

COUNCIL DECISION REQUEST

SUBJECT: FINAL PLAT – “600 E. HWY. 260 CONDOMINIUMS” SUBDIVISION S-133-07

MEETING DATE: 3-1-07

CSP ITEM: Yes No **XX** KRA#

ITEM NO.:

TENTATIVE SCHEDULE: N/A

SUBMITTED BY: Jerry Owen
Community Development Director

AMOUNT BUDGETED: N/A

SUBMITTAL TO AGENDA
APPROVED BY TOWN MANAGER

EXPENDITURE REQUIRED: N/A

CONT. FUNDING REQUIRED: N/A

EXHIBITS (If Applicable, To Be Attached):

P & Z Commission recommendation and staff report.

RECOMMENDED MOTION

The Planning and Zoning Commission recommends approval of the final plat for the 600 E. Hwy 260 Condominiums Subdivision. The supporting motion would be: “I move to APPROVE the Final Plat for the 600 E. Hwy 260 Condominiums Subdivision as submitted subject to the six (6) conditions recommended by the Planning and Zoning Commission.”

SUMMARY OF THE BASIS FOR RECOMMENDED MOTION:

PROS: (Not Applicable)

CONS: (Not Applicable)

PUBLIC INPUT (if any): See staff report.

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes):

The Planning & Zoning Commission reviewed the Final Plat for the 600 E. Hwy 260 Condominiums Subdivision at their February 12, 2007, meeting in the Town Council Chambers and recommended the Town Council approve S-133-07, with six conditions, on a 7-0 vote.

MAR 01 2007 *J. 2**

Conditions for S-133-07 (600 E. Hwy 260 Condominiums – Final Plat)

As recommended by the Planning & Zoning Commission 2-12-07

1. A copy of the Declaration of Condominium Covenants, Conditions and Restrictions (CC&R's) shall be provided to staff for review prior to Final Plat submittal to Town Council for approval, including shared access and parking agreements with adjacent owners.
2. General Note number 1 shall be amended to reflect the current zoning designation of the site as C-2 prior to submitting to the Town Council.
3. The word "dwelling" shall be removed from the Dedication statement prior to submitting to the Town Council.
4. Maintenance of the drainage easements must be addressed on the face of the plat and in the CC&R's.
5. The plat shall be tied to at least two sectional corners.
6. All Fire Department and Building Department requirements for converting the existing structure on this site to condominiums must be met prior to Final Plat submittal to Town Council for approval.

GRIPPS BORGATA LLC
600 E. HIGHWAY 260, SUITE 12
PAYSON, AZ 85541
928-474-4651

February 20, 2007

Mr. Ray Erlandsen
Town of Payson
Community Development

Re: FINAL PLAT 600 E. HIGHWAY 260 CONDOMINIUMS

Dear Ray:

This short letter is to confirm with you the "Firewalls" will be in place per the Final Plat site plan in the current configuration as noted. They will be completed and approved by the Building Department prior to the March 1, 2007 Final Plat hearing.

Sincerely,



Bruce Griffin
Managing Member
Gripps Borgata

Exhibit A

PARCEL NO. 1

Parcel 2 as shown on Record of Survey recorded as Map No. 582, records of Gila County Arizona being a portion of Section 3, Township 10 North, Range 10 East of the Gila and Salt River Base and Meridian, Gila County Arizona.

PARCEL NO. 2

An easement for ingress and egress 12 feet in width over Parcel No. 1 as set forth in Record of Survey Map No. 582, records of Gila County Arizona.

Refer to 3.1 of Condo CC&R's



Gila County, AZ

NO

2006-001851

Page 2 of 2

02/01/2006 04:00P

15.00

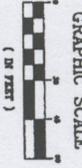
RECORD OF SURVEY - LAND DIVISION

OF THAT PARCEL DESCRIBED IN THE INSTRUMENT RECORDED IN DOCKET 701, PAGE 515, GILA COUNTY RECORDS, LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 10 NORTH, RANGE 10 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, GILA COUNTY, ARIZONA.

FOR: PATRICK AND BARBARA UNDERWOOD
 603 E. HWY. 2
 PAYSON, ARIZONA 85541
 PH: (602) 474-5429

618075

STATE OF ARIZONA, County of Gila, ss.
 I do hereby certify that the within instrument was filed and recorded in accordance with the provisions of the Arizona Recording Act, Chapter 25, A.S., Sec. 582.
 Notary Public for the County of Gila, Arizona
 My commission expires on 12/31/2008.
 WITNESS my hand and official seal this day and year first above written.



LEGEND

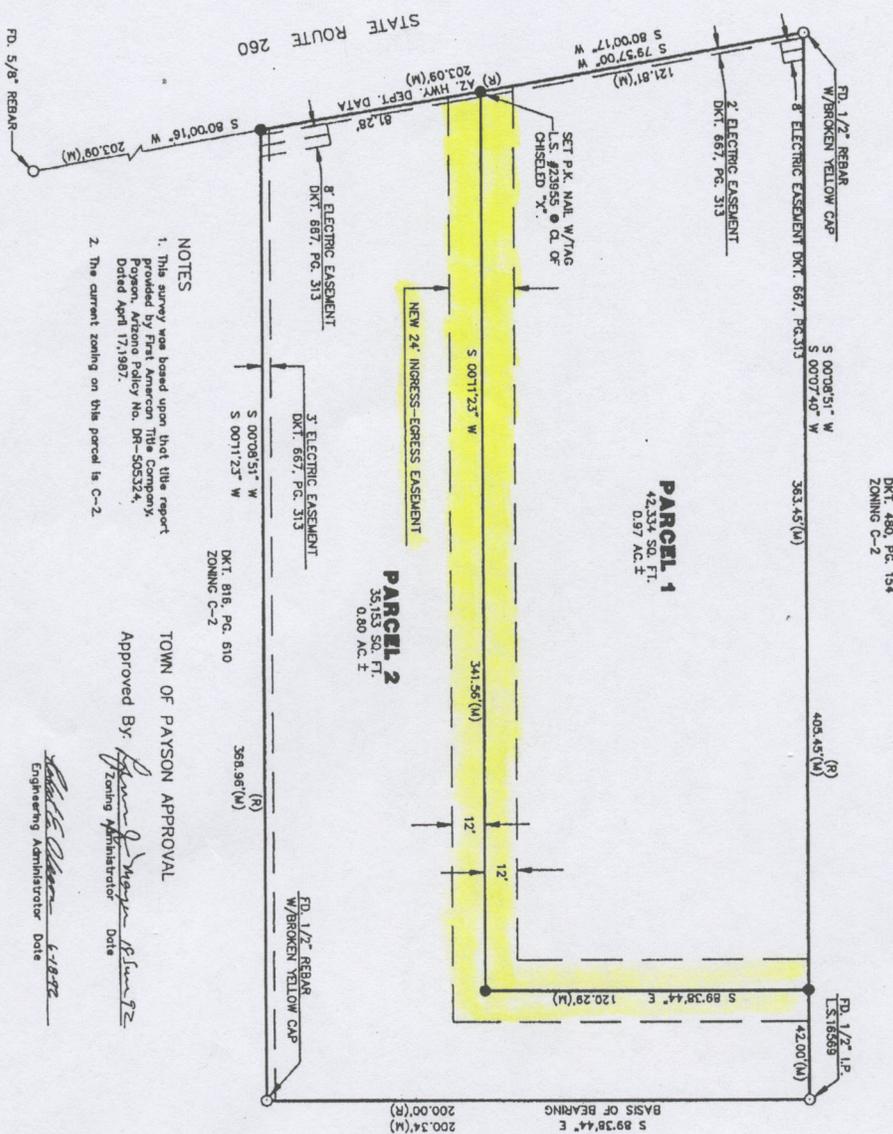
- (R) = RECORD
- (M) = REVISION
- (O) = FURNISH INSTRUMENT AS NOTED
- = SET 1/2" REBAR W/ TAG #23955
- = UNLESS OTHERWISE NOTED

CERTIFICATION

This is to certify that this map, consisting of one (1) sheet correctly represents a survey made under my supervision during the Month of June.



NORTHSTAR SURVEYING, INC.
 1501 NORTH MCCLANE ROAD
 PAYSON, ARIZONA 85541
 PH: (602) 474-2914
 PROJECT NO. 92009



NOTES
 1. This survey was based upon that title report provided by First American Title Company, Payson, Arizona Policy No. DR-505324, Dated April 17, 1997.
 2. The current zoning on this parcel is C-2.

TOWN OF PAYSON APPROVAL
 Approved By: *[Signature]*
 Zoning Administrator Date

Engineering Administrator Date *[Signature]*

582

582



Gila County, AZ
 Linda Haught Ortega, Recorder
 02/01/2006
 04:05PM
 Doc Code: LD

Doc Id: 2006-001851
 Receipt #: 41431
 Rec Fee: 15.00

PIONEER TITLE AGENCY RECORDING

at the request of Pioneer Title Agency, Inc.

when recorded mail to
 BRUCE T. GRIFFIN
 2404 E. GOLDEN ASTER CIRCLE
 PAYSON, AZ 85541



Gila County, AZ

LD

2006-001851

Page: 1 of 2
 02/01/2006 04:05:00
 15.00

00124798-SP

304-02-0514

SPECIAL WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations,

PATRICK JAY UNDERWOOD and BARBARA ANN UNDERWOOD, as Trustees of the P&B Underwood Living Trust dated September 04, 1997

hereafter called the Grantor, hereby conveys to

BRUCE T. GRIFFIN, A married man, as his sole and separate property and MARC D. APPS, A married man, as his sole and separate property

the following real property situated in Gila County, Arizona, together with all rights and privileges appurtenant thereto, to wit:

See Exhibit A attached hereto and made a part hereof.

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against its acts only and none other.

Pursuant to the provisions of ARS 33-404, an instrument disclosing the beneficiaries has been recorded in the office of the Gila County Recorder in Document No. 2002-6593, of Official Records.

DATED this 31 day of Jan 2006

Grantors:

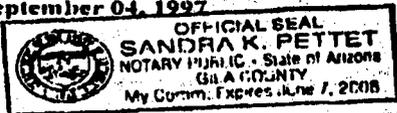
Patrick Jay Underwood
 PATRICK JAY UNDERWOOD, Trustee

Barbara Ann Underwood
 BARBARA ANN UNDERWOOD, Trustee

STATE OF ARIZONA
 County of Gila

} ss

The foregoing instrument was acknowledged before me this 31 day of January 2006 by **PATRICK JAY UNDERWOOD and BARBARA ANN UNDERWOOD, Trustees of the P&B Underwood Living Trust dated September 04, 1997**



Sandra K. Pettet
 Notary Public

My Commission Expires: 6-7-2008



Staff Report Planning and Zoning Commission

Project Title: 600 E. Hwy. 260 Condominiums Subdivision S-133-07

Commission Meeting Date: February 12, 2007

Description:

Location: 600 E. Highway 260 APN# 304-02-051A

Site size: 0.80 ac., 34,848 s.f. ±

Current Zoning: C-2

Lot sizes: N/A

No. of homes: N/A

Action Requested: Final Plat Recommendation to Town Council

Neighborhood Involvement

A Citizens Participation Meeting was held on December 18, 2006. Three citizens attended the meeting. All three are current tenants of 600 E. Hwy. 260.

General comments included the following:

1. HOA fees and responsibilities.
2. Firewall construction.
3. Timeline for conversion.

Community Benefits

Affordable Housing - N/A (Existing development)

Recreation - N/A

Streets - N/A

Community Development & Engineering Assessment

Compatibility with adjacent zoning districts: Compatible.

Drainage: Meets requirements.

General Plan Conformance: Conforms.

Fire Safety: Must conform to current Town of Payson Fire Department standards prior to Final Plat approval.

Water: Existing service.

Analysis

The applicant is requesting recommendation of approval of a Final Plat for the proposed conversion of an existing commercial complex on 34,848 s.f. ± to be called 600 E. Hwy. 260 Condominiums.

As this is an existing structure being converted to allow individual ownership with minimal physical changes required, a final plat has been prepared for review by the Planning and Zoning Commission with a request to forward a recommendation to the Town Council.

The proposed condominium subdivision would allow for tenant ownership of the 13 existing units. Tract "A" is the shared drive and parking area for the complex, while Tract "B" is common area, drainage easement and public utility easement.

The project is currently zoned C-2, General Commercial. The Land Use Element of the General Plan also designates the area as Commercial. It is part of the State Route 260 Corridor growth area. All required improvements have been constructed for this project.

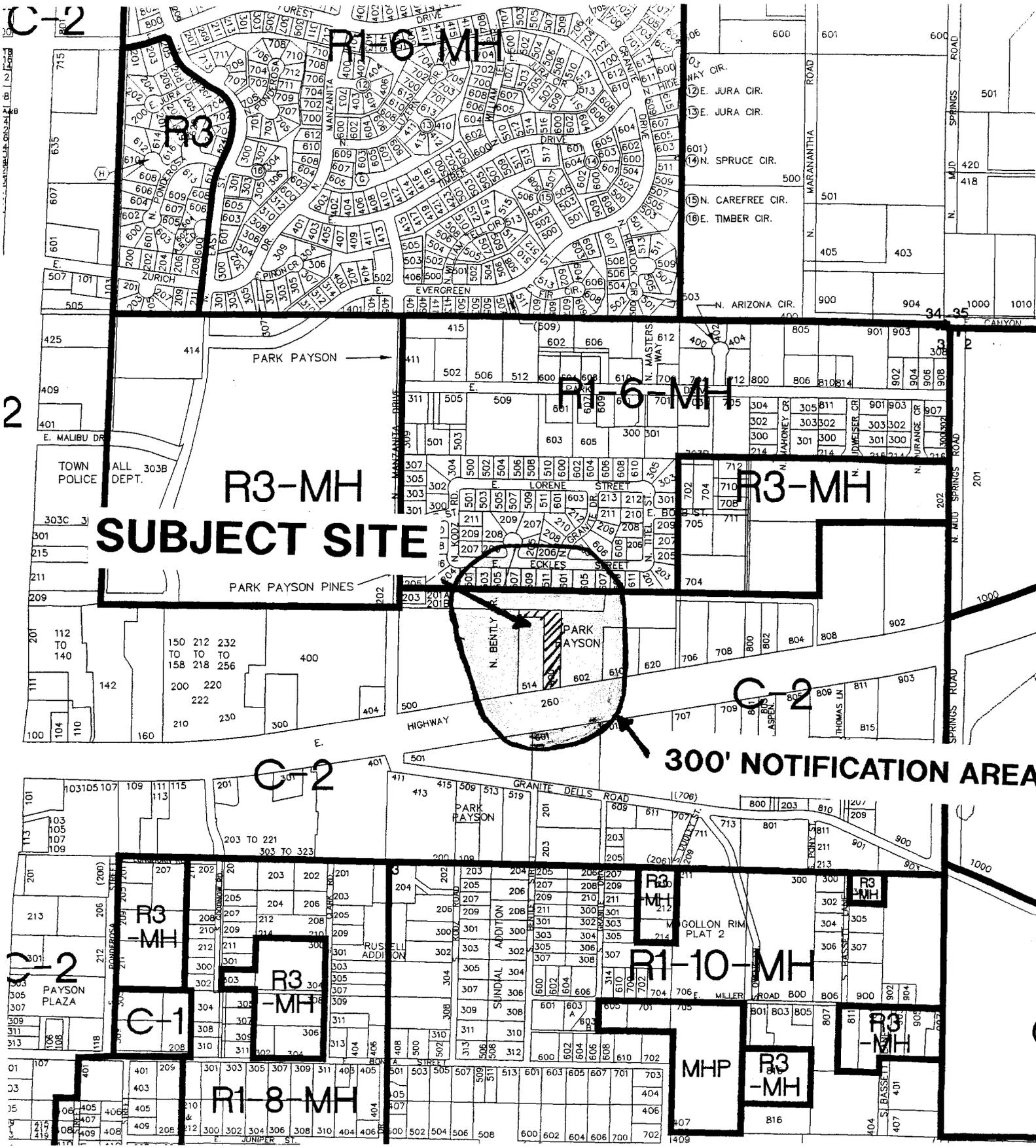
Staff Recommendation: Approval, subject to the following conditions:

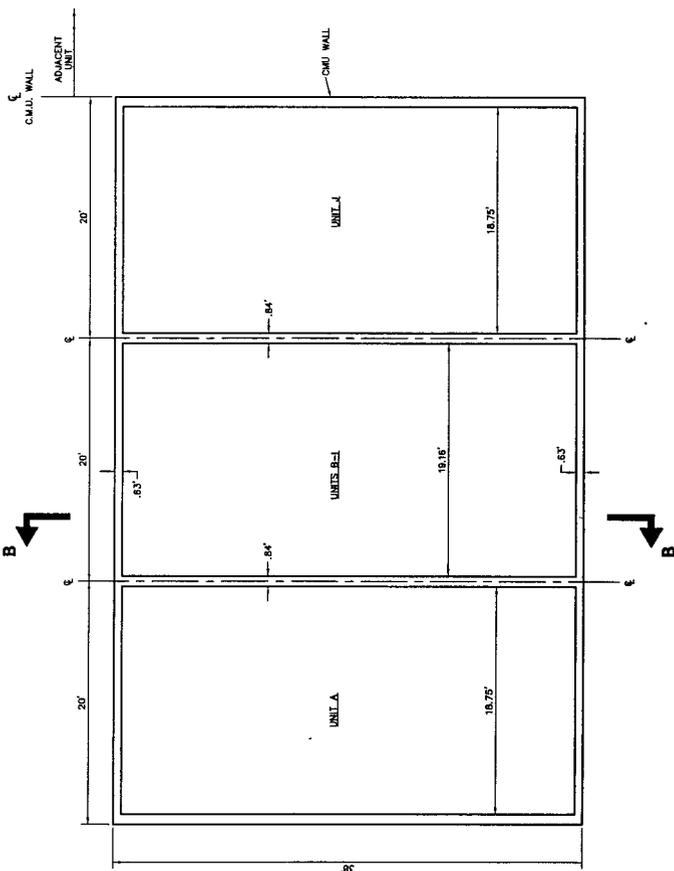
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3. The word "dwelling" shall be removed from the Dedication statement prior to submitting to the Town Council.
4. Maintenance of the drainage easements must be addressed on the face of the plat and in the CC&R's.
5. The plat shall be tied to at least two sectional corners.
6. All Fire Department and Building Department requirements for converting the existing structure on this site to condominiums must be met prior to Final Plat submittal to Town Council for approval.
7. Any other conditions the Commission deems necessary.

Suggested Motion to Approve:

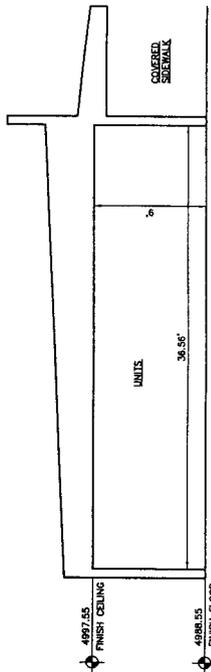
"I move the Planning & Zoning Commission recommend to the Town Council approval of S-133-07, a Final Plat request for 600 E. Hwy. 260 Condominiums Subdivision subject to the conditions prepared by staff."

Map Depicting the Subject Site with 300' Notification Area for 600 E. Highway 260





UNITS A - J
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'

NOTE: UNIT DIMENSIONS SHOWN HEREON ARE TO THE CENTERLINE OF ALL UNIT CEILING, EXTERIOR WALLS, AND EXTERIOR WALLS. UNITS ARE TO BE FINISHED TO THE UNDECORATED FLOOR DIMENSIONS SHOWN HEREON TO THE NEAREST DECIMAL FEET AND DECIMAL PARTS THEREOF.

NOTE: ALL EXTERIOR WALLS ARE 6" CMU (NOM.) UNLESS OTHERWISE NOTED.

UNIT CUBIC CONTENTS

UNIT	SG. FT.	CU. FT.
A & J	689	6,521
B - 1	704	6,536

SCALE: HORIZ. 1"=5'	VERT. 1"=1'
CONT. INTERVAL = N/A	
DATE: 1/25/2007	
DRAWN BY: JMB	
CHECKED BY: JMB	
APPROVED BY: JMB	
DATE: 1/25/2007	

CONDOMINIUM PLANS AND SECTIONS

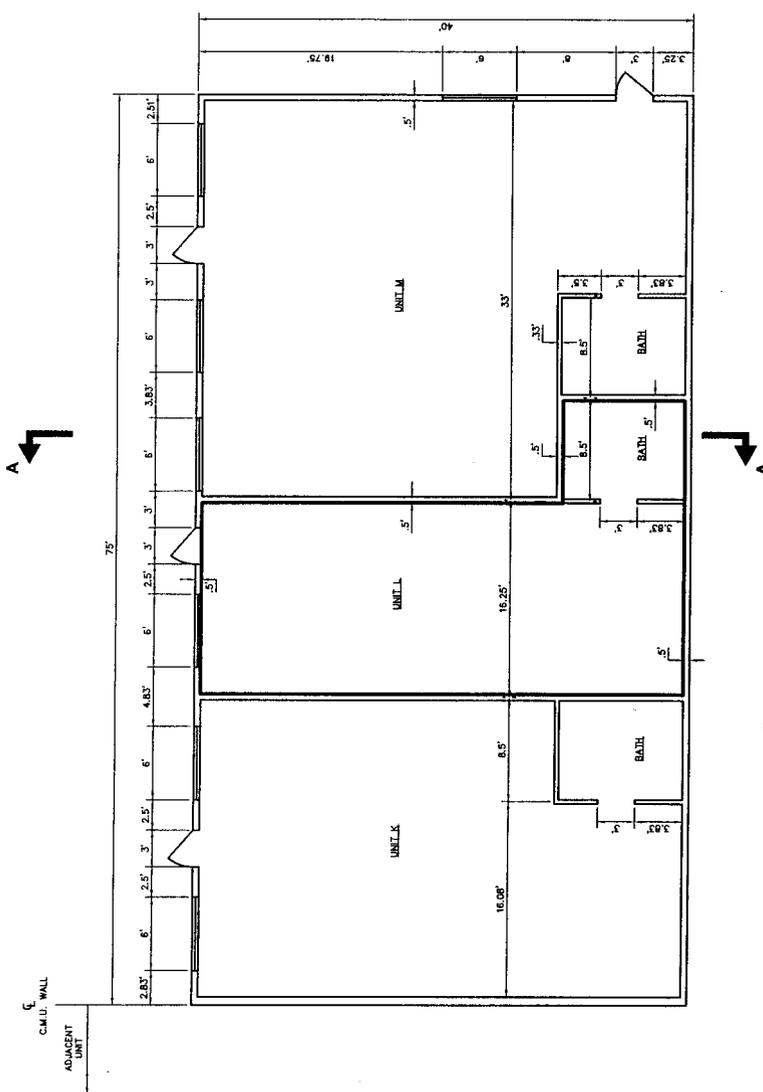
JOB NO. 19564001	DATE 1/25/2007
DESIGNED BY: JMB	
DRAWN BY: JMB	
CHECKED BY: JMB	
APPROVED BY: JMB	
DATE: 1/25/2007	

600 E. HWY. 260 CONDOMINIUMS
PAYSON, ARIZONA

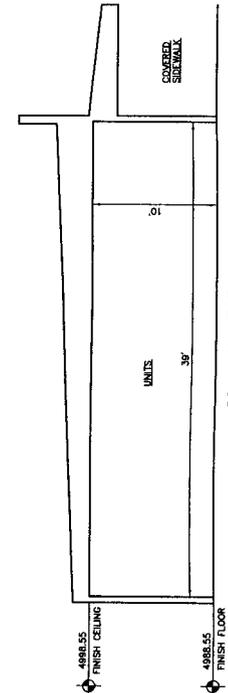
TETRA TECH, INC.
431 S. BROADWAY
TULSA, OKLAHOMA 74103-1887
TEL: 918-439-7444 FAX: 918-439-7445

NO.	REVISIONS	DATE	BY	CHK.





UNITS K - M
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'

UNIT CUBIC CONTENTS

UNIT	UNIT AREA SQ. FT.	CU. FT.
K	844	8,440
L	885	8,850
M	1,392	13,920

NOTE: UNIT DIMENSIONS SHOWN HEREON ARE TO THE INTERIOR OF EACH UNIT'S CEILING, INTERIOR WALLS, INTERIOR WALLS, AND TO THE FINISHED AND UNFINISHED FLOORS. DIMENSIONS FOR UNFINISHED ARE IN DECIMAL FEET AND DECIMAL PARTS THEREOF.

NOTE: ALL EXTERIOR WALLS ARE 206 (NOM.) UNLESS OTHERWISE NOTED.

NOTE: ALL INTERIOR WALLS ARE 204 (NOM.) UNLESS OTHERWISE NOTED.



SCALE: UNITS: 1"=5'	CONT. INTERVAL: -N/A
DRAWING NO. HRO2	SHEET NO. 4
DRAWER NO. 4	OF: 4

JOB NO.	ISSUANCE
DESIGNED BY: RJB	JAN
DRAWN BY: RJB	JAN
CHECKED BY: RJB	JAN
APPROVED BY: RJB	JAN
DATE: 12/29/08	

600 E. HWY. 260 CONDOMINIUMS
PAYSON, ARIZONA

Tt TETRA TECH, INC.
431 S. Bering Highway
TOLSON, ARIZONA 85633-1487
TEL: 929-741-4444 FAX: 929-741-4877

NO.	REVISIONS	DATE	BY	CHK.

DESIGNED: JPM/MLL/2008

CONDOMINIUM PLANS AND SECTIONS



Model Layout1 Layout2

[All/Center/Dynamic/Extents/Previous/Scale/Window] <real time>
Specify opposite corner:

Command:

352899,6090,1181251,4133,0,0000 SNAP GRID ORTHO POLAR OSNAP OTRACK LWT MODEL

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | |
|--|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change |

Project Address: 600 E. Highway 200 Tax Parcel Number: 304-02-051A
 Subdivision: 600 E. Highway 200 LLC Lot Number: _____
 Name of Applicant(s): GRIPPS BORGATA LLC (BRUCE GRIFFIN) Phone #: 474-4651
 Mailing Address: 600 E. Highway 200 Suite 12 Town: PAYSON St: AZ Zip: 85544
 Name of Property Owner(s): BRUCE GRIFFIN/MARC APPS
 Mailing Address: 600 E Highway 200, Suite 12 Town: PAYSON St: AZ Zip: 85544
 Contact Person: BRUCE GRIFFIN Phone #: 970-9000 Fax #: 474-4659
 Payson Business License # PY 8423 Sales Tax # 20-4241281

Detailed Description of Request: Sub-divide commercial (rental units to condominium units, existing building(s)).

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

BRUCE GRIFFIN Print Name [Signature] Signature 1-11-07 Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$ <u>625⁰⁰</u> <u>[Signature]</u> CHECK NUMBER: #1196 DATE: 1/11/07
DATE FILED	<u>1/11/07</u>	<u>sld</u>	
COMPLETED APPLICATION	<u>1/11/07</u>	<u>sld</u>	
NEWSPAPER PUBLICATION	<u>1/26/07</u>	<u>sld</u>	
300' NOTIFICATION MAILOUT	<u>N/A</u>		
POSTING DATE	<u>N/A</u>		

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

Choice Properties LLC

Commercial and Residential Real Estate

Ms. Sheila DeSchaaf
Community Development Department
Town of Payson
303 N. Beeline Highway
Payson, AZ 85541

12-19-06

Re: Citizens Participation Report for Parcel 304-02-051A Condominium Plat

Dear Sheila:

This report is to inform you that as part of the proposed Condominium Plat for Parcel 304-02-51A in Payson, Choice Properties, LLC conducted a Citizens Participation meeting on Monday, December 18, 2006 at 5:00 P.M., in the offices of Choice Properties at 600 E. Highway 260, Suite 12 in Payson.

On Thursday, November 30, 2006, Choice Properties sent by mail a notice to all property owners within a 300' radius of the proposed project with an invitation to attend a meeting for the purpose of discussing concerns and issues related to the project. Of the 43 notifications sent, one was returned as undeliverable. A copy of the meeting notice, the 300' radius notification list, and the 8 1/2 X 11 plan exhibit are included with this report.

Three citizens that received the notification attended the meeting. Two representatives of Gripps Borgata LLC attended, and one representative of Choice Properties, LLC attended as well. A total of five attended the meeting.

The request is to change the parcel from existing commercial rentals to existing commercial condominiums. A Condominium Preliminary Plat is being prepared as of the writing of this report.

The three in attendance had questions regarding the HOA, fees, water and firewalls. All are current tenants with interest in purchasing when the plat is approved.

The HOA questions, fees, water, garbage, firewall construction and timelines were discussed. All questions were answered and no concerns remained.

At the conclusion of the meeting, Choice Properties staff collected the sign up sheet, which is included in this report. No comment letters were received. The meeting concluded at approximately 5:40 P.M. Please contact me with any questions or comments concerning the our Citizens' Participation Meeting or this report.

Sincerely,



Bruce Griffin
Managing Member Gripps Borgata LLC
Designated Broker
Choice Properties

RECEIVED

DEC 19 2006

COMMUNITY DEVELOPMENT
DEPARTMENT

Citizens Participation Meeting
12-18-06

Sign In Sheet

Name & Address

- | | | | | | | |
|----|--------------|-----|------------|-----|-----------|--------------|
| 1 | MIKE WALLACE | 600 | E. HIGHWAY | 260 | SUITE 10, | PATSON 85541 |
| 2 | Pete Haag | " | " | " | " | / |
| 3 | Lynn Haag | " | " | " | " | / |
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NOTICE OF CITIZEN PARTICIPATION MEETING

Re: Proposed Commercial Condominium Plat for 600 E. Highway 260

Dear Property Owner:

You are hereby notified of a Citizen Participation Meeting to be held on Monday, December 18, 2006 at 5:00 p.m. at Choice Properties' office, located at 600 East Highway 260, Suite 12 (Next to APEX in the Mario's Borgata). The purpose of the meeting is to provide information to property owners adjacent to subject property regarding the proposed Commercial Office Condominium project. This is a plan to convert existing commercial rental property (Mario's Borgata) to individually owned office condominiums. An 8-1/2x11 copy of the Site Plan is attached. If you cannot attend the meeting and or/have questions regarding the proposed change, please call Bruce Griffin at 928-474-4651.

Very truly yours,



Bruce Griffin
Marc Apps
Managing Members / Owners
Gripps Borgata LLC

Enclosure

Cc: Sheila DeSchaaf - Planning & Zoning
Town of Payson