



**Planning and Zoning  
Commission  
STAFF REPORT**

AGENDA

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**TO:** CASA GRANDE PLANNING AND ZONING COMMISSION

**FROM:** Joe Horn, City Planner

**MEETING DATE:** December 3, 2015

**REQUEST**

Request by Justin Eller for the following land use request located at the SWC of Trekell Road and O'Neil Drive; APN's 504-35-0170 and 504-35-0140:

1. DSA-15-00126: Preliminary Plat for a re-subdivision of Lots 4 and 7, SWC Trekell Rd. & O'Neill Dr.

**APPLICANT/OWNER**

**Applicant**

Justin Eller  
Casa Grande Sand Realty LLC  
5725 N Scottsdale Road C 195  
Scottsdale, AZ 85250  
P: 480-385-1304

**Owner**

Casa Grande Sand Realty LLC  
5725 N Scottsdale Road C 195  
Scottsdale, AZ 85250  
P: 480-949-9011

**HISTORY**

- March 22, 1968      The site was incorporated into the City of Casa Grande.
- December 2, 1999    CGPZ-132-099: Preliminary Plat for six (6) lots was approved and has since expired. No Final Plat was submitted implementing this Preliminary Plat.
- March 6, 2003      CGPZ-014-003: Preliminary Plat for seven (7) lot Safeway Store development was approved.
- July 21, 2003      CGPZ-061-003: Final Plat for the seven (7) lot Safeway Store development was approved. Resolution 2825.50.
- November 2, 2006   CGPZ-160-006: Major Site plan was approved.
- June 7, 2007      DSA-07-01381: Preliminary Plat was approved proposing a replatting of lots 4 & &7 into four (4) new lots and has since expired. No Final Plat was submitted implementing this Preliminary Plat.

**PROJECT DESCRIPTION**

<b>Site Area</b>	Lot 4 – 1.94 acres Lot 7 – 5.26 acres
<b>Current Land Use</b>	Lot 4 – Commercial Uses

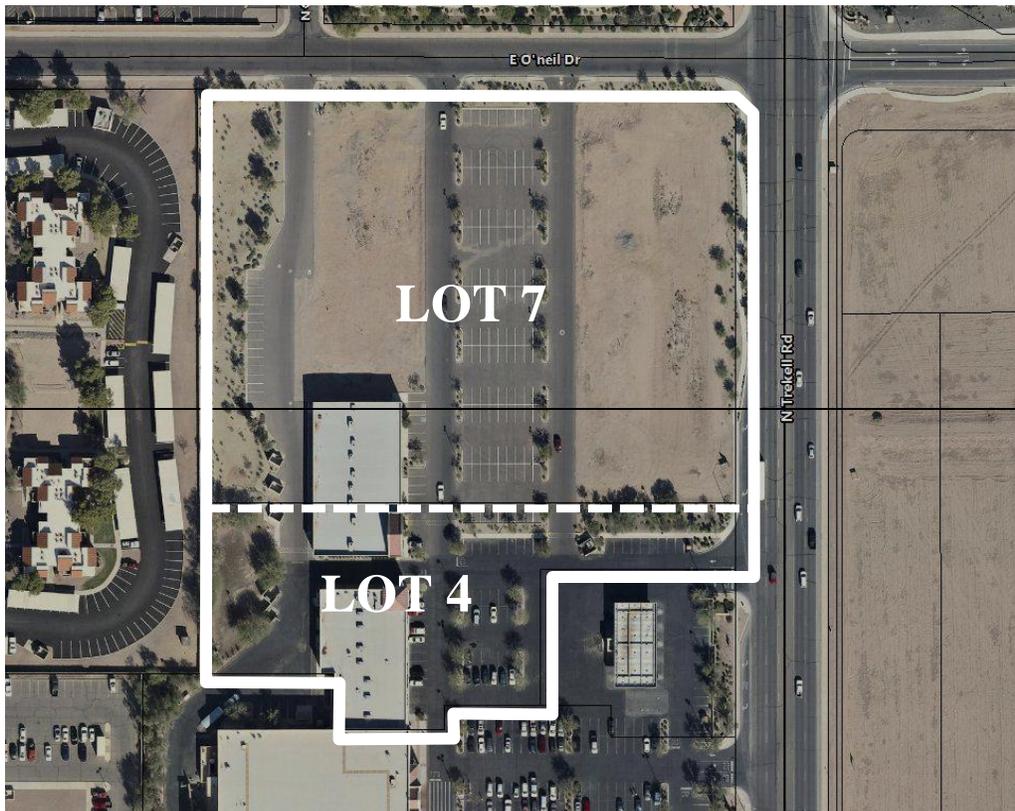
	Lot 7 – Commercial Uses, Vacant
<b>Existing Zoning</b>	B-2 (General Business)
<b>Existing General Plan 2020 Land Use</b>	Neighborhoods

**Surrounding Land Use and Zoning**

<b>Direction</b>	<b>General Plan 2020 Designation</b>	<b>Existing Zoning</b>
<b>North</b>	<i>Neighborhoods</i>	CO (Commercial Office)
<b>East</b>	<i>Neighborhoods</i>	B-2 (General Business) PAD
<b>South</b>	<i>Neighborhoods</i>	B-1 (Neighborhood Business) B-2 (General Business)
<b>West</b>	<i>Neighborhoods</i>	B-1 (Neighborhood Business) PAD

**General Discussion**

The preliminary plat request involves Lots 4 and Lot 7 of the Safeway Store #1706 Shopping Center as shown in the aerial depicted below:



The applicant is requesting to adjust the existing lot lines of Lots 4 & 7 and further subdivide the lots in order to add one more lot. The lots will be reclassified as Lot 1, Lot 2, and Lot 3 of Safeway Plaza. The request will also clarify a division between two existing buildings. The current platting has a lot line crossing through one of the existing buildings.



Moving the property line requires a re-subdivision per City Code Section 16.12.290C. In accordance with Section 16.12.290C of the City Code, the subdivision will be processed as both a Preliminary Plat and a Final Plat. Pending Planning Commission’s approval of the Preliminary Plat, a Final Plat will be submitted and scheduled for final approval by the City Council.

**Conformance with Subdivision Regulations**

Various provisions of the Subdivision Regulations (Title 16 of the City Code) are applicable to this proposed Subdivision Plat. The proposed plat complies with these regulations as follows:

**Chapter 16.12 Platting Procedures and Requirements**

**16.12.040 Preliminary Plat – Supporting Material Required**

The following information and material shall be a part of any preliminary plat submittal and shall accompany the preliminary plat drawing:

- B. A statement explaining the proposed design and function of the water, sewage, paving, sidewalk (including handicapped accessibility as per A.R.S. 34-404 through 34-412), stormwater collection and retention systems, including preliminary drainage calculations and storm drainage systems, their compatibility with existing systems and the timing and/or phasing of installation. Approximate size and location of the above may be required on the plat, as determined by the city engineer;
  - C. A statement describing the development and maintenance responsibility for any private streets, ways or open space;
  - I. Letters of certification and/or signed copies of the proposed preliminary plat from appropriate agencies and utility companies approving the proposed preliminary plat and confirming availability of services.
- B. See below condition in regards to obtaining a “Certificate of Assured Water Supply”
- C. See below condition requiring the applicant to verify how the common access, parking and drainage facilities will be maintained.
- I. The applicant has submitted a “Will Serve” letter from Arizona Water Company.

**Chapter 16.16 – Design Standards**

**16.16.010 General Improvements to Comply with Certain Rules and Regulations**

All subdivision improvements shall be in conformance to the following rules and regulations:

- A. The city of Casa Grande Zoning Ordinance;

- B. The general plan of the city including all streets, drainage systems, and parks shown on the general plan as adopted;
- C. The rules of the Arizona Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connecting street;
- D. The regulations and requirements of the city Flood Control Ordinance and storm drainage master plan and drainage policy, as they may be amended from time to time;
- E. The Arizona Department of Health Bulletin No. 11, "Design of Sewage Works" and the Pinal County Department of Health relative to water supply and sanitary sewage disposal; and
- F. The design standards and regulations adopted by the city engineer and officials of the city, which shall include, but not be limited to, the Uniform Standard Specifications for Public Works Construction and the Uniform Standard Details for Public Works Construction, as sponsored and distributed by Maricopa Association of Governments;
- G. The Manual on Uniform Traffic Control.

The proposed lots are in compliance with all rules and regulations stipulated.

### 16.16.070 Lot Dimensions to Comply with Minimum Standards

Lot dimensions shall comply with the minimum standards of Title 17. Where lots are more than double the minimum required area for the zoning district, the planning and zoning commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with this title and Title 17. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for the erection of buildings, observing the minimum setbacks from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in Title 17 of this code.

All three proposed lots do exceed the 150' minimum lot width in portions of the lot. When measuring lot width, the measurement occurs in a straight line at the points of intersection with the front building line (also considered to be the front setback). In this case, that line is 35' from the front property line. Measured at this point the lot width is only 68.5 feet. However, further evaluation shows that this dimension is unchanged from the previous approved Final Plat of the site and is regarded as being legal non-conforming or "grandfathered".

### 16.16.130 Streets – Frontage Requirements

No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from, an existing street and unless such street is:

- A. A street shown upon a plat approved by the city council and recorded in the county recorder's office. The street or highway must be suitably improved as required by Maricopa Association of Governments (MAG) specifications or be secured by a performance bond required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations or the general plan. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided hereinabove.

All three proposed lots have frontage on either Trekell Rd. or O'Neil Dr. See below condition requiring the creation of a cross-access agreement between all lots located in this Plat as well as the lots located within the Safeway Store #1706 Final Plat.

### 16.16.280 Drainage , Stormsewers, and Retention Basins – General Requirements

- A. The city will not recommend for approval any plat of a subdivision which does not make adequate provision for storm or floodwater runoff channels or basins. The stormwater drainage system shall be separate and independent of any sanitary sewer system. Storm drainage shall be accommodated in the streets, gutters or retention basins unless otherwise indicated by the city engineer. Subsurface drainage systems shall be discouraged, but where storm sewers are required, the cost shall be borne by the developer for storm sewers to a size of twenty-four inches; if over twenty-four inches in size and determined to be for benefit outside of the subdivision, the costs may be shared, as determined by the city council, but only for that portion determined to be of benefit outside the subdivision.
- B. All provisions for drainage control shall comply with the regulations of the city storm drainage master plan and drainage policy, adopted as ordinance, as it from time to time may be amended.
- C. The city council may, when it deems necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property which lies within any one-hundred-year floodplain as determined by the Federal Emergency Management Agency (FEMA). Any development that may be permitted in the floodplain areas shall comply with the floodplain regulations for the city.
- D. Floodway areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of the city council.

### 16.16.290 Retention Requirements

- A. All provisions for stormwater retention and all retention requirements and retention basin capacity calculations shall comply with the regulations of the city storm drainage master plan and drainage policy, as it from time to time may be amended.
- B. Dedicated retention basins will be part of the city's park and open space system. Nondedicated retention basins shall be maintained by the owner. All nondedicated retention basin areas shall be designated as easement areas for retention purposes and shall have a recorded protective covenant requiring perpetual maintenance.
- C. Two or more developers may join together to provide a common retention facility. A letter of agreement signed by all developers participating in the common retention area must be presented to the city engineer, and the recorded plat

shall indicate that the retention area is a joint facility. The joint recreation area must meet all criteria as a single area.

### **16.16.300 Dedication of Retention Easements – Requirements**

- A. Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, a stormwater easement or drainage right-of-way shall be provided conforming substantially to the lines of the watercourse, and of the width and construction, or both, as will be adequate for the purpose. Whenever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.
- B. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual, unobstructed easements of at least fifteen feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
- C. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
- D. The applicant shall dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the city council.
- E. Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. A hydrology report and construction drawings which preserve the flow characteristics of the drainageway may allow construction within the low-lying land.

Retention areas are primarily located on Lot 2 with a small area located in Lot 3. See the below condition requiring the three lots and the lots located in the Safeway Store Final Plat to have an agreement allowing for shared drainage and retention facilities.

### **16.16.380 Utility Location and Easements – Requirements**

- A. All utility facilities, including but not limited to gas, electric power, except electrical lines exceeding thirteen KV capacity, telephone and cable television shall be located underground throughout the subdivision. All utility facilities existing throughout the subdivision shall be located in either the street right-of-way and its adjacent easements or in a dedicated alley, except where easements between alleys and street rights-of-way are necessary to connect the utilities as approved by the city. Underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense. At the discretion of the city council, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.
- B. Proper coordination shall be established between the subdivider and the applicable utility companies for the continuation of public utility easements established in adjoining properties, when rights- of-way or dedicated alleys are not appropriate.
- C. Where topographical, locational or other conditions are such as to make impractical the inclusion of public utilities within rights-of-way or dedicated alleys, perpetual unobstructed easements of at least ten feet in width shall be provided. Easements shall be indicated on the plat.

See below condition in regards to the existing utility easement that is encroaching into an existing building within Lot 2.

## **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 November 18, 2015.
- Notice was mailed by the City on November 20, 2015 at least ten days before the day of the hearing to each owner of property situated within 200 hundred feet of the subject property. An affidavit confirming this is located in the project file.
- A sign was posted by the applicant on November 25, 2015 on the subject site. An affidavit confirming this posting was supplied by the applicant.

### **Inquiries/Comments**

City Staff has not received any inquiries regarding this request.

## **RECOMMENDED MOTION**

Staff recommends the Commission approve **DSA-15-00126, Resubdivision Preliminary Plat** for the **Re-Plat of Lots 4 & 7, SWC Trezell Rd. & O'Neill Dr.** with the

following conditions:

1. Provide a new subdivision name on all documents. Ex. Lots 1, 2, and 3, of “new subdivision name here” a Re-Plat of Safeway Store #1706 Cottonwood Lane and Trekell Road.
2. 16.16.040 B – Provide a note on the Preliminary Plat that a “Certificate of Assured Water Supply” number will be provided on the Final Plat.
3. 16.16.040 C – Provide a note on the Preliminary Plat that indicates that easements and maintenance agreements for common access, parking, drainage, and retention facilities will be provided in conjunction with the Final Plat.
4. Label all existing easements. Utility easement encroaching into building on Lot 2 not labeled. Listed as 10' utility easement on existing Final Plat.
5. Address the utility easement encroachment into the existing building on proposed Lot 2. If no utilities are present place note to abandon said easement. If an easement is required, is it possible to locate it clear of the existing building?
6. Please show the finish floor elevation in the existing buildings & make all spot elevations readable on preliminary grading & drainage plan.
7. Please show the capacity of each retention basin (Vr/Vp) on the preliminary grading & drainage plan.
8. Show the 2 existing cap/mark stubs in lot #1 at the preliminary grading & drainage plan.
9. Show/Add Preliminary Grading & Drainage Plan on the title.

# Exhibit A - Casa Grande Shopping Center Preliminary Plat

