

AGENDA ITEM _____
DATE _____

Regular Meeting
November 5, 2015

**MINUTES OF A REGULAR MEETING OF THE CASA GRANDE
PLANNING AND ZONING COMMISSION HELD ON THURSDAY,
NOVEMBER 5, 2015 AT 6:00 P.M. IN THE COUNCIL CHAMBERS AT
CITY HALL, 510 E. FLORENCE BOULEVARD, CASA GRANDE,
ARIZONA.**

I. Call to Order/Pledge:

Chairman Henderson called the meeting to order at 6:00 p.m.

II. Roll Call:

Members Present:

Chairman Mike Henderson
Vice-Chairman David Benedict
Member Jeffrey Lavender
Member Ruth Lynch
Member Fred Tucker
Member Stephen Gentzkow
Member Paul Zalewski

Absent:

City Staff Present:

Paul Tice, Planning and Development Director
Laura Blakeman, Planner
Jim Gagliardi, Planner
Joe Horn, Planner
Linda Harris, Administrative Assistant
Mark Graffius, Assistant City Attorney
Duane Eitel, Traffic Engineer
Mark Murphy, Fire Inspector

III. Approval of Minutes:

October 1, 2015 and October 22, 2015

Member Lynch moved to approve the minutes dated October 1, 2015, Member Benedict seconded, a voice call vote was called, and all were in favor.

Member Zalewski moved to approve the minutes dated October 22, 2015, Member Benedict seconded, a voice call vote was called, and all were in favor.

IV. Changes to the Agenda:

There were no changes to report.

V. New Business:

A. Request by IMH Special Asset NT 102, LLC., for the following land use approvals for a 57.26 acre site known as Verde Creek. A.P.N. 504-09-024P

- 1. DSA-15-00117: Zone Change** from R-1 (Single Family Residential) and R-2 (Multi-Family Residential) to R1a (Single Family Residential). (Planner Joseph Horn)

Joseph Horn, Planner came forward and presented a brief overview of the case as detailed in the staff report. Mr. Horn stated the zone change request is for 57.26 acres known as Verde Creek. The location is south of Kortsen Road between Pinal Avenue and Casa Grande Avenue. The site is currently zoned as R-1 (east side) and R-2 (west side). The requested zoning for the property is R-1a. Mr. Horn overviewed the review criteria. He stated that the proposed use is in conformance with the General Plan 2020. The property is within the City's Neighborhoods General Plan Land Use Designation and allows for R-1a zoning. The area lies within the Phase 1 (Primary Growth Areas) of the General Plan 2020. This project will be beneficial to the city as it is an infill project that can utilize existing infrastructure. Mr. Horn explained that further evaluation will occur during platting process that will determine conformance in regards to densities and intensities. A conceptual lotting plan that was provided of the site currently shows 206 single family homes, providing 3.6 dwelling units per acre. This is less dense than target density of four dwelling units per acre within the Neighborhoods category of the General Plan. Mr. Horn stated that the site had a previously approved preliminary plat showing 330 total units. Mr. Horn outlined the permitted uses and lot sizes for the existing R-1 & R-2 zone districts and the proposed R-1a zone district. He stated that the R-1 zoning only allows for single family detached homes with a minimum lot size of 7000 sq. ft. and the R-2 zoning allows for a single family detached homes, duplexes, tri-plexes, four-plexes and four unit townhome product with lots ranging in size from 6000 sq. ft. for the single family detached and 3000 sq. of lot area per dwelling unit for the other housing types. The proposed R-1a would allow two separate products such as a single family detached or a single family attached home. The single family attached home would be allowed to share a wall but still remain two separate single family dwellings. Minimum lot size within the R-1a zone district is 5,000 sq. ft.

Mr. Horn stated that staff received multiple inquiries requesting information on the site. Also, a nearby resident expressed his concern with the possibility of duplexes being built on the site.

Mr. Horn stated that staff recommends the Planning and Zoning Commission forward a favorable recommendation for DSA-15-00117: Zone Change from R-1 (Single Family Residential) and R-2 (Multi-Family Residential) to R1a (Single Family Residential) with the condition as stated in the staff report.

Chairman Henderson questioned if there is the timeline to begin the project.

Mr. Horn replied that staff is anticipating receiving the preliminary plat in mid December. He stated that the applicant could further answer his question when he addresses the commission.

Chairman Henderson made a call for the applicant to come forward.

Tim Keenan, IMH Special Asset NT 102, LLC, 7001 N. Scottsdale Rd. came to podium to address the commission. He stated that their anticipated timeline for the development is in the spring. He explained that they are currently working with three national home builders who are looking at the site.

Chairman Henderson questioned when they expect the first house to be complete.

Mr. Keenan replied that most likely a year from now.

Member Lynch questioned in a single family attached home if the shared wall is required to be fire proof.

Mark Murphy, Fire Inspector replied "Yes". He explained that typically it is required to be a one hour rated assembly between the two homes.

Mr. Keenan replied that their plan is to have single family detached homes rather than single family attached homes.

Chairman Henderson questioned if the intent for requesting the R-1a is to be able to have a certain number of homes on smaller lots.

Mr. Keenan replied that this will give flexibility on lot size and lot dimensions. He explained that the prior preliminary plat provided lots for townhomes on half of the property and single family homes on the remaining half.

Chairman Henderson made a call to the public.

David Zahniser, Dartmouth Drive addressed the commission. He noted that he is opposed to building duplexes and allowing shared lots. He stated that the density of the area is very critical. He explained that there are already traffic issues at Kortsen Rd. and Casa Grande Avenue. His concern is that adding another 300 homes in this location will be very problematic. He stated that there are also drainage issues with

constant flooding on Casa Grande Avenue and he would like to know how this project will help the two issues.

Mr. Horn explained that a Traffic Impact Analysis would be required to be submitted in conjunction with the future Preliminary Plat application and if warranted at the time, there will be improvements made to traffic conditions. He stated that with the traffic patterns currently proposed, staff could make some suggestions to help alleviate potential traffic issues such as adding some north and south and east and west connectivity. Mr. Horn stated that a drainage plans will also be required to be submitted with the future Preliminary Plat application. He explained that there is a drainage channel on south side of project that runs through the middle creating an open space.

Chairman Henderson explained to Mr. Zahniser that he will have another opportunity to address his concerns when the plans have been submitted and staff has more information. The issue tonight is just for the zone change

Mr. Zahniser stated that he feels that the current zoning should remain the same and stated his reasons why.

John McGuire, 941 E Penny Lane addressed the commission. He stated that it is his understanding that this zone change will remove some R-2 multi-family residential from the project, which would have resulted in an even higher density. He stated that this change would remove condominiums and apartment complexes currently approved for this site. He stated that he is in favor of the commission approving the smaller lot sizes for the proposed single family homes.

Member Benedict asked what the zone districts are around the area being proposed.

Mr. Horn replied to the north is PAD (Elaine Farms) and I-1 zoning, to the east is PAD (Elaine Farms) and R-1, to the south is PAD (College Park 8) and R-1 and to the west is B-2 (Community Center). There are currently four churches to the east of the site.

Member Gentzkow questioned if the I-1 (Light Industrial) area will be restricted on what they are allowed to do with this area of residential going in around them.

Mr. Horn replied that the I-1 (Light Industrial) will still be allowed the permitted uses for this type of zoning.

Member Gentzkow questioned what will happen if complaints are received by the neighbors.

Mr. Horn replied that at the time of the occurrence, staff would evaluate any complaints and assess whether they were valid concerns regarding code violations by the uses of the I-1 property.

Chairman Henderson asked if Mr. Horn would comment on the planned freeway exchange at Kortsen Road and I-10

Mr. Horn replied that Kortsen Road will be an important aspect for future transportation planning in that it is planned to have an interchange with 1-10 and connects to Thornton Rd. which has an interchange on I-8. Since Kortsen has connections to both I-10 and I-8 it is expected to carry significant traffic volumes in the future. He explained the surrounding areas that has infrastructure necessary for development

Member Lavender made a motion to send a favorable recommendation to council for DSA-15-00117 Zone Change from R-1 (Single Family Residential) and R-2 (Multi-Family Residential) to R1a (Single Family Residential) with the following condition:

Proposed housing product meet the Residential Architecture Standards (Section IIA and IIB) presented in the Residential Design Standards for Planned Area Development.

Member Zalewski seconded the motion.

The following roll call vote was recorded:

Member Zalewski	Aye
Member Gentzkow	Nay
Member Tucker	Aye
Member Lynch	Aye
Member Lavender	Aye
Vice-Chairman Benedict	Aye
Chairman Henderson	Aye

The motion passed 6 – 1.

B. Request by Michael Nagel, for the following land use approvals for parcels located generally west of Peart Road, south of Florence Boulevard and east of Pottebaum Avenue:

- 1. DSA-15-00123: Major PAD Amendment** to remove a 2.39 acre site (APN 505-30-025A) from the Plumb Plaza PAD. (Planner Laura Blakeman)
- 2. DSA-15-00100: Zone Change** to allow a change in zoning from PAD (Plumb Plaza) to R-3 (Multi-family Residential) for Parcel 505-30-025A and a change in zoning from UR (Urban Ranch) to R-3 (Multi-family Residential) for Parcel 505-30-025B. (Planner Laura Blakeman)

Laura Blakeman, Planner came forward and presented a brief overview of the cases as detailed in the staff report. Mrs. Blakeman stated the request is for a Major PAD

Amendment and a Zone Change on two adjacent parcels. The parcels are located south of Florence Blvd., west of Peart Rd., and south of the J. Warren Funeral Home and Professional Eye Associates site. The Major PAD Amendment request is to remove a 2.39 acre site from the existing 9.73 acre site (Plumb Plaza PAD). The remaining portion of the PAD will remain with 7.34 acres. The Zone Change request is to change the 2.39 acre site from Plumb Plaza PAD to R-3 (Multi-family residential). Also included in the request is to change the 2.2 acre site to the south of the PAD boundary from Urban Ranch to R-3 (Multi-family Residential). The total site area for the zone change request is for 4.6 acres. Mrs. Blakeman stated that the PAD zoning for the 2.39 acre site is currently classified as commercial and office land uses. The remainder of the Plumb Plaza PAD will stay intact with the original approved commercial and land uses and development standards. Staff finds that the request is in conformance with the zone change review criteria regarding the general plan, as the site is located within the Community Center land use category which allows for high density residential development and also permits R-3 zoning. Mrs. Blakeman stated the rezoning will allow owner occupied higher density units which provide additional housing opportunities in the future as needed. The site is located between J. Warren Funeral Home and the Professional Eye Care to the north and Silver Mesa Apartments to the southwest and the Colony Apartments directly south of the site. Mrs. Blakeman stated that staff feels that this higher density residential land use is more appropriate than commercial office use because the site is set back 636 feet from Florence Blvd. and thus does not have the visibility from a commercial corridor that is typically required for commercial/office development. Staff also feels that this would be a good transitional land use between the commercial properties to the north and the apartments, residential, and higher densities to the south.

Mrs. Blakeman stated that staff received some concerns from the J. Warren Funeral Home. Staff met with their representative (Jackie Guthrie) and staff from the Rose Law Group who were representing the applicant to address the Warren's concerns. As a result of meetings, staff has created some special development standards, or Conditions of Record associated with the Zone Change approval, which are intended to address the concerns expressed by the Warren's. These Conditions of Record are set forth in the staff report. The conditions are to generally be applied along the westerly 350 ft. of the site's northern property line as that is the area that abuts the portion of the Warren Funeral Home where the outdoor services are held.

Mrs. Blakeman stated that staff did receive concurrence with the Conditions of Record from the applicant, Mr. Nagel, and Jackie Guthrie who represent the Warrens. Staff received an opposition letter from the Management Company for the Colony Apartments due to the existing multi-family residential development in the area.

Mrs. Blakeman stated that staff is recommending the Planning and Zoning Commission forward a favorable recommendation to the City Council for DSA-15-00123, Major PAD Amendment to remove a 2.39 acre site from the Plumb Plaza PAD. Staff also recommends the commission forward a favorable recommendation to the City Council for DSA-15-00100, Zone Change from PAD (Plumb Plaza) to R-3 (Multi-family

Residential) for Parcel 505-30-025A and a change in zoning from UR (Urban Ranch) to R-3 (Multi-family Residential) for Parcel 505-30-025B, with the following Conditions of Record:

1. A minimum 30' landscape setback shall be provided along the western 350' of the north property line and shall include two rows of minimum 36" box trees planted in a triangulated pattern. One-half of the trees shall be an evergreen species.
2. An 8' block wall (CMU or similar material approved by staff) shall be provided along the western 350' of the north property line.
3. Building setbacks for buildings with a north-south orientation shall be a minimum of 30' from the north property line; building setbacks for buildings with an east-west orientation shall be a minimum of 75' from the north property line along the western 350' of the north property line.
4. North facing patios and/or balconies are prohibited along the western 350' of the north property line.
 - a. Maximum building height shall be two stories and 30'. (Note: Building height shall be measured per City Code Section 17.12.210.)
5. All dwelling units shall be designed for individual unit sales such as townhomes, condominiums, etc.

Member Gentzkow questioned if the applicant is in agreement with the proposed conditions of record.

Mrs. Blakeman replied that staff did work with the parties on both sides and their representatives and it is staff's understanding that all are in agreement.

Member Tucker questioned what traffic requirements will be on that corner for commercial versus high density residential since there is quite a bit of high density residential currently in that area.

Mrs. Blakeman replied that at the time of Major Site Plan submittal, a Traffic Impact Analysis will be required for review.

Mr. Eitel stated that this will be addressed when the Traffic Impact Analysis is submitted.

Director Tice responded that since this is a re-zoning application, Staff does not know how many dwelling units might be built. He stated that they know what the maximum would be but not what the actual development will be. Under the current zoning, staff does not know how much traffic would be generated because commercial land uses allowed could be restaurants or medical offices which would generate high traffic

generation or could be low volume type offices. He stated currently there is not enough information necessary to compare the traffic impact between the various land uses that could be developed under the current and proposed zoning at this point in the process. Director Tice stated that when the Traffic Impact Analysis is submitted at the Major Site Plan stage, it will be brought back to the commission for their review.

Chairman Henderson made a call for the applicant to come forward.

Court Rich from Rose Law Group, 7144 E Stetson Dr., Suite 300, Scottsdale addressed the commission on behalf of the applicant. He stated that they agree with the stipulations discussed

Member Lynch commented that she thinks 30 ft landscape area is going to make the development much more desirable.

Chairman Henderson asked Mr. Rich what his answer would be to the letter from the management company for the Colony Apartments.

Mr. Rich replied that this would be more of a business decision. The market will decide what is needed for this area and there would not be direct competition with the apartment uses. If the owner does his analysis and figures out this is not the right time he does not want to build a project with not enough demand.

Chairman Henderson made a call to the public

John McGuire, 941 E Penny Lane addressed the commission. He asked where the Circle K project is in regards to this site as he was trying to figure out if there is still plenty of land available if the 2.39 acres are removed from the Plumb Plaza PAD.

Jackie Guthrie, 19410 W. Black Knob St., Casa Grande addressed the commission. She stated that she represents J. Warren Funeral Home. She stated that the Warren's are in agreement. She wanted to clarify for the record the condition 5 in the conditions of record. This condition does apply to the entire parcel and not just the dwelling units that are constructed within the westerly 350 feet of the north property line.

Chairman Henderson asked Ms. Guthrie to address the question asked by Member Gentzkow regarding if all parties are in agreement with the conditions of record.

Ms. Guthrie replied that they have met with staff and the applicants' representatives and they are in agreement.

Member Lynch made a motion to forward a favorable recommendation to the City Council regarding DSA-15-00123 Major PAD Amendment to remove a 2.39 acre site (APN 505-30-025A) from the Plumb Plaza PAD.

Vice-Chairman Benedict seconded the motion.

The following roll call vote was recorded:

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

The motion passed 7 – 0.

Vice-Chairman Benedict made a motion to approve case DSA-15-00100 Zone Change to allow a change in zoning from PAD (Plumb Plaza) to R-3 (Multi-family Residential) for Parcel 505-30-025A and a change in zoning from UR (Urban Ranch) to R-3 (Multi-family Residential) for Parcel 505-30-025B

Member Tucker seconded the motion.

The following roll call vote was recorded:

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

The motion passed 7 – 0.

C. Request by Nathan Cottrell of CEG Applied Sciences, for the following land use approval upon a 3.95-acre site located within the northeast portion of APN 505-07-024A, south of Rodeo Rd., west of the future extension of Pueblo Dr.:

- 1. DSA-15-00037: Major Site Plan** for the placement of a single-story 102-bed assisted living facility with memory care within the Santa Cruz Crossing Planned Area Development Zone (Planner James Gagliardi)

James Gagliardi, Planner came forward and presented a brief overview of the case as detailed in the staff report. Mr. Gagliardi stated that recently the Santa Cruz Crossing PAD was amended to add an assisted living facility as an allowed use within this area. The Major Site Plan request is to accommodate the development of the assisted living facility. The proposal entails the assisted living facility containing 102 beds and a

memory care area that will include walled infinity track. The project is to be located on approximately a 6 acre site to be platted as Lot 1 of the Santa Cruz Subdivision. The development will involve the construction of a single story building, with a building height of approximately 25 ft. There is also a maintenance building proposed on the west side of this site that is approximately 3,000 sq. ft. in size. Mr. Gagliardi overviewed the review criteria set forth within the Zoning Code associated with the review of PAD proposals which are detailed in the staff report. He stated that staff feels that all criteria have been met. Mr. Gagliardi stated that this is an assisted living facility is a permitted use within the PAD. The Santa Cruz PAD sets forth a number of development standards which staff has determined to be met. Mr. Gagliardi stated that as a condition of approval, the Drainage Report will need to be revised to address comments by the City Engineer prior to final staff approval of the Major Site Plan/Final Development Plan. Most of these issues have to do with the recommendations contained within the Master Facility Drainage Study and the Preliminary Drainage Report for handling the off-site drainage. Lot 1, upon which the assisted living facility is proposed, does not have many drainage issues. Mr. Gagliardi stated that there are two additional conditions of approval that staff is recommending which is that the Final Plat for Phase 1 must be approved and recorded prior to issuance of a building permit and all Phase 1 improvements as required by the PAD and Preliminary Plat approval shall be installed and approved by the City prior to issuance of a Certificate of Occupancy. The Phase 1 improvements will include the improvements to Rodeo Rd. including frontage road as well as the drainage channels required to carry the off-site flows through the PAD site. The frontage road has been designed to be two way including screened wall from Amarillo Rd. to Colorado St. Also included is the development of Pueblo Dr. south of Rodeo Rd. including channelization and drainage adjacent to Pueblo Dr. There would be improvements made to drainage channel running east and west through the site.

Mr. Gagliardi noted that staff has received no inquiries or comments from the public.

Mr. Gagliardi stated that staff recommends that the Planning and Zoning Commission approve DSA-15-00037 Major Site Plan for the placement of a single-story 102-bed assisted living facility with memory care within the Santa Cruz Planned Area Development Zone with the technical corrections and conditions as stated in the staff report.

Member Gentzkow questioned if the existing Rodeo Rd. will still be there or will the homeowners that are facing Rodeo Rd. have a problem with using the existing road and for how long during the construction. He asked if they will still have access to their driveways.

Mr. Gagliardi replied that it was previously agreed to do the entire length of the frontage road at once. He stated that the primary travel route on Rodeo Rd. as it is now is going to be shifted slightly to the south to accommodate room for the frontage road. This will need to be done through proper traffic management. The residents will still have access to their driveways.

Chairman Henderson asked if there is a general widening plan for Rodeo Rd. along this section.

Mr. Gagliardi replied "yes".

Chairman Henderson made a call for the applicant to come forward.

Larry Nagaki, 4601 N. Black Canyon Hwy Phoenix addressed the commission representing the applicant. He stated that he is the design architect and possibly the general contractor.

Chairman Henderson asked Mr. Nagaki if he had any additional information that he would like to address.

Mr. Nagaki replied that most of the edges of the building except for the main entrance are 10 to 12 ft. tall, so there will be minimal impact. He stated with the staging of construction being planned, the two way road does allow them to build half of the road keeping open portions being worked on. He stated that there will be some inconvenience but that there will be traffic control to help alleviate some of the issues.

Member Lynch questioned if it is a state requirement for proper security of the memory care facility.

Mr. Nagaki replied that it is a state requirement and has been included in their design. He explained that the doors are tied to the fire alarm to allow for exit during a crisis but for a non crisis there will be a code or keypad release for doors to be open. This memory care area will be fully monitored at all times.

Member Lynch questioned the security measures for patients' privacy in their individual rooms.

Mr. Nagaki replied that all rooms are individually secured. Each room will also have a service or emergency call button.

Member Lynch asked if this is also a state requirement.

Mr. Nagaki replied that it is not a state requirement.

Chairman Henderson made a call to the public

John McGuire, 941 E Penny Lane addressed the commission. He stated that he is in support of the project. He wanted to confirm that the condition regarding all Phase 1 improvements be completed before the Certificate of Occupancy is issued.

Mr. Gagliardi replied that the improvements must be completed and accepted by the City prior to the issuance of the Certificate of Occupancy.

Chairman Henderson questioned if there will be one pool at each courtyard.

Mr. Nagaki replied that there will be one swimming pool.

John Baker, 1262 E. Rodeo Rd. addressed the commission. He asked what the approximate time frame for Phase 1 to be completed.

Mr. Nagaki replied approximately a year and a half.

Mr. Baker questioned what kind of fence will be installed.

Mr. Gagliardi replied that the plans entail 3 ft screen wall which would be comprised of masonry. He stated that there was a discussion about staggering the wall so that it would not be one continuous line.

Member Zalewski made a motion to approve case DSA-15-00037 Major Site Plan for the placement of a single-story 102-bed assistant living facility with memory care within the Santa Cruz Crossing Planned Area Development Zone with the following technical corrections and conditions:

Technical Corrections:

1. Amend the parking table to show exactly as follows:

Required Parking:

Nursing Home: 1 parking space for every 3 beds plus 4 parking spaces plus number of spaces that equal number of employees on maximum shift

102 beds/3 = 34 spaces + 4 spaces = 38 spaces

Maximum employees per shift = 35 spaces

Total required parking = 73 parking spaces

Accessible parking required = 3

Total provided parking = 74 parking spaces (including 4 accessible parking spaces)

2. Remove the following typo from the bottom of the parking table:

"Total Parking Provided 7. SPCS"

3. Include the following on the site plan:

- a. Label the widths of the sidewalks along Pueblo and Rodeo. It appears that the Rodeo sidewalk needs to be made wider as sidewalks along minor arterials are 6 ft.

- b. It is still difficult to determine property lines. Especially along the eastern boundary. Please note with a specially denoted property line hatching or an indicator such as "PL" intermittently.
 - c. Revise info regarding Pueblo Dr. ROW. It is not 36 ft. as shown. Pueblo Dr. is to have ROW of 60 ft.
 - d. Label height/ material of wall surrounding infinity track.
4. Revise the Drainage Report to the satisfaction of the City Engineer addresses the following:
- a. Provide a completed hydrological and hydraulic analysis of the site. The offsite peak flow coming out of Retention Basin of Basin A near CP2 should be calculated after applying 100-year 1 hour retention and combined with the proposed flow from CP2-WS and CP2A. The calculated 204cfs from Basin A shall be combined at CP2 flow of 73cfs and appropriate channels and culverts shall be redesigned to accommodate the combined flow.
 - b. Please show by calculations that the 100-year flow does not exceed 8-inch depth over roadway at Rodeo Rd at any point for a culvert designed for 25-year storm.
 - c. The maximum side slope of stormwater channel is limited to 4:1 for dirt-lined channels. Alternative material can be proposed for steeper slopes.
 - d. Provide calculations for required retention (estimated) for each development areas on site in a tubular form with appropriate labels and calculate peak flows from onsite into the wash. Provide peak flow calculations for post development conditions after applying required retention volume.
 - e. Provide maximum peak flow at site existing storm drain culverts across Trekell road for pre-development and post development conditions. Also calculate capacity of existing storm drain culverts.
 - f. Trekell Road is a crowned road and CP8OFF and CP9OFF will tend to go to the low point at existing Storm Drain Culverts across Trekell Rd and should be combined with flows exiting the site.

Conditions:

1. Final Plat must be approved and recorded prior to an issuance of a building permit.
2. All Phase 1 improvements as required by the PAD and Preliminary Plat approval shall be installed and approved by the City prior to issuance of a Certificate of Occupancy.

Member Lavender seconded the motion.

The following roll call vote was recorded:

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

The motion passed 7 – 0.

D. Request by Lynn Pate of Pate Family Limited Partnership, for the following land use approval for a 1.32-acre parcel known as 2510 N Trekell Rd.:

- 1. DSA-15-00118: Conditional Use Permit** for to allow a school use in the R-3 (multi-family) Zone District for an on-line instruction high school within 4,610 sq. ft. of an existing 5,391 sq. ft. building (Planner James Gagliardi).

James Gagliardi, Planner came forward and presented a brief overview of the case as detailed in the staff report. Mr. Gagliardi stated that this request is for the R-3 zoned former DES building located at 2510 N. Trekell Rd. which contains approximately 5400 sq. ft. He explained that at the time the building was built, the R-3 zoning allowed offices. However, since subsequent Zoning Code revisions removed the office use as a Permitted or Conditional Use within the R-3 zone the office uses within the building are now considered to be a legal non-conforming use. Mr. Gagliardi stated that the R-3 zone allows for a school with the approval of a Conditional Use permit. The applicant is requesting the approval of the Conditional Use permit to allow an on-line instruction high school. Mr. Gagliardi stated that the on-line school is intending to lease at 4,610 sq. ft. portion of the existing building. The remaining portion of the building is to remain as office space. There will be a separating wall dividing the two uses. Mr. Gagliardi overviewed the review criteria for Conditional Uses required by the Zoning Code which are detailed in the staff report. He stated that staff feels that all five criteria have been met. Mr. Gagliardi explained that there are walls approximately six feet in height bordering this site from the neighborhood to the north, and the neighborhood to the east. Additionally, the neighborhood to the east is separated from the site by an alley. These walls and alleyway help provide separation of uses between the subject site and the abutting single-family residential development. There is a church located directly to the south which is a compatible use as church activities are typically concentrated to weekend and evening hours and the school's activities are typically daytime hours between Monday and Friday. Mr. Gagliardi stated that staff looked at the trip generation for the former office use calculated to be 58 daily trips. The trip generation for a high school use is also 58 daily trips; therefore there is no change to the traffic impact or level of service on surrounding streets anticipated for the new use. Mr. Gagliardi stated

that the area is within the "Neighborhoods" land use designation of the General Plan which allows for schools. Mr. Gagliardi stated that, in accordance with the General Plan goal of providing direct pedestrian connections, staff is recommending in conformance that the sidewalk be extended across the undeveloped portion of the lot so there is a continual sidewalk along the north side of Avenida Ellena to make more pedestrian friendly.

Mr. Gagliardi noted that staff has received no inquiries or comments from the public.

Mr. Gagliardi stated that staff is recommending the Planning and Zoning Commission approve DSA-15-00118 Conditional Use Permit and its associated Resolution with the conditions as stated in the staff report.

Member Zalewski questioned how staff will be aware of any changes such as change in instruction or the increased area of classroom

Mr. Gagliardi explained that there are a couple of ways to monitor the Conditional Use Permit such as a change in signage.

Member Gentzkow questioned if the operating times make a difference or could the school run a second shift if beneficial.

Mr. Gagliardi replied that he did not recommend as a condition of approval limiting the hours for school, but they tend not to run into the evening hours He stated that the applicant can address this question.

Chairman Henderson questioned the square footage that will be used for the school portion.

Mr. Gagliardi replied that the building in total is over 5000 sq. ft. of which 4310 sq. ft. of that is the portion that will be used for the school. The remaining 781 sq. ft. will be used for the existing office.

Chairman Henderson questioned the "For Sale" sign that is in front of the building. He asked if the Conditional Use permit will go with the building if it gets sold.

Chairman Henderson made a call for the applicant to come forward.

Lynn Pate, 800 N. Kadota addressed the commission. He stated that he is the owner of the building. The building is no longer for sale. He has a five year lease in place for the school. He stated that he is in agreement with installing the sidewalk. Mr. Pate stated that he talked to Pinnacle High School regarding how much parking they need and he was told 10 parking spaces. He explained that the bus will bring the students to school and pick them up. There are two five hour sessions: 7 am to Noon and Noon to 5. They currently have 40 students of which 35 ride the bus. The school plans on

expanding to 60 students, 30 students in the morning session and 30 students in the afternoon session.

Chairman Henderson made a call to the public

Richard Hinkle from Pinnacle School addressed the commission. He thanked staff for their hard work. He stated that he is looking forward to being in Casa Grande again. They are currently holding their classes at Central Arizona College.

Chairman Henderson questioned what types of students attends their classes.

Mr. Hinkle replied that they are an alternative school. They have students who have had difficulty getting through school or have jobs or family commitments and are better suited for an alternative school.

Vice-Chairman Benedict made a motion to approve Resolution DSA-15-00118, Conditional Use Permit to allow a school use in the R-3 (multi-family) Zone District for an on-line instruction high school within 4,610 sq. ft. of an existing 5,391 sq. ft. building with the following conditions:

- a. A change in school programming where emphasis is instead placed on in-person instruction vs. on-line instruction will require a new Conditional Use Permit.
- b. An increase in area for classroom use within the building will require a new Conditional Use Permit.
- c. A 4 ft. wide sidewalk shall be installed along Avenida Ellena from Trezell Rd, eastward to the existing sidewalk abutting the site prior to the issuance of the Certificate of Occupancy for the school use. A Public Improvement Permit will be required to be obtained prior to the construction of said sidewalk.
- d. The granting of this Conditional Use Permit does not relieve applicant from compliance with applicable building codes and other applicable regulations such as building occupancy requirements.

Member Lavender seconded the motion.

The following roll call vote was recorded:

Member Zalewski	Aye
Member Gentzkow	Aye
Member Tucker	Aye
Member Lynch	Aye
Member Lavender	Aye
Vice-Chairman Benedict	Aye

Chairman Henderson

Aye

The motion passed 7 – 0.

VI. Call to the Public:

There were no comments received from the public.

VII. Report by Planning Director:

A. Administrative Approvals

1. DSA-15-00124: Minor Site Plan- to allow for a new and expanded parking area located at the American Legion at 713 N. Park.

Approved October 19, 2015 Planner: Joseph Horn

2. DSA-15-00115: Minor Amendment to a Major Site Plan - Caliche Senior Living, 1640 N Peart Rd, amending the previously approved Major Site Plan (DSA-14-00013) consisting of the following minor changes:

1. Modifying the front entrance by changing dimensions of the pore-cochere and improving its traffic circulation within this covered area.
2. Relocating the trash enclosure on the east side of the building to a more accessible area.
3. Modifying access to the Mary T site to the east by narrowing the pavement area to promote slower traffic between these two properties.

Approved October 7, 2015 Planner: James Gagliardi

3. DSA-15-00106: Minor Amendment to a Major Site Plan - CityGate (formally Tanger Outlet Mall), 2300 E Tanger Dr, amending the previously approved Major Site Plan (CGPZ-031-092) to place outdoor sales and display of storage buildings and sheds within a designated non-required parking area.

Approved September 25, 2015 Planner James Gagliardi

Director Tice briefed the Commission on the above projects

B. Board of Adjustment Decisions

N/A

C. Monthly Development Center Reports:

The monthly reports were distributed.

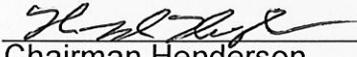
VIII. Adjournment:

Member Lavender motioned for adjournment, a voice call vote was called and all were in favor.

Chairman Henderson called for adjournment at 7:27 p.m.

Submitted this **19th day of November 2015**, by Linda Harris, Administrative Assistant to the Casa Grande Planning & Zoning Commission, subject to the Commission's approval.

Approved this 3rd day of Dec, 2015, by the Casa Grande Planning & Zoning Commission.



Chairman Henderson