



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: January 9, 2018

CASE NUMBER: PA-1-17

APPLICANT/OWNER: Wayne Barker

REQUEST: An application requesting approval of a Private Access Way ("PAW"), as part of proposed land split case LSM-2-17.

LOCATION: The existing 0.84-acre property is located at 3025 W. Manzanita Street.

**GENERAL PLAN/
ZONING DESIGNATION:** Medium Density Residential (maximum of 6 dwelling units per acre); currently zoned RS-10M (Medium Density Single-family Detached Residential, 10,000 sq.ft. lots, Conventional or Manufactured Home).

SURROUNDING USES: North: Single-family residence (zoned RS-10M);
South: Single-fam. resid. (zoned RS-10M);
East: Single-fam. resid. (zoned RS-10M);
West: Single-fam. resid. (zoned RS-10M).

BACKGROUND

The subject property is located at the southwest corner of N. Cedar Drive and the W. Manzanita Street alignment (see PA-1-17 maps attached). According to the city's 1985 aerial map, the property was formerly developed with two homes, a mobile home and what appeared to be a small mobile home or travel trailer to the west of it. The property was formerly and most recently owned by Richard Berry, who also owns the property directly to the west of the subject property. Within the last couple of years, both structures were removed from the subject property.

Mr. Barker bought the now vacant property in early 2017. Because of its zoning and its size, Mr. Barker would like to split the gross property into a west lot and an east lot; and he did apply

to do so through the city's land split map process, case LSM-2-17 (see proposed land split map for parcel 100-38-025 attached). However, because the Manzanita Street alignment does not exist as an easement or roadway west of Cedar Drive and because of existing water utility line improvements in the area (along the south 5 feet of the property), Mr. Barker has requested to create a PAW to serve his proposed west lot. The proposed PAW would also serve the lot further to the west (parcel 100-38-026C), owned by Mr. Berry. Access to Mr. Berry's lot has always been provided across Mr. Barker's new lot, although a PAW has never been formally established.

PROPOSAL

For the purpose of being able to split his property in accordance with proposed land split map LSM-2-17, Mr. Barker seeks the Commission's recommendation and ultimately, Council approval of a PAW across the north side of his property. Because of an existing wash which encumbers the north side of the property, the PAW is proposed to be located about 15 feet south of the north property line as shown on the land split map. Pursuant to the city's regulations for private access ways (Zoning Ordinance, Section 1-7-6 attached), the PAW will be 28-feet wide, is proposed to be improved with chip seal or crushed asphalt, will serve Mr. Barker's proposed new west lot, and it will continue to serve Mr. Berry's property to the west.

Other options for splitting the property were discussed with Mr. Barker, including: creating a north lot/south lot split where both parcels would front on Cedar; creating a north and south lot with a PAW between them to serve the lot to the west; or possibly creating a through street along the north side of parcels 100-38-025, 026C and 027. For reasons discussed below, the proposed split (as configured) appears to be the best option. Mr. Barker is willing to dedicate his half of Cedar Drive to the city as part of a PAW approval.

PLANNING STAFF ANALYSIS AND FINDINGS

Relationship to General Plan:

The subject site and the surrounding properties are designated as "Medium Density Residential" by the city's General Plan. This development proposal is in compliance with the General Plan.

Zoning/Site Context:

The property is zoned RS-10M, which requires net lot sizes of 10,000 square feet. The proposed land split shows that the west lot will be 15,244 net square feet; and the east lot will be 10,756 net square feet *after* the dedication of the 33-foot-wide Cedar Drive easement. The proposed split complies with zoning.

Evaluation of PAW request:

Section 1-7-6 Private Street Standards of the Zoning Ordinance (see attached) establishes certain standards and improvement-related criteria for the Commission to consider when evaluating a PAW. Staff's analysis (in *italics*) of said criteria with regard to this request, is as follows:

- A) Private streets shall be a minimum of 28 feet in unobstructed width of paved surface (back of curb to back of curb, if curbs are installed) with a 20-foot by 20-foot cutoff at the intersections or a minimum turning radius of 20 feet. Narrower private streets may be permitted subject to City Council review and approval. *[Street improvements on N. Cedar Drive and in the general area are incomplete. Minimum paving improvements do exist, but there do not appear to be curbing or sidewalk improvements in the general area, not even along Meridian. Although PAW requests are very rare, the City Council has never required full street improvements as part of a PAW request. In the past, Council has looked at improvements in the surrounding area and required similar or lesser improvements for a PAW. In this case, the applicant has offered to chip seal or install crushed asphalt to the edge of the existing pavement on Cedar.]*
- B) A private street may be permitted where its use is logically consistent with a desire for neighborhood identification and control of access and where special design concepts may be involved, such as within planned development areas, manufactured home developments, subdivisions or with CUPs. *[Ideally in this neighborhood, the Manzanita Street alignment should have gone through to Meridian. For reasons which staff has not been able to discover, it does not. Land splits done in this area long ago, possibly before the city had land split or PAW regulations, are evident throughout the neighborhood. Even though an alignment for Manzanita does not exist across the north side of these parcels, an easement of sorts already exists. This PAW would formally establish a Council approved access way.]*

C) Private streets shall be subject to Planning and Zoning Commission recommendation, City Council approval and the following requirements:

1. Paving shall be installed according to City Engineering Guidelines for public residential streets, or in accordance with subdivision regulations, if applicable. Curbs, gutters, sidewalks and streetlights may be required by the Council. Alternate paving surfaces may be permitted by the Development Services Engineer; *[Full street improvements for this PAW would seem out of place and over-burdensome for a 2-lot split in this area. It appears the Development Services Engineer has some discretion over what types of improvements to require. Chip sealing, to the edge of the existing paving improvements on Cedar would seem to be a reasonable requirement for this case. Also see City Engineer's comments in e-mail dated 3-3-17 and the city's stabilization options from Ord. 1316.]*
2. Other requirements may be imposed by the Council for vehicular and pedestrian safety, utilities and emergency vehicle access; *[Issues with pedestrian and vehicular safety does not appear to be a factor for this 2-lot split. Staff will recommend a condition that emergency vehicles will be allowed to access the PAW. Secondly, Mr. Barker stated that one of his main reasons for asking for a west lot/east lot configuration is because a water line within a 5-foot-wide easement along the south side of his property already exists and also serves the lots to the west. Forcing him to extend a water main extension to a potential north lot would be cost prohibitive and would not serve any additional lots.]*
3. Private streets shall not be allowed if, in the opinion of the City Council, a public street would better serve the public health, safety and welfare, or the location of the private access way presents a potential hazard to vehicular or pedestrian traffic at the intersection of the private street with a public street; *[Please see City Engineer's e-mail of 3-3-17 explaining why a street dedication would be difficult and impractical for Manzanita. The federally patented easement does not exist, the necessary right of way*

would be difficult to acquire and/or pay for, the mitigation of the wash would be an additional expense and very few lots would be served by a public through-street.]

4. City approvals shall be required for private streets. The design engineer shall be responsible that their design meets the geometrical and structural street design requirements and policies in accordance with general engineering standards. Testing and inspection for conformance of construction to minimum requirements of approved plans shall be the responsibility of the developer, who shall provide the City with proof that the requirements have been satisfied prior to project acceptance; [Once again, although the requirements appear to be stringent, the code also implies that the Council and the city's engineers have discretion over how and to what extent to apply these requirements given the specific situation.]
5. The maintenance of private streets is a continuing obligation of the property owners and/or homeowner's association. Streets shall be kept in a clean, safe and well maintained condition. More specifically, the property owner and/or homeowners association shall restore the street to its original approved condition if parking surface areas become deteriorated and/or emit dust particles into the air, as determined by the Development Services Engineer. [Staff will recommend a condition which requires and specifies that continued maintenance and upkeep of the PAW shall be the responsibility of the property owners which benefit from it.]

PLANNING STAFF RECOMMENDATION

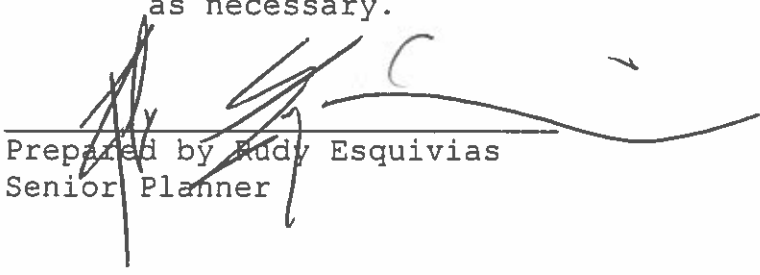
In accordance with the staff analysis explained above, the Planning Division recommends approval of this request subject to the conditions listed under the recommended motion below.

RECOMMENDED MOTION

I move that the Planning and Commission recommend to the City Council the (APPROVAL/DENIAL) of case PA-1-17, a request for a Private Access Way by Wayne Barker, to serve existing and proposed properties pursuant to proposed land split case LSM-2-17, subject to the following conditions of approval:

- 1) The property owner shall coordinate with the city's Public Works' City Engineer's office to prepare and execute a right-of-way dedication document for his half of the N. Cedar Drive federally patented easement.
- 2) The property owner shall finalize land split map LSM-2-17 and shall record deeds for the new properties approved by LSM-2-17.
- 3) The property owner in case PA-1-17 shall improve the PAW with a chip seal treatment to the edge of the N. Cedar Drive improvements, to be approved and inspected by the city's Development Services and Public Works Engineers, including the securing of any necessary permits to do work in the city's right-of-way.
- 4) The property owner shall separately prepare an Easement for Perpetual Right of Ingress and Egress deed which memorializes the council's approval of case PA-1-17; which grants right of access to present and future owners of the properties described and depicted on LSM-2-17, including parcel 100-38-026C; which also grants right of access to emergency and non-emergency city personnel and utility providers; and which requires that the perpetual maintenance and upkeep of the PAW approved by PA-1-17 is the responsibility of the property owners which benefit from it.
- 5) Approval of this PAW is exclusively for the properties described herein, current parcels 100-38-025 (and future split) and 100-38-026C. No other splits or easements shall be created on these properties without first receiving the necessary administrative or city council approvals. Any documents which may have been recorded in contravention to the city's requirements and processes shall be eradicated by the appropriate parties.

- 6) All conditions of this PA-1-17 approval shall be satisfied and complied with within one year of the approval date of PA-1-17.
- 7) Proper building permits shall be obtained and inspections and approvals received for any building, electrical, plumbing, remodeling and/or other property improvements as necessary.



Prepared by Rudy Esquivias
Senior Planner

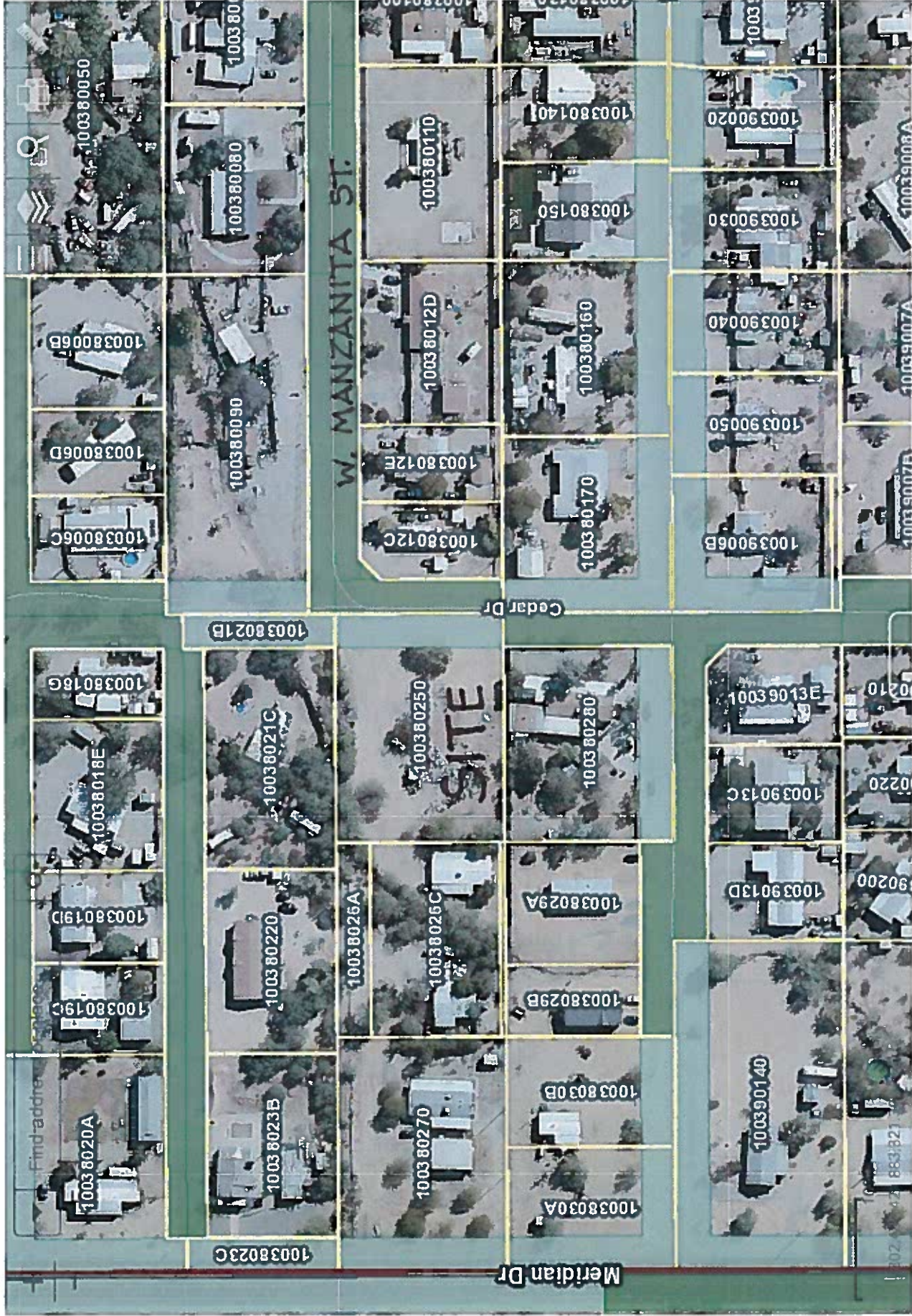
Attachments:

- Exhibit #1 - PA-1-17 Location and Vicinity Map
- Exhibit #2 - PA-1-17 Aerial Maps
- Exhibit #3 - LSM-2-17 proposed land split map
- Exhibit #4 - Section 1-7-6 Private Street Standards from Zoning Ordinance
- Exhibit #5 - March 3, 2017 staff e-mail exchange
- Exhibit #6 - Excerpt from Ordinance #1316 describing acceptable stabilization options

PA-1-17 AERIAL MAP

City of Apache Junction

APACHE JUNCTION, AZ Internal GIS Viewer



F.P.E.S AND DEDICATIONS SHOWN.

APACHE JUNCTION, AZ Internal GIS Viewer

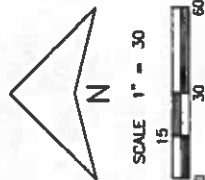
City of Apache Junction



STREET IMPROVEMENTS SHOWN

VICINITY MAP

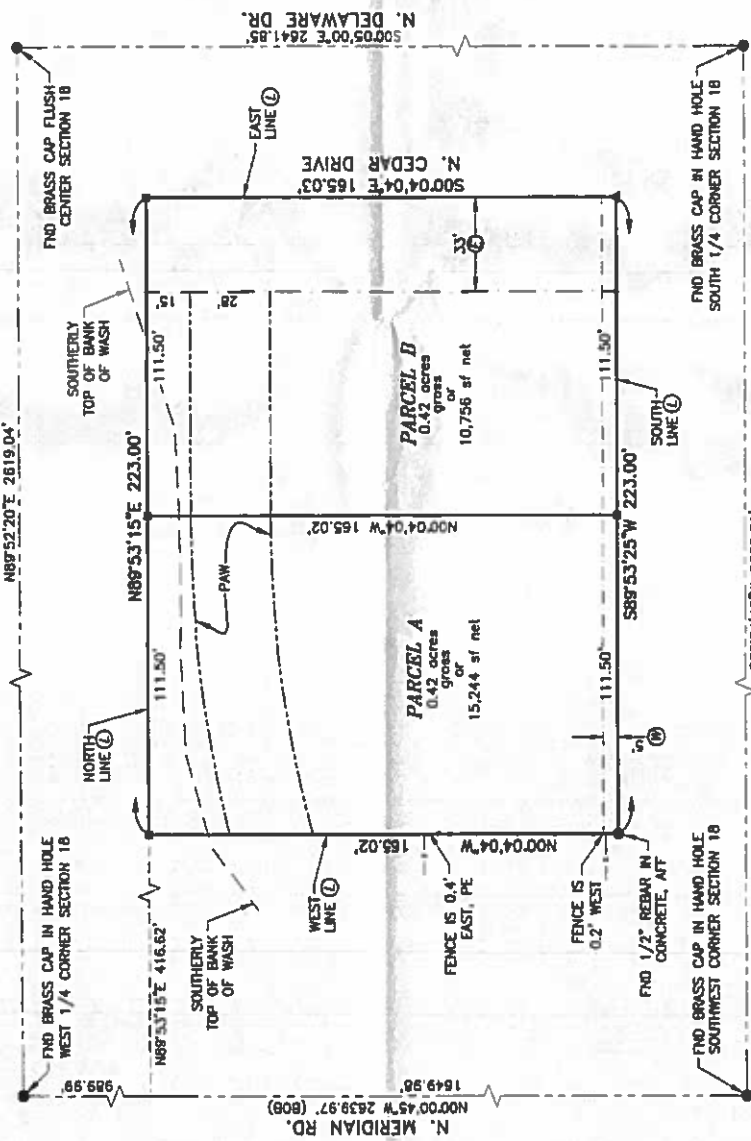
NOT TO SCALE
LOST DUTCHMAN BLVD.



APACHE JUNCTION LAND SPLIT MAP

A PORTION OF LOT 27, SECTION 18
T.1N., R.8E., G&S.R.B.&M.
PINAL COUNTY, ARIZONA

W. TEPEE ST.
N89°52'20"E 2619.04'



W. SUPERSTITION BLVD.
S89°54'48"W 2622.31'

LEGEND

- FOUND MONUMENT AS NOTED
- SET 1/2" REBAR, LS 21773
- ▲ SET MAG NAIL, LS 21773
- sf SQUARE FEET
- AFF ACCEPTED, ATTACHED CAP/TAG LS 21773
- PAW PROPOSED 28' WIDE PRIVATE ACCESS WAY
- BOB BASIS OF BEARINGS
- FOUND POSSIBLE ENCROACHMENT
- PE WIRE FENCE
- ① 33' RIGHT OF WAY FOR ROADWAY AND PUBLIC UTILITY, DOCKET 218, PAGE 95
- ② THE EAST 223 FEET OF NORTH 1/2 OF LOT 27, SECTION 18
- ③ EASEMENT FOR WATER MAIN DOCKET 624, PAGE 756

SURVEYORS CERTIFICATION

THIS IS TO CERTIFY THAT THIS SURVEY AND THE MAP OF DIVISION OF LAND DESCRIBED HEREIN WAS ACCURATELY DONE UNDER MY DIRECTION AND THAT ALL LOTS ARE STAKED AND ALL MONUMENTS ARE SET.

JAMES A. HEWITT R.L.S. # 21773
JAMES A. HEWITT
JAMES A. HEWITT R.L.S. # 21773
JAMES A. HEWITT R.L.S. # 21773



NOTES

1. BEARINGS AND DISTANCES SHOWN ARE MEASURED OR CALCULATED UNLESS NOTED OTHERWISE.
2. THIS SURVEY IS BASED ON THE WARRANTY DEED RECORDED IN FEE NO. 2017-011093, PINAL COUNTY RECORDS, AND ON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, ESCROW NO. 240-5831093, DATED JANUARY 19, 2017, AND ON OTHER INFORMATION AND INSTRUCTIONS AS PROVIDED BY THE CLIENT. ANY OTHER EASEMENTS, RIGHTS-OF-WAY OR OTHER MATTERS OF RECORD THAT MAY AFFECT THIS SITE ARE NOT SHOWN HEREON. NOT ALL MATTERS DISCLOSED IN SAID COMMITMENT ARE SHOWN OR NOTED HEREON.
3. THIS MAP DOES NOT PURPORT TO VERIFY THE OWNERSHIP OF ANY PROPERTY SHOWN OR INVOLVED IN THIS SURVEY. ACTUAL OWNERSHIP LINES MAY BE AFFECTED BY MONUMENTS, LINES OF OCCUPATION AND/OR OTHER UNWRITTEN RIGHTS.
4. THIS SITE LIES IN FLOOD ZONE SHADEN X PER FLOOD INSURANCE RATE MAP NO. 04021C0015C, DATED 12/4/2007.
5. THIS MAP WAS PREPARED TO ACCOMPANY A CITY OF APACHE JUNCTION LAND SPLIT APPLICATION. IT IS ENTIRELY THE RESPONSIBILITY OF ANY OTHER USERS TO DETERMINE ITS SUITABILITY FOR ANOTHER PURPOSE.
6. THERE IS AN ACCESS AND UTILITIES EASEMENT DESCRIBED IN THE WARRANTY DEED RECORDED IN FEE NO. 2017-011093 THAT IS TO BE EXTINGUISHED WITH THE APPROVAL OF THIS LAND SPLIT AND IS THEREFORE NOT SHOWN HEREON.
7. THIS SITE IS SUBJECT TO AND/OR AFFECTED BY A DRIVEWAY ACCESS EASEMENT TO AND FROM MERIDIAN ROAD AS MORE PARTICULARLY DESCRIBED IN DOCKET 1761, PAGE 183.
8. THESE PARCELS ARE CURRENTLY VACANT.

OWNER
WAYNE BARBER
(FEE NO. 2017-011093)

CERTIFICATION OF APPROVAL:

THIS IS TO CERTIFY THAT THIS MAP COMPLIES WITH THE REQUIREMENTS OF THE CITY OF APACHE JUNCTION, AND THAT THIS LAND SPLIT MAP IS HEREBY APPROVED ON THIS _____ DAY OF _____, 2017.

BY: DEVELOPMENT SERVICES DIRECTOR

ABILITY LAND SURVEYING, INC.
185 SOUTH MOUNTAIN VIEW ROAD
APACHE JUNCTION, ARIZONA 85119
PH 480-982-0413
jim@abilitysurvey.com

SHEET NO. 1 OF 2
DATE 5/17
JOB NO. 17-0311

PRIVATE ACCESS WAY

A 28 FOOT WIDE PRIVATE ACCESS WAY OVER A PORTION OF LOT 27, SECTION 18, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, BEING MARKED WITH A BRASS CAP IN A HAND HOLE AND FROM WHICH POINT THE WEST 1/4 CORNER OF SAID SECTION 18 (ALSO BEING MARKED WITH A BRASS CAP IN A HAND HOLE) BEARS NORTH 00 DEGREES 00 MINUTES 45 SECONDS WEST, 2639.97 FEET DISTANT THEREFROM;

THENCE NORTH 00 DEGREES 00 MINUTES 45 SECONDS WEST, 1679.98 FEET, ALONG THE WEST LINE OF SAID SECTION 18 TO THE NORTHWEST CORNER OF SAID LOT 27;

THENCE NORTH 89 DEGREES 53 MINUTES 15 SECONDS EAST, 606.62 FEET, ALONG THE NORTH LINE OF SAID LOT 27 TO A POINT ON THE WEST LINE OF THE EAST 33.00 FEET THEREOF;

THENCE SOUTH 00 DEGREES 04 MINUTES 04 SECONDS EAST, 29.00 FEET, ALONG SAID WEST LINE TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 53 MINUTES 15 SECONDS WEST, 78.50 FEET, TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 14 DEGREES 20 MINUTES 51 SECONDS, AND AN ARC LENGTH OF 112.69 FEET, TO A POINT ON THE WEST LINE OF THE EAST 223 FEET OF SAID LOT 27, BEING THE POINT OF TERMINUS OF SAID CENTERLINE.

THE SIDELINES OF SAID ACCESS WAY ARE TO LENGTHEN OR SHORTEN SO AS TO BEGIN ON THE WEST LINE OF THE EAST 33.00 FEET OF SAID LOT 27 AND TO TERMINATE ON THE WEST LINE OF THE EAST 223 FEET OF SAID LOT 27.

PARCEL DESCRIPTIONS

ENTIRE PARCEL - FEE NO. 2017-011093

THE EAST 223 FEET OF THE NORTH HALF OF LOT 27, SECTION 18, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

PARCEL A:

THE WEST 111.50 FEET OF THE EAST 223 FEET OF THE NORTH HALF OF LOT 27, SECTION 18, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA

PARCEL B:

THE EAST 111.50 FEET OF THE NORTH HALF OF LOT 27, SECTION 18, TOWNSHIP 1 NORTH, RANGE 8 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA


Jim Bobility

APACHE JUNCTION LAND SPLIT MAP

ABILITY LAND SURVEYING, INC.	SHEET NO. 2 OF 2
185 SOUTH MOUNTAIN VIEW ROAD	DATE 5/17
APACHE JUNCTION, ARIZONA 85119	SUB NO. 17-0311
PH 480-982-0413	
jim@abilitysurvey.com	

1. **Circulation.** There shall be no loading or unloading of commercial vehicles on the public street. Off-street maneuvering space shall be provided so that no backing onto or from a public street is required.
2. **Screened.** The loading area shall be screened from adjacent residentially zoned property with a solid 8 foot high wall, and located to minimize visibility from a public street.
3. **Size.** Off-street loading spaces shall be at least 12 feet wide and 35 feet deep, exclusive of access aisles and maneuvering space.

1-7-6 PRIVATE STREET STANDARDS

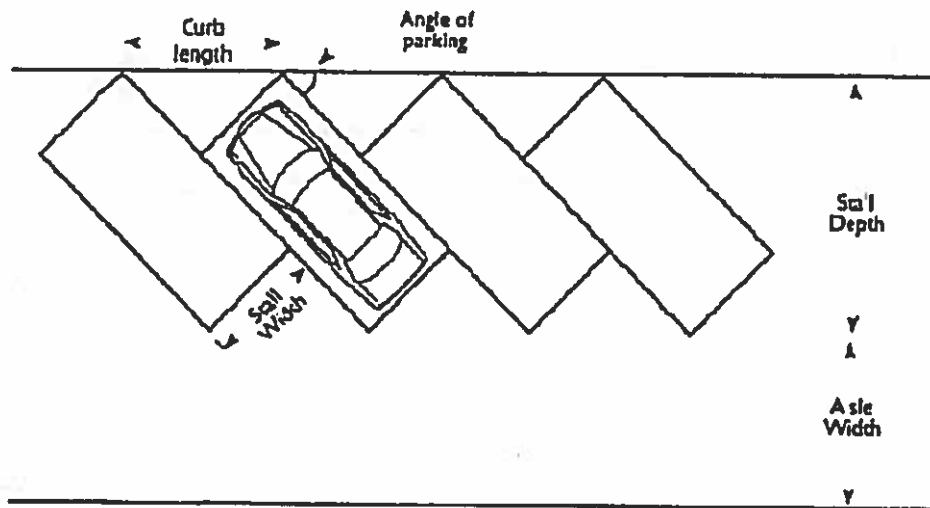
- A. Private streets shall be a minimum of 28 feet in unobstructed width of paved surface (back of curb to back of curb, if curbs are installed) with a 20-foot by 20-foot cutoff at intersections or a minimum turning radius of 20 feet. Narrower private streets may be permitted subject to City Council, review and approval.
- B. A private street may be permitted where its use is logically consistent with a desire for neighborhood identification and control of access and where special design concepts may be involved, such as within planned development areas, manufactured home developments, subdivisions or with CUPs.
- C. Private streets shall be subject to Planning and Zoning Commission recommendation, City Council approval and the following requirements:
 1. Paving shall be installed according to City Engineering Guidelines for public residential streets, or in accordance with subdivision regulations, if applicable. Curbs, gutters, sidewalks and streetlights may be required by the Council. Alternative paving surfaces may be permitted by the Development Services Engineer;
 2. Other requirements may be imposed by the Council for vehicular and pedestrian safety, utilities and emergency vehicle access;
 3. Private streets shall not be allowed if, in the opinion of the City Council, a public street would better serve the public health, safety and welfare, or the location of the private access way presents a potential hazard to vehicular or pedestrian traffic at the intersection of the private street with a public street; and
 4. City approvals shall be required for private streets. The design engineer shall be responsible that their design meets the geometrical and structural street design

requirements and policies in accordance with general engineering standards. Testing and inspection for conformance of construction to minimum requirements of approved plans shall be the responsibility of the developer, who shall provide the City with proof that the requirements have been satisfied prior to project acceptance.

5. The maintenance of private streets is a continuing obligation of the property owners and/or homeowner's association. Streets shall be kept in a clean, safe and well maintained condition. More, specifically, the property owner and/or homeowner's association shall restore the street to its original approved condition if parking surface areas become deteriorated and/or emit dust particles into the air, as determined by the Development Services Engineer.

TABLE 7-1: PARKING STALL AND AISLE DIMENSIONS

<i>Angle of Parking</i>	<i>Stall Width</i>	<i>Curb Length Per Stall</i>	<i>Stall Depth</i>	<i>One-Way Aisle Width</i>	<i>Two-Way Aisle Width</i>
Parallel	9'0"	22'0"	9'0"	12'	20'
30°	9'0"	18'0"	17'4"	11'	20'
40°	9'0"	14'0"	19'2"	12'	22'
45°	9'0"	12'9"	19'10"	13'	24'
50°	9'0"	11'9"	20'5"	15'	24'
60°	9'0"	10'5"	21'0"	18'	24'
70°	9'0"	9'8"	21'0"	19'	24'
90°	9'0"	9'0"	18'0"	24'	24'



Note: Up to 20 percent of the total required parking spaces may be compact spaces with minimum 9' by 16' stall dimensions for 90 degree parking.

Rudy Esquivias

From: Larry Kirch
Sent: Friday, March 03, 2017 12:02 PM
To: Emile Schmid; Sam Jarjice; Rudy Esquivias
Cc: Stephanie Bubenheim
Subject: RE: Parcel 100-38-025, 3025 W Manzanita

Didn't we spend considerable time talking about this property about 3 months ago and possible land divisions, FPEs, easements, etc.

Do we think it is a good practice to allow land divisions where the 2nd parcel must access the property off a private easement? Should there be a limit to the # of parcels that can access a public road or FPE off an easement? Is our current standard/rule 3?

My reading of Rudy's email is that At a minimum, Wayne will probably need to request creation of a private access way. This goes through the council, right?

My 2 cents.

Larry

From: Emile Schmid
Sent: Thursday, March 2, 2017 5:24 PM
To: Sam Jarjice ; Rudy Esquivias
Cc: Larry Kirch ; Stephanie Bubenheim ; 'Land Surveyor'
Subject: RE: Parcel 100-38-025, 3025 W Manzanita

Hey everyone,

I just spoke to Wayne Barker re: the Cedar/Manzanita parcel split & access. Couple comments:

1. PW is not interested in ROW along the Manzanita alignment from Cedar west to Meridian. Main reason, and I agree with Rudy, I think a ROW dedication for parcels 21C, 22, and 23B will be hard to obtain since there is no benefit to those parcels who already have a dedicated (albeit substandard...) ROW between Shiprock and Manzanita. Plus it would only serve 2-3 parcels, and there's the wash to contend with.
2. We talked about a private access easement, which I have no issue with. He stated that you all are looking for a pavement recommendation. My interpretation of Zoning Code 1-7-6 is that it's more for a subdivision with private interior streets, not for a private access serving 2-3 lots, so no need for a AC pavement surface. Chip seal is fine, or any approved dust-proof surface per Ordinance 1316. Thanks Sam for sending that to me.
3. Wayne will propose to locate the access easement away from the north boundary to avoid the wash, take it all the way from the east boundary at Cedar to the boundary of Mr. Berry's parcel, which will provide Mr. Berry with access to 26C from Cedar. This new easement could be used to correct the "unauthorized" easement that Mr. Berry placed on parcel 25 before he sold it to Mr. Barker.
4. No permit from PW for grading/surfacing the drive on private property, but we would need an encroachment permit for grading & tying into the pavement in Cedar. I told Wayne the portion in the Cedar FPE would need to be at least a chip seal from the FPE line to the edge of pavement.

Let me know if you have questions/comments on the above.

Thanks,

Emile Schmid

Side note, he also mentioned there is an FPE issue with another parcel he purchased and split at the NE corner of 2nd & Wickiup. He said Kimberly already looked at it. He's hoping to work through that one as well.

From: Sam Jarjice

Sent: March 2, 2017 16:20

To: Rudy Esquivias <resquivias@ajcity.net>

Cc: Emile Schmid <eschmid@AJCity.Net>; Larry Kirch <lkirch@AJCity.Net>; Stephanie Bubenheim <sbubenheim@AJCity.Net>; 'Land Surveyor' <jim@abilitysurvey.com>

Subject: RE: Parcel 100-38-025, 3025 W Manzanita

Rudy,

I guess they can stabilize the 24-ft wide private access with any of the approved stabilization method that is allowed under the attached Ordinance No. 1316.

Sam J

From: Emile Schmid

Sent: Thursday, March 02, 2017 3:02 PM

To: Rudy Esquivias

Cc: Sam Jarjice; Stephanie Bubenheim; Larry Kirch; Jim Hewitt (jim@abilitysurvey.com)

Subject: RE: Parcel 100-38-025, 3025 W Manzanita

Rudy,

Is 1-7-6 more for a private street serving a fair amount of lots (more than 5)? I can see the paving standard for private streets for small subdivisions needing to meet this standard, but for an access for two parcels that end at a wash I think a 24-ft wide chip-seal for a private access is adequate, or any other dust-proof surface Sam allows.

Wayne stopped by here earlier today, I'll be contacting him later after my conference call w/ Sam.

ES

From: Rudy Esquivias

Sent: March 2, 2017 12:43

To: Emile Schmid <eschmid@AJCity.Net>

Cc: Sam Jarjice <SJarjice@ajcity.net>; Stephanie Bubenheim <sbubenheim@AJCity.Net>; Larry Kirch <lkirch@AJCity.Net>; Jim Hewitt (jim@abilitysurvey.com) <jim@abilitysurvey.com>

Subject: Parcel 100-38-025, 3025 W Manzanita

Emile:

Wayne Barker bought this lot from Richard Berry and is thinking of splitting it into more or less an east half and a west half. Jim Hewitt is handling the survey and land split. There is no FPE for Manzanita across the north side of this property, but Manzanita is an existing alignment. At a minimum, Wayne will probably need to request creation of a private access way.

According to Zoning Ordinance Section 1-7-6 (attached), even private streets need to meet our paving requirement. What is your call on this? Can it be a chip seal street? Would it make more sense to just ask for say, a 25' wide dedicated half street with some improvements? Please note that there is already a land-locked parcel directly west of parcel 025. Both lots are also affected by the existence of a wash. You may also want to reference the previous correspondence we have had about this lot recently. Thanks.

Rudy

threshold friction velocity of the native soil surface, corrected for non-erodible elements, is at least 100 centimeters per second. For purposes of administering this subparagraph, the Development Services Director may designate the Air Quality Control Department of Pinal County as an entity authorized to approve such applications.

For non-dustproofed surface areas that are utilized intermittently at developments other than residential buildings with four or fewer units, for a period of thirty (30) calendar days or less during the calendar year, for surfaces that are used for parking, maneuvering, ingress and egress on an intermittent, short-term basis, the owner and/or operator may, as an alternative, effect dustproofing by effecting one or more of the following pursuant to a plan approved in writing by the Development Services Director:

- i. Installation of a temporary or permanent dustproof surface;
- ii. Application of a dust suppressant; or
- iii. Routine watering of traveled surface as a dust suppressant and for the creation of an encrusted dustproof native surface after the activity ends.

Undisturbed surfaces at developments other than residential buildings with four or fewer units shall be exempt from the dustproofing requirements of this ordinance, but only if those undisturbed surfaces are fenced or otherwise clearly delineated from affected surfaces by means of a fence or other physical barrier. Delineated long-term storage stalls, where a vehicle, trailer or other item is stored and not normally removed and replaced more than once in a sixty-day period shall also be considered undisturbed surfaces.

Any dust-proofing shall be maintained in a manner that prevents visible track-out.

- 7) For any residential property with four or fewer units, affected surfaces subject to the stabilization

requirement include any areas in a front yard utilized for parking, maneuvering or ingress of on- and off-road vehicles. No later than October 1, 2009, all parking, maneuvering, ingress and egress areas that are 3,000 square feet or more in size at residential buildings with four or fewer units must be stabilized with one or more of the following methods:

- (a) Paving with asphaltic concrete;
- (b) Paving with Portland cement based concrete;
- (c) Surfacing with a penetrating asphalt and a gravel surface commonly known as chip sealing;
- (d) Surfacing with and uniformly maintaining a two-inch deep layer of rock having a nominal size of one-quarter (1/4) inch or larger;
- (e) Surfacing with a two-inch deep layer of recycled asphalt; or
- (f) Surfacing with any other surface treatment that has approved by the Development Services Director or his or her designee.

Any stabilization shall be maintained in a manner that prevents visible track-out over ten feet in length.

For non-stabilized surface areas that are utilized intermittently at a residential property with four or fewer units, for a period of thirty (30) calendar days or less during the calendar year, for surfaces that are used for parking, maneuvering, ingress and egress on an intermittent, short-term basis, the owner and/or operator may, as an alternative, effect stabilization by effecting one or more of the following pursuant to a plan approved in writing by the Development Services Director:

- i. Installation of a temporary or permanent surface stabilization;
- ii. Application of a dust suppressant; or
- iii. Routine watering of traveled surface as a dust suppressant and for the creation of an encrusted dustproof native surface after the activity ends.

Undisturbed surfaces at a residential property with four or fewer units shall be exempt from the