

	<p>Planning and Zoning Commission</p> <p><b>STAFF REPORT</b></p>	<p>AGENDA</p> <p># _____</p>
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**TO:** CASA GRANDE PLANNING AND ZONING COMMISSION  
**FROM:** James Gagliardi, AICP, Planner  
**MEETING DATE:** November 6, 2014

**REQUEST**

**Request by Alex Gonzalez of Evergreen Development Company** for the following land use approvals on 17.2547 acres, generally located south of E Florence Blvd, west of Mission Parkway:

1. **DSA-14-00188: Conditional Use Permit** to allow 18 parking spaces to be used off-site on an adjacent lot to meet the 35-space on-site parking requirement for the approved Raising Cane’s Chicken Restaurant.
2. **DSA-14-00189: Minor Amendment to Major Site Plan (DSA-14-00150)** to reflect the new lot lines.

**APPLICANT/OWNER**

<p>Alex Gonzalez,          Evergreen Development Co.          2390 E Camelback Rd          Phoenix, AZ 85016          P: 602-808-8600          Email: <a href="mailto:agonzalez@evgre.com">agonzalez@evgre.com</a></p>	<p>Florence Blvd &amp; 1-10 LLC          17550 N Perimeter Dr No. 180          Scottsdale, AZ 85255          P: 480-458-2455</p>
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**HISTORY**

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|-------------------------|--|
| <i>October 2, 1989:</i> | The site was annexed with the passage of Ordinance No. 1178.18 and zoned UR with the annexation.                   |
| <i>October 5, 2000:</i> | Zone change (CGPZ-069-000) from UR to PAD for Mission Royale.  |
| <i>May 12, 2005:</i>    | PAD Amendment (CGPZ-093-005) to modify allowed uses within the commercial area known as Parcel B of Mission Royale |
| <i>August 7, 2014:</i>  | Conditional Use Permit and Major Site Plan Approval (DSA-  |

14-00049 and DSA-14-00050) for a convenience food restaurant and multi-tenant building.

October 2, 2014

Preliminary Plat (DSA-14-00141) conditionally approved for the re-subdivision of Parcel 3 of Parcels 3 & 5 of Mission Plaza at Mission Royale into three new lots.

<b>PROJECT DESCRIPTION</b>
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<b>Site Area</b>	17.26 acres
<b>Current Land Use</b>	Neighborhoods (Commercial)
<b>Existing Zoning</b>	PAD

**Surrounding Land Use and Zoning**

Direction	General Plan 2020 Designation	Existing Zoning
<b>North</b>	<i>Commerce &amp; Business</i>	PAD (Casa Grande Regional Shopping Center)
<b>East</b>	<i>Neighborhoods</i>	PAD (Mission Royale)
<b>South</b>	<i>Neighborhoods</i>	PAD (Mission Royale)
<b>West</b>	<i>Neighborhoods</i>	PAD (Mission Royale)

**General Discussion**

The preliminary plat recently presented to the Planning & Zoning Commission was to re-subdivide a 17.26-acre parcel within the commercial portion of the Mission Royale Planned Area Development into three lots. Two of the three lots have development proposed, consisting of a multi-tenant building upon proposed lot 6 and a convenience restaurant (Raising Cane’s Chicken) upon proposed lot 7. A Major Site Plan recently was approved for this development. The preliminary plat was approved with two conditions. The first condition was that a minor amendment to the recently approved Major Site Plan be submitted to reflect the new lot lines. The second condition was that a Conditional Use Permit application be approved to allow parking on lot 6 to be used to meet the parking requirement for the convenience food restaurant on lot 7. The City Code requires that required parking be provided on the same lot as the use, unless a Conditional Use Permit for off-site parking is approved. The multi-tenant building on lot 6 has an off-street parking requirement of 43 parking spaces where 69 parking spaces have been provided—26 more spaces than is required. The convenience restaurant on lot 6 has an off-street parking requirement of 35 parking spaces, where only 17 have been provided on lot 7. The Conditional Use Permit would allow 18 parking spaces on lot 6 to be used to meet the total 35 off-street parking space requirement needed for the convenience restaurant as shown on the amended Major Site Plan (Exhibit A).



## Parking Analysis:

Total Parking Required:

PAD A (Parcel 7)

Convenience Food Restaurant, 3,616 sq. ft.

one parking space per 50 sq. ft. of public service area: 1,750 sq. ft

-Required: 35 parking spaces

-Provided: 17 parking spaces, including two required wheelchair accessible spaces

-Conditional Use Permit to allow 18 spaces on Parcel 6 to be used to meet 35-space parking requirement for Parcel 7 (See legend).

Shops A (Parcel 6), Multi-tenant 6,023 sq. ft.

Suite 1: 4,010 sq. ft General Retail, one parking space per 250 sq. ft.

-Required: 16 parking spaces

Suite 2: 2,013 sq. ft Restaurant with 225 sq. ft. patio one parking space per 50 sq. ft public service area (1,250 sq. ft) & one space per 200 sq. ft. of patio (225 sq. ft)

-Required: 27 parking spaces

-Total Required for Shops A (Parcel 6): 43 spaces

-Total Provided on Parcel 6: 69 spaces, including two required wheelchair accessible spaces

-Total Provided for Parcel 6: 51 spaces (18 spaces of the 69 provided on Parcel 6 are to be used to meet the parking requirement of Parcel 7 through a Conditional Use Permit, see legend).

<b>CONFORMANCE WITH CONDITIONAL USE PERMIT CRITERIA (DSA-14-00188)</b>
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*In Accordance to City Code Section 17.56.240, any off-site parking which is used to meet the requirements of this title shall be a conditional use as regulated by this title and shall be subject to the conditions listed as follows:*

**Off-site parking shall be developed and maintained in compliance with all requirements and standards of this title.**

The parking as proposed are on a paved, striped surface 9 ft. X 18 ft. standard parking dimensions. As a condition of approval, these parking spaces must be maintained with the requirements and standards contained in the Casa Grande City Code.

**Reasonable access from off-site parking facilities to the use being served shall be provided.**

The 14 of the 18 parking spaces upon lot 7 to be used to fulfill the off-street parking requirement upon lot 6 exists across a 25-foot drive aisle from the convenience restaurant use with a striped cross-walk across the drive aisle. The other four spaces upon lot 6 are directly in-line with parking spaces upon lot 7 just on the other side of the property line; therefore reasonable access is assured.

**The site used for meeting the off-site parking requirements of this title shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the city clerk and county clerk.**

There is a cross-parking agreement between the lots. Resolution DSA-14-00188 for this Conditional Use Permit will be filed by the City Clerk, and will also be recorded with the County Clerk (Exhibit B).

**Off-site parking for nonresidential uses shall not be located more than three hundred feet from the site of the principal use being used.**

The furthest off-site parking space from the use is approximately 100 ft. from the building; therefore this requirement is met. As a condition of approval, however, it shall be stipulated that no off-site parking space from the use shall be located no more than 300 ft. away.

**Any use which depends upon off-site parking to meet the requirements of this title shall maintain ownership or prove a long term irrevocable lease agreement for parking utilization of the off-site location.**

In order to meet this requirement staff will require that in conjunction with the Final Plat an easement, or a Private Covenant, be created that reserves 18 of the parking stalls on Lot 6 for the use of the restaurant located on Lot 7.

**COMFORMANCE WITH MINOR AMENDMENT TO MAJOR SITE PLAN CRITERIA (DSA-14-00189)**

*In Accordance with 17.68.090 of the City Code: Procedure for amendment to site plans, any amendment or modification to an approved site plan shall be submitted for approval. All amendments shall be shown on a revised site plan drawing. Amendments to major site plans previously approved by the planning and zoning commission may be approved by the planning director and the chairperson of the commission upon finding by the planning director and chairperson of the commission that the amended site plan is in substantial compliance with the originally approved site plan.*

The minor amendment is to show the recently approved Major Site Plan as two lots and

providing the data table to reflect site information as it pertains to the individual lots. No other changes are proposed; therefore it is believed to be within *substantial compliance* of the Major Site Plan (Exhibit A). Though this can be approved administratively with the Planning Director and Planning and Zoning Commission Chairman's signature, as a companion item to the Conditional Use Permit, the minor amendment to the Major Site Plan is has provided to the Planning Commission for consideration.

## PUBLIC NOTIFICATION/COMMENTS

### **Notification**

Public hearing notification efforts for this request meet the requirements set out by City Code. They include:

- A notice was published in the Casa Grande Dispatch on October 21, 2014 at least fifteen (15) days before the November 6, 2014 Planning Commission public hearing.
- Notice was mailed by the City on October 22, 2014 at least ten (15) days before the November 6, 2014 Planning Commission public hearing, to each owner of property situated within 200 feet of the subject property. An affidavit confirming this is located in the project file.
- A sign was posted by the applicant by October 22, 2014 on the subject site informing the public that this application would be considered by the Planning Commission at the November 6 meeting. An affidavit confirming this posting was supplied by the applicant.

### **Inquiries/Comments**

At the time of this writing, no inquires or comments have been made.

## RECOMMENDED MOTION

**Staff recommends that Planning Commission approve:**

**DSA-14-00188 – Conditional Use Permit** subject to the following conditions:

1. All of the off-site parking spaces must be maintained with the requirements and standards contained in the Casa Grande City Code.
2. The off-site parking spaces on Lot 6 used to meet the parking requirement for Lot 7 shall not be further than 300 ft. away from the restaurant use on Lot 7.
3. An easement, or covenant, shall be recorded that reserves 18 of the parking stalls located on Lot 6 of Mission Plaza at Mission Royale for the restaurant use

located on Lot 7 of Mission Plaza at Mission Royale (2469 E Florence Blvd). Said easement, or covenant, shall remain in full force and effect as long as the restaurant located upon Lot 7 needs said off-site parking spaces to meet City Code parking requirements.

**DSA-14-00189 – Minor Amendment to the Major Site Plan**

**Exhibits**

- Exhibit A- Major Site Plan (amended)
- Exhibit B- Resolution DSA-14-00188









north elevation

west elevation



south elevation

east elevation

scale: 3/16" = 1'-0"  
0 5 10 15

**color and materials**

1 DRYVIT BOARD "TEXT" BESS PEBBLE FINISH	2 STAINLESS STEEL METAL ROOF AND METAL CANOPIES	3 BUCKLE UP FOR THE ROAD! (TM) SIGNAGE	4 ALUMINUM STOREFRONT SYSTEM
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**pad a**  
conceptual elevations



north elevation



east elevation

west elevation



south elevation

1'-0"  
10 20

**project directory**

**DEVELOPER:**  
EVERGREEN DEVELOPMENT COMPANY  
2360 EAST CAMELBACK ROAD, SUITE 410  
PHOENIX, ARIZONA 85016  
CONTACT: ALEX GONZALEZ  
PHONE: (602) 808-8600  
E-MAIL: agonzalez@evergreen.com

**DEVELOPER REPRESENTATIVE:**  
KERIAN PLANNERS AND DESIGN, LLC  
1974 E. GRAND CANYON DRIVE  
CHANDLER, ARIZONA 85224  
CONTACT: KEVIN D. KERIAN  
PHONE: (480) 824-0100  
E-MAIL: kevin@kerianplanningdesign.com

**ARCHITECT:**  
SCHANG ARCHITECTS, LLC  
5602 WEST GARY DRIVE  
CHANDLER, ARIZONA 85226  
CONTACT: DUNCAN J. SHANG  
PHONE: (480) 284-0248  
E-MAIL: dj@schangarchitects.com

**color and materials**

1 DRYVIT BOARD "TEXT" BESS PEBBLE FINISH	6 STAINLESS STEEL METAL ROOF AND METAL CANOPIES
2 PAINTED STUCCO - SAND FINISH BENJAMIN MOORE "MIDWINTER PLUMBY" HC-10	7 REPERUTE MULTI-FACE (M) BLOCK PAINTED EQUILINA MOORE "MULTI-YOUTH BROWN" HC-1B
3 PAINTED STUCCO - SAND FINISH BENJAMIN MOORE "MULTI-YOUTH BROWN" HC-1B	8 ELONGATED BRICK HOSPITAL LEISURE COLOR TONKAWO DRY BRICK LIGHT GREY/TAPE
4 PAINTED STUCCO - SAND FINISH BENJAMIN MOORE "YAN BUEN BROWN" HC-10	9 ALUMINUM STOREFRONT SYSTEM MILL FINISH W/ CLEAR GLASS WINDOW SYSTEM

**shops a**  
conceptual elevations

Exhibit B – Resolution DSA-14-00188

RESOLUTION NO. DSA-14-00188

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF CASA GRANDE GRANTING A CONDITIONAL USE PERMIT FOR OFF-SITE PARKING PROVIDED ON PARCEL 6 (2461 E FLORENCE BLVD) TO APPLY TO THE OFF-STREET PARKING REQUIREMENT OF PARCEL 7 (2469 E FLORENCE BLVD) OF THE RE-SUBDIVISION OF PARCELS 3 & 5 OF MISSION PLAZA AT MISSION ROYALE

WHEREAS, applicant Evergreen Development Company, has requested a conditional use permit;

WHEREAS, the conditional use permit is requested for 18 off-site parking spaces located on Lot 6 of Mission Plaza at Mission Royale ( 2461 E Florence Blvd.) to meet the off-street parking requirement for the restaurant use located on Lot 7 of Mission Plaza at Mission Royale (2469 E Florence Blvd);

WHEREAS, the property is zoned PAD (Mission Royale).

WHEREAS, pursuant to Section 17.56.240 of the Casa Grande City Code, off-site parking is a conditionally permitted use;

WHEREAS, on the 6th day of November 2014, the Planning and Zoning Commission of the City of Casa Grande held a public hearing regarding the request for the conditional use permit;

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande considered all public comments made at said hearing; and

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande has determined that the proposed use would be appropriate for the location proposed, subject to the conditions set forth in this Resolution;

NOW THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, as follows:

1. The Planning and Zoning Commission of the City of Casa Grande makes the following findings:

- a. The site for the proposed uses are adequate in size and topography to accommodate the uses, and all yards, spaces,

walls and fences, parking, loading and landscaping is adequate to properly relate the uses with the land and the uses in the vicinity;

- b. The site for the proposed uses relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- c. The proposed uses will have no adverse effect upon the abutting property;
- d. The proposed uses are in conformance with the General Plan; and
- e. The conditions stated in this approval are necessary to protect the health, safety and general welfare.

2. The Planning and Zoning Commission of the City of Casa Grande approves the conditional use permit by the Applicant subject to the following specific conditions which are deemed necessary by the Commission to protect the public health, safety and general welfare::

- a. All of the off-site parking spaces must be maintained with the requirements and standards contained in the Casa Grande City Code.
- b. The off-site parking spaces on Lot 6 used to meet the parking requirement for Lot 7 shall not be further than 300 ft. away from the restaurant use on Lot 7.
- c. An easement, or covenant, shall be recorded that reserves 18 of the parking stalls located on Lot 6 of Mission Plaza at Mission Royale for the restaurant use located on Lot 7 of Mission Plaza at Mission Royale (2469 E Florence Blvd). Said easement, or covenant, shall remain in full force and effect as long as the restaurant located upon Lot 7 needs said off-site parking spaces to meet City Code parking requirements.

3. The Planning and Zoning Commission of the City of Casa Grande approves the conditional use permit request by the Applicant subject to the following general conditions:

- a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
- b. That the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors and assigns.
- c. That all conditions specifically stated under any conditional use listed in this chapter shall apply and be adhered to by the owner of the land, his successors or assigns.

- d. That the special condition shall be consented to in writing by the applicant.
- e. That the resolution granting the application, together with all consent forms, shall be recorded by the county recorder.

PASSED AND ADOPTED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
P & Z Commission Chairman

\_\_\_\_\_  
Planning & Development Director

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**APPLICANT and OWNER'S CONSENT TO THE SPECIAL CONDITIONS**

The applicant and owner, hereby consent to the special conditions as enumerated above in Section 2 as they relate to this request for a conditional use permit for off-site parking on Lot 6 to be used to meet the parking requirement for Lot 7 on the Re-Subdivision of Parcels 3 & 5 of Mission Plaza at Mission Royale.

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Alex Gonzalez for Evergreen Development Company  
Applicant & Property Owner