. However, co-location on this facility is not a viable option since it will not give T-Mobile the radio frequency required for the focus area.

C. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

- The proposed tower would be located in a commercial site that is within the Community Center land use category of the General Plan. Based on the urban form and density of the Community Center land use, this location is appropriate siting for telecommunications.
- The west setback variance (2.5 ft.) has minimal impact on the adjacent residential property. However, the south variance (22.5 ft.) has a greater impact

on the property to the south, which is vacant, but is zoned for future residential. City Staff does not find justification for this variance request as it will have a negative impact on the adjacent residential property to the south in regards to the bulk and scale of the proposed tower and a direct visual impact. Staff would suggest the applicant move the tower further north within the site to meet the south setback.

Public Notification

Public hearing notification efforts for this request exceed the requirements set out by City Code:

- A neighborhood meeting was held on September 29, 2014.
- A notice was published in the Casa Grande Dispatch on September 26, 2014.
- A notice was sent to all property owners within 500 ft. of the subject site on September 29, 2014.
- A public hearing sign was posted by the applicant on the subject site on September 25, 2014.

Inquiries/Comments

Staff held a neighborhood meeting to hear concerns from neighboring residents. There were no residents that attended the meeting.

Staff did receive a call from Steve Larson, Larson Baker, who manages a portion of the Tri-Valley Plaza, and he had general inquiries regarding the request.

STAFF RECOMMENDATION

Staff recommends the Board approve DSA-14-00166, the Variance request from Section 17.68.120B.7a, to allow a 70 foot tall Wireless Telecommunications Tower to be 67.6 feet from the west property line where 70 feet is required.

Staff recommends the Board deny a portion of DSA-14-00166, the Variance request from Section 17.68.120B.7a, to be 47.6 feet from the south property line where 70 feet is required with the following condition:

1. The applicant work with City Staff on the relocation of the Wireless Telecommunications Tower to meet the south setback.

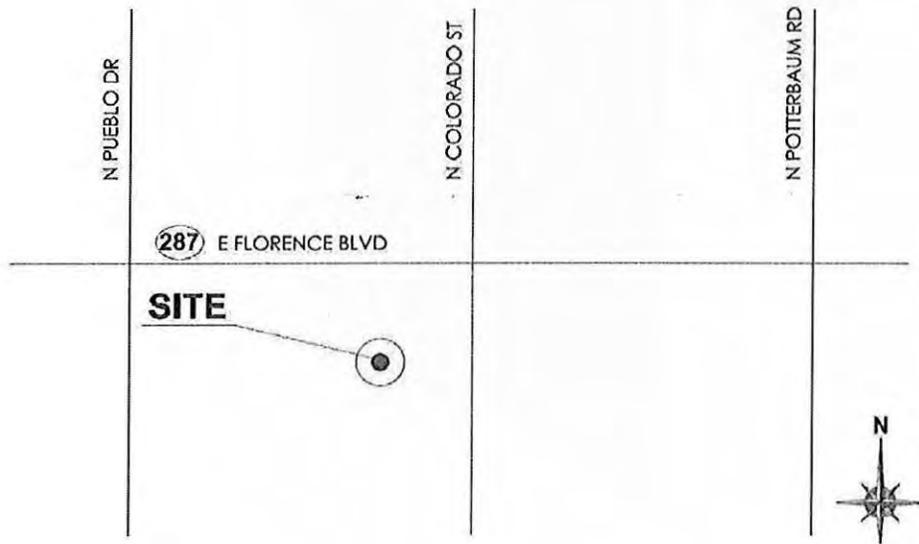
Exhibits:

- Exhibit A – Project Narrative/Applicant's Justification Statement
- Exhibit B – Proposed Site Plan

PROJECT NARRATIVE

T-Mobile Wireless Communications Site – PH11202

Securlock Storage - 517 N. Colorado St., Casa Grande, AZ 85122



Applicant:

Reliant Land Services, Inc., representing T-Mobile

7201 E. Camelback Rd. #310,

Scottsdale, AZ 85251

PURPOSE OF REQUEST

T-Mobile Wireless Communications is proposing to construct a 70' tall Wireless Communications Facility within the Securlock mini-storage property. The property address is 517 N. Colorado St., Casa Grande, AZ 85122. The purpose of this application is to request a Zoning Variance for the purpose of obtaining zoning approval of the new communications tower.

DESCRIPTION OF PROPOSAL

T-Mobile respectfully requests approval to install the 70' tall Wireless Communications Facility. As depicted on the Site Plan and Elevations, the proposed monopalm tower will be in the southwestern portion of the mini storage grounds. The ground equipment will be located within two existing storage units totaling approximately 10' x 20', and the monopalm within the existing building cutout. We propose to add two additional bollards to protect the pole from vehicles turning the corner. The perimeter of the property currently has a 6' block wall. The equipment compound is interior to the site and within the existing storage building and won't be seen from the exterior. As semi-public access exists throughout the site, an 8' chain link fence will be used for tower security. The property is owned by Houghton Acquisition Company in Dallas, TX.

RELATIONSHIP TO SURROUNDING PROPERTIES

The land use and zoning Classifications surrounding the parcel are as follows:

North: B-2, Manana Grande business center South: Vacant UR

East: PAD, Tri Valley Plaza West: Vacant B-2 and UR, existing Cell tower

The subject mini storage facility has vacant residential sites immediately to the west and south, with some homes to the southeast and southwest, a commercial center to the east anchored by Fry's, and to the north is a strip of vacant commercial property immediately to the north with the Manana Grande business center facing Florence Blvd.

LOCATION AND ACCESSIBILITY

The 4.63 acre site is located at the 517 N. Colorado Street. The proposed WCF is located in the rear of the existing mini storage facility. Parcel Number 505-30-003C is approximately 201,683 sf in size. Direct access to the site is on fully developed and paved Colorado St. The site has a 6' masonry wall along three perimeters, with Wrought Iron fencing and gated entry located along Colorado Street.

VARIANCE JUSTIFICATION

Several sites were explored prior to deciding to proceed with this candidate for a new tower. One site was behind the Ashley Furniture store, but unfortunately, that site was outside of the "Radio Frequency Ring" necessary to serve the intended geographic area. Another site was on the school ballfields at

Evergreen Elementary School. The site was toward the outside of the ring, the equipment building and tower would be very visible, and proximity to residential was very close.

On the subject property, we have located the tower in the southwest corner of the site in general as there is a building cutout that can be used for the pole location, along with a pair of storage units to be used for the equipment compound. In order to meet the code of a 1:1 setback for height above 35', removal of part of a building would be necessary, and the landlord would not permit that scenario, in addition to being cost prohibitive. The west side variance is to allow a 67'6" setback, only a 2.5' request, and the request to the south is to allow a 47'6" dimension, a 22.5' request.

There is approximately 105' distance from the nearest residential property line, with about 125' to the actual residence from the proposed tower. The proposed monopalm would also be over 600' from Florence Avenue, thereby alleviating the sense of a tower looming over the major arterial of the City.

17.68.120B.7.a requires that we have a 1:1 setback for the amount of height above 35' in height. During our Pre-application meeting, staff requested discussion regarding collocating on the existing tower just to the west of the subject site. The existing and recently constructed facility was designed and built as a Monopalm. Two issues arise from that subject. Number one: in order to collocate on the existing monopalm, a second carrier's antenna array would have to be placed a number of feet below (usually a minimum of 10') their already installed array. This would now look similar to photo enclosed below, and the "Stealth" idea of the palm would no longer exist. The second issue: Most times the towers designed as a monopalm are not structurally designed to accommodate a second set of antennas. And Third: The Radio Frequency required for our focus area would not function properly at the lower height.

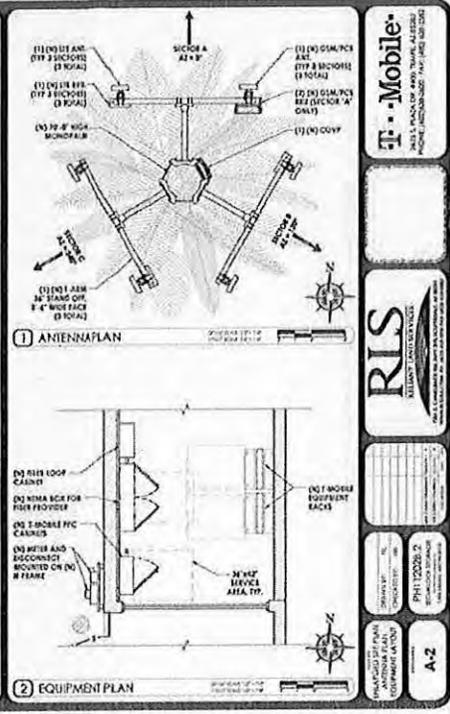
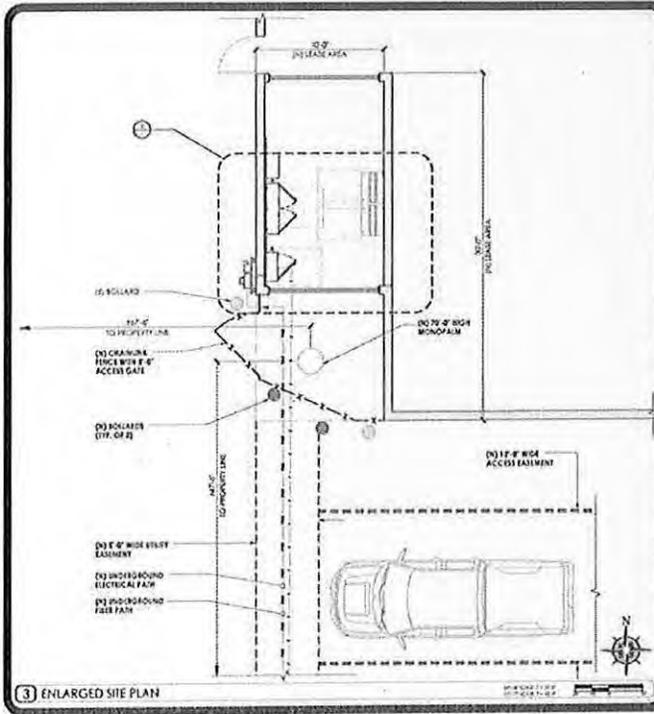


SUMMARY

The construction of this facility will help all types of wireless communication in the region, filling a gap in service. We have exhausted other locations in the immediate area, and have no other viable options on the subject property. We respectfully request approval of the site plan for T-Mobile.

Submitted by:

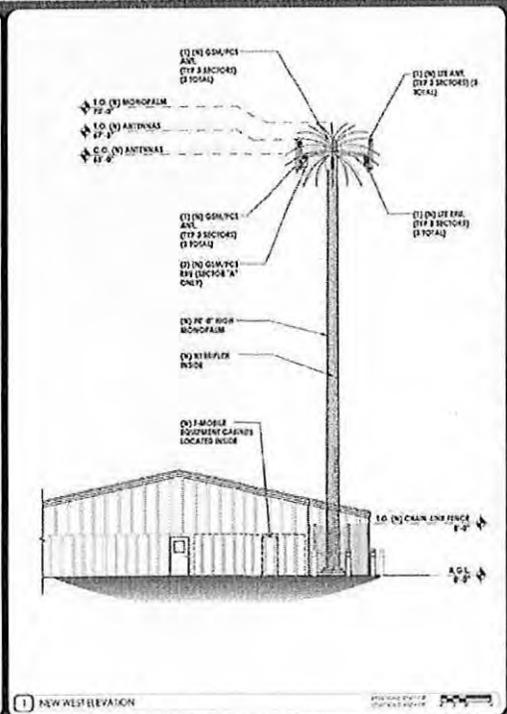
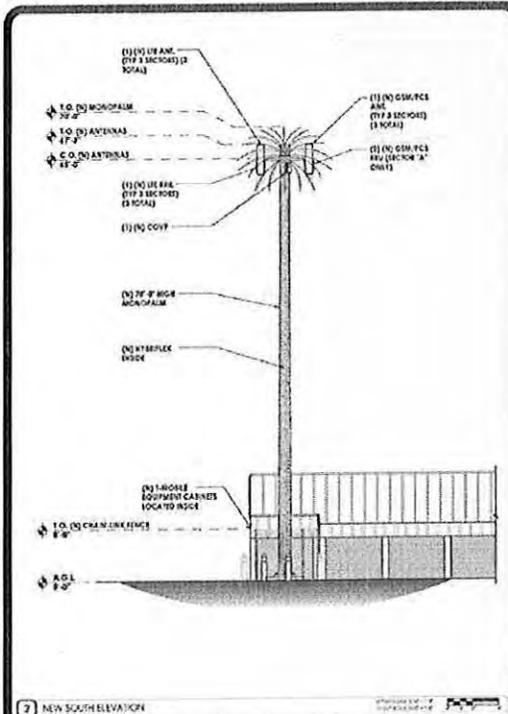
David D. Ullrich, Zoning Specialist on behalf of T-Mobile Wireless Communications
Reliant Land Services, Inc., 7201 E. Camelback Rd. #310 Scottsdale, AZ 85251
DAVID.ULLRICH@RLSUSA.COM
480-266-8753



T-Mobile
 10000 N. CENTRAL EXPRESSWAY, SUITE 100, DALLAS, TX 75243
 PHONE: (214) 390-1234 FAX: (214) 390-1234

RLS
 RAYMOND L. SMITH ARCHITECTS, P.C.
 10000 N. CENTRAL EXPRESSWAY, SUITE 100, DALLAS, TX 75243
 PHONE: (214) 390-1234 FAX: (214) 390-1234

PROJECT NO. 1000000000
 SHEET NO. A-2



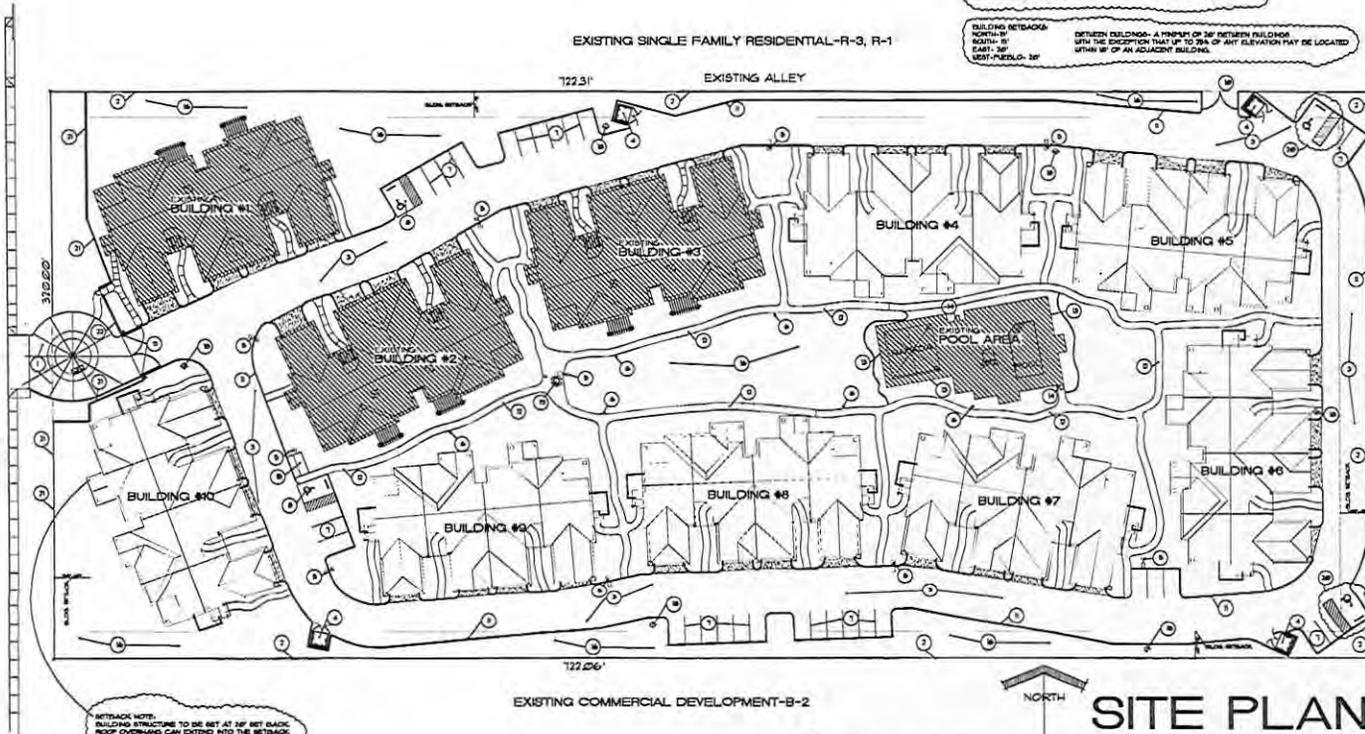
T-Mobile
 10000 N. CENTRAL EXPRESSWAY, SUITE 100, DALLAS, TX 75243
 PHONE: (214) 390-1234 FAX: (214) 390-1234

RLS
 RAYMOND L. SMITH ARCHITECTS, P.C.
 10000 N. CENTRAL EXPRESSWAY, SUITE 100, DALLAS, TX 75243
 PHONE: (214) 390-1234 FAX: (214) 390-1234

PROJECT NO. 1000000000
 SHEET NO. A-3

EXISTING BALL FIELD-SCHOOL-R-1

N. PUEBLO DRIVE



SETBACK NOTE:
BUILDING STRUCTURES TO BE SET AT 30' SET BACK.
ROOF OVERHANG CAN CARRY INTO THE SETBACK.
BY MAX.

NOTE:
MAINTENANCE OF THE PRIVATE ROADWAY IS BY THE
PUEBLO TOWNHOMES HOMEOWNERS ASSOCIATION.

SEWERING & DRAINAGE NOTE:
ALL GRADING HAS BEEN BUILT FOR THIS PROJECT IN CONFORMANCE
PERMITS ISSUED BY THE CITY OF CASA GRANDE.
ALL STORM WATER RETENTION VOLUMES HAVE BEEN PROVIDED
AS REQUIRED UNDER PERMITS ISSUED BY THE CITY OF CASA GRANDE.
THE FIN FLOOR FINISH ELEVATION HAS ALSO BEEN DETERMINED.
THE PROPOSED BUILDINGS WILL COMPLY WITH THESE ELEVATIONS.

SUPPLYING POOL NOTE:
THE EXISTING SUPPLYING POOL HAS BUILT PER APPROVED PERMITS
ISSUED BY THE CITY OF CASA GRANDE EXCEPT THAT THE FINISH POOL
PLASTER AND FINAL INSPECTION REMAINS TO BE COMPLETED.
THIS WORK WILL BE COMPLETED UPON FINAL APPROVAL OF THIS PLANNING
SITE PLAN SUBMITTAL AND BY RECORD.

BUILDING HEIGHT:
SMALL PORTION OF POOL HEIGHT AS FEATURED FROM ADJACENT FINISH GRADE
TO PEAK ROOF SLOPE.

BUILDING SETBACK:
NORTH: 30'
EAST: 30'
WEST: 30'-36'
SOUTH: 30' BETWEEN BUILDINGS - A PORTION OF 30' BETWEEN BUILDINGS
WITH THE EXCEPTION THAT UP TO 20% OF ANY ELEVATION MAY BE LOCATED
WITHIN 30' OF AN ADJACENT BUILDING.

PROJECT INFORMATION

OWNER: TERRA VERDE BUILDERS
200 S. WESTWOOD-SUITE 104
TUCSON, ARIZONA
(520) 735-8833

PROJECT LOCATION:
400 N. PUEBLO DRIVE
CASA GRANDE, ARIZONA

PROJECT DESCRIPTION:
A 48 UNIT GATED TOWNHOUSE COMMUNITY

SITE AREA:
TOTAL = 2.9488 AC. - 3.53 ACRES

ZONING:
PUD - AS APPROVED FOR A 48 UNIT TOWNHOUSE DEVELOPMENT
BY THE CITY OF CASA GRANDE.

BUILDING AND UNIT SUMMARY:
TYPICAL BUILDING:
UNIT #1: 2 BEDROOMS-30 SQ. FT. LIVING - 1000 SQ. FT. TOTAL
UNIT #2: 2 BEDROOMS-30 SQ. FT. LIVING - 1000 SQ. FT. TOTAL
UNIT #3: 2 BEDROOMS-30 SQ. FT. LIVING - 1000 SQ. FT. TOTAL
UNIT #4: 2 BEDROOMS-30 SQ. FT. LIVING - 1000 SQ. FT. TOTAL

TOTAL PER BUILDING (TYPICAL):
LIVING = 3,000 SQ. FT.
TOTAL AREA = 10,000 SQ. FT.
TOTAL SITE AREA = 1,300 SQ. FT.
NAPADA AREA 400 SQ. FT.
TOTAL SITE BUILDING AREA = 1,700 SQ. FT.
LOT COVERAGE = 30.94 %

PARKING:
REQUIRED = 3.14 PER UNIT = 50 SPACES

PROVIDED:
UNIT GARAGES = 3 S.E.A. = 48 SPACES
ACCESSIBLE VISITOR = 4 SPACES
VISITOR = 3 SPACES
TOTAL = 55 SPACES

KEYED NOTES:

- EXISTING STAFFED CONCRETE DRIVE DRIVE
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING 4" MASONRY PERIMETER WALL
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING ASPHALT PARKING
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING ACCESSIBLE PARKING SPACES
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING 30' POLE LIGHTING
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING WALKWAY 40' ROLL-UP LIGHTING
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING PARKING SPACES-PARKING STRIPS
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING ACCESSIBLE PARKING SPACES
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING AUTOMATED GATE SYSTEM
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING ACCESS GATE TO ALLEY
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING CONCRETE CURB
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING CONCRETE GULCH-VEREY
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING 4" HOOD POOL FENCE
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING POOL AREA GATE-REPAIR-CLOSING
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING HAIL ROCK
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING LANDSCAPED AREA
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING FIRE STORAGE
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING FIRE UTILITY
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- EXISTING AREA-PRECAST TABLE AND BENCHES
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
- NEW ACCESSIBLE PARKING SPACE-
REPAIRS DURING AS REQUIRED.
- EXISTING TEMPORARY 4" STEEL MAIL MAIL FENCE
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.
TO BE REPLACED BY 4" MASONRY AT BUILD-OUT.
- EXISTING SIGNAGE "PUEBLO TOWNHOMES"
POINTED ON 4" MASONRY WALL
REPAIRED UNDER PERMIT ISSUED BY
THE CITY OF CASA GRANDE.

EXISTING STORAGE FACILITY-PAD

SITE PLAN

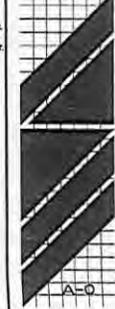
PUEBLO TOWNHOMES
CASA GRANDE, ARIZONA
TERRA VERDE BUILDERS

PROJECT NO. 2024-001
DATE: 10/20/24
DRAWN BY: JAW
REVISIONS:
02/20/25

TERRA VERDE BUILDERS
PUEBLO TOWNHOMES CASA GRANDE ARIZONA
CASA GRANDE, ARIZONA



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