

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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Arizona Corporation Commission

DOCKETED

- MIKE GLEASON, Chairman
- WILLIAM A. MUNDELL
- JEFF HATCH-MILLER
- KRISTIN K. MAYES
- GARY PIERCE

AZ CORP COM REG DULN
DOCKET CONTROL

MAR 28 2008

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IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, TO EXTEND ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY AT CASA GRANDE, PINAL
COUNTY, ARIZONA

DOCKET NO. W-01445A-07-0291

CERTIFICATE OF FILING OF POST-HEARING
INFORMATION

At the close of the January 17, 2008 hearing in this matter, the presiding administrative law judge directed Arizona Water Company (the "Company"), the applicant in this matter, to provide certain additional information concerning its application in this docket.

In response to the foregoing directive, the Company is now providing the following information:

1. An updated Water Use Data Sheet for its Casa Grande water system, attached hereto as Attachment A. The information in Attachment A updates the information provided in Exhibit 10 to the Company's May 14, 2007 application in this matter.
2. A copy of a letter dated February 6, 2008, from United Engineering Group to undersigned counsel for the Company, with enclosures, attached collectively hereto as Attachment B. United Engineering Group is one of the development consultants associated with the Shreeve 110 (a.k.a. Gateway Ranch) development, the owners of which are the principle owners of parcel one in the certificate of convenience and necessity ("CCN") expansion area in this matter. The documents in Attachment B confirm the status of the septic system sewer service plans for the Shreeve 110 development.

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3. A January 23, 2008 water and sewer service agreement, attached hereto as Attachment C, for the Casa Grande Mountain Ranch development, between the City of Casa Grande and the owners of the development, which is located in parcel two of the CCN expansion area in this case.

4. A copy of a letter, attached hereto as Attachment D, to undersigned counsel, together with a copy of Resolution No. 2007-07, as adopted on November 28, 2007 by the Arizona City Sanitary District and recorded in the office of the Pinal County Recorder which confirms, at page 1 of 2, that the Sanitary District, at the request of the owners of the Avra Plantation development real property, amended the District boundaries to include the Avra Plantation development, located in Section 11, Township 8 South, Range 6 East, Pinal County, which is parcel four of the CCN expansion area in this case.

5. A letter dated March 27, 2008 from the Arizona City Sanitary District to undersigned counsel, attached hereto as Attachment E, which confirms that the Haugen Development project, located in parcel five of the CCN expansion area in this case, is located within the District's boundaries, and that the District will meet with the owners of the development to confirm development plans and the District's service requirements for the Haugen Development.

6. With respect to the Levison property, which is parcel three of the CCN expansion area in this case, as noted in the Staff Report this parcel is located within the municipal boundaries of the City of Eloy. Undersigned counsel spoke after the January 17 hearing to Sylvia Hutton with the City of Eloy water and wastewater department. Ms. Hutton confirmed that the parcel is located within the City's municipal boundaries and that City sewer service may be extended to this parcel if the owners comply with all of the City's conditions for obtaining service,

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including, but not limited to, the extension of necessary facilities to the property at the owner's expense.

RESPECTFULLY SUBMITTED this 28th day of March 2008.

ARIZONA WATER COMPANY

By: *Robert W. Geake*
Robert W. Geake
Vice President and General Counsel
ARIZONA WATER COMPANY
Post Office Box 29006
Phoenix, Arizona 85038-9006

1 Original and thirteen (13) copies of the foregoing filed the 28th day of March 2008 with:

2 Docket Control Division
3 Arizona Corporation Commission
4 1200 West Washington Street
5 Phoenix, Arizona 85007

6 A copy of the foregoing was hand-delivered this 28th day of March 2008 to:

7 Honorable Belinda A. Martin
8 Administrative Law Judge
9 Hearing Division
10 Arizona Corporation Commission
11 1200 West Washington Street
12 Phoenix, AZ 85007

13 A copy of the foregoing was mailed this 28th day of March 2008 to:

14 Christopher Kempley, Chief Counsel
15 Legal Division
16 Arizona Corporation Commission
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 Ernest G. Johnson
20 Director, Utilities Division
21 Arizona Corporation Commission
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 By: Robert W. Seab

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ATTACHMENT A

WATER USE DATA SHEET

NAME OF COMPANY _____ →	ARIZONA WATER COMPANY - Casa Grande
ADEQ Public Water System No. _____ →	11-009

MONTH/YEAR (LAST 13 MONTHS)	NUMBER OF CUSTOMERS	GALLONS SOLD (Thousands)	GALLONS PUMPED	GALLONS PURCHASED
November-07	23,032	409,916	393,179	0
October-07	22,912	370,029	454,014	0
September-07	22,956	475,831	415,045	0
August-07	22,852	433,435	466,388	0
July-07	22,856	488,775	555,775	0
June-07	22,719	472,168	481,214	0
May-07	22,584	358,741	442,537	0
April-07	22,394	341,036	380,191	0
March-07	22,166	263,736	346,090	0
February-07	21,904	261,248	268,403	0
January-07	21,508	292,349	313,184	0
December-06	21,424	332,442	305,977	0
November-06	21,291	351,507	365,961	0

STORAGE TANK CAPACITY (Gallons)	NUMBER OF EACH	ARIZONA DEPT. OF WATER RESOURCES WELL I.D. NUMBER	WELL PRODUCTION (Gallons per Minute)
Burgess Peak 2,000,000	1	D(6-6)9bbd - Casa Grande #9	1,000
Casa Grande Mtn 5,000,000	1	D(6-6)21bbc - Casa Grande #10	1,040
Cottonwood 1,000,000	1	D(6-6)23cbb - Casa Grande #19	1,560
Golf Course 115,000	1	D(6-6)22ddd - Singh/Quaid #22	1,000
Indian Hills 100,000	1	D(6-6)22bda - Casa Grande #25	1,320
North Park 650,000	1	D(6-6)21bbb - Cottonwood Lane #14	250
North Park 35,000	1	D(6-6)22bad - Casa Grande #20	1,110
Scott Drive 110,000	1	D(6-6)22baa - Casa Grande #23	1,550
Scott Drive 5,000,000	1	D(6-6)15cdd - Casa Grande #26	1,400
Tierra Grande #1 10,000	1	D(7-6)35ddd - AZ City/Battaglia #28	1,620
Tierra Grande #1 250,000	1	D(6-6)15ccb - Casa Grande #17	850
		D(6-6)22cdc - Casa Grande #21	740
		D(6-6)22cdd - Casa Grande #24	950
		D(6-7)5baa - Lake-in-the-Desert #27	550
		D(6-6)25dcd - Casa Grande #29	1,380
		D(6-6)22ddd Casa Grande #30	1,000
		D(6-6)15cad - Casa Grande #31	1,500
		D(8-6)1ddb - Del Rio #34	1,500

Other Water Sources in Gallons per Minute (Non-Potable CAP Water) _____ →	GPM 1583
Fire Hydrants on System _____ →	YES NO
Total Water Pumped Last 13 Months (Gallons in Thousands) _____ →	5,187,958

ATTACHMENT B

United Engineering Group
3205 W. Ray Rd.
Chandler, AZ 85226
480.705.5372 Phone 480.705.5376 Fax

February 6, 2008

Arizona Water Company
Attn: Robert Geake
P.O. Box 29006
Phoenix, AZ 85038

RE: Shreeve 110 (a.k.a. Gateway Ranch) – Septic Service

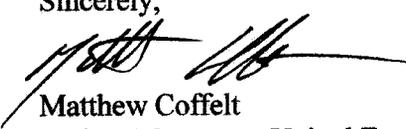
Mr. Geake:

It has been requested that Arizona Water Company extend there CC&N area to include a 110-acre parcel known as Shreeve 110. It is my understanding that during the CC&N extension process the ACC has requested information regarding septic service for the subject site. This letter is being issued to provide a summary of the current status of this project as it pertains to septic service.

The Shreeve 110 property received Tentative Plat approval from Pinal County on October 18, 2007. With receiving the Tentative Plat approval, the County also approved the concept of on-lot septic systems (this is shown in the attached staff report and approval letter from Pinal County). Additional approvals, through ADEQ and Pinal County, will be obtained as the project moves through the final design stage. At this point, due to the costs involved, it is not practical to move forward with final design until a water solution for the subject site has been approved.

Please do not hesitate to contact me with any questions or requests for additional information.
Thank you.

Sincerely,



Matthew Coffelt
Project Manager – United Engineering Group

**Pinal County
Development Services
Planning & Development Department
Planning: (520) 866-6464 Fax: (520) 866-6435**



**David Kuhl, A.I.C.P.
Director
P.O. Box 2973
31 North Pinal Street, Bldg F
Florence, Arizona 85232
(520) 866-6442**

AIR QUALITY ♦ BUILDING SAFETY ♦ ENVIRONMENTAL HEALTH ♦ PLANNING & DEVELOPMENT ♦ PUBLIC WORKS

October 19, 2007

Lyle Richardson
Lazarus & Associates
420 W. Roosevelt
Phoenix, AZ. 85004

Dear Mr. Richardson:

Planning Case: S-005-07 (GATEWAY RANCH)

On October 18, 2007, the Pinal County Planning and Zoning Commission granted Tentative Plat approval to the above referenced Tentative Plat, with the following changes, additions and document submittals to be provided to the Planning Director before final plat acceptance, for approval, by Pinal County:

- 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. Required traffic signals shall be installed with the plat in which it is required;
- 2) the approved Drainage Plan shall be per the current Pinal County Drainage Manual and shall provide retention for storm waters in a common retention area or on-lot retention for lots 1 acre and greater;
- 3) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona Licensed Civil Engineer, a grading and drainage plan accompanied by a drainage report. The drainage report shall specify the final on-lot and any half street retention/detention requirements based on current Pinal County Drainage Standards. The engineered plans and report shall be submitted to and approved by Pinal County in order to obtain a building permit. In addition, this shall be placed as a note on the final plat;
- 4) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona licensed civil engineer or Arizona licensed land surveyor, a certified as-built drawing of the constructed civil improvements. The as-built grading and drainage plan shall indicate the required retention volume for each basin as determined by the approved drainage report, together with the as-built volume of each basin. The as-built plan shall be submitted to and accepted by Pinal County in order to obtain a Certificate of Occupancy. The Homeowner's Association shall have the responsibility to enforce compliance by the lot owner to maintain the basins. In addition, this shall be placed as a note on the final plat;
- 5) applicant shall place a 30' wide private drainage easement along the frontage of all lots on the final plat for the construction of retention basins for street frontage runoff;
- 6) for subdivisions with common retention areas, 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;

- 7) 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;
- 8) provide street lights at all accesses to the site (intersection of Selma Hwy & Post St., Sunshine Blvd. & Day Ave., and Grogan Ave. & Post St.), to be maintained by the Homeowners' Association;
- 9) minimum 75' half street right-of-way dedication along all section lines and minimum 40' half street right-of-way dedication along all mid-section lines, unless otherwise specified and approved by the County Engineer. All right-of-way dedication shall be free and unencumbered;
- 10) 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;
- 11) all roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
 - a. Submit two copies of a Geotechnical Report to Pinal County Public Works for review.
- 12) 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;
- 13) 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 the responsibilities of engineer of record;
- 14) 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;
- 15) 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;
- 16) raised pavement markers (RPM's) shall be used on all arterials;
- 17) 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. Applicant to provide conduit and junction boxes at all intersections in which they are constructing that will require future signals;
- 18) 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;
- 19) if any conflicts or discrepancies between the tentative plat and these stipulations arise, the stipulations shall govern;
- 20) **IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/SUBDIVIDER TO ENSURE THAT ALL CONTRACTORS ENGAGED TO PERFORM WORK ON THIS SUBDIVISION ARE AWARE OF THE STIPULATIONS ASSOCIATED WITH THIS PLAT AND THAT ALL WORK PERFORMED IS IN CONFORMANCE WITH ALL APPLICABLE STIPULATIONS;**

- 21) prior to subdivision approval (final mylar plat), the applicant/owner shall submit to the Pinal County Department of Environmental Health the ADEQ Certificate of Approval of Sanitary Facilities for Subdivisions. Minimum lot size shall be 1.00 acres and County Conceptual Approval (113-S) is required;
- 22) 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;
- 23) prior to final subdivision approval (final mylar plat), the applicant/owner shall provide written verification from the Picacho Elementary School District #33 that all applicable school concerns/issues have been resolved to the satisfaction of the District, including providing school bus stops with shelters, as may be required;
- 24) development of the 88 lot subdivision (Gateway Ranch) shall be in conformance with Article 8-1C of the Pinal County Zoning Ordinance and with the Pinal County Subdivision Regulations;
- 25) the applicant/landowner/developer will coordinate with Pinal County Department of Public Works in addressing traffic circulation between this development and adjacent developments both current and proposed;
- 26) all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 27) 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;

- 28) 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; and
 - e. Basis of Bearings, Land Use Table, Tract Summary Table, Services Provider Table and Roadways.
- 29) **WITH FINAL PLAT SUBMITTAL PROVIDE ALL DOCUMENTATION SUBMITTALS AND FILING FEES AS SET FORTH IN SECTION 311.2 OF THE SUBDIVISION REGULATIONS;**
- 30) 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; and
- 31) approval of the Tentative Plat shall be effective for one year, but may be extended upon reapplication and review by the Commission.

PLEASE FOLLOW THE ATTACHED STANDARD WORDING FOR FINAL PLATS, THE PUBLIC WORKS PLAN SUBMITTAL FORM, FINAL PLAT CHECKLIST AND ADDRESSING SUBMITTAL FORM AND RETURN FOR REVIEW AND APPROVAL.

Upon receipt of the Final Plat, with review and approval of the specific documents requested by the appropriate agencies, the Planning Director shall secure Final Plat approval as set forth in Section 311 of the Pinal County Subdivision Regulations.

Thank you for your consideration and cooperation in this land use matter.

Sincerely,



Dennis R. Rittenback,
Special Projects

Attachment:

xc: Lester Chow
All State Associates of Pinal XIII LLC
United Engineering Group

File: S-005-07

Pinal County
Development Services
Department of Planning & Development
Planning: (520) 866-6464 Fax: (520) 866-6435



David Kuhl, A.I.C.P.
Director
P.O. Box 2973
31 North Pinal Street, Bldg F
Florence, Arizona 85232
(520) 866-6442

AIR QUALITY ∅ BUILDING SAFETY ∅ ENVIRONMENTAL HEALTH ∅ PLANNING & DEVELOPMENT ∅ PUBLIC WORKS

October 11, 2007

Matthew Coffelt
United Engineering Group
4505 E. Chandler Blvd.
Suite 170
Phoenix, AZ. 85048

Dear Mr. Coffelt:

Planning Case: **S-005-07 (Gateway Ranch)**

Enclosed is a copy of the Planning Department Staff Report to the Pinal County Planning & Zoning Commission on the above referenced matter. Also enclosed is a copy of the Notice to Applicant and Agenda of the meeting before the Planning & Zoning Commission. Please be present (or represented) at the meeting, otherwise this matter may be tabled/continued/denied.

Thank you for your consideration and cooperation in this matter.

Sincerely,

D.R. Rittenback, Special Projects

Enclosures (3)

- (1) Staff Report
- (2) Notice to Applicant
- (3) Agenda

xc: All State Associates of Pinal XIII LLC
Lazarus & Associates

File: S-013-07

PINAL COUNTY
STATE OF ARIZONA

BEFORE THE PINAL COUNTY PLANNING & ZONING COMMISSION

**NOTICE TO APPLICANT
(SUBDIVISION)**

CASE NO: S-005-07

You should be present (or represented) at the public meeting for your application before the Pinal County Planning & Zoning Commission. The time, date and place of the meeting is listed below. PLEASE NOTE YOUR PLACEMENT ON THE ENCLOSED AGENDA. YOUR CASE WILL BE HEARD IN THE ORDER INDICATED ON THE AGENDA, UNLESS CHANGED BY THE PLANNING COMMISSION CHAIRMAN AT THE PUBLIC MEETING.

Dennis R. Rittenback, Special Projects
Planning & Development Department

TIME: 9:00AM
DATE: October 18, 2007
PLACE: Pinal County Emergency Operations Center
(EOC) Hearing Room, Building F
Florence, Arizona

A copy of the Planning Commission staff report is attached for your review.

PINAL COUNTY PLANNING & ZONING COMMISSION

Meeting Date: October 18, 2007

Case Number: S-005-07

Subdivision Name: **GATEWAY RANCH**

Owner/Developer: C. Thomas Cummings
All State Associates of Pinal XIII LLC
21050 N. Pima Rd.
Suite #100
Scottsdale, AZ. 85255

Applicant/Engineer: Matthew Coffelt
United Engineering Group
4505 E. Chandler Blvd.
Suite 170
Phoenix, AZ. 85048

Representative: Lyle Richardson
Lazarus & Associates
420 W. Roosevelt
Phoenix, AZ. 85004

Comprehensive Plan: Transitional Designation

Existing Zoning: (CR-1A) Single Residence Zone (PZ-033-06)

Existing Uses: Currently, the subject property is vacant land.

Surrounding Land Uses: North, east, south, and west is GR and vacant/agriculture land.

Flood Zone: C "Areas of minimal flooding"

Location: The subject property is located at the southeast corner of Selma Highway and Sunshine Boulevard in the north Eloy area.

Legal Description: A 110.4± acre parcel described as the NW¼ of Section 5, T7S, R8E, G&SRB&M, except the E½ of E½ of W½ of the E½ of the NW¼ of said Section 5 and except the E½ of the E½ of the NW¼ of said Section 5.

Tax Parcel Number(s): 401-48-004E

Request & Purpose: The applicant/owner is requesting approval of the Tentative Plat for Gateway Ranch, an 88-lot subdivision on a 110.4± acre parcel in the CR-1A zone.

HISTORY: The subject property was rezoned from GR to CR-1A in 2006 under Planning Case PZ-033-06

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

Telephone: Qwest Communications
Electrical: Arizona Public Service (Electrical District #2)
School District: Picacho Elementary #33
Water: Arizona Water Company
Fire Protection: Regional Fire Rescue
Solid Waste: Private Contractor
Sewer: On-site septic
Gas: Southwest Gas Corporation
Police: Pinal County Sheriff's Office

Section 305.3 of the Subdivision Regulations requires the subdivider or representative to attend the Subdivision Utility Coordinating Committee meeting. On August 20, 2007 the County held a Subdivision Utility Coordinating Committee meeting with the developer/engineer to address technical issues and concerns with the proposed subdivision. The agencies/entities responses are attached to the correspondence section of this staff report.

FINDINGS: Under Section 305.8 of the Subdivision Regulations, 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 the Pinal County Subdivision Regulations 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 those who participated in the Subdivision Utility Coordinating Committee meeting.

Finding: Staff finds that the proposed subdivision will be in conformance with the Pinal County Subdivision Regulations and other applicable ordinances and regulations with the recommended stipulations.

2. Whether the proposed subdivision is consistent with the approved zoning.

Analysis: This proposed subdivision is located within the CR-1A zoning classification and is not a Planned Area Development. The applicant has submitted the Tentative Plat for Gateway Ranch to be platted and developed in accordance with the requirements of Article 8-1C of the Pinal County Zoning Ordinance and the applicable platting requirements of the Pinal County Subdivision Regulations.

Finding: Staff finds that the proposed tentative plat is consistent with the CR-1A zone with the recommended stipulations.

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 applicant will be required to provide ingress and egress to the property, provide approved on-site septic and potable water service to the property.

Finding: Staff finds that the proposed Tentative Plat with a minimum 1.25 acres per residential lot should not cause substantial environmental damage or present serious public health problems given that the applicant has to provide approved access and on-site septic and water to the subdivision.

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 of flat vacant desert/agricultural land. The applicant's tentative plat layout shows development to be compatible with the physical features of the site.

Finding: Staff finds that the proposed subdivision, with attached stipulations, will conform to the physical features of the site, which is flat desert/agricultural land.

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

Analysis: Access for this tentative plat is from Selma Highway and Sunshine Blvd., both Section line roads. These roads will be developed and improved by the applicant to Pinal County Road Standards, as required.

Finding: Staff finds that the proposed subdivision, with the attached stipulations, will have adequate 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 Arizona Water Company upon acceptance by the ACC to extend their certified service area which includes the subject property. A 100 year CAWS will be provided at time of final plat approval.

Sewage is to be provided by on-site septic system

Fire service is available on a subscription basis by Regional Fire Rescue.

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

Solid waste service is to be provided by private contractor.

The subject property is located in the Picacho Elementary School District #33.

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 Comprehensive Plan, Subdivision Regulations and Zoning Ordinance,

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 RECOMMENDATION: All submittals, evidence presented, written documentation, public testimony, Planning Case, Staff Report, and stipulations are considered part of the record in this Subdivision Planning 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 recommends that the Commission adopt the staff report and record as presented and grant approval to the Tentative Plat and allow the applicant to continue the final platting process with the following changes, additions and document submittals to be provided before final plat approval and acceptance by Pinal County:

- 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. Required traffic signals shall be installed with the plat in which it is required;
- 2) the approved Drainage Plan shall be per the current Pinal County Drainage Manual and shall provide retention for storm waters in a common retention area or on-lot retention for lots 1 acre and greater;
- 3) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona Licensed Civil Engineer, a grading and drainage plan accompanied by a drainage report. The drainage report shall specify the final on-lot and any half street retention/detention requirements based on current Pinal County Drainage Standards. The engineered plans and report shall be submitted to and approved by Pinal County in order to obtain a building permit. In addition, this shall be placed as a note on the final plat;
- 4) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona licensed civil engineer or Arizona licensed land surveyor, a certified as-built drawing of the constructed civil improvements. The as-built grading and drainage plan shall indicate the required retention volume for each basin as determined by the approved drainage report, together with the as-built volume of each basin. The as-built plan shall be submitted to and accepted by Pinal County in order to obtain a Certificate of Occupancy. The Homeowner's Association shall have the responsibility to enforce compliance by the lot owner to maintain the basins. In addition, this shall be placed as a note on the final plat;
- 5) applicant shall place a 30' wide private drainage easement along the frontage of all lots on the final plat for the construction of retention basins for street frontage runoff;
- 6) for subdivisions with common retention areas, 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;

- 7) 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;
- 8) provide street lights at all accesses to the site (intersection of Selma Hwy & Post St., Sunshine Blvd. & Day Ave., and Grogan Ave. & Post St.), to be maintained by the Homeowners' Association;
- 9) minimum 75' half street right-of-way dedication along all section lines and minimum 40' half street right-of-way dedication along all mid-section lines, unless otherwise specified and approved by the County Engineer. All right-of-way dedication shall be free and unencumbered;
- 10) 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;
- 11) all roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
 - a. Submit two copies of a Geotechnical Report to Pinal County Public Works for review.
- 12) 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;
- 13) 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 the responsibilities of engineer of record;
- 14) 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;
- 15) 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;
- 16) raised pavement markers (RPM's) shall be used on all arterials;
- 17) 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. Applicant to provide conduit and junction boxes at all intersections in which they are constructing that will require future signals;
- 18) 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;

- 19) if any conflicts or discrepancies between the tentative plat and these stipulations arise, the stipulations shall govern;
- 20) **IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/SUBDIVIDER TO ENSURE THAT ALL CONTRACTORS ENGAGED TO PERFORM WORK ON THIS SUBDIVISION ARE AWARE OF THE STIPULATIONS ASSOCIATED WITH THIS PLAT AND THAT ALL WORK PERFORMED IS IN CONFORMANCE WITH ALL APPLICABLE STIPULATIONS;**
- 21) prior to subdivision approval (final mylar plat), the applicant/owner shall submit to the Pinal County Department of Environmental Health the ADEQ Certificate of Approval of Sanitary Facilities for Subdivisions. Minimum lot size shall be 1.25 acres and County Conceptual Approval (113-S) is required;
- 22) 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;
- 23) prior to final subdivision approval (final mylar plat), the applicant/owner shall provide written verification from the Picacho Elementary School District #33 that all applicable school concerns/issues have been resolved to the satisfaction of the District, including providing school bus stops with shelters, as may be required;
- 24) development of the 88 lot subdivision (Gateway Ranch) shall be in conformance with Article 8-1C of the Pinal County Zoning Ordinance and with the Pinal County Subdivision Regulations;
- 25) the applicant/landowner/developer will coordinate with Pinal County Department of Public Works in addressing traffic circulation between this development and adjacent developments both current and proposed;
- 26) all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 27) 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;

- 28) 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; and
 - e. Basis of Bearings, Land Use Table, Tract Summary Table, Services Provider Table and Roadways.

- 29) **WITH FINAL PLAT SUBMITTAL PROVIDE ALL DOCUMENTATION SUBMITTALS AND FILING FEES AS SET FORTH IN SECTION 311.2 OF THE SUBDIVISION REGULATIONS;**
- 30) 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; and
- 31) approval of the Tentative Plat shall be effective for one year, but may be extended upon reapplication and review by the Commission.

Submit **FOUR (4) COPIES OF THE FINAL PLAT** and **ASSOCIATED DOCUMENTATION AS SPECIFIED ABOVE**. Upon receipt of the final plat, with review and approval of the specific documentation requested by the appropriate agencies, the Planning Director shall secure Final Plat approval as set forth in Section 311 of the Pinal County Subdivision Regulations.

DATE PREPARED: 10/4/07 - drr
REVISED:

Pinal County
Development Services
Department of Planning & Development
Planning: (520) 866-6464 Fax: (520) 866-6435



David Kuhl, A.I.C.P.
Director
P.O. Box 2973
31 North Pinal Street, Bldg F
Florence, Arizona 85232
(520) 866-6442

AIR QUALITY ◊ BUILDING SAFETY ◊ ENVIRONMENTAL HEALTH ◊ PLANNING & DEVELOPMENT ◊ PUBLIC WORKS

October 11, 2007

Matthew Coffelt
United Engineering Group
4505 E. Chandler Blvd.
Suite 170
Phoenix, AZ. 85048

Dear Mr. Coffelt:

Planning Case: **S-005-07 (Gateway Ranch)**

Enclosed is a copy of the Planning Department Staff Report to the Pinal County Planning & Zoning Commission on the above referenced matter. Also enclosed is a copy of the Notice to Applicant and Agenda of the meeting before the Planning & Zoning Commission. Please be present (or represented) at the meeting, otherwise this matter may be tabled/continued/denied.

Thank you for your consideration and cooperation in this matter.

Sincerely,

D.R. Rittenback, Special Projects

Enclosures (3)

- (1) Staff Report
- (2) Notice to Applicant
- (3) Agenda

xc: All State Associates of Pinal XIII LLC
Lazarus & Associates

File: S-013-07

PINAL COUNTY
STATE OF ARIZONA

BEFORE THE PINAL COUNTY PLANNING & ZONING COMMISSION

**NOTICE TO APPLICANT
(SUBDIVISION)**

CASE NO: S-005-07

You should be present (or represented) at the public meeting for your application before the Pinal County Planning & Zoning Commission. The time, date and place of the meeting is listed below. PLEASE NOTE YOUR PLACEMENT ON THE ENCLOSED AGENDA. YOUR CASE WILL BE HEARD IN THE ORDER INDICATED ON THE AGENDA, UNLESS CHANGED BY THE PLANNING COMMISSION CHAIRMAN AT THE PUBLIC MEETING.

Dennis R. Rittenback, Special Projects
Planning & Development Department

TIME: 9:00AM
DATE: October 18, 2007
PLACE: Pinal County Emergency Operations Center
(EOC) Hearing Room, Building F
Florence, Arizona

A copy of the Planning Commission staff report is attached for your review.

PINAL COUNTY PLANNING & ZONING COMMISSION

Meeting Date: October 18, 2007

Case Number: S-005-07

Subdivision Name: **GATEWAY RANCH**

Owner/Developer: C. Thomas Cummings
All State Associates of Pinal XIII LLC
21050 N. Pima Rd.
Suite #100
Scottsdale, AZ. 85255

Applicant/Engineer: Matthew Coffelt
United Engineering Group
4505 E. Chandler Blvd.
Suite 170
Phoenix, AZ. 85048

Representative: Lyle Richardson
Lazarus & Associates
420 W. Roosevelt
Phoenix, AZ. 85004

Comprehensive Plan: Transitional Designation

Existing Zoning: (CR-1A) Single Residence Zone (PZ-033-06)

Existing Uses: Currently, the subject property is vacant land.

Surrounding Land Uses: North, east, south, and west is GR and vacant/agriculture land.

Flood Zone: C "Areas of minimal flooding"

Location: The subject property is located at the southeast corner of Selma Highway and Sunshine Boulevard in the north Eloy area.

Legal Description: A 110.4± acre parcel described as the NW¼ of Section 5, T7S, R8E, G&SRB&M, except the E½ of E½ of W½ of the E½ of the NW¼ of said Section 5 and except the E½ of the E½ of the NW¼ of said Section 5.

Tax Parcel Number(s): 401-48-004E

Request & Purpose: The applicant/owner is requesting approval of the Tentative Plat for Gateway Ranch, an 88-lot subdivision on a 110.4± acre parcel in the CR-1A zone.

HISTORY: The subject property was rezoned from GR to CR-1A in 2006 under Planning Case PZ-033-06

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

Telephone: Qwest Communications
Electrical: Arizona Public Service (Electrical District #2)
School District: Picacho Elementary #33
Water: Arizona Water Company
Fire Protection: Regional Fire Rescue
Solid Waste: Private Contractor
Sewer: On-site septic
Gas: Southwest Gas Corporation
Police: Pinal County Sheriff's Office

Section 305.3 of the Subdivision Regulations requires the subdivider or representative to attend the Subdivision Utility Coordinating Committee meeting. On August 20, 2007 the County held a Subdivision Utility Coordinating Committee meeting with the developer/engineer to address technical issues and concerns with the proposed subdivision. The agencies/entities responses are attached to the correspondence section of this staff report.

FINDINGS: Under Section 305.8 of the Subdivision Regulations, 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 the Pinal County Subdivision Regulations 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 those who participated in the Subdivision Utility Coordinating Committee meeting.

Finding: Staff finds that the proposed subdivision will be in conformance with the Pinal County Subdivision Regulations and other applicable ordinances and regulations with the recommended stipulations.

2. Whether the proposed subdivision is consistent with the approved zoning.

Analysis: This proposed subdivision is located within the CR-1A zoning classification and is not a Planned Area Development. The applicant has submitted the Tentative Plat for Gateway Ranch to be platted and developed in accordance with the requirements of Article 8-1C of the Pinal County Zoning Ordinance and the applicable platting requirements of the Pinal County Subdivision Regulations.

Finding: Staff finds that the proposed tentative plat is consistent with the CR-1A zone with the recommended stipulations.

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 applicant will be required to provide ingress and egress to the property, provide approved on-site septic and potable water service to the property.

**Pinal County
Development Services
Planning & Development Department
Planning: (520) 866-6464 Fax: (520) 866-6435**



**David Kuhl, A.I.C.P.
Director
P.O. Box 2973
31 North Pinal Street, Bldg F
Florence, Arizona 85232
(520) 866-6442**

AIR QUALITY ♦ BUILDING SAFETY ♦ ENVIRONMENTAL HEALTH ♦ PLANNING & DEVELOPMENT ♦ PUBLIC WORKS

October 19, 2007

Lyle Richardson
Lazarus & Associates
420 W. Roosevelt
Phoenix, AZ. 85004

Dear Mr. Richardson:

Planning Case: S-005-07 (GATEWAY RANCH)

On October 18, 2007, the Pinal County Planning and Zoning Commission granted Tentative Plat approval to the above referenced Tentative Plat, with the following changes, additions and document submittals to be provided to the Planning Director before final plat acceptance, for approval, by Pinal County:

- 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. Required traffic signals shall be installed with the plat in which it is required;
- 2) the approved Drainage Plan shall be per the current Pinal County Drainage Manual and shall provide retention for storm waters in a common retention area or on-lot retention for lots 1 acre and greater;
- 3) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona Licensed Civil Engineer, a grading and drainage plan accompanied by a drainage report. The drainage report shall specify the final on-lot and any half street retention/detention requirements based on current Pinal County Drainage Standards. The engineered plans and report shall be submitted to and approved by Pinal County in order to obtain a building permit. In addition, this shall be placed as a note on the final plat;
- 4) for each lot in this subdivision, the lot owner shall have prepared, by an Arizona licensed civil engineer or Arizona licensed land surveyor, a certified as-built drawing of the constructed civil improvements. The as-built grading and drainage plan shall indicate the required retention volume for each basin as determined by the approved drainage report, together with the as-built volume of each basin. The as-built plan shall be submitted to and accepted by Pinal County in order to obtain a Certificate of Occupancy. The Homeowner's Association shall have the responsibility to enforce compliance by the lot owner to maintain the basins. In addition, this shall be placed as a note on the final plat;
- 5) applicant shall place a 30' wide private drainage easement along the frontage of all lots on the final plat for the construction of retention basins for street frontage runoff;
- 6) for subdivisions with common retention areas, 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;

- 7) 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;
- 8) provide street lights at all accesses to the site (intersection of Selma Hwy & Post St., Sunshine Blvd. & Day Ave., and Grogan Ave. & Post St.), to be maintained by the Homeowners' Association;
- 9) minimum 75' half street right-of-way dedication along all section lines and minimum 40' half street right-of-way dedication along all mid-section lines, unless otherwise specified and approved by the County Engineer. All right-of-way dedication shall be free and unencumbered;
- 10) 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;
- 11) all roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
 - a. Submit two copies of a Geotechnical Report to Pinal County Public Works for review.
- 12) 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;
- 13) 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 the responsibilities of engineer of record;
- 14) 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;
- 15) 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;
- 16) raised pavement markers (RPM's) shall be used on all arterials;
- 17) 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. Applicant to provide conduit and junction boxes at all intersections in which they are constructing that will require future signals;
- 18) 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;
- 19) if any conflicts or discrepancies between the tentative plat and these stipulations arise, the stipulations shall govern;
- 20) **IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/SUBDIVIDER TO ENSURE THAT ALL CONTRACTORS ENGAGED TO PERFORM WORK ON THIS SUBDIVISION ARE AWARE OF THE STIPULATIONS ASSOCIATED WITH THIS PLAT AND THAT ALL WORK PERFORMED IS IN CONFORMANCE WITH ALL APPLICABLE STIPULATIONS;**

- 21) prior to subdivision approval (final mylar plat), the applicant/owner shall submit to the Pinal County Department of Environmental Health the ADEQ Certificate of Approval of Sanitary Facilities for Subdivisions. Minimum lot size shall be 1.00 acres and County Conceptual Approval (113-S) is required;
- 22) 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;
- 23) prior to final subdivision approval (final mylar plat), the applicant/owner shall provide written verification from the Picacho Elementary School District #33 that all applicable school concerns/issues have been resolved to the satisfaction of the District, including providing school bus stops with shelters, as may be required;
- 24) development of the 88 lot subdivision (Gateway Ranch) shall be in conformance with Article 8-1C of the Pinal County Zoning Ordinance and with the Pinal County Subdivision Regulations;
- 25) the applicant/landowner/developer will coordinate with Pinal County Department of Public Works in addressing traffic circulation between this development and adjacent developments both current and proposed;
- 26) all construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;
- 27) 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;

- 28) 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; and
 - e. Basis of Bearings, Land Use Table, Tract Summary Table, Services Provider Table and Roadways.
- 29) **WITH FINAL PLAT SUBMITTAL PROVIDE ALL DOCUMENTATION SUBMITTALS AND FILING FEES AS SET FORTH IN SECTION 311.2 OF THE SUBDIVISION REGULATIONS;**
- 30) 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; and
- 31) approval of the Tentative Plat shall be effective for one year, but may be extended upon reapplication and review by the Commission.

PLEASE FOLLOW THE ATTACHED STANDARD WORDING FOR FINAL PLATS, THE PUBLIC WORKS PLAN SUBMITTAL FORM, FINAL PLAT CHECKLIST AND ADDRESSING SUBMITTAL FORM AND RETURN FOR REVIEW AND APPROVAL.

Upon receipt of the Final Plat, with review and approval of the specific documents requested by the appropriate agencies, the Planning Director shall secure Final Plat approval as set forth in Section 311 of the Pinal County Subdivision Regulations.

Thank you for your consideration and cooperation in this land use matter.

Sincerely,



Dennis R. Rittenback,
Special Projects

Attachment:

xc: Lester Chow
All State Associates of Pinal XIII LLC
United Engineering Group

File: S-005-07

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER QUALITY DIVISION
3033 N. Central Avenue, Phoenix, Arizona 85012

WATER SERVICE AGREEMENT AND SEWER SERVICE AGREEMENT

WATER SERVICE AGREEMENT - An unconditional agreement which is effective this date has been made between the owners of:

NAME OF SUBDIVISION

and the _____

NAME OF WATER SYSTEM OR MUNICIPALITY

to provide water service to each and every lot in accordance with the design shown on the attached plats of the subdivision.

The undersigned hereby agrees to inspect this project during construction to assure compliance with plans and specifications approved by the Arizona Department of Environmental Quality and upon completion shall be responsible for maintenance and operating the system.

Date _____ Name _____
TYPE OR PRINT SIGNATURE

Title _____

Address _____

City _____ Zip Code _____

SEWER SERVICE AGREEMENT - An unconditional agreement which is effective this date has been made between the owners of:

Casa Grande Mountain Ranch

NAME OF SUBDIVISION

City of Casa Grande

and the _____

NAME OF SEWER SYSTEM OR MUNICIPALITY

to provide sewer service to each and every lot in accordance with the design shown on the attached plats of the subdivision

The undersigned hereby agrees to inspect this project during construction to assure compliance with plans and specifications approved by the Arizona Department of Environmental Quality and upon completion shall be responsible for maintenance and operating the system.

Date 1-23-2008 Name Paul McClellan Paul E. McClellan
TYPE OR PRINT SIGNATURE

Title Senior Civil Engineer, P.E.

Address 3181 N. Lear Ave

City Casa Grande, AZ Zip Code 85222

APPENDIX A1 - GARBAGE SERVICE AGREEMENT

Agreement must be filled out and signed by a representative of the collection agency; the operational authority of the landfill; the Arizona Department of Environmental Quality (ADEQ) and submitted with application. As required by Arizona Department of Environmental Quality Rules and Regulations, and specifically regulation A.A.C. R18-5-409.

The City of Casa Grande Landfill agrees to provide
Name of Collection Agency

refuse collection service to Casa Grande Mountain Ranch Pinal
Name of Subdivision County

in accordance with applicable rules and regulations governing refuse collection and disposal.

Kevin Louis

Type or Print Name of Representative of Collection Agency

Title Public Works Director

Address 3181 N. Lear Ave

City Casa Grande, Arizona Zip Code 85222

Signature of Representative of Collection Agency _____ Date _____

APPENDIX A2 - GARBAGE DISPOSAL AGREEMENT

The City of Casa Grande Landfill is operated by City of Casa Grande
Name of Disposal Site Name of Operational Authority

in accordance with applicable rules and regulations governing refuse disposal and will accept refuse from persons living in:

Casa Grande Mountain Ranch
Name of Subdivision

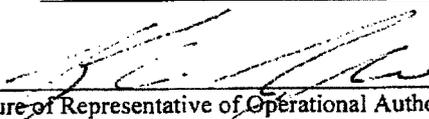
Kevin Louis

Type or Print Name of Representative of Operational Authority

Title Public Works Director

Address 3181 N. Lear Ave

City Casa Grande, Arizona Zip Code 85222

Signature of Representative of Operational Authority  _____ Date 1-23-08

JStansel & Associates

PLANNING ARCHITECTURE
7880 VIA BONITA SCOTTSDALE, ARIZONA 85268 (480) 991-2986

February 15, 2008

Mr. Bob Grake
Engineering Dept.
Arizona Water Company
P.O. Box 29006
Phoenix, Arizona 85038-9006

Re: AVRA Plantation

Dear Mr. Geake

In response to your telephone request of Feb. 14, 2008.

I am enclosing copies of a letter written to Mr. Michael Whitehead, of your Company dated August 17, 2006. I am also enclosing a copy of a Resolution No. 2007-07 by the Arizona City Sanitary District changing the boundaries of their service area to include the AVRA Plantation property.

Mr. John Kai, President of Kai Farms Inc., the owner of AVRA Plantation, being section 11, T8S, R6E in Pinal County. Mr. Kai and I have been pursuing the planning of this section since early 2006. On November 28th the Pinal County Board of Supervisors passed a Resolution changing the land use classification from Rural to Urban. (Copy enclosed). This change permits us to continue with our planning and to start filing for specific zoning on the property. I have also enclosed two letters to Charles Briggs of your office, supplying additional information. The letter dated Sept. 20, 2007 indicates our contemplated development schedule at that time. We are about 6 months behind that schedule, partly due to the processes of getting the land reclassified and partly because we are not in any hurry now because of the housing and financial market. We are now expecting to file our first rezoning case in May - July.

I trust the enclosed information and this letter will be sufficient for your needs. If I can be of further assistance please give me a call.

Sincerely,



John Stansel, AIA, AICP

cc J. Kai

3

When recorded mail to:

Arizona City Sanitary District
PO Box 2377
Arizona City, AZ 85223-2377



**OFFICIAL RECORDS OF
 PINAL COUNTY RECORDER
 LAURA DEAN-LYTL**

DATE/TIME: 04/20/07 1120
FEE: \$13.00
PAGES: 3
FEE NUMBER: 2007-047511

(The above space reserved for recording information)

RESOLUTION NO. 2007-07

**A RESOLUTION OF THE GOVERNING BOARD OF THE ARIZONA CITY
 SANITARY DISTRICT, PINAL COUNTY, CHANGING THE BOUNDARY OF THE
 DISTRICT TO INCLUDE APPROXIMATELY 640 ACRES, LOCATED IN SECTION
 11, TOWNSHIP 8 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER
 BASE AND MERIDIAN, PINAL COUNTY, ARIZONA**

DOCUMENT TITLE

**DO NOT DISCARD THIS PAGE. THIS COVER PAGE IS RECORDED AS
 PART OF YOUR DOCUMENT. THE CERTIFICATE OF RECORDATION
 WITH THE FEE NUMBER IN THE UPPER RIGHT CORNER OF THE
 PERMANENT REFERENCE NUMBER OF THIS DOCUMENT IN THE
 PINAL COUNTY RECORDER'S OFFICE.**

When Recorded, Return to:
Arizona City Sanitary District
PO Box 2377
Arizona City, AZ 85223

RESOLUTION NO. 2007-07

A RESOLUTION OF THE GOVERNING BOARD OF THE ARIZONA CITY SANITARY DISTRICT, PINAL COUNTY, CHANGING THE BOUNDARY OF THE DISTRICT TO INCLUDE APPROXIMATELY 640 ACRES, LOCATED IN SECTION 11, TOWNSHIP 8 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

WHEREAS, the Arizona City Sanitary District is a political subdivision of the State of Arizona duly existing pursuant to Arizona Revised Statute §48-2001 et. seq.;

WHEREAS, in accordance with Arizona Revised Statute §48-262(I), the property owner of property whose land is contiguous to the boundaries of the Arizona City Sanitary District has requested in writing that the Governing Board of the Arizona City Sanitary District amend the District's boundaries to include that property owner's land;

WHEREAS, the legal description of the land the property owner requests be included within the Arizona City Sanitary District is more particularly described below and is hereafter referred to as the "Lands";

WHEREAS, the County Board of Supervisors has not ordered the creation of a proposed new sanitary district that includes the Lands;

WHEREAS, in accordance with Arizona Revised Statute § 48-2001(C), the property owner has requested the City of Eloy and the City of Casa Grande to approve the inclusion of the Lands within the Arizona City Sanitary District and each City has either approved the inclusion or failed to act upon such request and either approve or deny the request within one hundred and twenty days of its presentation to that City;

WHEREAS, the property owner, by letter agreement on file with the District has, on behalf of the property owner, its successors, heirs and assigns, agreed, *inter alia*, to fund the cost of designing, constructing and interconnecting any and all facilities reasonably deemed necessary by the Arizona City Sanitary District to collect, transport, treat and dispose of the sanitary waste developed on or by the Lands;

WHEREAS, in accordance with Arizona Revised Statute § 48-2001(C), the Board of Directors of the Arizona City Sanitary District determines that the inclusion of the Lands will benefit the Arizona City Sanitary District and the property owner.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the boundary of the Arizona City Sanitary District be and hereby is changed to include the Lands more particularly described as follows:

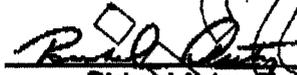
South half and the North half of Section 11, Township 8 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona

Resolution No. 2007-07

Page 1 of 2

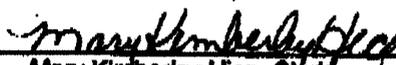
BE IT FURTHER RESOLVED that the staff of the Arizona City Sanitary District be and hereby are directed to take all actions necessary to effectuate the change in the boundary of the Arizona City Sanitary District, including, without limitation, the recording of the original of this Resolution with the Pinal County Recorder.

PASSED, APPROVED AND ADOPTED this 18th day of April, 2007, by the affirmative vote of a majority of a quorum of the Governing Board.



Richard Autry, Chairman

ATTEST:



Mary Kimberley Hice, Clerk

Unofficial

JWStansel & Associates
7860 Via Bonita
Scottsdale, AZ 85258
Phone / FAX 480-991-2986

Fax Cover Sheet

Name: Bob Grake
Organization: Arizona Water Company
Phone: 602-240-6860-ext.202
Fax: 602-240-6878
From: John Stansel
Date: February 17, 2008
Subject: AVRA Plantation
Pages: 8

Comments:

Bob: I hope the following material will be sufficient for your needs.

From the desk of...
John Stansel

September 20, 2007

Charles Briggs
Arizona Water Company
3805 N. Black Canyon Hwy.
Phoenix, AZ 85015

RE: AVRA Plantation

Dear Charles, following is a brief outline of time frames for the proposed development of the AVRA Plantation as requested.

Obtain Pinal County Comprehensive Plan Amendment from Rural Classification to Urban.

Citizens Advisory Committee Public Hearing Sept 27, 2007. (Received staff approval recommendation.)

Pinal County Planning Commission Hearing, October 2007.

Pinal County Board of Supervisors Hearing, December 2007.

Complete ALTA and Topographic Survey, Oct. 2007

Complete Preliminary Drainage study and Report, Oct. 2007

File first Zoning application, January 2008

File first Preliminary Plat application with Pinal County, April 2008

File first Development Plans to Pinal County, June 2008

Start Construction on first phase of Development, August, 2008

The first phases of construction will probably be 20 to 40 acres and each phase will be initiated about every 6 months. Later stages of development will contain 40 to 80 acres plus or minus and be started in 6 month time frames.

It is anticipated that full development will take about 8 to 10 years.

I trust the above descriptions will be sufficient for you needs. If you need additional or specific information, let me know and I will try to provide it for you

Respectfully,

John w. Stansel AICP, AIA

cc John Kai

November 1, 2007

Charles Briggs
Arizona Water Company
3805 N. Black Canyon Highway
Phoenix, Arizona 85015-5351

RE: Arizona Water Company – Application for Extension of its Certificate of Convenience and Necessity (CC&N) Docket No. W-01445A-07-0291
Insufficiency Letter #3

Dear Mr. Briggs;

In response to your letter of October 29, 2007, the following are our estimates for the questions asked.

Question # 1

Year	Number of connections
2008	0
2009	100
2010	250
2011	350
2012	350

2013 till completion estimated at 2018 with 350 connections per year.

Question # 2

We are attempting to obtain an overall density of 5 units per acre.
 $640 \times 5 = 3,200$

We are also planning for about 60 acres of retail / service commercial.

I trust the above will satisfy the commissions requirements.
If you need additional information please give me a call.

Yours truly,

John W. Stansel, AICP, AIA

cc: J. Kai



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LYCLE

When recorded mail to:
Board of Supervisors
P.O. 827
Florence, AZ 85232

DATE/TIME: 11/30/07 0905
FEE: \$0.00
PAGES: 1
FEE NUMBER: 2007-130764

RESOLUTION NO. PZ-PA-005-07

**A RESOLUTION OF THE PINAL COUNTY BOARD OF SUPERVISORS
ADOPTING AN AMENDMENT TO THE PINAL COUNTY
COMPREHENSIVE PLAN FOR ALL PLANNING AREAS IN THE
UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA**

WHEREAS, pursuant to A.R.S. § 11-806, et. seq., the Pinal County Board of Supervisors has authority to subsequently amend the County Comprehensive Plan; and

WHEREAS, the statutory required 60 day review and comment period was completed, notice of public hearing on the requested amendment to the County Comprehensive Plan was published according to statutory requirements, a public hearing held by the Planning and Zoning Commission, and recommendation made by the Planning and Zoning Commission; and

WHEREAS, notice of the public hearing on the requested amendment to the County Comprehensive Plan was published according to statutory requirements, a public hearing held by the Board of Supervisors, and the requested amendment considered by the Board of Supervisors.

THEREFORE, BE IT RESOLVED: That the Pinal County Board of Supervisors hereby amends the Pinal County Comprehensive Plan for all planning areas in the unincorporated area of Pinal County, Arizona, by changing the land use designation from RURAL to URBAN on approximately 640 acres located in Pinal County, Arizona, and described as follows:

All of Section 11, Township 8 South, Range 6 East, Gila & Salt River Base & Meridian, Pinal County, Arizona.

BE IT FURTHER RESOLVED, that this amendment shall take effect thirty (30) days from the date of this Resolution.

PASSED AND ADOPTED this 28th day of November, 2007, by the
PINAL COUNTY BOARD OF SUPERVISORS.



David Snider

Chairman, Board of Supervisors

ATTEST:

Shelley Cuff

Clerk of the Board

ATTACHMENT E



ARIZONA CITY SANITARY DISTRICT

P.O. Box 2377 • 12922 S. Kashmir Rd. • Arizona City, AZ 85223-2377
Office: (520) 466-5203 • Fax: (520) 466-5849 • e-mail: acsinfo@azcitysewer.net

March 27, 2008

Mr. Robert W. Geake
Vice President and General Counsel
Arizona Water Company
P.O. Box 29006
Phoenix, Arizona 85038

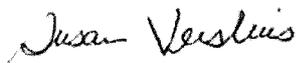
Re: Haugen Development: Pinal County Assessor's Parcel Nos. 511-19-007A, 007d, 007E, 007F and 007G (a.k.a. the South ½ and the NE ¼ of Section 17, T7S, R8E, Pinal County, Arizona)

Dear Mr. Geake:

You have informed the District that Arizona Water Company is involved in an application to expand the Company's certificated area to include the above-captioned parcels of real property (Docket W-01445A-07-0291). You indicate that at the close of the hearing on the matter, the presiding administrative law judge requested that the Company obtain a written indication from the wastewater provider for these parcels concerning whether wastewater treatment service is available.

The Haugen Development is located within the area for which Arizona City Sanitary District is the Designated Management Authority ("DMA"), but outside of the District's jurisdictional boundaries. While the District's approval must be obtained for any extension of sewer service to the Development, the District has no affirmative obligation to provide service to the Development. As of this date, the landowner has not requested the District to provide sewer service to the Haugen Development, nor has the landowner or any other sewer provider sought the District's approval of a plan for providing sewer service to the Development. The District is willing to discuss the provision of service to the Development, but has insufficient information to affirmatively represent that wastewater treatment service is available to the Development. We encourage the landowners to meet with the District to discuss their development plans and their sewer service requirements.

Sincerely,
For the Arizona City Sanitary District


Susan Versluis
Office Manager