



MEETING DATE: JUNE 5, 2024

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **FP22-006 (PROMONTORY AT MAGIC RANCH – PARCEL D1)**

CASE COORDINATOR: Lindsey Randall

Executive Summary:

Requesting approval of a Final Plat for an approximately 28.10 acre subdivision consisting of 109 lots within the CR-3/PAD zoning district per PZ-PD-007-098A. A portion of a 240-acre residential development with 919 lots located at the south of Heritage Road alignment and east of Quail Run Lane alignment.

If This Request is Approved:

The applicant will be allowed to proceed with construction.

Staff Recommendation/Issues for Consideration/Concern:

Staff recommends approval with attached stipulations related to Planning and Zoning Commission approval of Tentative Plat (S-042-05).

LEGAL DESCRIPTION: Located in the Northwest Quarter of Section 12, Township 4 South, Range 8 East, of the Gila and Salt River Meridian, Pinal County, Arizona.

LANDOWNER: Jobbuzz Magic Ranch, LLC (John Beerling)

APPLICANT: United Engineering Group, LLC (Christopher Lenz, P.E.)

LOCATION: Located south of Heritage Road and East of Quail Run Road in the San Tan Valley Area.

SIZE: 28.10 acre project area.

EXISTING ZONING AND LAND USE: The subject is currently zoned CR-3/PAD and is currently vacant.

COMMISSION ACTION (S-042-05) The Commission approved the Tentative Plat for Promontory at Magic Ranch on March 16, 2006.

S-042-05 STIPULATIONS:

1. All peripheral road and infrastructure improvements shall be per the approved traffic study to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer.
2. The approved Drainage Plan shall provide retention for the 100-year, 2-hour storm waters in a common retention area or on-lot retention for lots 1 acre and greater. Individual grading and drainage plan for each parcel shall be submitted to the County Engineer for review and approval prior to the recordation of the final plat.
3. After final grading has been completed, percolation tests for each retention basin must be performed by a licensed geotechnical engineer to determine that the basin can drain any storm event within 36 hrs. Results of these tests shall be submitted to Pinal County Public Works. Should any basin fail to meet this requirement, the owner/developer is responsible for bringing the basin into compliance with the Pinal County Drainage Ordinance.
4. An association, including all property owners in the development will be formed and have the responsibility for maintain all common areas to be noted as "tracts" or easements (including landscaped areas, street lights, and drainage facilities) in accordance with approved plans;
5. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer.
 - a. Provide curb, gutter, sidewalk (both sides), paving and incidentals on all interior local, collector and arterial streets.
 - b. Provide a 33'x33' right-of-way sight visibility triangle easement at all collector and arterial street intersections. Provide 21'x21' right-of-way sight visibility triangle easement at all local streets that intersect with local streets.
 - c. 55' half street right-of-way dedication along all section lines and 40' half street right-of-way dedication along all mid-section lines.
 - d. The minimum paving widths for all local streets, public or private within this development to be 32' (back of curb to back-of-curb, b/x to b/c) constructed within 50' of right-of-way. All minor collector streets to be constructed 40' (b/c to b/c) within 60' of right-of-way. All major collector streets (mid-section lines) to be 48' (b/c to b/c) within 80' of right-of-way. All arterial streets (section lines) to be 75' (b/c to b/c) within 110' of right-of-way as approved by the County Engineer. Pavement structure shall be per Pinal County Subdivision Standard and as recommended by the Geotechnical Report and as approved by the County Engineer.
 - e. The minimum paving width for Quail Run Lane and Heritage Road shall be 37.5' (centerline to back-of-curb) with a structural section of 10" of Class 1 aggregate base and 4" of asphalt concrete within 55' of half street right-of-way along the entire subdivision boundary. Pavement structure shall be per Pinal County Subdivision Standard and recommended by the Geotechnical Report and approved by the County Engineer.
 - f. The minimum paving width at the south property line from Oasis Blvd. east to the east

- end of "Tract H-I" to be 24' (center line to back-of-curb) with a structural section of 8" of Class 1 aggregate base and 3" of asphalt concrete within 40' of half street right-of-way. Pavement structure shall be per Pinal County Subdivision Standard and recommended by the Geotechnical Report and approved by the County Engineer.
- g. A 28' paved access shall be provided to the site on Quail Run Lane from Heritage Road to meet current Pinal County Standards.
6. The final plats shall include a statement to the effect that the stormwater retention volumes required by the drainage ordinance have been met and that the overall gross retention/detention volumes will not be changed without prior County approval.
 7. Prior to recordation of the final plats, the developer shall name in a letter to the Department of Public Works, a Civil Engineer licensed in the State of Arizona who will assume responsibilities of engineer of record.
 8. Existing private irrigation supply ditches or irrigation tailwater ditches on this site, or in the right-of-way adjacent to this site must be replaced with an underground pipeline outside of County right-of-way.
 9. Provide conduit and junction boxes at all road intersections, where traffic signals are required by the approved traffic study. Funds in escrow shall be posted with Pinal County in an amount and manner satisfactory to both parties, prior to final plat approval, to guarantee the installation of the required traffic signals.
 10. At final plat submittal, provide a copy of the computer closure for the subdivision boundary.
 11. Lift stations, if required, shall be located in a tract and shall not be located adjacent to a residential lot. Access to the lift station shall be provided off a local street. Final location of the lift station to be approved by the County Engineer.
 12. Water mains with fire hydrants and sanitary sewer mains shall be constructed in streets or other locations as approved by the County, the utility company and A.D.E.Q. Utility and A.D.E.Q. approval required prior to County approval.
 13. Property line returns at street corners shall be provided with a radius of 25' except for arterial intersections which shall have a radius of 33'.
 14. Intersections with an arterial street shall have a minimum spacing of 1320' (1/4 mile). Only collector streets or other arterial streets shall intersect with an arterial street.
 15. Signing and striping plans are to be submitted as part of the improvement plans at time of submittal. Developer is responsible for all signage and striping within the subdivision which includes school signage and striping.
 16. A 1' vehicular non-access easement (V.N.A.E.) shall be dedicated on all lots adjacent to or backing up to any tract, drainage feature, and collector street or arterial street as required by the County Engineer.

17. Abandonment of existing easements and rights-of-ways must be completed by the developer prior to the final plat through a separate process. Recording a new plat does not extinguish existing ones.
18. The developer agrees to contribute a portion of the cost to provide signals at intersections significantly impacted by the development. Prior to the recordation of the first final plat for this subdivision, developer shall contribute toward the total cost of a traffic signal at the intersection of Hunt Hwy. & Oasis Lane, and Hunt Hwy. & Hiller Road.
19. Prior to final plat approval, the developer is required to contact the local electric service provider to determine if a substation will be required within or directly adjacent to the proposed subdivision. The developer will provide a written verification from the electrical provider of their substation plans in the immediate area. If there are any existing substations requiring modification or new substations are required, the developer will pay all costs for block screening walls and landscaping around the substation site.
20. Applicant/owner agrees to pay both zoning and plat on the Transportation Fees at the time of final plat approval by the Board of Supervisors and to pay the last installment at the time of issuance of building permits in accordance with the Fee Schedule set forth in Exhibit 21 of the Superstition Valley Transportation Study.
21. At least two corners of the subdivision shall be tied by course and distance to a section corner, a quarter section corner, or established city or county survey monument as designated by the Pinal County Engineer.
22. Cul-de-sac lengths shall not exceed 500 feet as per Pinal County ordinance. Variances will need Board of Supervisor's approval and must be submitted separately prior to final plat approval.
23. Provide minimum 5' (foot) spacing between sidewalk ramps and driveways.
24. Continue Promontory Blvd. at its proposed 80' R/W to the intersection of Nelson Road.
25. If any conflicts or discrepancies between the tentative plat and these stipulations arise, the stipulations shall govern.
26. Prior to final subdivision approval (final mylar plat), the applicant/developer/owner shall provide written verification from the wastewater/sewage disposal provider, together with associated documentation, that:
 - a. The wastewater/sewage disposal provider has adequate capacity for collection, treatment and disposal of wastewater for the subdivision(s).
 - b. The subdivision(s) boundaries are located within a service area designated with an approved **Certificate of Convenience and Necessity (CCN)**.
 - c. The wastewater plan for the proposed subdivision(s) is in conformance with the **Certified Area Wide Water Quality Management (208) Plan**.

27. The applicant/owner/developer shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department.
28. Prior to final subdivision approval (final mylar plat) the applicant/owner shall provide written verification from the Florence Unified School District #1, that all applicable school concerns/issues have been resolved to the satisfaction of the District, including providing school bus stops with shelters, as maybe required.
29. Prior to final subdivision approval (final mylar plat), the applicant/owner shall provide the Planning Department with a digital drawing (disk) of the final plat in the Auto CAD DWG file format, with the following layers required: Lot Lines, Lot Numbers, Right-of-Ways, Dimensions, Road Names, Section Lines, and Subdivision Boundary Perimeter.
30. The applicant/owner shall develop the subject property in accordance with the subdivision submittal documents for Promontory at Magic Ranch, and in accordance with all applicable criteria of the Subdivision Regulations or secure any Waivers/Variances requested prior to signing the final subdivision plat by the Board of Supervisors.
31. Development of the 919 lot subdivision (Promontory at Magic Ranch) shall be in conformance with Planning Case PZ-PD-007-98, the Planned Area Development (PAD) (Article 33) of the Pinal County Zoning Ordinance and with the Pinal County Subdivision Regulations.
32. Development of the proposed Subdivision (Promontory at Magic Ranch) shall be in conformance with the applicable goals, policies and residential densities for the Urban designation of the adopted Pinal County Comprehensive Plan.
33. With final plat submittal provide street and road names to the Addressing Section of the Planning Department for approval, as acceptable names.
34. The addresses for each lot will be provided by the Addressing Section of the Planning Department after recordation of the final plat.
35. Place the following items on the face of the final plat:
 - a. Typical Public Utility Easements and Building Setback Lines.
 - b. Vicinity and Location Map.
 - c. Table of Requirements (Base Zoning) including the yard requirements and setbacks.
 - d. Pertinent notes from the **“Notes”** section as required for final plat approval in the Pinal County Subdivision Regulations including a note regarding a model complex and accessory uses, as applicable.
 - e. Basis of Bearings, Land Use Table, Tract Summary Table, Services Provider Table and Roadways.
36. The applicant/owner agrees to ensure the CC&R’s for each subdivision/development will include the following, which shall also be noted on the face of the final plat:
 - a. Notice that the subject property is in the vicinity of the Union Pacific Railroad and that dust, noise and land vibration may be present.

37. The applicant/landowner/developer will coordinate with Pinal County Department of Public Works in addressing traffic circulation between this PAD and adjacent PAD's both current and proposed.
38. Provide minimum 20' driveway for front entry garage measured from face of garage to back of sidewalk.
39. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District.
40. On all lots the developer/owner shall ensure that residential dwellings can fit within the building setbacks including bay windows, fireplaces, porches, covered patios, etc. as approved under the zone change/PAD.
41. Applicant/developer/owner must show all existing gas line, power line, canal and utility corridor easements on the final plat. Gas line, power line, canal and utility corridors easements (minimum width twenty 20 feet) shall be designated as trails, with the written consent of the easement holders. Trails shall be meandering and contiguous through the subject property, a minimum of six (6) feet in width and allow for connectivity with adjacent parcels to the property.
42. Prior to final subdivision approval (initial plat), the applicant/owner shall provide a Hydrology Study completed by an Arizona Registered Professional Engineer/Geologist to the Arizona Department of Water Resources for review and approval to ensure compliance with the Assured Water Supply Regulations, as applicable.
43. With final plat submittal (**Required by A.R.S. § 11-806.01G**) provide (2) sets of final engineering plans (street, sewer, electric and water utilities, drainage, flood control, grading, signing & striping plans and landscaping plans) together with the estimated construction costs to complete the required infrastructure on the above referenced subdivision, for review and approval by the Pinal County Department of Public Works.
44. The final plat/map title (**Required by A.R.S. § 11-481**) shall include:
 - a. Type of map or plat.
 - b. Name of subdivision and description with township, range and section.
 - c. Name of the owner of record.
 - d. Recorder's information and seal block.This information shall be located on the top ¼ of the face of the final plat with the Recorder's seal block located on the top ¼ of each page of the final plat;
45. With final plat submittal provide one (1) copy of a current title report, compiled within sixty (60) days prior to submittal.
46. With final plat submittal provide one (1) copy of Protective Covenants, in final form, as applicable.
47. Note the 100 year certificate of assured water supply on the face of the final plat and provide a copy of that 100 year certificate to the planning department prior to final plat approval.
48. Place the following statement on the face of the final plat: "**Assurances**"

Assurance in the form of (Bond/Letter of Credit/Cash Deposit) has been submitted to guarantee installation of the required infrastructure.

49. Place the following note on the face of the final plat: No structural development allowed above the 15% slope line. Label and show the 15% slope line as a dashed line on the face of the final plat.
50. The tentative plat shall be effective until May 18, 2017; it may be extended upon reapplication and review by the Planning and Zoning Commission.
51. The Traffic Impact Analysis shall be updated to comply with the current Pinal County Traffic Impact Assessment Guidelines & Procedures. The TIA shall be submitted to the County Engineer for review and approval.
52. The drainage plan shall be per the current Pinal County Drainage Manual and shall provide retention for storm waters in a common retention area. A drainage report for each parcel shall be submitted to the County Engineer for review and approval.
53. All right-of-way dedications shall be at no cost to the public and unencumbered or as approved by the County Engineer.
54. A paved all weather public access road shall be provided to the site per Section 6.3.1e of the current Pinal County Subdivision & Infrastructure Design Manual.
55. Sidewalks shall be designed per Section 6.10 of the current Pinal County Subdivision & Infrastructure Design Manual or as approved by the County Engineer.
56. Public Utility Easements (PUE) shall be designed per Section 6.6.1 of the current Pinal County Subdivision & Infrastructure Design Manual.
57. Street lights shall be provided at all arterial/collector, collector/collector, and collector/local street intersections. Street lights shall be maintained by the Homeowners' Association.
58. Verify that you are in the Magma Flood Control District. Any developments within the Magma FCD are required to submit the following: (all to be documented within the drainage report)
 - a. Document within the report that you are within the Magma FCD.
 - b. Document the condition of the dam (as documented by Arizona Department of Water Resource (ADWR).)
 - c. An analysis by an engineer that demonstrates the project is safe under the worst possible conditions of a dam break, with a sealed opinion as to the safety of the residential development.
 - d. In the event the dam break shows a potential for flooding in excess of 1 ft., additional engineering measures would be required to protect the development or developer would be required to wait for the dam to get fixed.
59. No building permits shall be issued for the development until the Magma Flood Retarding Structure has been certified safe by Arizona Department of Water Resources.