



MEETING DATE: **JULY 17, 2024**

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO.: **S-012-24 (MAGMA BUTTE RANCHES PARCEL 1)**

CASE COORDINATOR: DEVEN PRICE/MUHANNAD ZUBI

Executive Summary:

This is a tentative plat for 34 Lots and Tracts A through H. This development was approved by the Board of Supervisors under Planning Case PZ-PD-021-06 and PZ-021-06, which zoned the subject property to Single Family Residence CR-3/PAD.

If This Request is Approved:

The developer would be allowed to submit their final plat for review and consideration for approval by the Board of Supervisors.

Staff Recommendation/Issues for Consideration/Concern:

Staff finds that the request with the attached stipulations meets County requirements. The tentative plat conditionally conforms to the approved development plan and standards as well as the Subdivision Regulations and Subdivision Infrastructure and Design Manual. A motion and recommended stipulations are included in this staff report.

LEGAL DESCRIPTION: Situated in a portion of the Southeast Quarter of Section 2 Township 4 South, Range 8 East of the Gila and Salt River Meridian, Maricopa County, Arizona.

TAX PARCELS: 200-58-024B and 200-58-015B.

DEVELOPER:

Langley McRae 10, LLC (Jason Brimhall)
2738 E. Guadalupe Road, Gilbert, AZ 85237

ENGINEER:

United Engineering Group, LLC (Christopher Lenz)
3205 W. Ray Road, Chandler, AZ 85226

REQUESTED ACTION: S-012-24: Langley McRae 10, LLC, landowner, United Engineering Group, LLC, engineer, requesting approval of a tentative plat for Magma Butte Ranches - Parcel 1, for 34 lots and tracts A through H, on a 9.99 ± acre parcel in the CR-3/PAD (PZ-PD-021-06) zone.

LOCATION: The project is located west of Quail Run Lane and south of Arizona Farms Rd San Tan Valley Area.

SIZE: 9.99 ± acres

COMPREHENSIVE PLAN: The property is designated as Moderate Low Density (1-3.5 du/ac). The zoning case predates the San Tan Valley Area Plan.

EXISTING ZONING AND LAND USE: The subject property is zoned Mixed Dwelling Zoning District Planned Area Development (PAD) Overlay District under approved Planning Case PZ-PD-021-06. Staff notes the subject site is vacant.

SURROUNDING ZONING AND LAND USE:

North: Single Family Residential (CR-3) Zone - Vacant

South: Single Family Residential (CR-3) Zone with residence and General Rural (GR) Zone with Residence

East: General Rural (GR) Zone - Vacant

West: General Rural (GR) Zone - Vacant

HISTORY: The subject property was rezoned in 2006 its current state with case PZ-PD-021-06/PZ-021-06.

UTILITIES: The applicant has indicated that the proposed subdivision service providers are:

SERVICE PROVIDERS:

WATER	EPCOR
SEWER	EPCOR
ELECTRIC	ARIZONA PUBLIC SERVICE (APS)
TELEPHONE	CENTURY LINK
REFUSE COLLECTION	BY PRIVATE CONTRACT
FIRE	RURAL/METRO FIRE DEPT.
POLICE	PINAL COUNTY SHERIFF'S OFFICE
SCHOOLS	FLORENCE UNIFIED SCHOOL DISTRICT
NATURAL GAS	SOUTHWEST GAS CORPORATION

RESIDENTIAL DEVELOPMENT STANDARDS

Minimum Lot Area	6,050 SF
Minimum Lot Width	55'
Minimum Front Yard	20'
Minimum Side Yard	5'
Minimum Rear Yard	20'
Buildable Area	None
Minimum Between Buildings	10'
Buildable Height	30'

LAND USE TABLE

TOTAL GROSS ACREAGE.....	9.99 ACRES
AREA OF R/W STREETS.....	1.66 ACRES
AREA OF TRACTS.....	2.27 ACRES
TOTAL NUMBER OF LOTS.....	34
AVERAGE LOT ACREAGE.....	7,760 SF
OVERALL DENSITY.....	3.40 DU/AC
OPEN SPACE.....	2.27 ACRES/22.22%

FINDINGS: Under Chapter 3.15.050(H) of the Development Services Code, the Commission shall hear and consider all evidence relating to the tentative plat and make findings as to the conformity of the tentative plat with these regulations. The Commission may request changes to the type and extent of improvements to be made.

The Commission shall consider the following criteria in conditionally approving or denying a tentative plat. The Commission may consider other criteria in addition to the criteria listed below, and may deny approval of a tentative plat if conformance is not found with one or more of the following:

- 1. Whether the proposed subdivision is consistent and in conformance with Title 3 of the Pinal County Development Services Code and other applicable ordinances and regulations.

Analysis: The tentative plat contains all the required information, is in satisfactory form, and comments have been received from all departments within Pinal County Planning Department.

Finding: Staff finds that the proposed subdivision will be consistent and in conformance with the Pinal County Development Services Code and other applicable ordinances and regulations with the recommended stipulations.

- 2. Whether the proposed subdivision is consistent with the approved zoning or Planned Area Development (PAD), if applicable.

Analysis: This project is located within the PAD zoning district. The Board approved with (33) stipulations of understanding for cases, PZ-PD-021-06/PZ-021-06.

Finding: Staff finds that the lots in the proposed tentative plat meet the requirement of the development standards of the Residential CR-3/PAD Zones.

3. Whether the design of the proposed subdivision is suitable to the environment or causes substantial environmental damage or presents serious public health problems.

Analysis: The design of Magma Butte Ranches Parcel 1 is suitable to the environment and does not cause any substantial environmental damage or presents any serious public hazard problems. The project presents comprehensive solutions for water, sewer, infrastructure, drainage, utilities, and traffic circulation.

Finding: Based on information provided to date, staff is not aware of any other situation(s) that the proposed subdivision may cause serious public health problems.

4. Whether the design of the proposed subdivision is compatible with the physical features of the site including, but not limited to, natural slopes greater than 15%, floodplains and habitat areas.

Analysis: The proposed subdivision is in an area where the topography is relatively flat.

Finding: Staff finds that the proposed tentative plat, with the approved attached stipulations will conform to the physical features of the site.

5. Whether the proposed subdivision will have adequate permanent access.

Analysis: Access to this tentative plat comes from existing 25' ingress/egress irrigation & utility easement and incidental purposes per DKT 878, PG. 932 & re-recorded as docket 887, PG 322, P.C.R. to Heritage Road.

Finding: Staff finds that the proposed subdivision, with the attached stipulations, will have permanent access.

6. Whether the proposed subdivision will place an unreasonable burden on the ability of the County or other local governments to provide for streets, water, sewage, fire, police, hospital, solid waste, education, housing, recreation and other services, that is not offset by improvements associated with the proposed subdivision.

Analysis: The applicant is required to develop the proposed streets both public and private to County Road Standards.

Water service is to be provided by EPCOR. A will serve letter will be provided at time of final plat approval.

Sewage will be handled by EPCOR.

Police protection is to be provided by the Pinal County Sheriff's Dept.

Solid waste service is to be provided by Private Contract.

Electric service is to be provided by Arizona Public Service (APS)

Fire emergency response to be provided by Rural/Metro Fire Dept.

Finding: Staff finds that the proposed subdivision, with the attached stipulations, will not place an unreasonable burden on the local government to provide necessary utilities and amenities.

7. Whether the design of the proposed subdivision promotes the safety, health, and general welfare of the public.

Analysis: The applicant did submit a tentative plat in conformance with the Planned Area Development and Development Services Code, in order to be heard by Pinal County Planning Commission. Additional requirements to be provided during the final platting process will ensure that the proposed subdivision will promote the safety, health and general welfare of the public.

Finding: With information that was provided by the applicant, County Departments and agencies/entities, staff finds that the design and layout of the proposed subdivision will promote the safety, health, and general welfare of the public, with the attached stipulations.

STAFF SUMMARY AND FINDING: All submittals, evidence presented, written documentation, public testimony, planning case staff reports (PZ-PD-021-06/PZ-021-06) with stipulations are considered part of the record in this subdivision case. Based upon the Planning Director's review of the application, exhibits received in evidence, a staff visit to the subject property and the ATTACHED STAFF REPORT, staff finds that the request meets County requirements, and that the Commission can adopt the staff report and record as presented and grant approval to the tentative plat with the following motion:

I move to approve findings 1 – 7 as set forth in the staff report and approve the tentative plat in Planning Case S-021-24 with the 33 stipulations as presented in the staff report.

STIPULATIONS:

- 1) All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis 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) submit copies of a Drainage Report to Pinal County Public Works for review and approval by the County Engineer. The approved Drainage Plan shall provide retention for the 100-year, 2-hour storm waters in a common retention area;

- 3) the drainage plan shall be in accordance with the Pinal County Drainage Manual, August 2004;
- 4) an association, including all property owners in the development will be formed and have the responsibility for maintaining 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 on both sides, paving and incidentals on all local, collector and arterial streets.
 - b. Provide a 33' x 33' right-of-way sight visibility triangle easement at all streets which intersect with the peripheral streets. Provide 21' x 21' right-of-way sight visibility triangle easement at all local streets that intersect with local streets.
 - c. Minimum 55' half street right-of-way dedication along all section lines and a minimum 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/c 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 51' (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 MITCHELL TR. shall be 25.5' (centerline to back-of-curb) with a structural section of 8" of Class 1 aggregate base and 3" of asphalt concrete within a

minimum 40' of half street right-of-way along the entire subdivision. Pavement structure shall be per Pinal County Subdivision Standard and recommended by the Geotechnical Report and approved by the County Engineer.

- f. Provide 6.5' bike lanes (measured from back of curb to centerline of striping) on both sides of all arterial and major collector roadways.
 - g. Provide sidewalks that meet the following minimum criteria: major arterials – minimum separation from back of curb is 5', minimum width of sidewalk is 10' (detached) or 12' (attached), minimum radius is 150' (if meandering); minor arterials – min. separation is 5', min. width is 10' (detached and attached), min. radius is 100' (meandering); major collector streets – min. separation is 3', min. width is 6' (detached) or 8' (attached), min. radius is 50' (if meandering); minor collector streets – min. separation is 3', min. width is 5' (detached) or 6' (attached); and local streets – min. width of sidewalk is 4' (attached only).
 - h. A minimum 28' paved all weather public access shall be provided to the site to meet current Pinal County Standards.
 - i. All right-of-way dedication shall be free and unencumbered.
 - j. Submit two copies of a Geotechnical Report to Pinal County Public Works for review.
- 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 County Engineer, a Civil Engineer licensed in the State of Arizona who will assume the 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) at Final Plat submittal, provide a copy of the computer closure for the subdivision boundary;
 - 10) 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;
 - 11) 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';
 - 12) 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;

- 13) Public Utility Easements (PUE) are to be 8' and are to be located outside the rear and side of lots;
- 14) abandonment of existing easements and right-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;
- 15) the developer agrees to contribute a portion of the cost to provide signals at intersections significantly impacted by the development as required by the approved traffic study. Prior to the recordation of the first final plat for this subdivision, developer shall contribute toward the total cost of traffic signals at each intersection required by the approved traffic study and as approved by the County Engineer. Funds in escrow shall be posted with Pinal County to guarantee the installation of the required traffic signals;
- 16) applicant/owner agrees to contribute to the Superstition Valley Subregional Transportation Fund a certain amount per dwelling unit plus an annual inflation rate of 3.5% as set forth in Exhibit 21 - Fee Schedule of the Superstition Valley Subregional Transportation Study and hereinafter referred to as the Transportation Fee. Said Transportation Fee is based on the year when the Board of Supervisors approves the zoning case and, if applicable, the adjoining planned area development case. Transportation Fees will be paid in installments as shown in the Fee Schedule. Transportation Fees are separate from any development or impact fee that the Board of Supervisors may adopt in the future. Transportation Fees paid on a dwelling unit shall be a credit against the transportation element of any development or impact fee imposed on the dwelling unit;
- 17) 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;
- 18) any roadway sections and alignments shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;
- 19) approval of this PAD will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
- 20) approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-021-06;
- 21) the property is to be developed with an approved Planned Area Development (PAD) (PZ-PD-021-06), in accordance with the applicable criteria set forth in Article 33 of the Pinal County Zoning Ordinance and the applicant's submittal documents;

- 22) in the event any discrepancy or conflict arises between the written narrative report for the Planned Area Development overlay district and the stipulations attached to case numbers PZ-021-06 and PZ-PD-021-06, the stipulations shall govern;
- 23) on all of the lots the developer/owner shall ensure that residential dwellings can fit within the building setbacks including bay windows, fireplaces, porches, covered patio, etc.;
- 24) 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 and Safety Department;
- 25) prior to final plat approval, the applicant/owner shall provide written verification from the Florence Unified School District, that applicable school concerns/issues have been resolved to the satisfaction of the District;
- 26) the applicant/owner shall ensure a minimum of fifteen percent (15%) of the approved Magma Butte Ranches Planned Area Development remains in open space, with maximum overall density of 3.50 dwelling units per gross acre;
- 27) applicant/developer/owner must show all existing, gas line, power lines and utility corridor easements on all plats/plans. Gas line, power lines, canals and utility corridor easements (minimum width twenty (20) feet) shall be designated as trails, subject to approval of the property owner. Trails shall be meandering, contiguous through the subject property, a minimum of six (6) feet in width and allow for connectivity to adjacent parcels to the property;
- 28) prior to development approval, the applicant/ developer/owner shall provide written verification from the wastewater / sewage disposal provider, together with associated documentation, that:
 - a. the wastewater/sewerage disposal provider has adequate capacity for collection, treatment and disposal of wastewater for the development;
 - b. the development boundaries are located within a service area designated with an approved **CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)**;
 - c. and the wastewater plan for the proposed development is in conformance with the **CERTIFIED AREAWIDE WATER QUALITY MANAGEMENT (208) PLAN**;
- 29) the developer/owner will coordinate with the Pinal County Public Works Department in addressing circulation between this proposed PAD and adjacent PAD'S both current and proposed;
- 30) provide minimum 20' driveway for front entry garage measured from face of garage to back of sidewalk;
- 31) all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 32) approval of this zone change/PAD request will allow the applicant/owner, during construction to provide for construction trailer(s) and associated parking; and
- 33) should the requested development not commence within 18 months of the Pinal County Board of Supervisors approval of this Planned Area Development (PAD) Overlay District, the Board may schedule a public hearing to grant an extension, determine compliance with the schedule of development, or cause the property to revert to its former zoning classification.