PINAL COUNTY
WIDE OPEN OPPORTUNITY

Leo Lew
County Manager

MEETING DATE: FEBRUARY 7, 2024

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **PZ-046-23 & PZ-PD-001-23, (SAN TAN 3 PAD)**

CASE COORDINATOR: PATRICK ROBERTS, SENIOR PLANNER

Executive Summary: *Fern Vasi, landowner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting a Rezone and Planned Area Development Overlay to allow for development of a commercial complex.*

If This Request is Approved:
The applicant will be eligible to pursue site plan review for the commercial complex as proposed under the current development plan.

Staff Recommendation/Issues for Consideration/Concern:
Staff recommends **approval** of the, Zone Change (PZ-046-23), and Planned Area Development (PAD) overlay (PZ-PD-001-23), with attached stipulations.

LEGAL DESCRIPTION: Legals on file.

TAX PARCELS: 104-22-041A & 104-22-041B

LANDOWNER: Fern Vasi

AGENT: Upfront Planning and Entitlements LLC – Jessica Sarkissian.

REQUESTED ACTIONS & PURPOSE:

1. **PZ-046-23 – PUBLIC HEARING/ACTION:** Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a commercial complex; situated in Section 20, T02S, R08E G&SRB&M; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

2. **PZ-PD-001-23 – PUBLIC HEARING/ACTION:** Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting approval of a Planned Area Development (PAD) Overlay District, to apply C-3 PAD development standards on 2.65± acres, situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on

file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

LOCATION: The subject site is located on the Southwest corner of E Ocotillo Rd and N Kenworthy Rd, approximately 1-mile East of Incorporated Queen Creek within San Tan Valley.

DEVELOPMENT AREA: 2.65± acres

SAN TAN VALLEY SPECIAL AREA PLAN DESIGNATION: Rural Living (0-1 DU/AC);

EXISTING ZONING AND USE: The subject site is zoned General Rural (GR). Current use is vacant land.

SURROUNDING ZONING AND LAND USE:

North: MR Multiple Residence – (PZ-PD-041-22), SR Suburban Ranch.
South: GR General Rural, CR-3 Single Residence.
East: CB-2 General Business, CR-4 Multiple Residence.
West: GR (General Rural), CR-3 Single Residence, MH Mobile Home

PUBLIC PARTICIPATION:

Neighborhood Meeting:	November 15, 2022
Public Notice Mail-Out:	January 18, 2024
Newspaper Advertising:	January 20, 2024
Site Posting:	January 18, 2024

SITE DATA/FINDINGS:
FLOOD ZONE: The subject site is in Flood Zone "X" of minimal floodplain hazard.

ACCESS: This proposed commercial center has indicated two points of Ingress/Egress and appropriate internal circulation plans and parking to meet county requirements for this type of development. Access is proposed off both Ocotillo Road to the north and Kenworthy Road to the east.

HISTORY: The properties are currently owned by Fern Vasi as of 2022, and maintains base zoning of GR (General Rural). This site has remained undeveloped through the extent of its history.

ANALYSIS: The San Tan 3 project, proposing a rezoning and Planned Area Development (PAD), intends to re-designate 2.65± acres of land from GR (General Rural) to C-3/PAD (General Commercial), to allow a commercial complex providing for a strip shopping center, standalone retail and an indoor batting cage facility as shown on the proposed development plan. This project seeks to respond to localized growth in this area and provide commercial services in a centralized area of San Tan Valley.

While the comprehensive plan designation in this area intends to support residential development at or below one dwelling unit per acre, commercial uses are supported as alternate development types within the Rural Living designation on the basis of supporting rural residential development. Such developments must be under five acres in area, and located along collector or higher roadway classifications. Kenworthy Rd and Ocotillo Rd both meet this requirement. As part of the site plan approval for this project, a certain amount of roadway width will need to be dedicated for expansion of these streets to accommodate a level of traffic expected due to this development.

This concept of neighborhood commercial use would bring services specifically catering to local communities. This site is ideal for this type of development given its location on a crossroads of two collector roadways. The northwest corner opposite this project has already been approved by the Board of Supervisors for the Elux at Ocotillo Multifamily development which is currently under site plan review to introduce 269 residential units within direct proximity to this location. Similarly, the nearby Ironwood and Ocotillo Multi-family development approved by the Board of Supervisors introduces 711 new residential units. Additional commercial in this location will offer benefits to the residential growth this region has been experiencing.

Non-residential developments within this designation are also held to a Floor Area Ratio of 0.30 FAR. The intent of this ratio is to promote restrictions to density that would clash with neighboring residential uses and the traditional densities associated with residential areas. This project is 2.65 acres, and offers a Floor Area Ratio of 0.22 under the proposed development plan. Staff finds that while the residential intent of this land use plan is primary, the proposed commercial development is still compliant with the goals of the Special Area Plan.

The following table displays proposed amendments to development standards:

Table 3 – Proposed C-3 Commercial Development Standards

Development Standards	C-3 Development Standards	Proposed C-3 Development Standard
Front Yard	20-feet	**10-feet**
Side Yard	0 feet 25 feet for rural/ residential 7 feet for detached accessory dwellings	0 feet **10 feet for rural/ residential** 7 feet for detached accessory dwellings
Rear Yard Setback	25 feet	25 feet
Lot Coverage	NA	NA
Maximum Height	40-feet	40-feet
Wall Heght	Minimum six-foot wall between this zone and a rural or residential zone; minimum ten-foot landscape strip between the wall and any use in this zone, including parking. The landscape strip shall be planted with trees 30 feet on center and with mature trees next to any existing homes.	Minimum six-foot wall between this zone and a rural or residential zone; minimum ten-foot landscape strip between the wall and any use in this zone, including parking. The landscape strip shall be planted with trees 30 feet on center and with mature trees next to any existing homes.
Mimimum distance between main buildings:	None; 14 feet between detached accessory building and commercial	None; 14 feet between detached accessory building and commercial
Detached accessory buildings • Min distance to Main building	 7-feet 15-feet	 7- feet 15-feet
• Min distance to front lot line • Min distance to side lot line • Min distance to reat lot line • Maximmum height • Maximum lot coverage	0-feet/ 15- feet abutting rural or residential 4-feet 20' within required rear yard / 35' within the buildable area 40% of the min rear yard and any additional space within the buildable area	0-feet/ 15- feet abutting rural or residential 4-feet 20' within required rear yard / 35' within the buildable area 40% of the min rear yard and any additional space within the buildable area

The following table displays proposed uses permitted by this proposal:

Table 4 - C-3 PAD General Commercial Permitted Uses

Use Description	Principally Permitted	Specially Permitted
Amusements such as billiard or pool hall, bowling alley, theaters, gymnasium, arcade, shooting gallery, skating rink, archery range, miniature golf or practice driving or putting range, games of skill or science, swimming pool, or tennis	X	
Assisted living facility	X	
Automotive repair, garages, welding shops, machine shops, outdoor storage or sales	X	
Bar, cocktail lounge, night club, or tavern, not within a restaurant, dance floor permitted	X	
Builders' supplies including sales of lumber	X	
Child care center	X	
Church, subject to the requirements set forth in PCDSC 2.150.220	X	
College and arts, business, technical, and trade schools	X	
Community service agency, library or museum	X	
Government structures, fire district stations, sheriff's facilities, and their accessory uses	X	
Health club or fitness center	X	
Hospital, health care facility or urgent care facility	X	
Light manufacturing or assembling incidental to retail sales by business engaged in manufacturing, processing, assembling, treatment, installation and repair of products	X	
Motel or hotel with accessory uses, including restaurant, incidental retail sales and services, personal services and recreational facilities	X	
Offices	X	
One dwelling unit, conventional construction, as an accessory to an established use	X	
Parks	X	
Private club or lodge, fraternal and service organizations (nonprofit)	X	
Private schools	X	
Restaurant. This allows the following: Indrro and outdoor food service with or without alcoholic beverage service at the table; indoor and outdoor live entertainment; and Drive-through food service for food and nonalcohoic beverages	X	
Restaurant, including a cocktail lounge or bar; dance floor permitted	X	

Retail sales establishments	X	
Sale, rental or display of: automobiles, airplanes, boats, trucks, recreational vehicles, travel trailers, motor homes, manufactured homes, motorcycles and accessories, agricultural supplies and machinery; barber's supplies or beauty shop equipment, boats, clothing or accessories (wholesale), feed (wholesale), garage equipment, hardware (retail or wholesale), household appliances, sewing machines, etc., office equipment (safes, business machines, etc.), orthopedic appliances (trusses, wheelchiars, etc.), painting equipment or supplies (paint, varnish, etc.), pet (no boarding or hospital), tents or awnings (wholesale), secondhand goods: personal, furniture, books, magazines, automobiles, but not secondhand auto parts	X	
School or college (operated as a commercial enterprise for dancing or musical instruction; industrial or trade school teaching operations or occupation permitted in this zone)	X	

Service establishments	X	
arterial or collector streets; all access lanes within the facility shall be of paved or concrete surface; there shall be a landscaped buffer setback with a minimum six-foot or maximum eight-foot decorative masonary wall; there shall be no razor or barbed wire; and the light source of any outdoor security lighting shall not be visible from adjoining residential properties	X	
Some uses are allowed in all zoning districts based on statutory exemptions or because a governmental entity or governmental agency is performing a governmental function	X	
Veterinary hospitals or kennels, provided no building or structure housing animals is within 40 feet of any site boundary abutting property in a rural or residential zone.	X	
Wireless communication facilities		X

***Note: The permitted uses listed herein shall also include all associated accessory building and uses. *Uses not listed within the table are not permitted**

The following table displays utilities and services that shall provide service to the proposed development:

Table 5 - Utilities & Services

Utility	Provider	Contact	Email	Phone
Water Service	Town of Queen Creek	Anayesi Woodward	newmeterrequest@queencreekaz.gov	(480) 358-3450
Wastewater	Town of Queen Creek	Alvero Bonilla	Alvaro.bonilla@queencreekaz.gov	(480) 358-3450
Electrical Service	SRP	Carol Black	help@srpnet.com	(602) 236-8833
Cable TV/ Data Service	Cox	Aun Saing	Aun.saing@cox.com	(877) 984-0183
Solid Waste Disposal	Garbage Guy	CG	info@garbageguy.com	(480) 241-0110
Fire Protection	Rural Metro	Cynthia Aldaco	ruralmetrofire@gmr.net	(800) 624-5835
Police/ Public Safety	Pinal County Sheriff	Contact Sherriff's Office for info	Contact Sherriff's Office for info	(520) 866-5111

The **Pinal County Community Development Department Engineering Division,** the **Pinal County Air Quality Control District,** and the **Pinal County Flood Control District have** reviewed the proposal and their respective stipulations are included in this Staff Report.

PUBLIC PARTICIPATION:
To date, the county has received opposition comments from six neighbors regarding the project. Copies of letters received have been included in the packet. Several of these citizens called in to express concern over this proposed development. These concerns included the following list of topics.

- Loss of property value.
- Potential future ownership or uses and compatibility concern.
- Disapproval of introducing commercial uses into a residential area.
- Concern of road maintenance responsibility and degradation.

Several residents also expressed concern regarding county notice requirements. These applicants were concerned that language on the notice of hearing indicated only 24 hours to respond for written comments to be included in the packet. Members of staff have made every effort to clarify this confusion and maintains that public comment is received up until the planning and zoning commission hearing, and beyond the planning and zoning commission hearing in anticipation of the case being brought before the Pinal County Board of Supervisors. While the notice text has been previously vetted to ensure legal compliance, as a result of this misunderstanding, the notice text is being amended going forward to avoid confusion under future cases. The applicant has also received public comments that have been addressed in their citizen review report.

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted by the Minor Comprehensive Plan amendment, rezoning, and Planned Area Development requests under planning cases PZ-046-23, & PZ-PD-001-23. Furthermore, the Commission must determine that this zone change and PAD amendment overlay will promote the orderly growth and development of the County, at this location and time, and that this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan and rezone request.

SUPER-MAJORITY DECISION:
In accordance with A.R.S. 11-814, and finding that neighboring property owners by area and number within 300 feet of the zoning area have filed protest, an affirmative vote of three-fourths of all members of the board will be required to approve this rezoning.

THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:

A. LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING
B. PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE
C. NEIGHBORHOOD IMPACT
D. FLOOD CONTROL
E. TRAFFIC IMPACT
F. COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN
G. BENEFITS/DETRIMENTS TO PINAL COUNTY

STAFF SUMMARY: Fern Vasi, landowner, Upfront Planning and Entitlements LLC – Jessica Sarkissian, agent/representative, have submitted the proper applications and evidence sufficient to warrant a Community Development Director's recommendation as provided in the Ordinance. Staff provides the following summary and findings together with the information on the previous pages of this staff report:

1. The submitted applications for this land use request are for approval of a rezoning, and Planned Area Development.
2. If the applications are approved, the subject property will be rezoned from the current zoning to C-3 (General Commercial) (2.65± ac), and allow a commercial development on 2.65± ac acres of land.
3. To date, six neighbors have voiced opposition.
4. The property has legal access.
5. Granting of the rezoning and PAD, will require after the time of approval, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

STAFF RECOMMENDATION (PZ-046-23): After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), staff recommends approval of this request, with one (1) stipulation.

Should the Board find after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that the proposed zoning districts, at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Board vote to approve case **PZ-046-23.**

If the Board cannot approve for all of the factors listed above, then staff recommends that the Board of Supervisors offer a motion of denial.

RECOMMENDED MOTION (PZ-046-23): ***I move the Pinal County Board of Supervisors motion for APPROVAL of case PZ-046-23 with its 1 stipulation as listed in the staff report:***

1. Approval of this zone change (**PZ-046-23**) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

STAFF RECOMMENDATION (PZ-PD-001-23): Staff finds, with the testimony and evidence provided and presented, that this PAD amendment request will not negatively impact adjacent properties, will promote orderly growth and development of the County, and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan. Staff recommends that the Board offer a motion of approval for case **PZ-PD-001-23** with the attached stipulations.

If the Board cannot approve for all of the factors listed above, then staff recommends that the Board of Supervisors offer a motion for denial.

RECOMMEND MOTION (PZ-PD-001-23): ***I move the Pinal County Board of Supervisors motion for APPROVAL of case PZ-PD-001-23 with its 11 stipulations as listed in the staff report:***

1. The stipulations listed herein pertain to the area described in case PZ-PD-001-23;

2. Approval of this PAD (PZ-PD-001-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;

3. San Tan 3 Planned Area Development (PAD) Overlay District (PZ-PD-001-23) is to be developed as shown by the site plan/development plan dated August 2023, along with the

other supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal County Development Services Code;

4. Approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-046-23;

5. The applicant/property owner shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;

6. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more;

7. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat being scheduled for the Planning & Zoning Commission;

8. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan approval. The approved Drainage Plan shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer;

9. All right-of-way dedication shall be free and unencumbered;

10. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;

11. The following listed uses are permitted for development within this PAD: A. Amusements such as billiard or pool hall, bowling alley, theaters, gymnasium, arcade, shooting gallery, skating rink, archery range, miniature golf or practice driving or putting range, indoor batting cages, games of skill or science, swimming pool, or tennis court. B. Assisted living facility. C. Builders' supplies including sale of lumber. D. Child care center. E. Church, subject to requirements set forth in PCDSC 2.150.220. F. College and arts, business, technical, and trade schools. G. Community service agency, library or museum. H. Government structures, fire district stations, sheriff's facilities, and their accessory uses. K. Health club or fitness center. L. Hospital, health care facility or urgent care facility. M. Light manufacturing or assembling incidental to retail sales by business engaged in manufacturing, processing, assembling, treatment, installation and repair of products. N. Offices. O. Parks. P. Private club or lodge, fraternal and service organizations (nonprofit). Q. Private Schools. R. Restaurants allowing the following: 1. Indoor food service with or without alcoholic beverage service at the table; and 2. Indoor live entertainment. S. Retail sales establishments. T. Service establishments. U.

Veterinary hospitals or kennels, provided no building or structure housing animals is within 40 feet of any site boundary abutting property in a rural or residential zone. All other uses not listed are prohibited.

Date Prepared: 1/22/24
Date Revised: 1/29/24

San Tan 3

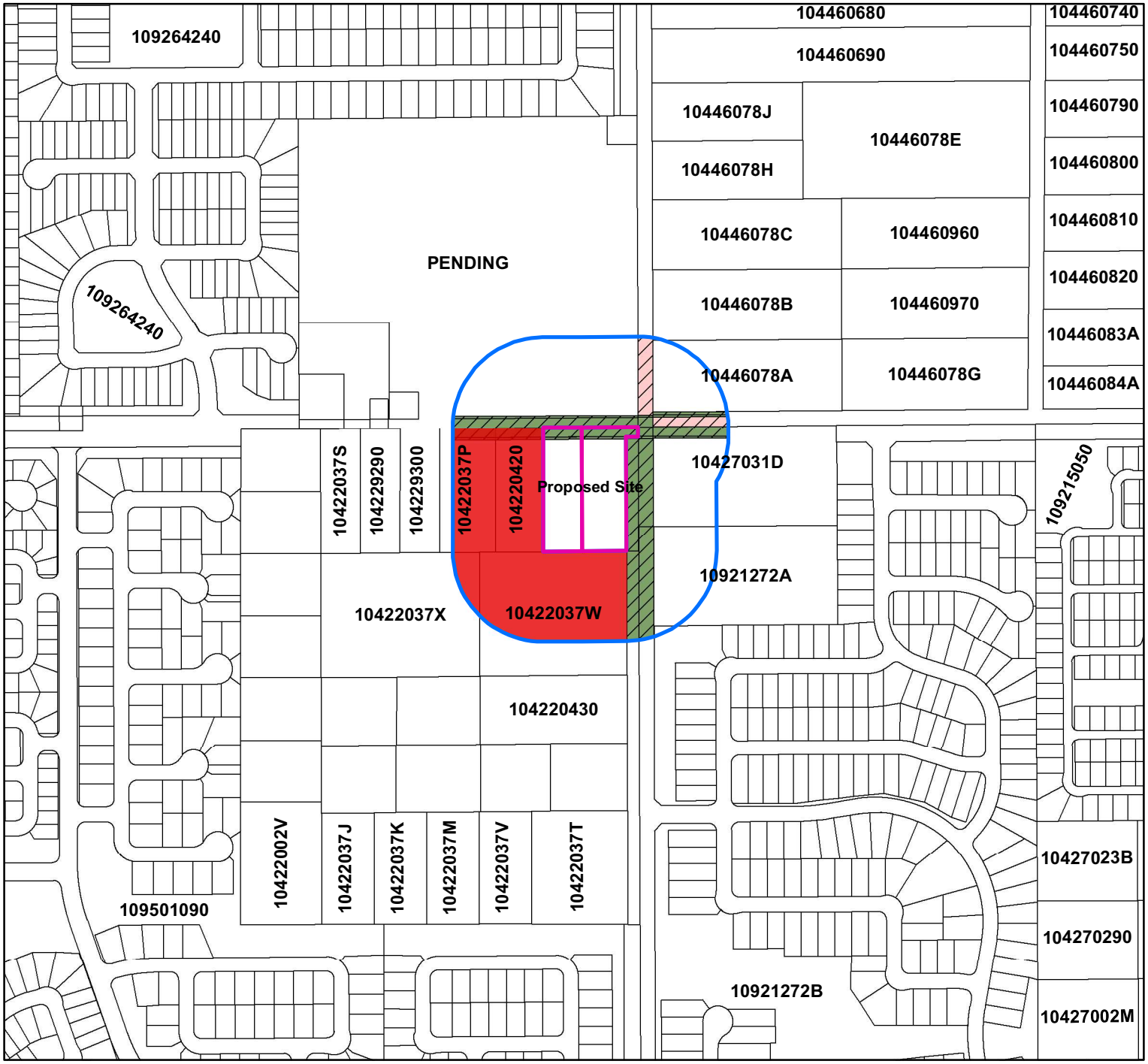
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Legend

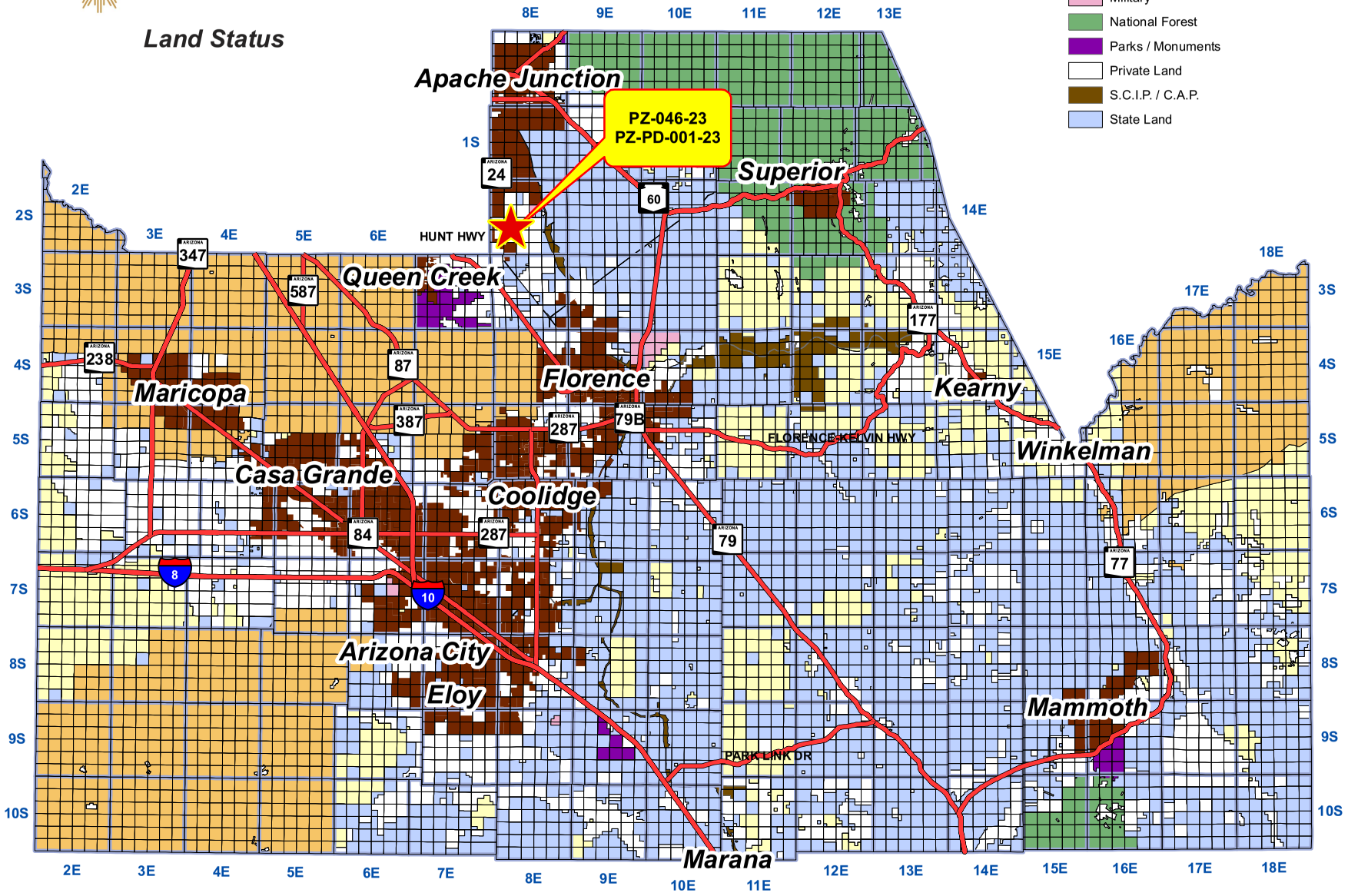
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- ROW
- County ROW = 127326.752775 sq ft/2.923032 ac
- Public ROW = 21143.670624 sq ft/0.485394 ac

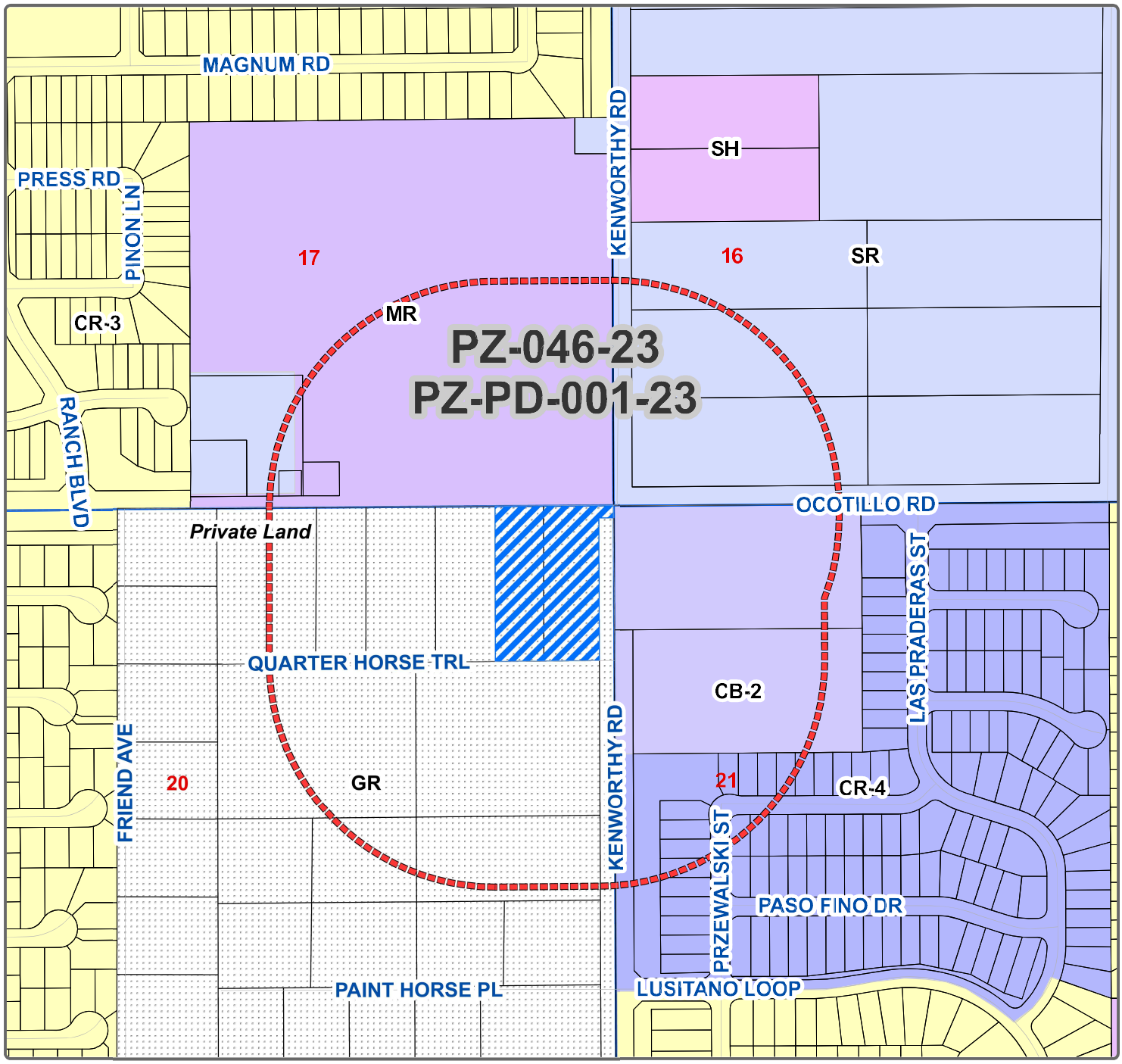
** The data represented here is not to survey quality and was created for illustrative purposes only. All numbers given do not take into account topography or the curvature of the earth and are approximations even if calculations are accurate and precise.*



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Land Status





Community Development

PZ-046-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a commercial complex; situated in Section 20, T02S, R08E G&SRB&M; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

PZ-PD-001-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting approval of a Planned Area Development (PAD) Overlay District, to apply C-3 PAD development standards on 2.65± acres, situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

Current Zoning: GR	Requested Zoning: Rezone	Current Land Use: STV SAP Rural Living

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

SEC 20, TWN 02S, RNG 08E

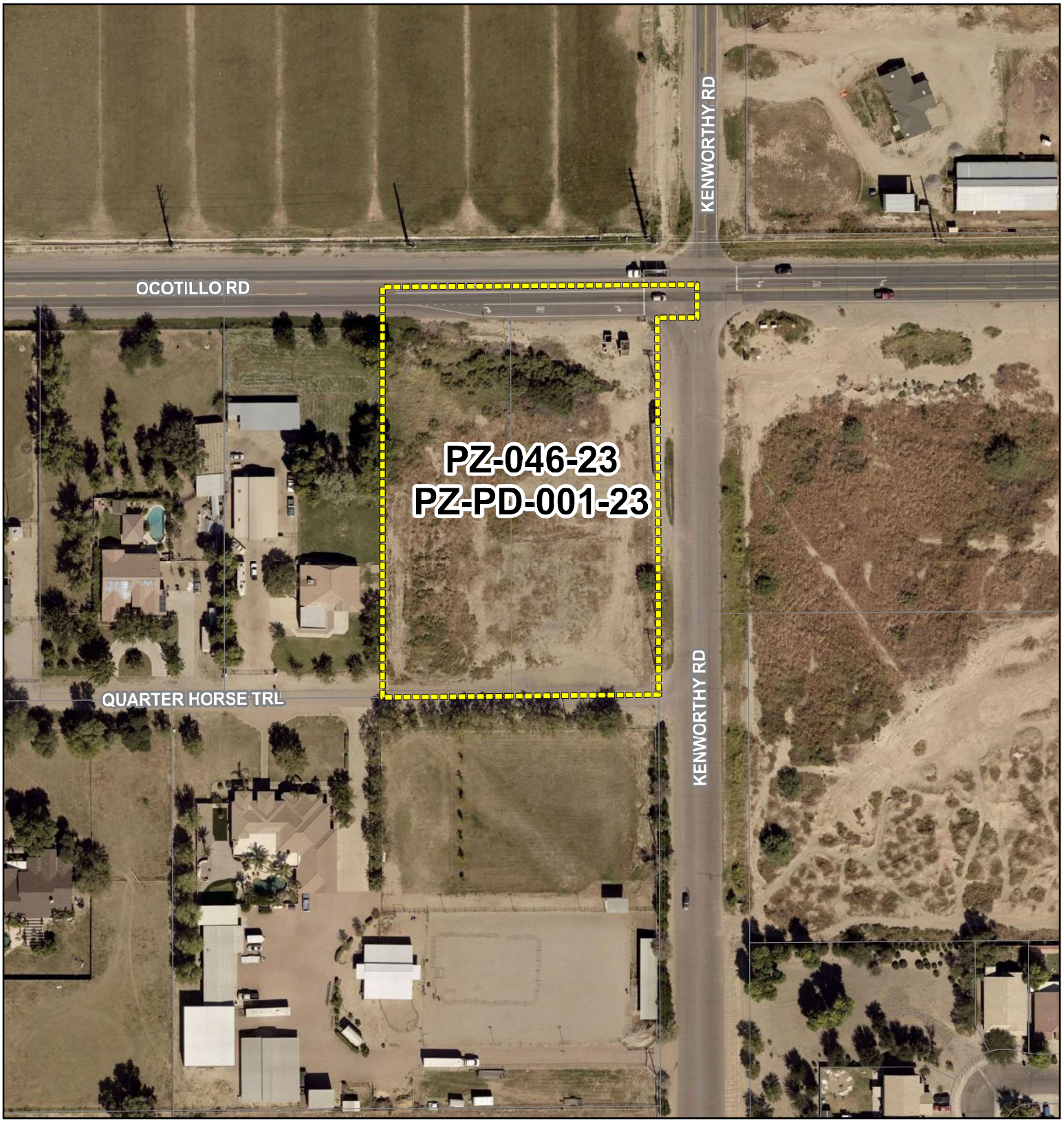
Sheet No. 1 of 1

Owner/Applicant: FERN VASI, OWNER
JESSICA SARKISSIAN – UPFRONT PLANNING AND ENTITLEMENTS LLC, AGENT/APPLICANT

Drawn By:	Date:
GIS / IT/ SAH	12/04/2023

Section	Township	Range
20	02S	08E

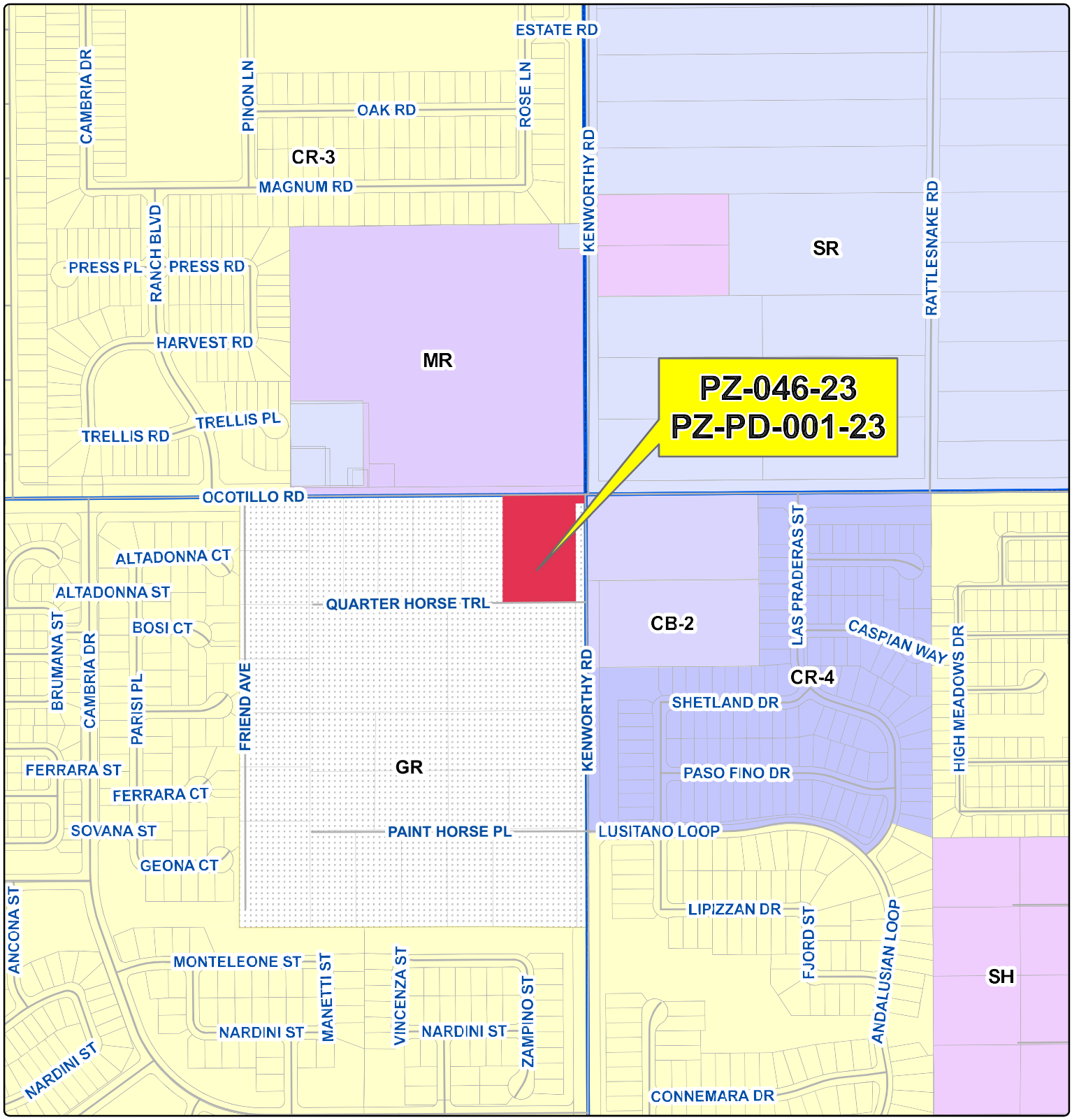
Case Number: PZ-046-23, PZ-PD-001-23



Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PZ-046-23
PZ-PD-001-23



Community Development

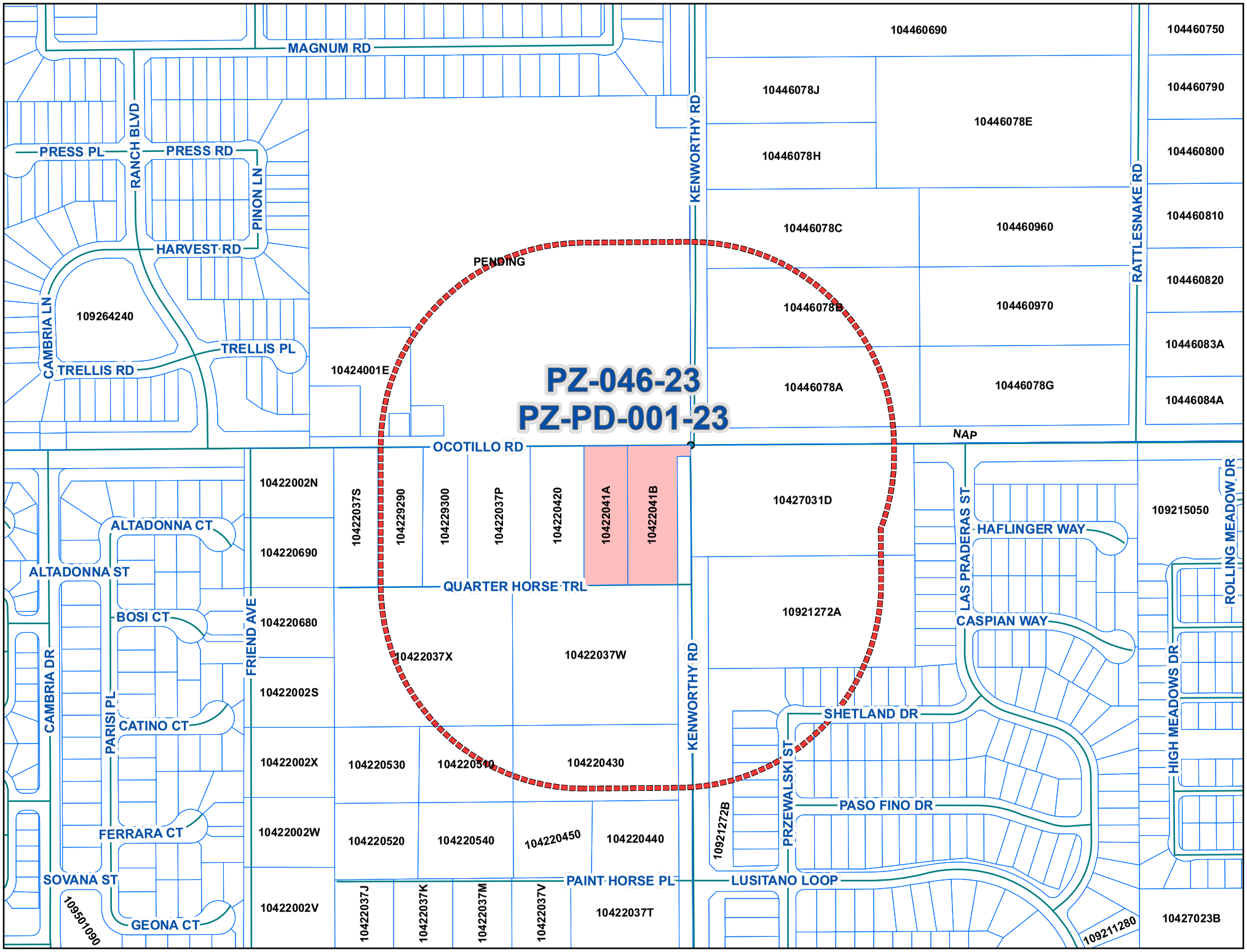
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Legal Description:

Situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

SEC 20, TWN 02S, RNG 08E

Owner/Applicant: FERN VASI, OWNER, JESSICA SARKISSIAN, UPFRONT PLANNING AND ENTITLEMENTS LLC, AGENT/APPLICANT			
Drawn By: GIS / IT / SAH			Date: 12/04/2023
Sheet No. 1 of 1	Section 20	Township 02S	Range 08E
Case Number: PZ-046-23, PZ-PD-001-23			


PZ-046-23
PZ-PD-001-23
PENDING
MAGNUM RD
PRESS PL
PRESS RD
RANCH BLVD
PINON LN
HARVEST RD
CAMBRIA LN
TRELLIS PL
TRELLIS RD
109264240
10424001E
KENWORTHY RD
104460690
10446078J
10446078E
10446078H
10446078C
104460960
10446078B
104460970
10446078A
10446078G
RATTLESNAKE RD
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104460790
104460800
104460810
104460820
10446083A
10446084A
OCOTILLO RD
NAP
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10422690
10422300
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ALTADONNA ST
QUARTER HORSE TRL
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BOSI CT
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FRIEND AVE
10422037X
10422037W
CAMBRIA DR
PARISI PL
CATINO CT
10422002S
10422002X
104220530
104220510
104220430
SHETLAND DR
FERRARA CT
10422002W
104220520
104220540
104220450
104220440
10921272B
PASO FINO DR
SOVANA ST
PAINT HORSE PL
LUSITANO LOOP
10422002V
10422037J
10422037K
10422037M
10422037V
10422037T
109501090
GEONA CT
109211280
10427023B
LAS PRADERAS ST
HAFLINGER WAY
CASPIAN WAY
PRZEWALSKI ST
109215050
ROLLING MEADOW DR
HIGH MEADOWS DR

RIGGINS: Is that good for everybody over there? Okay. We have a motion, do we have a second?

KLOB: Second.

RIGGINS: Second by Commissioner Klob. All those in favor signify by saying aye.

COLLECTIVE: Aye.

RIGGINS: Any opposed? There none being, it passes unanimously. Thank you all very much.

DEOKAR: Thank you.

RIGGINS: We have one combined case left in the hearings, and then we go into work session. I would suggest we let these folks that are here for this last case not be stuck till after lunch and then we get it done, and then we break for lunch for the work study. Is that everybody's? Okay, very good. So the next case, two cases to be heard. The first one is PZ-046-23.

ROBERTS: Good morning Chair, Vice Chair, Members of the Commission, my name's Patrick Roberts, Senior Planner. I'm going to be presenting PZ-046-23 and PZ-PD-001-23 for the San Tan 3 commercial development. The proposal is for development of 2.65 acres from GR to C-3 for a commercial zoning district to allow development of a commercial complex. This is for both a rezoning and a PAD overlay. The subject site is located on the southwest corner of East Ocotillo Road and North Kenworthy Road, approximately one mile east of

incorporated Queen Creek within San Tan Valley. The property owner is Fern Vasi, and the representative is Jessica Sarkissian from Upfront Planning and Entitlements. This is a map showing the approximate location of the development in the center of San Tan. This a vicinity map showing the surrounding zoning and properties. This is an aerial view showing the two subject properties in question. This is a zoning map showing a 600 foot buffer surrounding the property and describing the change from GR to the C-3/PAD proposal. This is a map of the current Comprehensive Plan designation. This is currently governed by the and San Tan Valley Special Area Plan as Rural Living, has a designation of 0 to 1 dwelling units per acre for single family residential. However, it does allow commercial uses in service of those rural residents with a maximum of five acres for that commercial development along collector or higher road reclassifications. This is a site plan the applicant has provided for us. The current proposal is for a commercial strip center here on the west side of the property, indoor batting cages on the southeast side of the property, and some form of restaurant or cafe commercial here on the northeast of the property. This a list of the proposed changes to development standards. Proposed for the PAD. Major ones of note are the change from front yard setbacks from 20 feet to 10 feet, and the change for the side yard setbacks from 25

feet abutting rural/residential to 10 feet for rural/residential. The following few slides list all the proposed uses that would be permitted under this development. These largely align with the C-3 designation that currently exists under the base zoning, with the exception of removal of wireless communication facilities as a permitted use. Use any other use not listed in this is also not permitted. This is an image looking north across Ocotillo. And looking north down Kenworthy at the second sign location. Looking south towards the property and the notice of hearing broadcast signs. Looking south down Kenworthy. Looking east across Kenworthy from the first sign location. Looking east from the Kenworthy location towards the CB-2 properties. Looking west towards Gantzel from the Ocotillo location. And west on the Kenworthy side towards the site. So some ideas for Commission consideration. This application and (inaudible) request are for a rezoning and PAD amendment. If the applications are approved, the subject property will be rezoned from GR to CR-3/PAD and allow for a commercial development on 2.65 acres of land. This property has legal access and functioning circulation as proposed in their development plan. This project provides for commercial services targeted towards surrounding existing development residential uses. There is an approved multifamily development to the north of this site, introducing 270 new lots that introduces a need for new

commercial developments in this area. Both Ocotillo Road and Kenworthy Road both classify as principle arterial roadways and meet the requirements as indicated in the San Tan Valley Special Area Plan, as a check for commercial compatibility in those Rural Living designations. To date, now nine residents have expressed opposition to the County, we received eight via phone call messages and letters of opposition. A ninth resident today was here to speak, however, he had to leave early, so he left me his notes verbally. David Hanson at 1649 East Pink Horse Place indicated that he opposed this project on the basis that there would be a loss of custom homesites introduced by this case, loss of residential character in the area. That commercial would be inappropriate in this site, and that residents in the community should be - he's been a resident in the community and that this should be for one parcel, if not both parcels eliminating commercial homesites. The eight other residents expressed concerns over the following listed items: the desire for more rural housing in this area, concern over a rural loss of setting, decline of their - a potential decline of their property values. Opposition to commercial development in this location. Concerns over increases in traffic in the area. Concern over who would maintain increased traffic on the roadways. And concern with residential commercial mixed development in this area. A separate comment was made at the - after this case

was posted. It was raised regarding the notice of hearing language that was included with this case and the applicability of a deadline for public comment submittals. We attempted to address these concerns as they were raised with any members of the public, and clarification was made that staff receives all comments up until the time of the hearing. Changes to future notice hearing doctrines have been adopted by staff to try and limit these future misunderstandings as well. With all this said, staff still recommends approval on this case, PZ-046-23 with one stipulation, and PZ-PD-001-23 with 10 stipulations. At this time, does the Commission have any comments of staff? Or questions of staff, excuse me.

RIGGINS: Commission Members, any questions on the staff report? Vice Chair Mennenga.

MENNENGA: A couple quick questions. On the little site plan you're showing, on the east side there's a little strip, is that little strip between there and the road not included on this property, Pat?

ROBERTS: I believe that's just going to be their setback. I believe the applicant could speak more to the precise layout of that.

MENNENGA: Okay, well I see it –

ROBERTS: (Inaudible) for Kenworthy.

MENNENGA: So on here I see an entry out onto Kenworthy, okay. So that can be addressed here. I know

Ocotillo's a pretty major road through there, is that four lane, I assume there? Because Ocotillo's –

ROBERTS: At this time, yeah. And we also have the traffic engineer as well here to discuss the roadway.

MENNENGA: Is Kenworthy paved?

ROBERTS: It is.

MENNENGA: Two or four lanes?

ROBERTS: I believe two lanes?

??: Currently yeah, two lanes.

ROBERTS: Two, currently two.

MENNENGA: Okay. Okay, thanks.

RIGGINS: Any of the Commissioners, questions? Commissioner Schnepf?

SCHNEPF: Patrick, on this site right here, I drive by it everyday. I see it, it's not a very large site. Are the parking spots here conducive to the square footage that we have going in on this site?

ROBERTS: They are. Preliminary analysis of their parking spaces showed they were meeting all requirements based on square footage. Of course, that's something we would address at the site plan level when this goes back to staff, provided this was approved. But at this time, they were meeting requirements.

SCHNEPF: And to clarify, the property that you were indicating directly east across the street of Kenworthy, you

said it was CB-3, right?

ROBERTS: CB-2.

SCHNEPF: CB-2. That is church owned, LDS church owns it, and they will be building a church site on that, that I know. And then every other corner there is no commercial, and you have catty corner to this, you have Suburban Ranches or ranchettes. We have the multi-housing that was approved directly north of it. This kind of site right here, you see the General Rural larger properties with no commercial on the east side of the road, no commercial anywhere, it is offset and misplaced, in my opinion, for this area and location. So those are just some of my thoughts as I see this presented before us right now, knowing that area.

ROBERTS: I respect that opinion.

RIGGINS: Other - Vice Mennenga.

MENNENGA: Is there commercial -what are we, a mile off of Gantzel Road, or how far are we off Gantzel Road here?

ROBERTS: This approximately a mile from Gantzel Road. Gantzel Road would be to the west here.

MENNENGA: Is there plenty commercial on Gantzel Road?

SCHNEPF: There is commercial on Gantzel Road on both east and west sides of the road. Queen Creek, Town of Queen Creek owns the west side, the northwest side and there's Safeway, Chick-Fil-A's going in. We've got plenty of other

eating restaurants, and we have the same on the southeast portion. We have an Ace Hardware, we have, you know, a Walgreens, we have lots of commercial on that corner. And then two miles down the road, you're on Combs Road and you got a Fry's Marketplace, you've got a Sprouts, you've got –

MENNENGA: Familiar with that, okay.

SCHNEPF: Yeah. Got a lot of commercial.

RIGGINS: I would think to answer that, one could even say it is a very major commercial center one mile to the west.

SCHNEPF: Yes.

MENNENGA: Okay, thanks.

RIGGINS: Other Commissioners, questions on the staff report? None being, thank you very much. We'll ask the applicant to come up.

SARKISSIAN: Thank you Chairman, Members of the Commission, my name is Jessica Sarkissian with Upfront Planning, 1811 South Alma School Road in Mesa, Arizona. Let me get this started. Slide show. Thank you, Patrick. This is San Tan 3 Commercial for a rezone with a planned area development overlay. The reason that a planned area development overlay is put on mostly primarily to restrict uses because the main goal of it, just so you know, the main goal of this property owner is he is a father and has a lot of family in the area that he works with the little leagues and

ball leagues and stuff, and so he really wants to propose an indoor batting cages at the site. Obviously the site doesn't - has more space than that, so he's also adding some commercial opportunities for this corner. Just as clarification, that top right piece would not be a restaurant, it does not have space for parking, so as clarification, it's shown as just retail, there's no restaurant use proposed on that site, so that would not be permitted. Going forward, as you said, this is at Kenworthy and Ocotillo. You can see, you know, there's a - further west, there's some more development, commercial, and then as you go east it gets a little more rural. This is still Ocotillo Road, as you can see here. As clarification, Ocotillo is not fully improved, however, it is in the process of being updated. It is a regionally significant route. It is two lanes, the ultimate buildout will be six lanes. It is six lanes arterial, and Kenworthy is also an arterial, which also is a great deal of traffic. So although it is not currently there, it is in the way of development and it is come – and is already at the corner, I believe to the west, that major intersection has already acquired and they're in the process of improvements to that. So - and Ocotillo is a road that goes all the way to Chandler. Every jurisdiction is in the middle of improving it right now, it is an ADOT improvement plan. So here you have the site. It is a vacant two, a little over two and a half acres, right

directly right on Ocotillo and Kenworthy, with Quarter Horse Trail to the south. The site does not anticipate, nor is asking to access Quarter Horse to the south. The request is from GR to C-3/PAD to allow indoor batting cage with low intensity commercial uses. The intent is for low intensity commercial. There is not a gas station – will not be a gas station permitted, there will not be a convenience store permitted here, it is simply intended to be low use residential in intensity in compliance with the surrounding neighbors being rural/residential large lots right there. Entrances will only be from Ocotillo Road and Kenworthy. Retention along Kenworthy and Ocotillo is for drainage flows you'll see on the site plan is quite drastic due to the offset flows from the roads and coming from the north and the east. There is three separate buildings proposed with batting cages and retail uses. Landscaping is being provided around the site and interior to the site around the buildings. Most likely some of it's going to end up being underground retention. Because of the restrictions we cannot use that perimeter retention as it coming off the major arterials, and the permitted table use restricts noncompatible uses. And so you're not including the entire C-3 permitted use list, that's why we provided it in the narrative because we wanted to remove noncompatible uses for, you know, for instance medical marijuana and all those type of uses, any kind of bars are not

permitted there. So it is not allowing everything within C-3, it is definitely restricting them. His most interest is in providing for batting cages and low intensity commercial uses, but batting cages requires a C-3. So here is the existing zoning map, as he had already shown you, and then this kind of we're proposing C-3 is the commercial compatible. And although you do mention the church next door, as a planner and someone who served on a commission myself, it is owned by the church, their intent is to build a church. However, it is commercial and churches are at their purview to sell at any time, and so it would be also allowed to be commercial if they so choose to. The site plan here is showing, you can see there's quite a bit of retention coming off of Ocotillo and Kenworthy, those areas are for the street retention, not even - not including what we have. We have done a traffic study for this site as well, and a grading and drainage plan, and so that is also provided in the application and will go forward also with final refinements during site plan process. Here you can see the batting cages on the bottom right, as well as some, you know, individual compartmentalized smaller retail centers on the west, and the retail corner on the north. Here it is with the landscape plan. And you can see that there's landscaping buffering, Quarter Horse as well, so there's no access on Quarter Horse. Quarter Horse currently is, through discussion, is currently not a dedicated public right-of-way.

It is a right-of-way, but it is - so actually our parcel line actually goes to the half street, and so our buffer, our setbacks are going to be from the proposed pavement edge of right-of-way for future development because currently there's no dedication. But obviously we would be happy with - we're going to be dedicating Ocotillo and Kenworthy, there's that weird strip that you had that has to do with right-of-way dedication that hasn't been confirmed yet and completed, but that happens during the site plan process. So here is the site overlay on top of the aerial, just to give you a better view, kind of it's not to scale, but it's as best I – to scale as I could get, so you can see how it relates to the other buildings in the area. And then we did have a neighborhood meeting. We did the 1,200 foot buffer for neighborhood meeting where 600 foot is for your neighborhood - your notification for this meeting. That was held November of last year. We had 13 or more attendees. I believe some people didn't sign in, but we have 11 letters of support. There's two in this neighbor – two in the neighborhood and then the rest of them are actually, honestly they are further out from the other people who use the baseball facilities and are requesting some - a facility of this type. These are the neighbors that signed in and attended the neighborhood meeting. Obviously, you'll see there were several - many in opposition. We had meeting in person discussing the options

and what they're trying to get to a discussion about what types of uses they would be acceptable for a commercial corner here, being that it is on an arterial. I couldn't get through that discussion so much, mostly just they came back, they wanted it to be a large lot residential, which being that it's a future – it's an RSR with two arterials on it. They disagreed with me, but my point to the problem is you're not - a lot of people will not purchase a large lot house on an arterial corner. We're already discussing the freeway in the last session about noise and things like that, and an arterial corner of this size is going to have a lot of noise and just lights on it. So with that, I'm just trying to keep it simple for you guys. If you have questions. I know we have a lot of people who want to speak, I want to let all of them speak so that they can have their time before you, and I'll, you know, come back and answer any questions you may have.

RIGGINS: Thank you very much. Commissioners - Vice-Chair Mennenga.

MENNENGA: You said in your comments convenience store is not allowed on that corner.

SARKISSIAN: Convenience store? Right, like a gas station type, no. No. That's in the – that would - it's not on the list. I mean if there's any others that you see or even the owners, the neighbors, we mentioned to them that we'd be happy to strike more, we just want to know, you know, we're

trying to kind of compromise, but we have never gotten any response back to those comments.

MENNENGA: I heard something about possible liquor store?

SARKISSIAN: No.

MENNENGA: In this location, because that's not going to happen with the church property across the street.

SARKISSIAN: Right. No, it wouldn't happen, but that's - I don't believe that's on our list as well and we also prevented –

MENNENGA: To get that liquor license would be pretty impossible for that church-owned property across the street. I understand the church can sell that and that can change, but generally the LDS church never sells anything.

SARKISSIAN: Right.

MENNENGA: So anyway, okay. I just wanted to kind of make that clarification. You know, one of the concerns – it's just from my private developer side - retail space is pretty tough these days. Designated use of batting cages, that's not a bad idea, it's a commercial corner. So anyway, thanks.

RIGGINS: Other Commissioners, questions? Commissioner Klob.

KLOB: Through the Chair. Thanks Jessica for your presentation. Can you give a little bit more information on

the batting cages, the number of cages, you know, the - kind of the general operation?

SARKISSIAN: Sure. Let me get - let me ask that question real quick. I'm not familiar with the operation of batting cages, but I'll get that information. Hold on a second. So of this size, you would get about eight, eight lanes, which is like where you have the per cage kind of thing with the thing shooting at you, and then also a weight room for training.

KLOB: And then staying on the batting cage side, I noticed in your - and I was trying to find it just a little bit ago and I couldn't - but somewhere it talks about the right now it's not really open up for leagues, it's more individual use, but it's something that you might be open to in the future of like having full little leagues come and be able to practice?

SARKISSIAN: Well yeah, it's similar to if you have a sports training facility. I know there's D-1 and P performance and all kinds of these things coming in, and you can individually go in there and take time to reserve time and go in classes. But I've also been in those and seen that, you know, a team will reserve like an hour to go in there and train and that's their extra training, aside from being on the field. But I don't know, I think it'd be reserved specifically just for them, I think it'd still be public.

KLOB: Yeah, my only concern, you know, as it relates to that would be - and this kind of comes back on staff a little bit as well - but having those larger leagues, multiple families, multiple people, multiple kids, is parking adequate during, you know, if it were to happen during peak times when you combine it with the other uses, and depending on what those uses are. And to that point, on the strip shopping center and also on the retail, is that going to be available for - is that retail only, is that office retail, what are - what's the goals?

SARKISSIAN: So there's different types of uses. You can have child care center. So you have health club, you know, there's just different things in here. We were trying to - there's probably stuff in here, you guys, it is offices, parks, you know, the kind of (inaudible) park thing, private club or lodge, private school, restaurant for indoor and outdoor, but based on parking calcs, that won't be permitted unless we entirely remove that strip center. There's no way to park it otherwise. So your code actually prohibits a lot of things from happening by, based on your parking calcs, which is why like retail is - low intensity retail is more preferable for like, you know, hair salons, nail salons, quick in and out, pet store, things like that. And the sizing of it as well restricts a lot of that. There's no rear drop off, there's no - what's it called - delivery areas in the back or

anything like that, so it restricts the type of users that would go in there.

KLOB: Thank you.

ROBERTS: And yeah, Commissioner Klob, just to add to that essentially. The calculations we have for C-3 commercial largely look at indoor floor area, they don't specify for individual sub-uses of these centers.

KLOB: Thanks.

SARKISSIAN: But just as a clarification, because I have to do these a lot, parking studies. So what - before they get a C of O, they have to prove that that is - that use is matching the parking on there. So if you - and I've seen it happen in other places, for instance actually with a church where you have a church and a parking lot, because they are assembly versus change - excuse the parking, and so if they can't show that they have enough parking, then that use would not get their C of O to - certificate of occupancy - to operate. And so the only way to do that is they would have to come back and get a parking variance through, you know, the process.

RIGGINS: Other Commissioners, any questions of the applicant?

SCHNEPF: Commissioner Riggins.

RIGGINS: Commissioner Schnepf.

SCHNEPF: On the strip center there, what's the

potential? Are we looking at six individual shops?

SARKISSIAN: It looks like it, yes. It could be combined.

SCHNEPF: But is that potential to lease the one next door and have one open space? Could they potentially lease the whole thing?

SARKISSIAN: They could. It would be a tenant improvement to rip down the walls in between.

SCNEPF: And then in the northeast corner there, there's the weir boxes there, it's a Queen Creek Irrigation District, that's – they have an easement there. I think it's a 50 foot easement that they have. That's what those boxes are up in the top corner there, so they would need obviously access to that. There's nothing that would be restrictive.

SARKISSIAN: Right.

SCHNEPF: To it, correct?

SARKISSIAN: Correct. So that whole thing is there's a public utility easement there, as well as on the south side there's a 25 public utility easement along Quarter Horse. And so there's also along - there's a lot of dashes in there - also along Kenworthy there's retention irrigation areas that we can't touch. So that's why primarily you're going to see a site plan with a lot of underground retention.

SCHNEPF: Yeah. I can tell you a potential issue here with the Kenworthy Road access is that that's way close

to the corner, although right now it might work, but down the road it's not going to work. It's going to be very difficult for those people to turn left out as that road is improved and Ocotillo is improved and more housing comes in there, so –

SARKISSIAN: Correct.

SCHNEPF: It's so close to the intersection.

SARKISSIAN: Correct. So I believe in our traffic study it calls out some of – it's going to be left, right in/right out. Because Kenworthy most likely will also have a median into that and left turn lanes on it.

SCHNEPF: Yeah.

SARKISSIAN: So again, having a - because there's no really other access to move it, because then you get too close to Quarter Horse, and so having something like this, you're going to have restrictions on access. So that also restricts some types of users that want full access into a site for commercial.

SCHNEPF: And what about the entrance on Ocotillo, is that left in, right in, left out?

SARKISSIAN: It looks - it's a right in/right out, but it also looks pretty close.

SCHNEPF: It's going to be a challenge too.

SARKISSIAN: Yeah, I don't believe when it's fully improved they can do a left in, they're going to have a separation distance requirement.

??: (Inaudible).

SARKISSIAN: Yeah, yeah. It's just everything, everything (inaudible) will end up being right in/right out. Once this site plan comes in, it's too close, so everything will be right in/right out.

SCHNEPF: Okay.

RIGGINS: Other questions for the applicant? None being, thank you very much. At this time we'll open up the public participation portion of these two cases. Could I see hands of how many people intend to get up to speak? Okay. We're not going to limit time on that, but I encourage you very much to listen to what other people have said and don't dwell on the same things over and over as we get through this. But with that said, let's go ahead and first person like to come up, please come forward and sign in at the podium. And remember to please sign your name and address on the log and then give that to us before you speak.

CHAUDOIN: Hello, my name is Lola Chaudoin, and I think the biggest point I wanted to point out is that there's a neighboring house right next to it bordering the property, and so with batting cages and businesses I can only imagine the crowds, the lights, the noise, and how that will infringe upon them, and I don't think that's necessarily fair when this was all originally zoned for Rural Living. It's just pretty out of place. And then I do know you pointed out that the

weir boxes are there, and I wouldn't want anything to infringe upon our ability to access those and make it difficult. Those are my two biggest concerns regarding it.

RIGGINS: Thank you very much. Before you step down, any questions for the speaker? None being, thank you.

BARNBY: Hi, my name is Kimberly Barnby. I live to that property exactly west of what they're proposing. We have livestock and I'm worried about people loitering, maybe trying to touch our animals that - and I just don't think it's a very appropriate place to have this. And along with, I know they talked about there's adequate parking spaces, but I'm worried about people will be going onto our private Quarter Horse Trail and parking there. I guess that's it. Just not a good space.

RIGGINS: Before you set for step down, anybody like any questions? Any questions for the speaker? None being, thank you.

BARNBY: Thank you.

SUMMERS: First off, I'd like to say thank you.

RIGGINS: Could you give us your name and address?

SUMMERS: My name's Michael Summers. I live at 1611 East Quarter Horse Trail, which is actually right there, the second house on the left. There's only two houses. My major concern is, is I bought that property, I've lived out there for about 25 years in that area right there, and my value of

my house is going to go down. But also the traffic that's going to be involved. Our road is a dead end street, no turn around. You know, we have private drives. And I know that that batting cage, my son played for Combs, we went to separate batting cages, there's always people that that cannot hold that amount of parking for batting cages at night for all the parents coming in. And they're all going to turn out and turn down our street to flip a U-turn to get back out because they're not going to be able to turn left onto Kenworthy. So that's my major concern. Thank you.

RIGGINS: And before you step down, anybody? Any questions of the speaker? Chairman - Commissioner Hartman.

HARTMAN: Thank you, Chairman. Your home or the existing homes that are around this location, what are the size of the lots? Are they acreage?

SUMMERS: My lot is actually five acres.

HARTMAN: Five acres.

SUMMERS: A little over. 5.13, I believe it is.

HARTMAN: And maybe the question was, I should have asked on the prior speaker, but the one just west of this, what's that?

??: Acre and a half.

SUMMERS: Acre and a half.

HARTMAN: Acre and a half.

SUMMERS: Yeah. So everything in there's an acre

and a half to six acres, basically.

HARTMAN: Kind of rural ranchette type things.

SUMMERS: Yeah. Yeah. And I know that there's - there was a gentleman that tried to buy those to actually build a house on those two lots and the old owner, not the one that just sold, but the one that passed away, denied him. He didn't want to sell it. So we had a house going in there at one time.

HARTMAN: Okay, so thank you. Thank you Chairman.

SUMMERS: Thank you.

RIGGINS: Thank you.

SOLE: Hello gentlemen. My name is Andy Sole and I live at 1675 East Quarter Horse Trail, San Tan Valley. I'm the lot to the south of the proposed project. I'm on 4.6 acres or something like that, it's a horse facility. We have horses, that's kind of one of the reasons we moved out here. You can see this community here, we're pretty tight knit. There's quite a few of us here today, right? There'll be a lot more on the next phase if it gets down to the next phase. We've, you know, we band together. This a close, close community just because of we're different, right? We're in the ranchette area, we see all the development, which is fine, right? This so out of place. It's a mile - you're less than a mile and you have all the amenities that you could ever want, right? I mean we have a Chick-Fil-A going in, we got

all the gas stations, there's quite a few empty spaces, office spaces and what have you. I would just hope that this isn't one of those bait and switch type situations where you, you know, you get this proposed - just everybody's heartstrings of a batting cage and then, you know, next thing you know, you sell it once we get it rezoned, even though the list is, you know, Jessica talks about the list being, oh we could shorten it up or what have you, but you know the deal, once they get it changed, then it's changed and then they can come back in for some other consideration, what have you. So that would be one of my concerns. The other concern is, just like they said, the traffic is - they're going to want to come down our road, turn around and come out. Everything is going – this is at the end of Ocotillo. Jessica also said that this goes all the way to Chandler. Absolutely it does, but it only goes another mile to the east, right, and then it's done. There's nothing there. And Schnepf Road is down there. The situation of the traffic is going to - they're going to turn, they're going to come out, they're going to go down our road, turn around. There is no real turn around, so it's not going to be very conducive. Our weirs boxes are on the corner as we spoke about, we access those during irrigation time, right. So that means we drive to them and have to change, you know, you're familiar with how the weirs box works. We actually change the water as needed. It either goes down Ocotillo or comes down

our way. Happens quite often, so having the ability to park there - right now we kind of just park on the corner and, you know, those weirs boxes are close to the road and that whole area there there's not, you know, very good conducive parking there. So that would have to absolutely be addressed. There's no walls put up, they just, you know at the end of the day as Ken was stating, you know, that just people running wherever they want to run. The business model of a batting cages are, dude, that's you know, we have a sports complex down there that's struggling immensely with Queen Creek, right. We already know what - those things come in and then they go out and then once they go out, then it's going to be something else. So I just urge you guys to really consider how out of place this is. And the church across the street, the Mormon church is going to build a church there, pretty much know that, and if they don't, they're not going to sell it. I mean just look at their model, that's how they work. I can, you know, it's - that's not - yeah, it's not going to be a gas station across the street, I can pretty much write a check on that one. So yeah. And that's my consideration just being that close to it. And there's a lot more people, they only had nine, however that is, call in complaints or whatever, but I've been in contact with over 20. The next level, if it gets to that next level, then we will definitely be, you know, showing up way more in force. Tight knit

community, want to keep it that way. Our values are farming. Everybody down our road, we get along, we don't have any issues and you know if you paid 900 grand a lot for those two, which is what they paid for it before it was rezoned, that ought to give you guys a clue that maybe they had something else in mind. So - but – or they knew something beforehand, right. You guys got any questions for me?

RIGGINS: Commissioners, any questions whatsoever for the speaker? I just wanted to make a point.

SOLE: Yes sir.

RIGGINS: Regardless of how this body gives a recommendation to the Board of Supervisors, there still will be another stage, whether it's recommended to proceed or to not proceed, the Supervisors will make the final determination.

SOLE: Absolutely. Thank you, sir.

RIGGINS: Okay. Next –

SOLE: Oh, I did have one question. I needed to know, at that next level is it going to be a 300 foot radius for the neighbor? How does that work? Could you address that? And is it 300 foot from like the dead center? There's two lots there, so I don't know how that really works. Is it like on the corners? Does anybody know how that?

RIGGINS: I wouldn't want to specifically state that I know how. Does anybody – Todd?

WILLIAMS: I can talk with them after the hearing.

RIGGINS: Okay. All right, very good.

SOLE: I – okay, awesome. Thank you.

RIGGINS: Yeah. Okay, thank you very much. Whom else would like to come on up?

SLOBODA: My name is Ervin Sloboda, I live about four acres west of this site, and I believe that all of these properties that border were set to be on Quarter Horse Trail. And it is a dead end street. Everybody has acreage. I believe that a commercial intersection would be less than a mile to the west of us on Ironwood. There's already a grocery store there, two convenience stores, two pizza places, auto parts, two auto repair, car wash, two gas stations, feed store, drugstore, exercise facilities, physical therapy facility, and granted a donut shop, and hair salon, nail salon, paint store and Banner Urgent Care. And a couple of pool stores. So I don't believe we need any more commercial in the area. In the immediate area.

RIGGINS: Thank you very much. Before you step down, any questions of the speaker? Thank you very much. Does anybody else wish to come up to speak?

GERMAINE: Hi, my name is Jill Germaine. Everything that the previous people have said I –

RIGGINS: Could you give us your –

GERMAINE: Jill Germaine.

RIGGINS: And your address.

GERMAINE: Oh, 1535 East Paint Horse Place, so I'm on the street just over.

RIGGINS: Thank you.

GERMAINE: So I've been - we bought our property at 25 years ago, built our home, it was meant to be rural. We got away from all of the mess that's in Mesa, and two years later they shoved a neighborhood behind us, and then another, and then another. And it's so congested, the traffic is not good in that area at all. I think if we added a commercial, it's just going to make things much worse. I don't know how - this is the fourth time that they brought this up. At some point it's got to stop, okay? It's just too small to put anything there. I think it's just not going to be good for the neighborhood. I mean we have so many people out there in that area, and I think if you put - I don't even think that if you did a batting cage or the stores, that they would even last. That's just my feeling, my gut feeling on it. I just, at some point I think my biggest issue is that at some point - they're shoving something on every piece of property out there and it's enough is enough. And so that's all I want to say.

RIGGINS: Thank you very much. Commissioners, any questions of the speaker? Thank you very much. Would anybody else like to come up?

BARNBY: Hi, my name is Travis Barnaby. I also live

at the property just adjacent to the west of this property. I have two main concerns. It's going to be noise level. I get home about 6-6:30 at night, I got two young boys, I grill outside, I love being outside. We play ball, soccer, ride their bikes. Because then our dinnertime is going to be affected by this commercial property. Batting cages, what time do they close? And the second thing is property value. I'm not a betting man, but I bet that anyone looking at the property when I sell it is going to immediately see that and say, you know what, we're going to pass, we're going to see if something else in the area is available. So those are my two main concerns.

??: Setbacks.

BARNBY: Oh yeah, setbacks. Yeah, 25 to (inaudible) feet, I mean I'm 30 feet right there in that northeast corner where we eat breakfast every morning, dinner every night. We're going to be, what is that, 40 feet from there? How much noise is going to be - you know, while we're trying to enjoy, talking about my kid's, you know, school and what he did that day and what am I going to be hearing from that? So, that's all I want to say about that.

RIGGINS: Thank you very much. Commission Members, any questions? Thank you. Anybody else? Anybody else at all?

??: One more question, if I may, please?

RIGGINS: No, you've already been up. Anybody else? Okay, we're going to close the public participation portion of the meeting and we're going to ask the applicant if she would like to step back up to respond.

SARKISSIAN Thank you. Yeah, we - I just want to be, you know, respectful. We've heard their comments before and we've tried to address them. Just one comment also is that there is that commercial, especially next to residential, does require a six foot CMU block wall along that perimeter, that line, so it's not just empty and it's high (inaudible) side. There's a couple things that we could do depending on, you know, along Quarter Horse, and I mean there's concerns about people coming on the south side and parking and walking all around, although I don't know, you could I mean, you don't want to put a wall there, but if you did like three foot high things so it makes people have to get up and over the wall or something, as like a landscape barrier or something. I don't know what - how to address that. We already don't have access onto Quarter Horse, that concern. And then as far as access to the weir boxes, we talked about that's going to be always available. As far as their concern about how to park and things like that, I mean Ocotillo and Kenworthy are going to improved, it's part of this requirement for this project. They are required to do their street improvements adjacent to the site, which does include impact of a signal. I mean

that's the type of traffic that's at this intersection already right now. It is a major thoroughfare when you drive around there and stuff. So that does require this sidewalk, curb, gutter, all that fun stuff. So that is part of the project in order to develop this site, as well as the landscaping and maintain those irrigation and public utility easements. Lighting will follow code. We have no intention of putting any lights other than parking lot lights, they're for the front of the building, that's why it's the back of the building that's against them. Animals next door. I said again, if it's a block fence they should have no visibility, nobody should be able to touch their animals. I'm sure they have fencing as well. There's no reason that anybody should be touching that - any animals over there. Turnarounds on Quarter Horse was a comment. I mean it's a right in/right out. They can go further south or they can - I mean I don't - I have no control of people are trying to do something like that, that's just the traffic patterns in the area of how people have to turn right and what they do after that. I mean you or I cannot control if someone wants to turn around and do something else. Otherwise, they obviously could go out the - they could go out on Ocotillo and go on left onto Kenworthy, you know, make a left on that because they'll have a light there. The question about also having concerns about, oh it's a bait and switch. I mean we have a list table that is code,

that is not changing. So in order for them to change any uses in there, they would have to come right back through this process and justify why they wanted to change the uses and add something to it. The site again, as we say, is a small site, doesn't justify a lot of things. You're not going to get a lot of ability to do those things, especially with right in/right outs, you're not going to get a gas station, not going to get a drive-thru. Drive-thrus wouldn't be permitted, no voice boxes there next to residential, that is a requirement in the code already about separation for drive-thrus and voice boxes, this would not meet that allowance. So there's all kinds of different things that are already in place that prevent the negative intent, things they're mentioning. The noise level. I don't - I mean it's an indoor batting cage with eight lanes. I don't know how many people are going to be able to go there at one time, you might have two or three people per lane waiting or something rotating. I don't know how that would function, but obviously if there's any issues - and we'll have to do an updated traffic study again as we go in through the site plan process and refine things even further, which will determine how - what the interior of the structures looks like. And then as far - I mean I just - I understand it's rural and that, but lots of places are rural when they start. This a major - I mean they don't see it, I know they disagree with me, they're probably

shaking their heads - they completely disagree with me, but Ocotillo is a major, major road. If you look at ADOT plans, regional significant routes - I mean, regional significant routes have been on the books since, what, 2012? I mean at least 2020 and before 2017. That has always been designated as a six lane, probably with turn lanes and major things – Ocotillo is - and it's coming, unfortunately it is coming this way, so it will impact their – rear of their properties as well. So just stating that it's going to stay rural, especially on arterial - two arterial corners, it may - hopefully it will for them, and there are communities that have been able to keep the rural for them and interior, and you have to go interior off the arterial. But on the arterial it is a major commercial corner. I'm not trying to – we're not try to get PetSmarts or hair salons, these are more than unique onesie/twosie things that people can put in there for their own, their own personal local businesses. I know Pinal wants to have local businesses and local people who live in the area, and the person who would be monitoring and doing this batting cage is a local resident in the area wanting to invest in the community. So that's all I have to say about that. If there's any questions, I'd be happy to answer anything, or if anybody has any suggestions about stipulations or different things that they want, that's the part at the neighborhood meeting I want to express. I tried for over an

hour to get them to give me more information, to say what uses would be okay. What do you want stricken? We are more than happy to strike things. And I never got an answer, other than large lot residential, which this site, I don't believe is suited for.

RIGGINS: Commissioners, questions, discussion with the applicant? Oh, Commissioner Davila.

DAVILA: Yeah, one question, Mr. Chairman. When was the traffic study completed?

SARKISSIAN: Oh, we have it in the – let's see. I have to go into the report. I'm guessing late 2022/early 2023, because we submitted early 2023.

NEIRA: It should be one of these. It should be – yeah. So if you were to scroll, scroll down. No, it isn't? I'm sorry. Well, then maybe we should – there we go. The PC (inaudible) reduced. There we go.

SARKISSIAN: No, it's going to be under United Engineering.

??: Here it is. October 2022.

DAVILA: Okay, thank you.

RIGGINS: Commissioners, other questions?

KLOB: Through the Chair.

RIGGINS: Commissioner Klob.

KLOB: Jessica, a couple of things on this. If – and maybe this kind of through you and also the staff at the

same time - the drawings that we're seeing now, the site plan we're seeing now just show a traditional drive, ingress/egress drive, in the - would this be a stipulation that would need to be right in/right out, or would traffic just handle that normally?

ZUBI: Chairman and Commission, when the improvements happen to the intersection on an arterial, there'll be a median installed, so the median will take care of the left turn, left in/left out.

KLOB: Okay. Thank you.

ZUBI: Sure.

KLOB: And Jessica, the wall between the - your property and the property to the west, you had stated it was going to be a six foot black wall?

SARKISSIAN: Yeah, that's required by code.

KLOB: And then where does that begin, where does that end from the north and south property line?

SARKISSIAN: I believe there has - I mean for visibility triangles and things like that, and you have to stay out of the, if there's going to be any easements and stuff, I'm not sure about how far south, it would definitely go - you have to worry about setbacks and things.

ROBERTS: Commissioner Klob, we would likely it at the commencement of these parking stalls - oh you're not seeing - the parking stalls to the northwest. It is, I just

don't know how to use it. Okay. We would likely commence this at the beginning of the parking stalls to the northwest and terminate the wall at the end of the hammerhead at the southwest of the property.

KLOB: Okay. And then my last question is, as it relates to the neighbors having access to that – the water control box there on Ocotillo, what kind of acc - I don't even know how to really ask this.

SARKISSIAN: Yeah, because (inaudible).

KLOB: How can they get to it safely?

SARKISSIAN: So when the roadway's improved, the roadway will have sidewalk, curb and gutter. I mean, it wouldn't be best - I mean they obviously want to take their truck. I'm not - I mean we could always leave on that Ocotillo maybe. I mean they could come through the prop - they can access through the property, that driveway or something if it's easier. I don't know, maybe along Kenworthy and we can leave like a space where maybe their truck could come through or maybe a smaller one. But the thing is, is that it's - we're required to develop the corners and the street according to Pinal County standards, and typically they don't want people - it's not usually designed for trucks to drive on the sidewalks and things like that. But I mean if we want to - if you guys wanted us to leave more DG and adjacent to it so they could drive their truck there, I mean that's an

option. But ultimately, regardless, even if even a house was built there, they're going to have to have some - they're going to have to go on the outside and things, and they would have access trying to get permanent access, because you want to make sure they have access at all times, it's not restricted in any way. So it would probably be something we discuss during site plan more so. As far as where tree placement goes, there is a retention you'll see on the north side by Ocotillo, so it is dipped down, but - so we could probably put in like, I don't know how wide of a pathway they would need in order to drive on that side, but whatever they need, I mean that's the problem. I'm like I don't - whatever you need us to do, that's fine. we just want to know how to do it, because currently it's not typically something that they design for.

KLOB: Yeah, because my concern would be, you know, that's a right turn lane going from Ocotillo to Kenworthy, and I'd hate for someone to pull into, you know, park their truck there as they (inaudible).

SARKISSIAN: Right. I would envision they would have to come onto the site in the parking lot and then possibly maybe there's a cut or something that allows them to drive onto the DG onsite, so they're not blocking traffic.

KLOB: See what staff says.

ROBERTS: Commissioner Klob, I just conferred with

Al Zubi, our Deputy County Engineer, and he concurs with Jessica's opinion there. It would likely have to be accessed from internal to the site. We might propose like some kind of curb within there that they could get onto or otherwise provide some kind of pathway so they could access those areas. But it would have to be from within the site. The County curb improvements there on the corner wouldn't allow them to park in that area.

SCHNEPF: Yeah, I know that they - Commissioners Schnepf here - I know that they do need to get their trucks to it for repairs, and one of those weir boxes is somewhere around eight, nine, 10 feet high, they have to use a ladder to get up to the top, to open the gate to allow it to go. So they need to have unfettered access to that in order to make the operation work for them.

RIGGINS: Other questions. Anyone else? Thank you very much. Okay, time to bring it back to the Commission for further discussion, if there are further questions of staff. A motion?

SCHNEPF: Commissioner Riggins, I have a comment.

RIGGINS: Commissioner Schnepf.

SCHNEPF: We find ourselves in a - as a Commission, in a unique position here where, you know, we talk about commercial, we want commercial, we need commercial in certain areas. Normally we see commercial sites being changed from

commercial to residential or multi-housing. However, we do need to factor in orderly growth and succinct type of commercial and where it's placed in communities. Here we have General Rural which we got horse property, we got Suburban Ranches, we got a church site, and we recently discussed the north property, which is now multi-housing, which we, I believe, disapproved and the Board of Supervisors approved. And we're mixing all these things together and having a commercial site like this in this location, it's a hard one to justify, for me, putting it in this type of area. Yes, this area's continuing to grow, but what you see here is what you're going to get. I agree with the notion that the church is probably not going to sell that site, they probably are going to develop a church there on that site. More than likely that is going to happen. So kind of putting a commercial site here in this corner, in this area, with a mile or less down the road you have everything almost you need - except for a batting cage, which I'm not in the batting cage business, but that can be an up and down business, I would assume. The other thing I see a problem here is, is the parking and the right in/right out. You know, now you start putting vehicles in on this site, then you have delivery trucks coming in, and you have people that don't want to turn left, you know they can't turn left, they can only turn right in. I mean you've got a lot of traffic maybe congestion that

could happen or less people that would come to this type of site. My opinion, my opinion only. So it's hard for me to see something like this going in this area. And that's my comment.

RIGGINS: Other Commissioners?

KLOB: I have a comment.

RIGGINS: Commissioner Klob.

KLOB: So, I'm kind of torn on this one a bit. And I agree with what Commissioner Schnepf had said in regards to, you know, the growth and kind of what's happening here, and we have to be careful on some of these sites, you know, as this growth, you know, goes out this direction. However, I put two hats on here. You know, one being a father of two boys that played traveling baseball, and finding a place especially in the summer where they could practice on a regular basis in an air conditioned environment, you know, we were doing baseball 5-6 days a week when my boys were younger, and so having a facility like this would have been awesome, you know, in a neighborhood. The other part of this that I see is providing - the question I asked earlier with this being retail or office space, why that was important, is retail is going through some difficult times right now, and you know so much is mail order, other than the service industry aspect of retail. Whereas smaller offices, I think are going to - are in the process of gaining more momentum, and what you don't

see in these big commercial centers is opportunities for the small CPA, the small attorney, the small architect, to have a, you know, anything less than a 2,000-3,000 square foot space in a shopping center that is going to be $10,000 a month that might be cost prohibitive for their cli - you know themselves and their clients. So I see that - I really see the opportunities here, and you know, fitting kind of in the neighborhood, small scale I - the other part of me, though, where my challenge lies is I think it is overbuilt and under parked. You know, the batting cages and the little - the strips with the offices, I think are good. I think what's pushing us over is taking that additional 5,000 square foot PAD, because I see the batting cages, you know, as a draw for people that are going to bring, you know, eight - you have eight cages, you have, you know, 10 people potentially. I know when we used to take our boys, you know, to the cages we'd have, you know, eight, 10, 12, sometimes 15 people per cage rotating through. That starts adding up to quite a few people. And I know how the calcs for parking works, I do it everyday. But the reality of how the business operates versus the minimum requirements of the code don't always align, and so that's where I have my problem with this site, and I think it's a - I think it's a good site, I think it needs some adjustments. I'm not excited about the right in/right out in both directions, and I think that could use some massaging as

well. I think the site overall is good, but I think it needs more work and I don't know that it's ready to push on. I would even almost, you know, recommend a continuance on this, let the applicant work out some more of these details. But that's my opinion. Thank you.

RIGGINS: Other Commissioners.

MENNENGA: Scott.

RIGGINS: Vice Chair Mennenga.

MENNENGA: Well, for someone who's done a lot of this in the last 30 years, I'm really confused by your site plan. Everything we ever did within 10,000 square feet - that strip center, yeah there's some need for that. I think I'd turn that and face that onto Ocotillo Road, get rid of the 5,000 square feet and stick that batting cage in back and add some parking. Okay? Now, one of the huge challenges, this corner and all so many corners that we look at for development, right ins/right outs, those are tough. I mean those are - that space is gonna be tough to lease with right in and right out. Batting cages, everybody's going to get around that right in/right out, okay? That's a designated use. You know in the commercial world today, the only thing you see going up is designated use properties. I don't see a huge problem with batting cages here, yeah it's going to, you know, some traffic and stuff for that, but commercial space is going to be tough, you know. So I mean maybe take this,

redesign it, come back possibly, don't know, you know. I wouldn't build that the way it is.

RIGGINS: Commissioners, any other discussion? Any other comments? I have one to bring in here at the end, I suppose. It's been interesting sitting on this Planning and Zoning Commission for the number of years I've been on it and seeing how many efforts that there has been made in the rural communities in the Queen Creek area to set precedents, to take pieces out of them and divide them and use other uses, and take people who bought into zoned areas with the expectation when they created their homes that there was some permanence to those zonings and that's the reason why they chose to be there. Nothing is permanent, not all things last. However, by the same token, residents who had some expectation that when they entered into something there wouldn't be pieces broken off and precedents set that allowed further erosion to where it reached a tipping point, point of inflection to where all of a sudden every single desire to do something now can say, well look at what we did before. See, we took this piece, it was okay. We took this piece, it was okay. This is a small farmette community, it's not very large at all. It sits in the middle of an enormous amount of development. I believe if you begin chipping pieces of it off, the next case is going to say, look, look at what we did here. Why not the one to the south? You know, why not the one on the far

corner? I think the residents that live here in this ever diminishing rural environment that had some expectation when they came here in the early days and stuck their stakes in and built their homes, I don't believe their small neighborhoods have to be the places to where we chip pieces off. And for that reason I think it's a bad precedence to take one of these small remaining rural communities that sits in the middle of this great big bunch of development and put the precedence on there that'll make their lives ever more difficult as it goes forward. So that certainly isn't a short opinion, but that's my opinion. Any further discussion? Commissioner Davila.

DAVILA: Mr. Chairman, if I may, I just want to clarify. The parcel to the north of Ocotillo, did I hear that this Commission had approved a plan for turning that into multi-family housing?

??: We denied it (inaudible).

DAVILA: Or did the Board of Supervisors?

RIGGINS: They reversed us.

DAVILA: Okay, so the Board of Supervisors approved a plan for multi-housing to the north of Ocotillo, to the north of this location.

RIGGINS: Mm hm.

DAVILA: Okay, so we would have more residents in this area that would be potentially impacted by the creation of this shopping center, so they could potentially benefit

from having resources closer to them as they however are in different zoning than these current homes, correct? I mean we have to consider that, you know, we do have current residents here now that we have to take into consideration, but we also have future residents to the north of Ocotillo that we would also have to accommodate and think about. That's all I wanted to mention.

RIGGINS: Okay. Any other - Commissioner Del Cotto.

DEL COTTO: Chairman, everyone, sometimes I think that we kind of overlook what our Planning Department is there for and what they do for us in regards to pulling these cases together and making - or giving us an opinion in regards to possibly which way to go, and I think it's important for us to judge each case on its own merits. And I know it's unfortunate for people sometimes when they settled in in a particular area many, many years ago, and they're used to being in their comfort zone. I know a lot about that in our community. But when you have some main roadways like this intersection has, and you have to at some point be able to look into the future in regards to what's going to be going on, where it's going to be going on, what type of traffic is going to be going back and forth, and in this case I hear it's going to be a six lane road. And I think it is important to judge the case on its merits in regards to what our County puts all of us through in regards to when we want to own

and/or develop a piece of property. And we all have a right to do with whatever we choose, or within some reasoning we have a right to develop our real estate that we decided to purchase and hoped that something would come in the future and so on and so forth. So it is difficult, especially when you're a Commissioner in a neighborhood and it's a General Rural or a Suburban Ranch zone and there's so much laid back lifestyle going on, but it's a double edged sword, and everyone has the right to do with what they want to do, or try to at least do with what they want to do with their real estate. And so I think sometimes we lose sight of that as Commissioners or as Chairman or Vice Chair, and we try to justify leaning one way or the other with, you know, and right that's what we're here for. And so I just thought I would add that to the mix so everyone could hear it.

RIGGINS: Any other Commissioners? If there's no further discussion, then we probably are looking at a motion to be made.

SCHNEPF: Commissioner Riggins, I would like to put forth a motion.

RIGGINS: Commissioner Schnepf.

SCHNEPF: I put forth that the Pinal County Planning Zoning Commission forward a recommendation of denial to the Board of Supervisors for case PZ-046-23.

RIGGINS: We have a motion, do we have a second.

HARTMAN: I second.

RIGGINS: Commissioner Hartman seconds. We'll try it as a voice vote. If it's confusing, we'll do a count. All those in favor for a motion for denial signify by saying aye.

COLLECTIVE: Aye. Okay. I don't - let's do it by voice vote. I couldn't tell. I couldn't tell. If we can please do that by voice vote. Or I'm sorry, if we can please do that by roll call vote.

WILLIAMS: Okay. Commissioner Davila.

DAVILA: Nay.

WILLIAMS: Commissioner Schnepf.

SCHNEPF: Aye.

WILLIAMS: I'm sorry, just getting in my own head because we're voting the opposite. Okay. Commissioner Lizarraga.

LIZARRAGA: Aye.

WILLIAMS: Sorry, could you say that again?

LIZARRAGA: Deny.

RIGGINS: Commissioner Lizarraga, or are you voting for denial or are you voting to deny the motion?

LIZARRAGA: Voting for denial.

RIGGINS: Denial of the motion. Or denial of the case?

??: He's voting aye.

RIGGINS: I think you're voting aye.

LIZARRAGA: Okay, aye.

RIGGINS: Oh, no, no, no.

JOHNSON: Wait, wait, wait.

RIGGINS: No, no.

JOHNSON: Wait, wait, wait. We need to make this clear.

RIGGINS: Absolutely.

JOHNSON: The motion on the floor was to deny the approval. So Commissioner, is your vote a yay or nay to deny the approval?

LIZARRAGA: Nay.

JOHNSON: So you want the - you want this to move, to move forward.

LIZARRAGA: I'm looking to deny the motion to go to the - let me see. How in the heck could I put this to make sure. Okay, I'm against moving it forward, let's go that way.

RIGGINS: So that's an aye.

JOHNSON: That's an aye.

RIGGINS: Yes. No, he doesn't want the case to move forward, so it's an aye for denial.

WILLIAMS: Okay, are we good so far? Commissioner Klob.

KLOB: Nay.

WILLIAMS: Commissioner Hartman.

HARTMAN: Aye.

WILLIAMS: Commissioner Del Cotto.

DEL COTTO: Nay.

WILLIAMS: Vice Chair Mennenga.

MENNENGA: It's a tough one. Nay.

WILLIAMS: Chairman Riggins.

RIGGINS: Aye.

WILLIAMS: We have a 4-4, vote.

RIGGINS: Tie vote.

WILLIAMS: Which I believe means it does not go through.

JOHNSON: Does not pass.

WILLIAMS: Does not pass.

RIGGINS: Is that, is that the regulation that it does not pass?

JOHNSON: Yeah, it does not pass if it was not approved. A tie means it does not pass.

RIGGINS: Okay. Tie vote means it does not pass. I remember times –

SARKISSIAN: Can we move forward with a split vote. Because it's a recommendation (inaudible).

RIGGINS: Okay, so Commissioner Davila you have – yes, please go ahead.

DAVILA: I'd like to make a new motion, if possible. I'd like to move that the Commission forward a recommendation of approval to the Board of Supervisors of case PZ-046-23 with

the one stipulation presented in the staff report.

RIGGINS: Question before I accept that motion. There is a stipulation in the case that he's voting for approval that it cannot go forward without the approval of the zoning case.

JOHNSON: That's correct.

RIGGINS: So if this were to be approved, it could not go forward anyway.

JOHNSON: If the zoning case does not go forward, that is correct.

RIGGINS: And the zoning case did not go forward.

JOHNSON: So that is correct, Mr. Chairman. It cannot go forward.

RIGGINS: So I've been offered a motion for approval of the PZ-PD.

JOHNSON: That would be an improper motion because you cannot pass that.

RIGGINS: That's what I felt. That is what I felt. Okay. So I'm afraid I can't accept that motion.

SARKISSIAN: I just wanted to clarify, because we've had cases before through Pinal County, because you're a recommending body, that go through with a split vote to the Board of Supervisors in the past.

RIGGINS: At this point in time -

SARKISSIAN: I just want to make sure because -

RIGGINS: At this point in time the Commission is deferring to our legal advice and so it is recorded as a 4-4 vote. It had been stated that it is a failure with that by our legal advice. So the Commission will accept that. As it goes to the Supervisors, things can be questioned at that time.

SARKISSIAN: I just want to make sure it was - it's still proceeding to Supervisors.

RIGGINS: Pardon me?

SARKISSIAN: I just wanted to make sure it was still proceeding to Supervisors.

RIGGINS: This is a recommendation –

SARKISSIAN: Right.

RIGGINS: - to the Supervisors. So yes, absolutely is going to the Supervisors.

SARKISSIAN: Okay, with the 4-4. I totally - I (inaudible) love it. Thank you.

RIGGINS: Okay.

JOHNSON: Just to be clear, it can't go forward with a recommendation from this Commission, Mr. Chairman.

RIGGINS: Yes.

DAVILA: I was making a new motion on the zoning. (Inaudible).

RIGGINS: Yes, so we still need a motion, because we need to get done with the last case. We weren't able to

accept the motion for approval because we already have a denial in the case before.

JOHNSON: I think I need to take a recess to make sure that I've got my legal – that this is correct advice.

RIGGINS: I think that is an excellent idea.

JOHNSON: So I think we should take a recess.

RIGGINS: I think that's an excellent idea. What do you – what do you need, 10 minutes or?

JOHNSON: Yeah, 10 or 15 minutes.

RIGGINS: 15 minutes. We are going to take a recess for 10 minutes because we need to make sure where we are on that, so we will commence again at 1:30.

[Recess]

RIGGINS: We will reconvene the regular meeting of the Pinal County Planning and Zoning Commission on December 21st at 1:30 p.m. And I will defer to our legal counsel to tell us what research has turned up.

JOHNSON: Thank you, Mr. Chairman, I did need to revisit the rules quickly just to make sure that what we were doing was accurate. So there was a - we are on letter H, PZ-046-23. We have an eight person Commission today. The motion was to deny forwarding the recommendation to the Board of Supervisors, that resulted in a 4-4 tie. By rule that motion fails. However, I gave incorrect advice. A new motion could be given as long as it is a different motion. So I

incorrectly stated to Commissioner Davila and to yourself that his motion was improper. So long as his motion is different, it would be a proper motion.

RIGGINS: Okay. And the way that works in the extreme is the next motion would be to approve and it fails, then the next motion can be to fail, and then –

JOHNSON: And then that's it.

RIGGINS: Well no, you actually keep going until something changes.

JOHNSON: You technically could, it would be at the Commission's prerogative to keep doing that, but at that point, I mean it is considered defeated, so you could move on to the next agenda item because (inaudible).

RIGGINS: So if - so I'm absolutely sure on this, if the next motion which is the only motion that can be made, is to approve it and it is also a split decision, then it is defeated at that point.

JOHNSON: Correct.

RIGGINS: So there is no reason - so there is no such thing as the reporting of a split decision.

JOHNSON: Yeah, I would say not. Not according to our rules, no, Mr. Chairman.

RIGGINS: Okay.

JOHNSON: It specifically says a split vote is considered defeated.

RIGGINS: Okay. Well, Chair's prerogative then. I believe in transparency of process as much as possible, so the Chair will entertain another motion on case PZ-046-23. Commissioner Davila.

DAVILA: Mr. Chairman, I'd like to make a motion. I move that the Commission forward a recommendation of approval to the Board of Supervisors for case PZ-046-23 with the one stipulation presented in the staff report.

RIGGINS: We have a motion, do we have a second?

KLOB: I'll second.

RIGGINS: Commissioner Klob seconds. Let's have a roll call vote.

WILLIAMS: Commissioner Davila.

DAVILA: Aye.

WILLIAMS: Commissioner Schnepf.

SCHNEPF: Nay.

WILLIAMS: Commissioner Lizarraga.

LIZARRAGA: Nay.

WILLIAMS: Commissioner Klob.

KLOB: Aye.

WILLIAMS: Commissioner Hartman.

HARTMAN: Nay.

WILLIAMS: Commissioner Del Cotto.

DEL COTTO: Aye.

WILLIAMS: Vice Chair Mennenga.

MENNENGA: Aye.

WILLIAMS: Chairman Riggins.

RIGGINS: Nay.

WILLIAMS: We stand at a 4-4 vote.

RIGGINS: So with the legal advice we have obtained, we have voted it both ways, obtained split decisions both times, so we are declaring it a failed – the case to be denied.

JOHNSON: Failed motion, yeah.

RIGGINS: Failed case. So then I ask the question, the next case is precedent on the case we just passed. It failed. Do we still vote on it?

JOHNSON: I would say by operation, you do not need to vote on it. It'd be the – by operation it will not proceed to the Board of Supervisors with any recommendation. So it's - I think you don't need to vote on it, Mr. Chairman.

RIGGINS: Okay. Well if we did, we would have a split vote one way and then we would have the split vote the next way and we would have the same result. So if legal advice states that because of the recommendation having failed to give a recommendation of approval for case PZ-046-23, it has been denied, question of order.

DAVILA: I'm so sorry. If there were to be a different motion when (inaudible) for, you know, for aye or nay, could not be made. For example, a continuance.

JOHNSON: Yeah, as long as it's a different motion if the Chairman would entertain that.

MENNENGA: It serves no purpose.

RIGGINS: Yeah, it doesn't really serve any purpose.

DAVILA: Okay.

RIGGINS: From a technical point of view, I suppose it's interesting to know, but I don't think in this case it'll serve any purpose.

DAVILA: I agree.

MENNENGA: I mean ultimately the Board of Supervisors is going to decide it.

DAVILA: Exactly.

RIGGINS: Yeah.

MENNENGA: No big deal for us.

RIGGINS: So under legal advice in the meeting, due to case PZ-PD-001-23 being tied to PZ-046-23, it necessary to be successful for PZ-PD-001-23 to proceed, legally we have decided that it will not be voted on as it has already failed.

JOHNSON: That is correct, Mr. Chairman. And for the benefit of the public, what that means is that these cases do proceed to the Board of Supervisors for final approval, they just do not proceed to the Board of Supervisors with any recommendation. They cannot because it is - it's a tie vote. So the ultimate decision is made by the Board of Supervisors, the recommending body just can't make a recommendation on this

case due to the split vote.

RIGGINS: Okay. So for everyone interested in that, check when the Board of Supervisors will schedule this case and that is when a final decision will be made. So we are done with that. Our next item is a set of work sessions, and I'm sure the County would love to hear that this Commission has Christmas coming up and has various things to do, and if we take a lunch break, the earliest we're going to begin this is 2:30 and then we're going to get back here and we're not going to get out of here until after five. So is there any way that we can schedule a special meeting or take this into the next sequence, because this going to put everybody really late.

WILLIAMS: Can you give me a second, see if I can find Steve? I'd like to ask his opinion. Steve Abraham. He did go to lunch? He should have waited.

MENNENGA: (Inaudible) a special meeting for this, as we've done. Do we have to do it here or can we do it in the big conference room? Because that's not a - or is that public?

RIGGINS: Well these are work sessions. The public can come to work sessions. They can come -

MENNENGA: (Inaudible).

RIGGINS: They can come over there, too, if they wish.

When recorded return to:
Clerk
Pinal County Board of Supervisors
P.O. Box 827
Florence, AZ 85132

CONSENT TO SCHEDULE FOR DEVELOPMENT/CONDITIONS/STIPULATIONS AND WAIVER OF CLAIMS FOR DIMINUTION IN VALUE

This Consent to Schedule for Development and Conditions/Stipulations and Waiver of Claims for Diminution in Value ("Consent and Waiver") is made in favor of Pinal County (the "County") by Fern Vasi ("Owner").

Owner warrants and represents that Owner is the fee title owner of the property described herein, and that no other entity or person has an ownership interest in the property. Prior to Owner's transfer, sale or conveyance of all or any part of its right, title and interest in the Property at any time within thirty (30) days of the County's approval of Owner's application described herein, Owner shall notify the County of said transfer, sale or conveyance and shall require the new Owner to execute and agree to this Consent and Waiver as part of any transfer, sale or conveyance of the property described herein.

Owner acknowledges that A.R.S. § 12-1134 of the Arizona Private Property Rights Protection Act provides in some cases that a county is required to pay just compensation to a landowner if the County approves a land use law that reduces the fair market value of the owner's property. Owner further acknowledges that A.R.S. § 12-1134 authorizes a private property owner to waive any claim for diminution in value of property in connection with any action proposed by a county or any action requested by the property owner.

Owner has submitted an application to Pinal County ("County") requesting the County approve a Rezone with a Planned Area Development Overlay for development of the following described property ("Property"):

LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A."

By signing below, Owner agrees and consents to all conditions/stipulations/Schedule for Development imposed by Pinal County in conjunction with the approval of the Rezone and Planned Area Development Overlay, Case Nos .PZ-046-23 and PZ-PD-001-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the Rezne and Planned Area Development Overlay, Case Nos. PZ-046-23 and PZ-PD-001-23 might affect existing rights to use, divide, sell or possess the Property.

By signing below, Owner hereby waives any and all rights to claim compensation for diminution in value pursuant to A.R.S. §12-1134 that may now or in the future exist as a result of the approval of the Rezone and Planned Area Development Overlay, Case Nos. PZ-046-23 and PZ-PD-001-23, and the Schedule for Development and conditions/stipulations imposed in conjunction with the approval. Owner waives any and all rights to claim compensation for diminution in value for any action taken by the County to rescind approval of Rezone and Planned Area Development Overlay, Case Nos. PZ-046-23 and PZ-PD-001-23 because of non-compliance with the Schedule for Development and/or any of the approved conditions/stipulations.

This Consent and Waiver shall run with the land and shall be binding upon all present and subsequent property owners.

Owner consents to the recordation of this Consent and Waiver after approval of the above-referenced case by the County. If Owner withdraws its application prior to final action of the County or the County denies the application, Owner is released from this Consent and Waiver.

OWNER: Fern Vasi
[Print Entity Name]

OWNER: _____
[Print Entity Name]

Fern Vasi
Signature

_____
Signature

Its: _____
[Title, if applicable]

Its: _____
[Title, if applicable]

Dated: 12-7-23

Dated: _____

INDIVIDUAL ACKNOWLEDGMENT: ***[To be filled out if NOT a corporation, partnership, or trust]***

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 7th day of December, 2023, by Fern Vasi.

[Insert Name of Signor(s)]

Nancy M. Herbert
Notary Public

My commission expires: 09-30-2026.

NANCY M. HERBERT
Notary Public - Arizona
Maricopa County
Commission # 634810
My Commission Expires
Sept. 30, 2026

PARCEL NO. 1:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP, IN HAND HOLE, MARKING THE NORTHEAST CORNER OF SECTION 20, FROM WHICH A PINAL COUNTY HIGHWAY DEPARTMENT BRASS CAP, FLUSH TO THE PAVEMENT, MARKING THE NORTH QUARTER OF SECTION 20, BEARS SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, A DISTANCE OF 2640.14 FEET, AND FROM WHICH A ½-INCH REBAR WITH TAG, STAMPED #32778, MARKING THE EAST QUARTER OF SECTION 20, BEARS SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST, A DISTANCE OF 2640.62 FEET.

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 184.80 FEET TO A SET P.K. NAIL WITH TAG, R.L.S. #49864, MARKING THE
NORTHEAST CORNER OF SAID PARCEL "A" AND ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST PARALLEL TO AND 184.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHEAST CORNER OF SAID PARCEL "A";

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 412.50 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 132.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHWEST CORNER OF SAID PARCEL "A";

THENCE NORTH 00 DEGREES 10 MINUTES 47 SECONDS WEST PARALLEL TO AND 316.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHWEST CORNER OF SAID PARCEL "A";

THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS EAST ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 132.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHEAST CORNER OF SAID PARCEL "A" AND ALSO BEING THE POINT OF BEGINNING.

PARCEL NO. 2:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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2640.62 FEET. THE SAID BRASS CAP, IN HAND HOLE, MARKING THE NORTHEAST CORNER OF SECTION 20 IS ALSO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST ALONG THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 33.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING A CORNER OF SAID PARCEL "B";

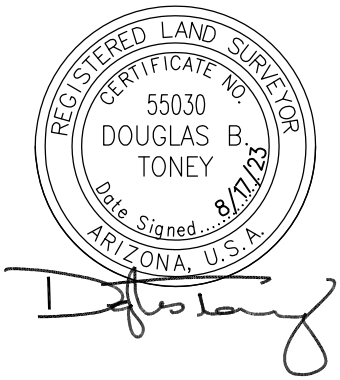
THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 33.00 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 40.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING A CORNER OF SAID PARCEL "B";

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST PARALLEL TO AND 40.00 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 379.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHEAST CORNER OF SAID PARCEL "B";

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 412.50 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 144.80 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHWEST CORNER OF SAID PARCEL "B";

THENCE NORTH 00 DEGREES 10 MINUTES 47 SECONDS WEST PARALLEL TO AND 184.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHWEST CORNER OF SAID PARCEL "B";

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NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M. ON THE **7th** DAY OF **FEBRUARY, 2024**, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR **A REZONE** AND **A PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT AMENDMENT** IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-046-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a commercial complex; situated in Section 20, T02S, R08E Gila and Salt River Base and Meridian; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

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http://pinalcountyaz.gov/CommunityDevelopment/Planning/Pages/NoticeofHearing.aspx#

ALL PERSONS INTERESTED IN THESE MATTERS MAY APPEAR AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE AND STATE THEIR APPROVAL OR OBJECTION TO THE PROPOSED AMENDMENT.

PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.

DATED ON THIS **17th** DAY OF **JANUARY, 2024** by Pinal County Planning & Development Dept.

A WRITTEN STATEMENT OF APPROVAL OR PROTEST MAY BE FILED WITH THE PINAL COUNTY PLANNING & DEVELOPMENT DEPARTMENT, P.O. BOX 2973, FLORENCE AZ 85132. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

1) The Planning Case Number(s) See above
2) Your name, address, telephone number and property tax parcel number (print or type)
3) Whether you support or oppose the request
4) A brief statement of reasons for supporting or opposing the request
5) Whether or not you wish to appear and be heard at the hearing.

WRITTEN STATEMENTS MUST BE FILED WITH:
PINAL COUNTY DEVELOPMENT SERVICES DEPARTMENT
PO BOX 749
FLORENCE, AZ 85132

Contact for this matter: Patrick Roberts, Senior Planner
E-mail Address: Patrick.Roberts@pinal.gov
Phone # (520) 866-6409

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2733 N POWER RD #102-482
MESA, AZ 85215

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Order # 0005874843 # of Affidavits 1

P.O #

Issues Dated:

01/20/24

STATE OF WISCONSIN
COUNTY OF BROWN } SS.

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspape of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.

Sworn to before me this
20 TH day of
JANUARY 2024

Notary Public

My Commission expires: 9/19/25

VICKY FELTY
Notary Public
State of Wisconsin

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PINAL COUNTY DEVELOPMENT SERVICES DEPARTMENT
PO BOX 749
FLORENCE, AZ 85132
Contact for this matter: Patrick Roberts, Senior Planner
E-mail Address: Patrick.Roberts@pinal.gov
Phone # (520) 866-6409
Pub: Jan 20, 2024

CERTIFICATION OF POSTING

I hereby certify that the notice(s) shown below was/were posted on the property described in the notice on 1/18/24.

PLANNING & DEVELOMENT DEPARTMENT

BY: _____ Patrick Roberts, Senior Planner DATED: 1/29/24
[signature] *[print name and title*]

[*Insert copy of notice(s) that was/were posted, which should be the same as the published/mailed notice*.]

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PUBLISH ONCE:
Arizona Republic

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY PLANNING AND ZONING COMMISSION AT 9:00 A.M. ON THE 21st DAY OF DECEMBER 2023, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A MAJOR COMPREHENSIVE PLAN AMENDMENT TO THE PINAL COUNTY COMPREHENSIVE PLAN.

PZ-PD-001-23–PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from **GR (General Rural Zone)** to **C-3 (General Commercial Zoning District)**, to allow development of a commercial complex; situated in Section 20, T02S, R08E G&SRB&M; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

PZ-PD-001-23–PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting approval of a **Planned Area Development (PAD)** Overlay District, to apply C-3 PAD development standards on 2.65± acres, situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION AT:
http://pinalcountyaz.gov/CommunityDevelopment/Planning/Pages/NoticeofHearing.aspx#

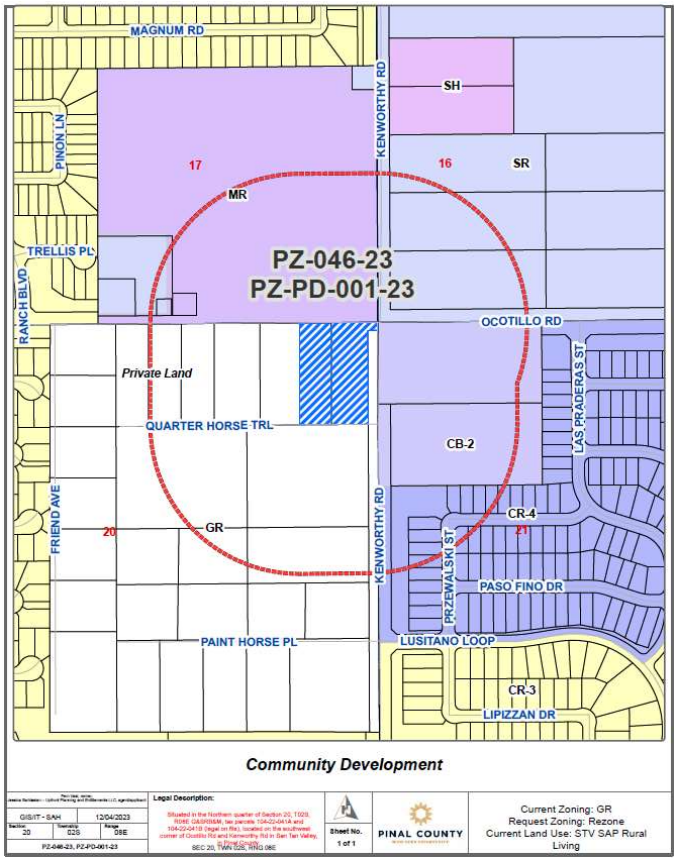
ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD OR SHOULD NOT BE GRANTED. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

Planning Case Number (see above), your name, address, telephone number and property tax parcel number (Print or type) A brief statement of reasons for supporting or opposing the request. Whether or not you wish to appear and be heard at the hearing.

PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.

WRITTEN STATEMENTS FOR OR AGAINST THE PROPOSAL MUST BE FILED WITH: PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT PO BOX 749 (85 N.FLORENCE STREET) FLORENCE, AZ 85132, OR BY EMAIL TO THE CASE COORDINATOR INDICATED BELOW.

NO LATER THAN **5:00 PM ON DECEMBER 7, 2023**
Contact for this matter: Patrick Roberts, Senior Planner
e-mail address: Patrick.roberts@pinal.gov
Phone # (520) 866-6409



PINAL COUNTY
WIDE OPEN OPPORTUNITY

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PINAL COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
P O BOX 749 (85 N FLORENCE ST, FIRST FLOOR)
FLORENCE, AZ 85123

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY PLANNING AND ZONING COMMISSION AT 9:00 A.M. ON THE **21st** DAY OF **DECEMBER, 2023**, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR **A REZONE** AND **A PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT AMENDMENT** IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-046-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a commercial complex; situated in Section 20, T02S, R08E G&SRB&M; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

PZ-PD-001-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting approval of a Planned Area Development (PAD) Overlay District, to apply C-3 PAD development standards on 2.65± acres, situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

At least 24 hours prior to the public hearing, documents pertaining to these requests are available for public inspection at the Pinal County Development Services Building, Pinal County Complex, 85 N. Florence St, Florence, Arizona, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the internet at:
http://pinalcountyaz.gov/CommunityDevelopment/Planning/Pages/NoticeofHearing.aspx#

ALL PERSONS INTERESTED IN THESE MATTERS MAY APPEAR AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE AND STATE THEIR APPROVAL OR OBJECTION TO THE PROPOSED AMENDMENT.

PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING WILL REQUIRE AN AFFIRMATIVE VOTE OF THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL.

DATED ON THIS **26th** DAY OF **OCTOBER, 2023** by Pinal County Planning & Development Dept.

A WRITTEN STATEMENT OF APPROVAL OR PROTEST MAY BE FILED WITH THE PINAL COUNTY PLANNING & DEVELOPMENT DEPARTMENT, P.O. BOX 2973, FLORENCE AZ 85132 NO LATER THAN 5:00 P.M. ON **DECEMBER 7th, 2023**. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

1) The Planning Case Number(s) See above
2) Your name, address, telephone number and property tax parcel number (print or type)
3) Whether you support or oppose the request
4) A brief statement of reasons for supporting or opposing the request
5) Whether or not you wish to appear and be heard at the hearing.

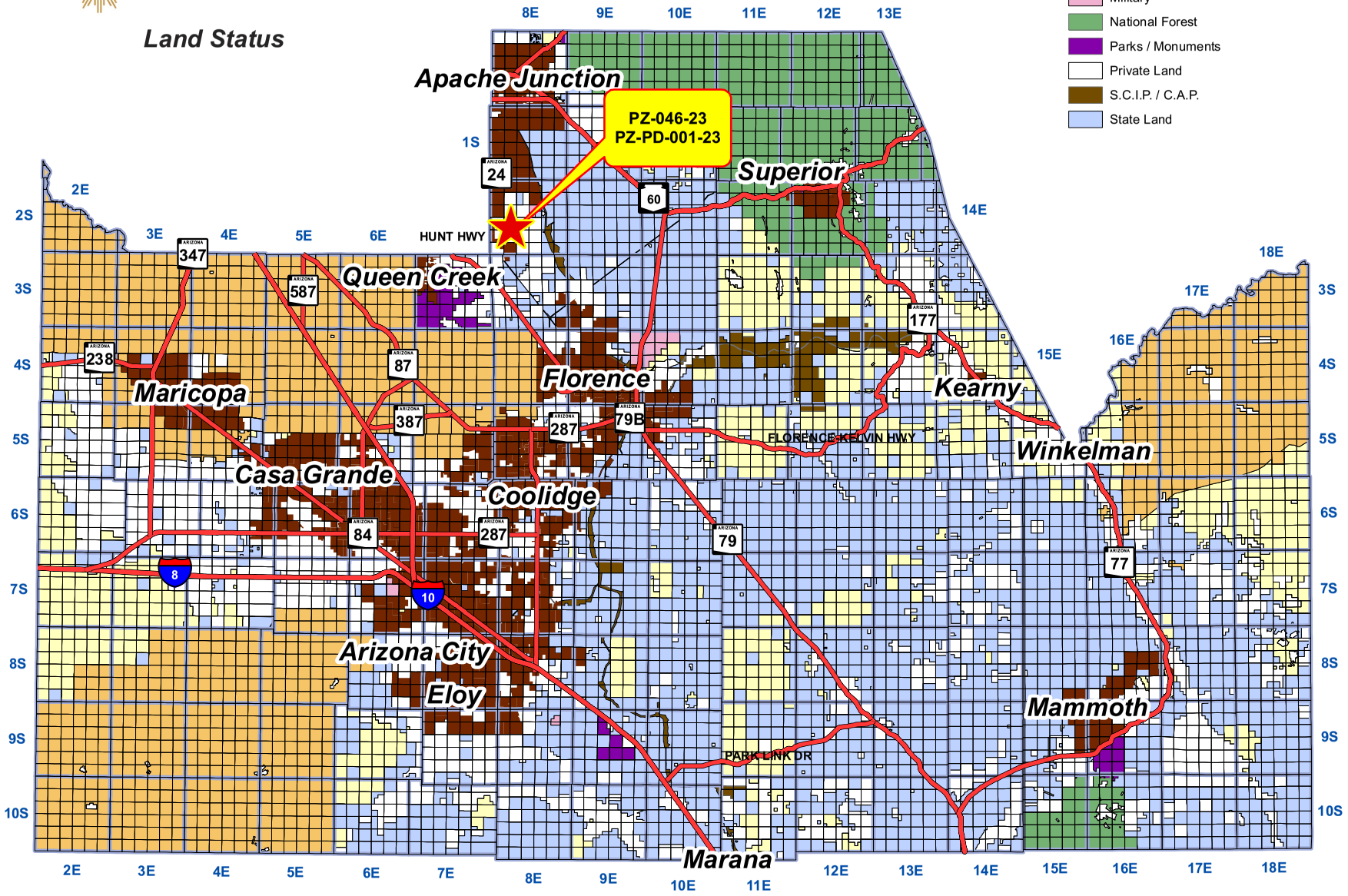
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PO BOX 749
FLORENCE, AZ 85132

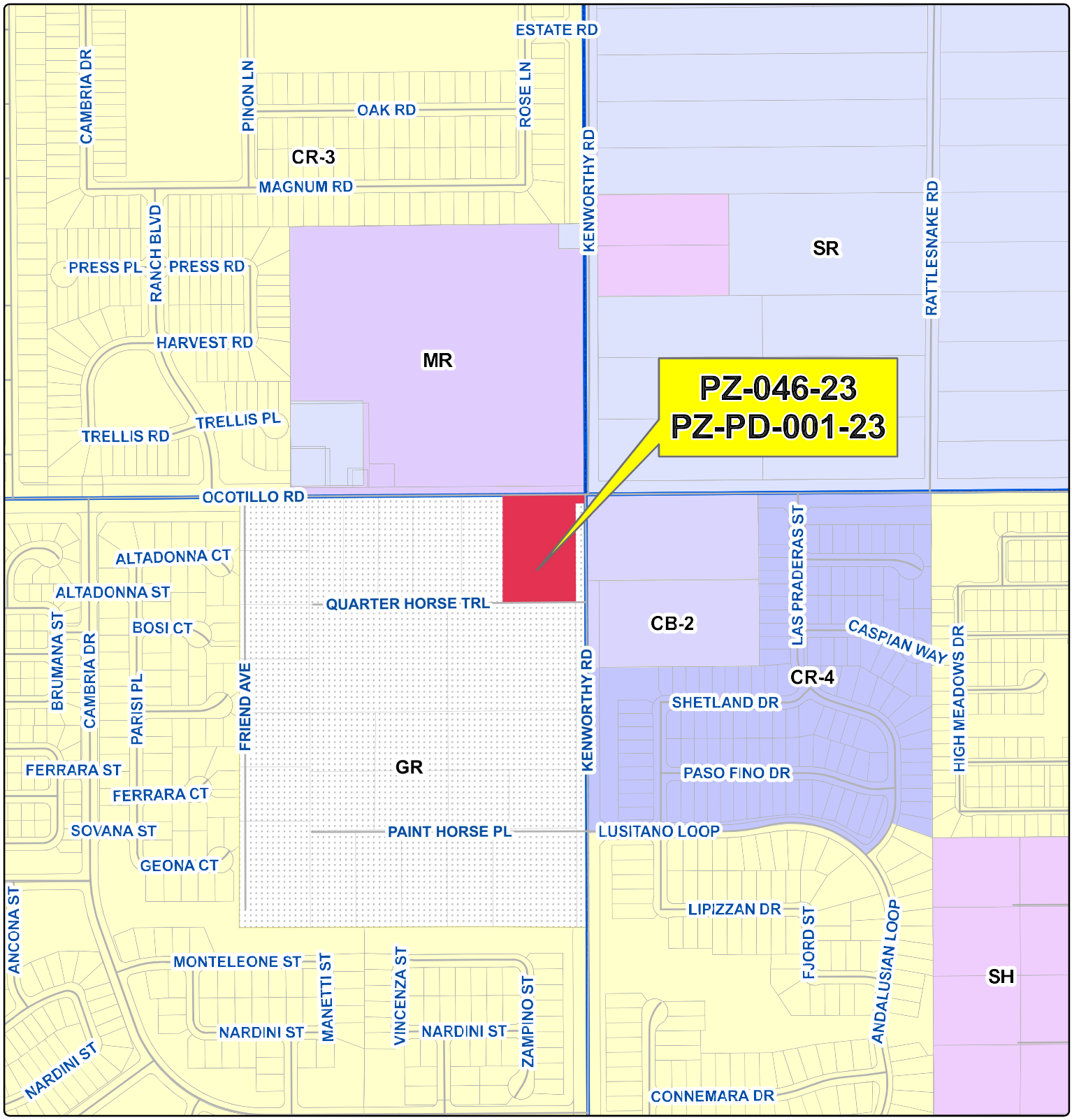
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Contact for this matter: Patrick Roberts, Senior Planner
E-mail Address: Patrick.Roberts@pinal.gov
Phone # (520) 866-6409

***Anything below this line is not for publication.*]**
PUBLISH ONCE:
Pinal Central Dispatch

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Land Status





Community Development

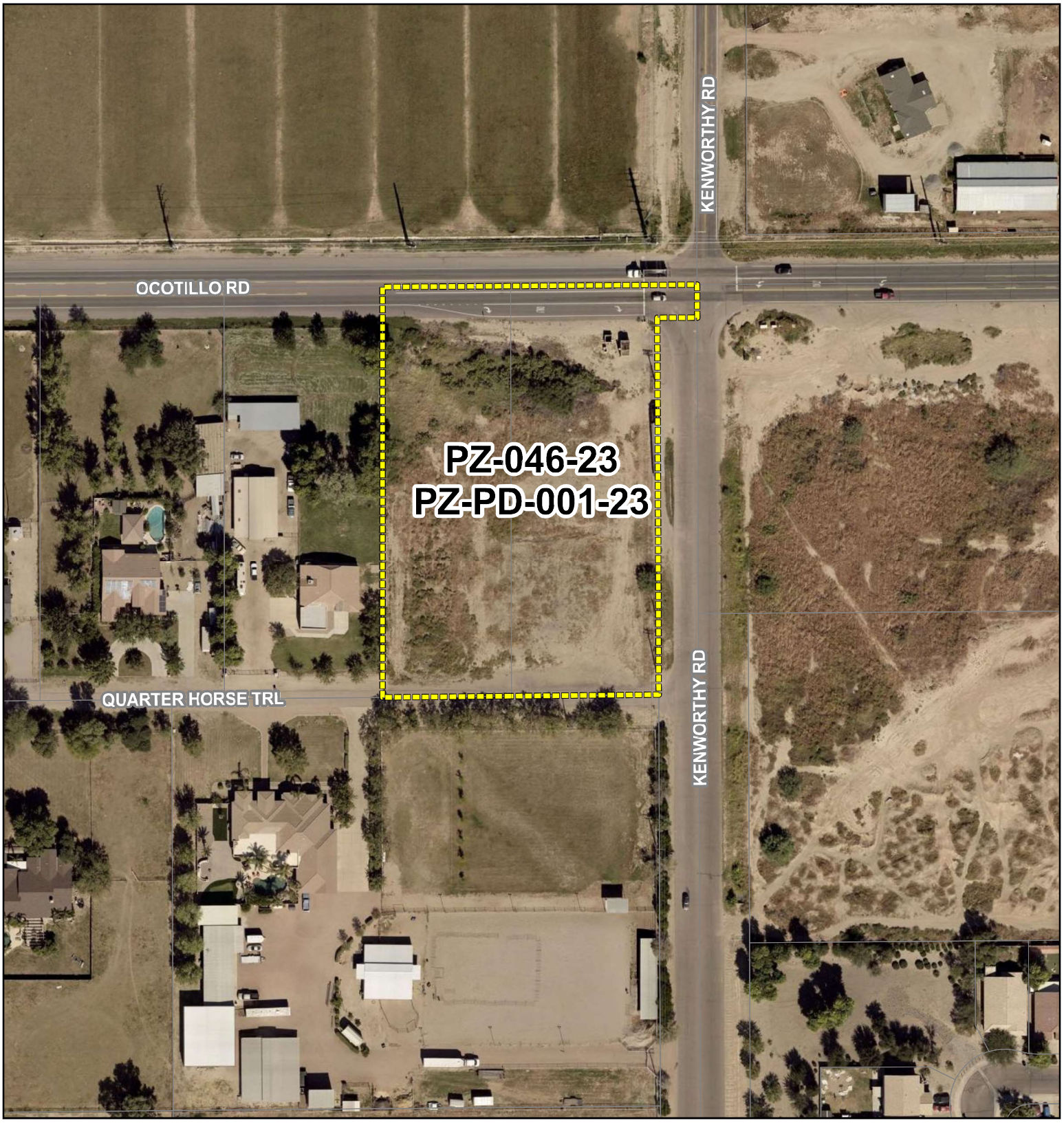
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

SEC 20, TWN 02S, RNG 08E

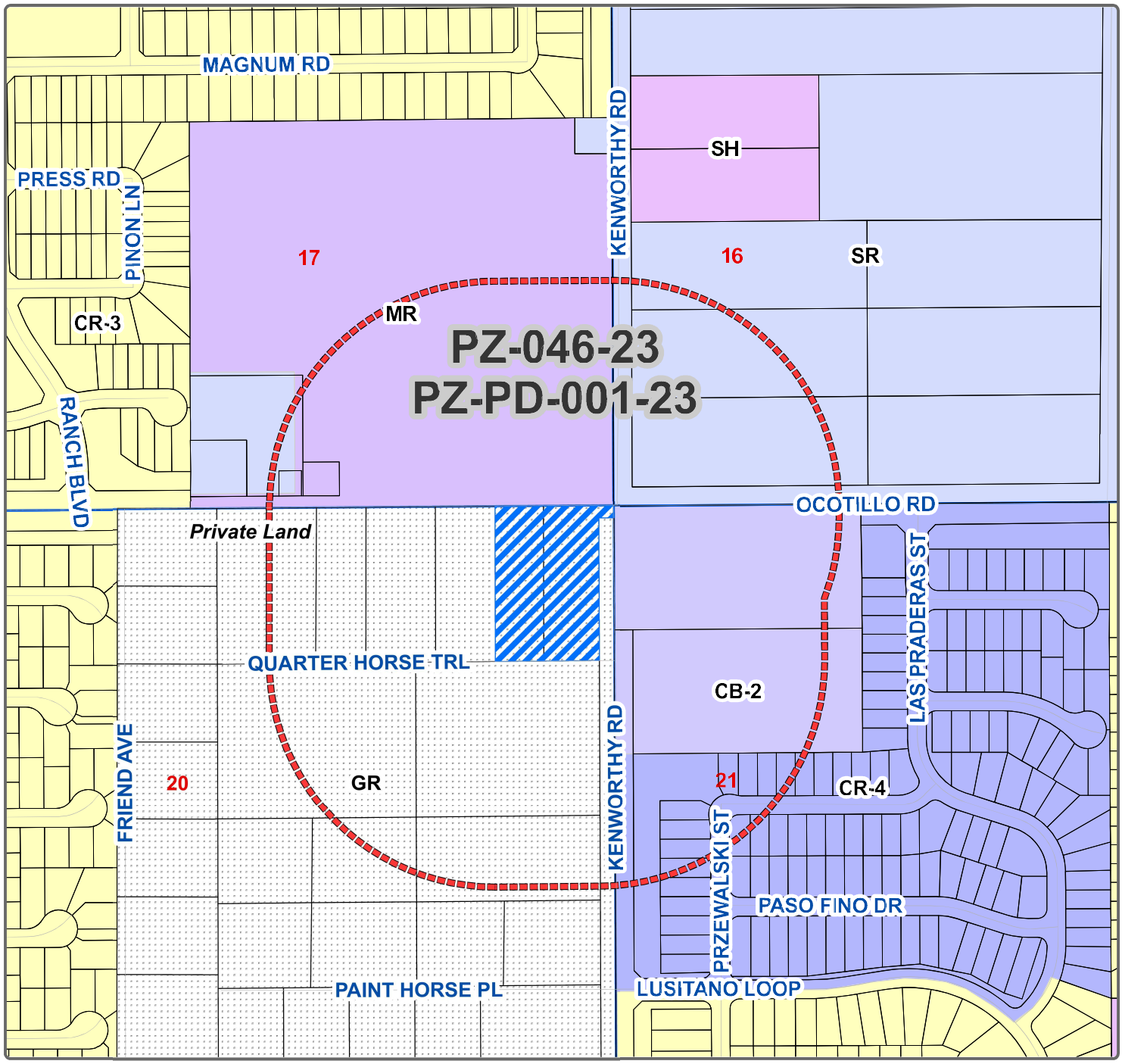
Owner/Applicant: FERN VASI, OWNER, JESSICA SARKISSIAN, UPFRONT PLANNING AND ENTITLEMENTS LLC, AGENT/APPLICANT			
Drawn By: GIS / IT / SAH			Date: 12/04/2023
Sheet No. 1 of 1	Section 20	Township 02S	Range 08E
Case Number: PZ-046-23, PZ-PD-001-23			



Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PZ-046-23
PZ-PD-001-23



Community Development

PZ-046-23 – PUBLIC HEARING/ACTION: Fern Vasi, owner, Jessica Sarkissian – Upfront Planning and Entitlements LLC, agent/applicant, requesting an approval of a rezone of 2.65± acres from from GR (General Rural Zone) to C-3 (General Commercial Zoning District), to allow development of a commercial complex; situated in Section 20, T02S, R08E G&SRB&M; Tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

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Current Zoning: GR	Requested Zoning: Rezone	Current Land Use: STV SAP Rural Living

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in the Northern quarter of Section 20, T02S, R08E G&SRB&M, tax parcels 104-22-041A and 104-22-041B (legal on file), located on the southwest corner of Ocotillo Rd and Kenworthy Rd in San Tan Valley, in Pinal County.

SEC 20, TWN 02S, RNG 08E

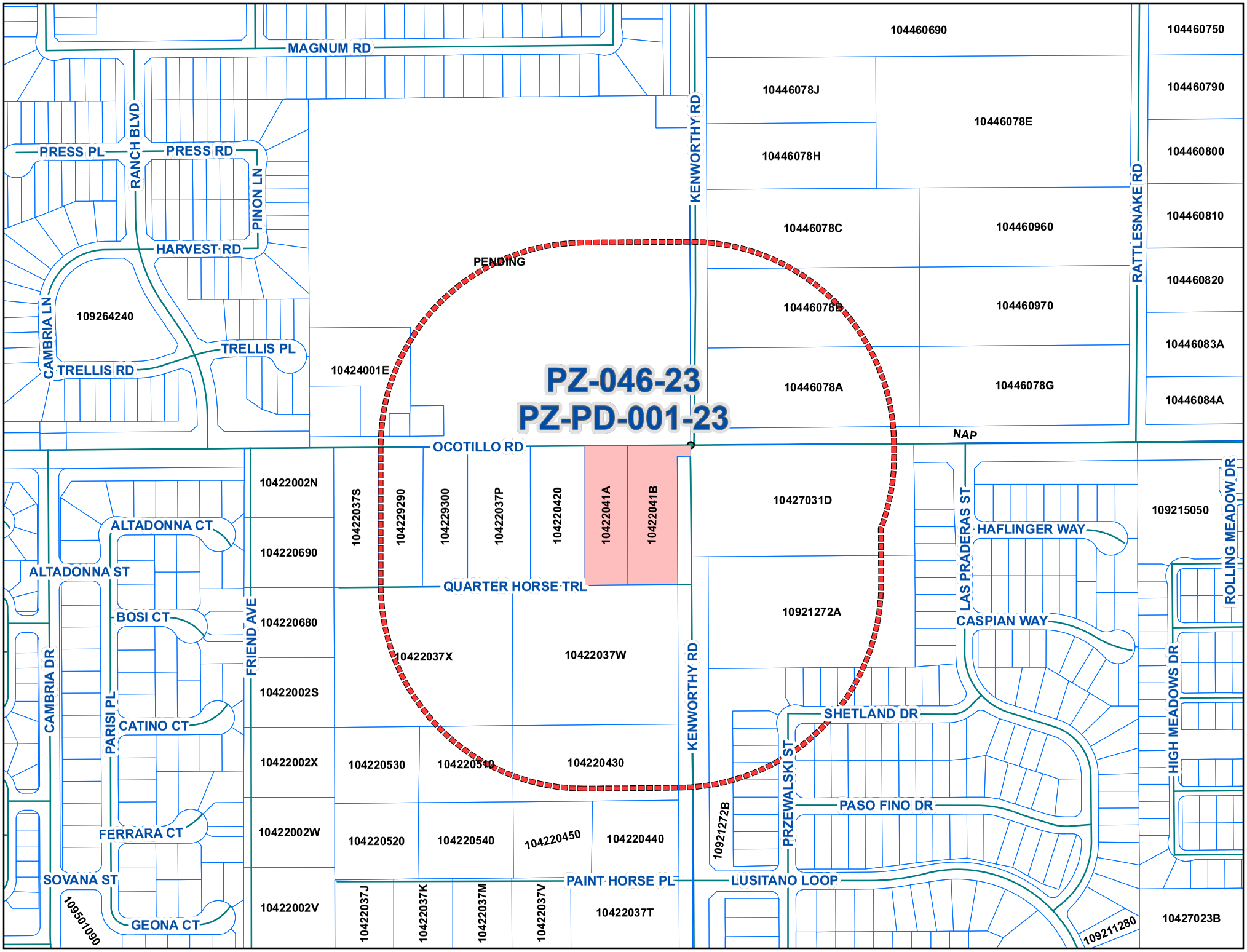
Sheet No. 1 of 1

Owner/Applicant: FERN VASI, OWNER
JESSICA SARKISSIAN – UPFRONT PLANNING AND ENTITLEMENTS LLC, AGENT/APPLICANT

Drawn By:	Date:
GIS / IT/ SAH	12/04/2023

Section	Township	Range
20	02S	08E

Case Number: PZ-046-23, PZ-PD-001-23


PZ-046-23
PZ-PD-001-23
PENDING
MAGNUM RD
PRESS PL
PRESS RD
RANCH BLVD
PINON LN
HARVEST RD
CAMBRIA LN
TRELLIS PL
TRELLIS RD
109264240
10424001E
KENWORTHY RD
104460690
10446078J
10446078E
10446078H
10446078C
104460960
10446078B
104460970
10446078A
10446078G
RATTLESNAKE RD
104460750
104460790
104460800
104460810
104460820
10446083A
10446084A
OCOTILLO RD
NAP
10422002N
10422037S
10422690
10422300
10422037P
10420420
10422041A
10422041B
10427031D
ALTADONNA CT
104220690
ALTADONNA ST
QUARTER HORSE TRL
10921272A
BOSI CT
104220680
FRIEND AVE
10422037X
10422037W
CAMBRIA DR
PARISI PL
CATINO CT
10422002S
10422002X
104220530
104220510
104220430
SHETLAND DR
FERRARA CT
10422002W
104220520
104220540
104220450
104220440
10921272B
PASO FINO DR
SOVANA ST
PAINT HORSE PL
LUSITANO LOOP
10422002V
10422037J
10422037K
10422037M
10422037V
10422037T
109501090
GEONA CT
109211280
10427023B
LAS PRADERAS ST
HAFLINGER WAY
CASPIAN WAY
PRZEWALSKI ST
109215050
ROLLING MEADOW DR
HIGH MEADOWS DR

PARCEL NO. 1:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP, IN HAND HOLE, MARKING THE NORTHEAST CORNER OF SECTION 20, FROM WHICH A PINAL COUNTY HIGHWAY DEPARTMENT BRASS CAP, FLUSH TO THE PAVEMENT, MARKING THE NORTH QUARTER OF SECTION 20, BEARS SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, A DISTANCE OF 2640.14 FEET, AND FROM WHICH A ½-INCH REBAR WITH TAG, STAMPED #32778, MARKING THE EAST QUARTER OF SECTION 20, BEARS SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST, A DISTANCE OF 2640.62 FEET.

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 184.80 FEET TO A SET P.K. NAIL WITH TAG, R.L.S. #49864, MARKING THE
NORTHEAST CORNER OF SAID PARCEL "A" AND ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST PARALLEL TO AND 184.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHEAST CORNER OF SAID PARCEL "A";

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 412.50 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 132.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHWEST CORNER OF SAID PARCEL "A";

THENCE NORTH 00 DEGREES 10 MINUTES 47 SECONDS WEST PARALLEL TO AND 316.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHWEST CORNER OF SAID PARCEL "A";

THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS EAST ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 132.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHEAST CORNER OF SAID PARCEL "A" AND ALSO BEING THE POINT OF BEGINNING.

PARCEL NO. 2:

A PORTION OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 8 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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2640.62 FEET. THE SAID BRASS CAP, IN HAND HOLE, MARKING THE NORTHEAST CORNER OF SECTION 20 IS ALSO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST ALONG THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 33.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING A CORNER OF SAID PARCEL "B";

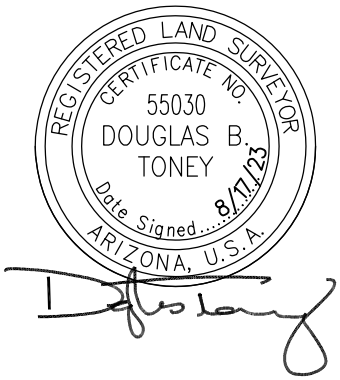
THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 33.00 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 40.00 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING A CORNER OF SAID PARCEL "B";

THENCE SOUTH 00 DEGREES 10 MINUTES 47 SECONDS EAST PARALLEL TO AND 40.00 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 379.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHEAST CORNER OF SAID PARCEL "B";

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST PARALLEL TO AND 412.50 FEET SOUTH OF THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 144.80 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE SOUTHWEST CORNER OF SAID PARCEL "B";

THENCE NORTH 00 DEGREES 10 MINUTES 47 SECONDS WEST PARALLEL TO AND 184.80 FEET WEST OF THE EAST BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 412.50 FEET TO A SET PK NAIL WITH TAG R.L.S. #49864, MARKING THE NORTHWEST CORNER OF SAID PARCEL "B";

THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS EAST ALONG THE NORTH BOUNDARY OF THE NORTHEAST QUARTER OF SECTION 20, A DISTANCE OF 184.80 FEET TO A BRASS CAP, IN HAND HOLE, MARKING THE NORTHEAST CORNER OF SECTION 20, AND ALSO BEING THE POINT OF BEGINNING.



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Leo Lew
County Manager

APPLICATION FOR CHANGE OF ZONING REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA
(All Applications Must Be Typed or Written in Ink)

Formal Zoning Change & Property Information:
(feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Pinal County Staff Coordinator: SANGEETA DEOKAR
2. Date of Pre-application Review: 07/ 25 /2022 Pre-Application Review No.: Z-PA-125 -22
3. Current Zoning *(Please provide Acreage Breakdown)*: GR- Rural Residential / 2.65 Acres
4. Requested Zoning *(Please provide Acreage Breakdown)*: C-3 General Commercial / 2.65 Acres
5. Parcel Number(s): 104-22-041A and 104-22-041B
6. Parcel Size(s): 104-22-041A: 1.25 / 104-22-041B: 1.40
7. The existing use of the property is as follows: VACANT / AGRICULTURAL
8. The exact use proposed under this request: COMMERCIAL CORNER / INDOOR BASEBALL FACILITY
9. What is the Comprehensive Plan Designation for the subject property: RURAL LIVING (1-2 DU/AC)
10. Is the property located within three (3) miles of an incorporated community? ■ YES ❑ NO
11. Is an annexation into a municipality currently in progress? ❑ YES ☒ NO
12. Is there a zoning violation on the property for which the owner has been cited? ❑ YES ■ NO

    If yes, zoning violation # _____

13. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted comprehensive/area plan(s) or similar changes. THE PROPERTY IS GENERALLY BOUNDED BY LOW DENSITY RESIDENTIAL OR VACANT LAND.
14. Explain why the proposed development is needed and necessary at this time. THE PROPOSED DEVELOPMENT IS NEEDED AND NECESSARY AT THIS TIME FOR A SHOPPING CENTER, RESTAURANT AND INDOOR BATTING FACILITY TO ENCOURAGE COMMUNITY ENGAGEMENT AND UNITY CATERING TO THE LOCAL AND SURROUNDING REGION SERVING THE NEED FOR A COMMERCIAL BASE.

INV#:_____ AMT:_____ DATE:_____ CASE:_____ Xref:_____

SUPPORTING INFORMATION

1. Note any services that are not available to the site. Discuss any improvements of services that would be paid for by the public: N/A

2. What is the amount of traffic to be generated (# of trips/day, deliveries/week)? Show ingress/egress on the site plan: INGRESS/EGRESS IS ON THE SITE PLAN, 75 SPACES TO BE PROVIDED

3. How many parking spaces are to be provided (employees and customers)? Indicate these parking spaces on the site plan: INCLUDED ON SITE PLAN: 63 REQUIRED, 75 PROVIDED

4. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors?

   NO

5. What type of landscaping are you proposing to screen this use from your neighbors?

   DROUGHT TOLERANT AND LOW-WATER PLANTS SHALL BE USED.

6. What type of signage are you proposing for the activity? Where will the signs be located?

   SIGNS ARE APPROVED BY SEPERATE PERMIT

7. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative:

   NO MANUFACTURING OR PRODUCTION PROCESS WILL BE PERFORMED ON THIS SITE.

8. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the use is requested: THE APPEARANCE AND OPERATION OF THE PROPOSED LAND USE WILL MAINTAIN THE INTEGRITY AND CHARACTER OF THE ZONE IN WHICH IS REQUESTED BY FOLLOWING THE CODE REQUIREMENTS FOR A C-3 STRUCTURE.

9. Have you discussed possible conditions that may be placed on the approval with the Planning Department?

   ■ YES ❑ NO

10. Do you understand that if a condition is violated, that there is a public process by which your zoning may be reverted? ■ YES ❑ NO

PROPERTY OWNERSHIP LIST
(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600 feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.: see attached
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
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Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

I hereby verify that the name list above was obtained on the 21 day of Sept, 2022, at the office of Upfront Planning and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 21 day of September, 2022, before me personally appeared FERN VASI
(Name of signor)

Signature [signature] Date 9-21-22

State of AZ
)ss.
County of Pinal

DREW BENTLEY
Notary Public, State of Arizona
Pinal County
Commission # 595445
My Commission Expires
November 12, 2024
(SEAL)

My Commission Expires 11/12/2024

Signature of Notary Public [signature]

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing

Jessica Sarkissian/ Upfront Planning & Entitlements, LLC	1811 S Alma School Rd #283, Mesa, AZ 85210	
Name of Applicant	Address	
Signature of Applicant	Jessica@upfrontplanning.com	480-221-6150
	E-Mail Address	Phone Number

Jessica Sarkissian/ Upfront Planning & Entitlements, LLC	1811 S. Alma School Rd #283, Mesa, AZ 85210	
Name of Agent/Representative	Address	
Signature of Agent/Representative	Jessica@upfrontplanning.com	480-221-6150
	E-Mail Address	Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Fern Vasi	1741 W Green Tree Dr. Queen Creek, AZ 85142	
Name of Landowner	Address	
Signature of Landowner	FERNNASidolls@yahoo.com	505-235-8070
	E-Mail Address	Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

Fern Vasi

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of 2.65 acres located at SWC of Kenworthy Road and Ocotillo Road in Pinal County, and further identified

[Insert Address of Property]

As assessor parcel number 104-22-041A and 041B and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

Said property is hereinafter referred to as the "Property."
Owner hereby appoints Upfront Planning & Entitlements, LLC

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

[Individual PROPERTY OWNER signature block and acknowledgment.
DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION SIGN NEXT PAGE]

Fern Vasi
[Signature]
1741 W. Green Tree Dr.
[Address]

Dated: 09/21/2022

[Signature]

[Address]

Dated: _____

STATE OF Arizona)
) ss.
COUNTY OF Pinal)

(SEAL)

The foregoing instrument was acknowledged before me, this 21 day of September, 2022
by Fern Vasi

My Commission Expires 11/12/2024

Drew Bentley
Printed Name of Notary

DREW BENTLEY
Notary Public, State of Arizona
Pinal County
Commission # 595445
My Commission Expires
November 12, 2024

Signature of Notary

OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis
Electronically Recorded

DATE/TIME: 08/29/2022 1553
FEE: $30.00
PAGES: 5
FEE NUMBER: 2022-093521

RECORDING REQUESTED BY
Infinity Title Agency LLC

AND WHEN RECORDED MAIL TO:
Fern Vasi
1741 W Green Tree Dr
Queen Creek AZ 85142

ESCROW NO.: 08159708-846-T5M

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Noual A Hanna, Trustee of the Noual A Hanna Family Trust, dated March 15 2021
do/does hereby convey to
Fern Vasi, An Unmarried Woman
the following real property situated in Pinal County County, Arizona:

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. And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Beneficiary for Noual A Hanna Family Trust dated March 15 2021:
Noual A Hanna
431 E Palo Brea Ct
Gilbert AZ 85296

EXHIBIT "A"

Legal Description

PARCEL NO. 1:

A portion of the Northeast quarter of Section 20, Township 2 South, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at a Brass Cap, in hand hole, marking the Northeast corner of Section 20, from which a Pinal County Highway Department Brass Cap, flush to the pavement, marking the North quarter of Section 20, bears South 89 Degrees 36 Minutes 57 Seconds West, a distance of 2640.14 feet, and from which a ½-inche Rebar with tag, stamped R.L.S. #32778, marking the East quarter of Section 20, bears South 00 Degrees 10 Minutes 47 Seconds East, a distance of 2640.62 feet. Thence South 89 Degrees 36 Minutes 57 Seconds West, along the North boundary of the Northeast quarter of Section 20, a distance of 184.80 feet to a Set P.K. Nail with tag, R.L.S. #49864, marking the Northeast corner of said Parcel "A" and also being the POINT OF BEGINNING;

Thence South 00 Degrees 10 Minutes 47 Seconds East parallel to and 184.80 feet West of the East Boundary of the Northeast quarter of Section 20, a distance of 412.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southeast corner of said Parcel "A";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 412.50 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 132.00 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southwest corner of said Parcel "A";

Thence North 00 Degrees 10 Minutes 47 Seconds West parallel to and 316.80 feet West of the East boundary of the Northeast quarter of Section 20, a distance of 412.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Northwest corner of said Parcel "A";

Thence North 89 Degrees 36 Minutes 57 Seconds East along the North boundary of the Northeast quarter of Section 20, a distance of 132.00 feet to a Set PK Nail with tag R.L.S. #49864, marking the Northeast corner of said Parcel "A" and also being the POINT OF BEGINNING.

PARCEL NO. 2:

A portion of the Northeast quarter of Section 20, Township 2 South, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at a Brass Cap, in hand hole, marking the Northeast corner of Section 20, from which a Pinal County Highway Department Brass Cap, flush to the pavement, marking the North quarter of Section 20, bears South 89 Degrees 36 Minutes 57 Seconds West, a distance of 2640.14 feet, and from which a ½-inche Rebar, marking the East quarter of Section 20, bears South 00 Degrees 10 Minutes 47 Seconds East, a distance of 2640.62 feet. The said Brass Cap, in Hand hole, marking the Northeast corner of Section 20 is also the POINT OF BEGINNING;
Thence South 00 Degrees 10 Minutes 47 Seconds East along the East Boundary of the Northeast quarter of Section 20, a distance of 33.00 feet to a Set PK Nail with tag R.L.S. #49864, marking a corner of said Parcel "B";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 33.00 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 40.00 feet to a Set PK Nail with tag R.L.S. #49864, marking a corner of said Parcel "B";

Thence South 00 Degrees 10 Minutes 47 Seconds East parallel to and 40.00 feet West of the East boundary of the Northeast quarter of Section 20, a distance of 379.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southeast corner of said Parcel "B";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 412.50 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 144.80 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southwest corner of said Parcel "B";

Application Checklist:

A. Check the appropriate item:

❑ This Zone Change is being submitted without a PAD request

❑ This Zone Change is being submitted in conjunction with a PAD request.

The applicant must complete a PAD application. – *(Please utilize the "PAD Book" and the "Site Plan" of the PAD application to fulfill the Zoning Application "Narrative" and "Site Plan" in lieu of while having separate copies for each application).*

B. Hold a Neighborhood/Community Meeting:

❑ Notify all property owners within 1200' (feet)

❑ Hold the meeting within five (5) miles of the subject property

❑ Hold the meeting between 5:00 pm – 9:00 pm

❑ Include with the application the following:

- Copy of Notice of Neighborhood/Community Meeting
- List of property owners notified - ***(Use page 5 of this application)***
- Minutes of the meeting
- Attendance sign-in sheet with names & addresses

C. Submit a completed **"Agency Authorization"** form *(if applicable).*

D. Submit a written **Narrative** concerning the proposed development ***(if not submitting in conjunction with a PAD Application)*** to include:

❑ **1.** Title Page

❑ **2.** Purpose of Request

❑ **3.** Description of Proposal

- **a.** Nature of the Project including Proposed Land Use
- **b.** Conformance to adopted Comprehensive Plan
- **c.** Answers to the questions from the **Supporting Information** sheet
- **d.** Location & Accessibility
- **e.** Utilities & Services
- **f.** Neighborhood Meeting Information
- **g.** Appendix, as applicable

E. Submit a **Site Plan** ***(if not submitting in conjunction with a PAD Application)*****.** The submittal shall be professionally prepared (*by a surveyor, architect, or other design professional*) and drawn at a sufficient scale as to not exceed a print size larger than 11" X 17". The lettering shall be of sufficient size to be legible when reduced to an 8½" X 11" print and include:

- ☐ **1.** Legal Description of total site.
- ☐ **2.** Name(s) of Landowner(s), Developer, Applicant and Person or Firm preparing plan.
- ☐ **3.** North Arrow, Scales (*written and graphic*), Preparation Date and Subsequent Revision Dates.
- ☐ **4.** Location of all Existing & Proposed Structures & Buildings
- ☐ **5.** Location of all Existing & Proposed Utilities with Location & Width of Associated Easements.
- ☐ **6.** All Existing & Proposed Public and/or Private Streets with Location & Width of Associated Easements & Right-of-Ways.
- ☐ **7.** All Points of Ingress & Egress.
- ☐ **8.** Location & Types of Existing & Proposed Landscaping.
- ☐ **9.** Indicate Location, Type, Height, & Materials for Proposed Walls, Fences & Signs.
- ☐ **10.** Show whether the property is adjacent to a projected regionally significant route (RSR) as identified on the Corridor Preservation Map (Figure 9) in the Regionally Significant Routes for Safety and Mobility (RSRSM), Final Report. If adjacent to a projected RSR, show how applicant will comply with the RSRSM Final Report and the RSRSM Access Management Manual.

F. Submit the following information regarding **Water Supply**:

- ☐ **1**. Identify the water service provider
- ☐ **2**. Provide an estimated range of water demand and include an explanation of the method used to obtain the estimate
- ☐ **3.** Provide information about water supply and source, including renewable and non-groundwater supplies
- ☐ **4**. If a portion of the water supply for the proposed project is groundwater, the application shall be accompanied by the following information that is publicly available from the Arizona Department of Water Resources (ADWR) and/or Arizona Geological Survey, or otherwise available to the land owner:
    - Depth to bedrock & Depth to groundwater
    - Known fissures or land subsidence in the area
    - Known wells in the area, available information on status and water levels
    - Summary of data-gathering efforts and sources of information

G. **Submit** a copy of a certified **A.L.T.A.** survey, including a legal description of proposed zoning districts.

H. Submit a **Drainage report** and a **TIA report.** ***(Public Works fees for these reviews will be due at the time of submittal and each subsequent review until deemed acceptable).***

I. **Aware** that earth fissure maps are available online from the Arizona State Geologic Survey.

J. **Submit a list of all property owners within 600' (feet)** of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within 30 days prior to application submission. A map showing the 600' boundary and parcels must be included as well (*A Tax Assessor Parcel Map is Acceptable*). - ***(This list is a separate list from the "Neighborhood/Community Meeting list of 1,200' however use Page 5 of this application as well).***

K. **Complete and Submit** the "Comprehensive Plan Compliance Checklist" a copy of the Checklist can be found here: http://www.pinalcountyaz.gov/CommunityDevelopment/Planning/Documents/Planning%20Applications/CompPlan%20Checklist.pdf

L. **Submit** the Non-Refundable fees for a zone change outlined on page one of the Zone Change Application.

M. **Submit** all documentation outlined in the Zone Change application in a multi-PDF format per item of the application with all supporting documentation via the online portal site at: https://citizenaccess.pinalcountyaz.gov/CitizenAccess/. *

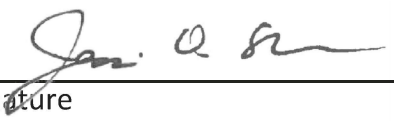
   a. An ESRI shapefile for land use (conceptual) which shows all proposed zoning lines and zoning classifications for the project in NAD_1983_stateplan_arizona_central_fips_0202_intlfeet projection

   ** Your application must be submitted digitally via the online portal site. Please call or email the Planning Division for more information.*

N. **Aware to Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.** (*See page 10 & 11 of this application for illustrative details*). **Aware** that newspaper advertising fees and postage must be paid **by the applicant.** *(in addition to application fees)*

O. Signature at the end of the **"Checklist"** stating you have reviewed and addressed all areas within it.

I certify that I have submitted all the required information listed above, and I understand that this application for a Zone Change cannot be processed until all required information is submitted.



7/17/2023

Signature Date

E-Submittal Requirements:

All Zoning Case reviews must be submitted through the online permitting portal which can be found at https://citizenaccess.pinalountyaz.gov/CitizenAccess/ and follow the naming convention provided below.

ePlan Reviews

Plans **MUST** be in **one multi-page PDF** and use following naming format:
Review Type #_Plan Type. For example:

- First Substantive Review
  - SUB1_Application
  - SUB1_PAD Book or Narrative
  - SUB1_TIA
  - SUB1_ALTA
  - SUB1_Drainage Report...etc
  - SUB1_...etc

- Second Substantive Review
  - SUB2_Application
  - SUB2_Drainage Report
  - SUB2_TIA
  - SUB2_ALTA
  - SUB2_...etc

** Documents that are uploaded which do not follow the appropriate naming convention will be rejected.*
** Online submittals are subject (up to) a 5 day processing timeframe for invoicing based on uploaded documents please do not pay until your staff coordinator has provided a fee amount*

GROTH PAUL D & LAROSA ELIZ...
40264 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

VARGAS ERIC
2081 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

BACEROTT JEAN PIERRE U
1382 E NARDINI ST
SAN TAN VALLEY, AZ 85140

PROGRESS RESIDENTIAL BOR...
PO BOX 4090
SCOTTSDALE, AZ 85261

NEVITT EDWARD O JR
1595 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

MARGO INVESTMENTS LLLP
21738 E ORION WAY
QUEEN CREEK, AZ 85142

CALL JUSTIN C
1237 S VAL VISTA DR
MESA, AZ 85204

HANSON DAVID & CHERYL
1649 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

SULLIVAN DREW M & KELSEY
1938 E LIPIZZAN DR
SAN TAN VALLEY, AZ 85140

HUDSON SFR PROPERTY HOL...
2711 N HASKELL AVE STE 2100
DALLAS, TX 75204

CHAUDOIN RIC G & BARBARA ...
MAIL RETURN
,

CURTRIGHT JEREMY L & CHEL...
1956 E LIPIZZAN DR
SAN TAN VALLEY, AZ 85140

LARNED DIANE & JOSEPH
1991 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

BIEZAD RALPH & ALISON
1769 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

DORT LINDA A
MAIL RETURN
,

ALLEN TIMOTHY S & SHIRELL C...
2009 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

SHARP MINDY
40317 N FRIEND AVE
SAN TAN VALLEY, AZ 85140

VARELA JORGE AARON
1992 E LIPIZZAN DR
SAN TAN VALLEY, AZ 85140

FIGUEROA MARGARITA
2027 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

BOLLINGER EDWARD & CHRIS...
40376 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

SHARMA MAHDU
2010 E LIPIZZAN DR
SAN TAN VALLEY, AZ 85140

NEMEC CHARLES IV & CHRISTI...
2045 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

REIFEISS TIMOTHY C
40318 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

BABCOCK JOHNATHAN R & JEN...
2063 E LUSITANO LOOP
SAN TAN VALLEY, AZ 85140

NELSON LAWRENCE
40394 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

STRADLING DARRELL J
2619 E EMELITA AVE
MESA, AZ 85204

GERMAINE RICHARD K & JILL A
1535 E PAINT HORSE PL
QUEEN CREEK, AZ 85140

GOACHER CARL W & JANET S
1937 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

DE LA TORRE WILLIAM V
1953 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

TRICON SFR 2020-2 BORROWE...
1508 BROOKHOLLOW DR
SANTA ANA, CA 92705

CORONEL JOSE DE JESUS RU...
2146 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

NYIRI HEATHER E
1969 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

IH6 PROPERTY PHOENIX LP
1717 MAIN ST STE 2000
DALLAS, TX 75201

POLOKOFF ALEXIS & BRAD
2130 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

PROGRESS RESIDENTIAL BOR...
PO BOX 4090
SCOTTSDALE, AZ 85261

DOWNEY SUZANNE TURNER & ...
1530 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

RSTK PHOENIX OWNER 1 LP
717 N HARWOOD ST STE 2800
DALLAS, TX 75201

BRAMMER ANGELA M & TIMOT...
2001 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

JACQUES CORAZON E TRUST
1550 E PAINT HORSE PL
QUEEN CREEK, AZ 85142

GAUSE JAY R & SHARON A
1938 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

WHITTINGTON BREANNE
2017 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

ELLIS PATIENCE J & D'ARCY MI...
1421 PROSPECT MOUNTAIN RD
ESTES PARK, CO 80517

PRESTON SHANON
24298 S 199TH ST
QUEEN CREEK, AZ 85142

BLEVINS DEEANN & BLEVINS S...
2033 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

MENTSER MICHAEL & CYNTHIA
1754 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

POOLEY DUANE TRUST
7611 S 9TH WAY
PHOENIX, AZ 85042

CORRAL PALACIOS CESAR & P...
40412 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

SOTO RICK G & CYNTHIA E
40427 N FRIEND AVE
QUEEN CREEK, AZ 85140

TELLECHEA IMELDA MONJARA...
1986 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

FLORES CLAUDIA SANTOS
2049 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

RIOS OSCAR R & CHAIRA AMA...
MAIL RETURN
,

RSTK PHOENIX OWNER 1 LP
717 N HARWOOD ST STE 2800
DALLAS, TX 75201

FELIX LUIS L & TERI M
2065 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

BRANNIGAN ADA ELIZABETH
40448 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

ZEPEDA ASHLEY R
2018 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

PROGRESS RESIDENTIAL BOR...
PO BOX 4090
SCOTTSDALE, AZ 85261

NOLAN CHRISTOPHER M & JEN...
1298 E FERRARA CT
SAN TAN VALLEY, AZ 85140

OPENDOOR PROPERTY TRUST...
410 N SCOTTSDALE RD STE 16...
TEMPE, AZ 85281

HORSE & HOUND RENTALS LL...
2050 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

EAGAR SHAROD JAY & MARKIE...
40441 N FRIEND AVE
SAN TAN VALLEY, AZ 85140

KELLY LISA ANN
2001 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

WANG ZHONG JUN
814 STONE MOUNTAIN DR
CONROE, TX 77302

MAGLEBY ALFRED R & HIROMI
466 N 400 E APT 302
PROVO, UT 84606

COLPITTS JOANN
2017 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

MIQUI DAVIS
2082 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

LUJAN JUSTIN & CHRISTELLE
1566 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

LINDBLOM CURTIS C & CATHY
2033 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

KAPLANIS JULIA M
2098 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

MARTINEZ JOHNNY R
1590 E PAINT HORSE PL
SAN TAN VALLEY, AZ 85140

RIVERA CRISTI
2049 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

RICHKAS BRANDON A
2114 E PASO FINO DR
SAN TAN VALLEY, AZ 85140

NELSON GARY
516 E TREMAINE AVE
GILBERT, AZ 85234

OPENDOOR PROPERTY TRUST...
410 N SCOTTSDALE RD STE 16...
TEMPE, AZ 85281

RAUB JAYNA L
40484 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

MARQUEZ FRANCES
40516 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

PAVAO SUSAN M
551 SYKES RD
FALL RIVER, MA 02720

SNOW MURRAY C
739 TRIPLE CROWN ST
HENDERSON, NV 89015

DEENIHAN CODEY M
46083 W SKY LN
MARICOPA, AZ 85139

HENRY ALINA RENEE & SAMMI...
2081 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

MITCHELL ROY BERTRAND JR
1299 E CATINO CT
SAN TAN VALLEY, AZ 85140

LISI JANE
1953 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

SANDERS TRAVIS & DIANE
40520 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

POHM ROBERT F & JENNIFER ...
40510 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

OTERO ANGEL MIGUEL ETAL
1969 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

LCT VENTURES ONE LLC
18716 E OLD BEAU TRL
QUEEN CREEK, AZ 85142

SEKONA LAIONE
40502 N PRZEWALSKI ST
SAN TAN VALLEY, AZ 85140

ENAMORADO-CASTILLO LUCIO...
1985 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

CAMBRIA OCOTILLO HOMEOW...
450 N DOBSON RD STE 201
MESA, AZ 85201

DEAN CHRISTIE
40505 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

ROGERS THOMAS & STACEY M
40517 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

MARTINEZ DANIEL & MARIA J
1297 E BOSI CT
SAN TAN VALLEY, AZ 85140

PROGRESS RESIDENTIAL BOR...
PO BOX 4090
SCOTTSDALE, AZ 85261

HAYNES KENDRA LEA
MAIL RETURN
,

NIELSON RODNEY D & MARY J ...
1279 E BOSI CT
SAN TAN VALLEY, AZ 85140

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

MARONE ROBERT T
2024 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

WHEELER LANCE
18478 E PEARTREE LN
QUEEN CREEK, AZ 85142

FKH SFR PROPCO K LP
1850 PARKWAY PL SE STE 900
MARIETTA, GA 30067

AIM PROPERTIES LLC
4751 E HARMONY CIR
MESA, AZ 85206

CAMBRIA OCOTILLO HOMEOW...
450 N DOBSON RD STE 201
MESA, AZ 85201

RCW PROPERTIES LLC
16621 W CENTRAL ST
SURPRISE, AZ 85388

PINNER JOSIAH L
2227 W PLATA CIR
MESA, AZ 85202

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

PARKS SHANNON M
1960 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

APODACA BILLY J
2072 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

VEGA JUAN A
2165 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

GARCIA EDWARD M
1976 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

JENSEN RYAN DAVID
1298 E CATINO CT
SAN TAN VALLEY, AZ 85140

CANFIELD CLIFFORD NEAL LIVI...
2149 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

EASTMAN ANN LIVING TRUST
1992 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

SOBASZKIEWICZ DAVID A & DO...
1318 E CATINO CT
SAN TAN VALLEY, AZ 85140

JONES STEFAN R
2133 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

SAUNDERS GILBERT A & VICKI ...
2008 E SHETLAND DR
SAN TAN VALLEY, AZ 85140

MARCONATO JAMES CHRISTO...
40497 N FRIEND AVE
SAN TAN VALLEY, AZ 85140

HIEBERT LAURA
4019 E TOLEDO ST UNIT 103
GILBERT, AZ 85295

KOPPES CHERYL
40523 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

KARTCHNER MICHAEL
40556 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

IH6 PROPERTY PHOENIX LP
1717 MAIN ST STE 2000
DALLAS, TX 75201

DUNN ALAN T & ROBYN S
40572 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

IH6 PROPERTY PHOENIX L P
1717 MAIN ST STE 2000
DALLAS, TX 75201

WATKINS CAMERON & SHERI
1299 E ALTADONNA CT
SAN TAN VALLEY, AZ 85140

SABHI VENTURES LLC
5004 N WEAVERRIDGE BLVD
PEORIA, IL 61615

LCT VENTURES TWO LLC
18716 E OLD BEAU TRL
SAN TAN VALLEY, AZ 85142

BANYON PROPERTIES
510 N CENTER ST
WILLOW SPRINGS, MO 65793

ANDRADE JESUS & TERESA LI...
18164 NEWMAN AVE
RIVERSIDE, CA 92508

AUSTIN BRENDA A
2146 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

LASALA JAMES V
2179 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

IH6 PROPERTY PHOENIX LP
1717 MAIN ST STE 2000
DALLAS, TX 75201

WESTCHESTER LLC
1706 E HERMOSA VISTA DR
MESA, AZ 85203

JACOBS KENNETH
2163 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

LEONARD WILLIAM J & MARIE ...
1419 12TH ST SW
MINOT, ND 58701

TAGGART THOMAS R TR
MAIL RETURN
,

WILLIS EVAN & TAMARA
2147 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

PARENT CHRISTOPHER P
40563 N FRIEND AVE
SAN TAN VALLEY, AZ 85140

OEBERG ANTON LENHART NIK...
1278 E BOSI CT
SAN TAN VALLEY, AZ 85140

KOPP ROBERT III & WILLIAMS ...
2131 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

SUMMERS MICHAEL J & LAURA
1611 E QUARTER HORSE TRL
SAN TAN VALLEY, AZ 85140

KANE WILLIS S
40636 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

PEELER ALVA L TR
2115 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

HOM ALISHA M
2194 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

CORPORATION OF THE PRESI...
50 E NORTH TEMPLE FL 22
SALT LAKE CITY, UT 84150

DNH EQUITY GOLD LLC & DNH ...
1135 N RECKER RD STE 102
MESA, AZ 85205

MONTIJO MARTIN N
MAIL RETURN
,

EQUITABLE PROPERTIES & INV...
1135 N RECKER RD STE 102
MESA, AZ 85205

MOULTON JASON H & RACHEL ...
1279 E ALTADONNA CT
SAN TAN VALLEY, AZ 85140

MERCADO RAUL & ALEIDA
2098 E CASPIAN WAY
SAN TAN VALLEY, AZ 85140

YARGA BRANDAN
1319 E ALTADONNA CT
SAN TAN VALLEY, AZ 85140

GRUNDVIG PAUL B
40668 N LAS PRADERAS ST
SAN TAN VALLEY, AZ 85140

ALLSBURY CHUCK L
40639 N FRIEND AVE
QUEEN CREEK, AZ 85142

CAMBRIA OCOTILLO HOMEOW...
450 N DOBSON RD STE 201
MESA, AZ 85201

ARP 2014-1 BORROWER LLC
23975 PARK SORRENTO STE 30...
CALABASAS, CA 91302

TAH HOLDING LP
PO BOX 15087
SANTA ANA, CA 92735

IBARRA ISABEL
2114 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

ARRUBLA GLORIA
2130 E HAFLINGER WAY
SAN TAN VALLEY, AZ 85140

LANDMARVIEW LLC
300 CARLSBAD VILLAGE DR ST...
CARLSBAD, CA 92008

BEAZER PRE-OWNED HOMES L...
23975 PARK SORRENTO STE 30...
CALABASAS, CA 91302

OYLER ASHLEY
MAIL RETURN
,

VONRUNNEN EDWARD C III TR...
6782 HEATON MOOR DR
SAN JOSE, CA 95119

STINSON MARK & SUSAN
1278 E ALTADONNA CT
SAN TAN VALLEY, AZ 85140

TARANTINO VINCENZO & CATH...
3949 KENWOOD DR
SPRING VALLEY, CA 91977

BAXTER BRENDA M & ANTHON...
1318 E ALTADONNA CT
SAN TAN VALLEY, AZ 85140

CAMBRIA OCOTILLO HOMEOW...
450 N DOBSON RD STE 201
MESA, AZ 85201

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

MOONSHADOW HOMEOWNER...
459 N GILBERT RD STE A220
GILBERT, AZ 85234

MADRIGAL SANDRA
40691 N FRIEND AVE
QUEEN CREEK, AZ 85142

MATHUS COURTNEY R & BRIAN
1526 E QUARTER HORSE TRL
SAN TAN VALLEY, AZ 85140

SLOBODA ERVIN D & RICKI L
1608 E QUARTER HORSE TRL
SAN TAN VALLEY, AZ 85140

SLOBODA ERVIN D & RICKI L
1608 E QUARTER HORSE TRL
SAN TAN VALLEY, AZ 85140

DE LA RIVA AMADO
1620 E QUARTERHOUSE TRL
QUEEN CREEK, AZ 85142

SALT RIVER PROJECT AG IMP ...
PO BOX 52025
PHOENIX, AZ 85072

SALT RIVER PROJECT (T&D)
PO BOX 52025
PHOENIX, AZ 85072

PEASE REBECCA
1471 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

WAYNE RANCH COMMUNITY A...
PO BOX 5720
MESA, AZ 85211

CANISALES ANDREW JOSEPH ...
1451 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

BONHAM DAWN
1461 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

LUCERO ELOISA V
1481 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

MCGOWAN MINDY R & JARED J
MAIL RETURN
,

RHINE MARK
40792 N RATTLESNAKE RD
SAN TAN VALLEY, AZ 85140

SALT RIVER PROJECT AG IMP ...
PO BOX 52025
PHOENIX, AZ 85072

ROMERO BRANDI & MICHAEL A...
1457 E HARVEST RD
SAN TAN VALLEY, AZ 85140

PARK CHAN
5095 HARCUM LN
IRVINE, CA 92603

FERGUSON MAC III & NICOLE
1432 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

OP GOLD LLC
2150 E GERMANN RD STE 1
CHANDLER, AZ 85286

ERICKSON PATRICK R & SONYA...
40797 N KENWORTHY RD
SAN TAN VALLEY, AZ 85140

OPENDOOR PROPERTY TRUST...
410 N SCOTTSDALE RD STE 16...
TEMPE, AZ 85281

ROY MICHAEL D & CHRISTINE ...
740 CARMEL AVE
SEAL BEACH, CA 90740

RATTLESNAKE & OCOTILLO LL...
2805 ROLFE RD
MASON, MI 48854

BRAUN ADAM C & LAURA A
1452 E TRELLIS PL
SAN TAN VALLEY, AZ 85140

IH5 PROPERTY PHOENIX LP
1717 MAIN ST STE 2000
DALLAS, TX 75201

ODELL SHANDY J & TASHA L
1726 E PRIMAVERA WAY
SAN TAN VALLEY, AZ 85140

STONE REAL PROPERTIES LLC
1620 N 82ND PL
SCOTTSDALE, AZ 85257

RICHARDSON MICHAL J JR & B...
1473 E HARVEST RD
SAN TAN VALLEY, AZ 85140

CRABTREE KENNETH D
40981 N PINON LN
SAN TAN VALLEY, AZ 85140

ANKRAH PRINCE HENRY
MAIL RETURN
,

PULLEN BRANDON & JENNIFER
2232 W EDGEWOOD AVE
MESA, AZ 85202

2018-3 IH BORROWER LP
1717 MAIN ST STE 2000
DALLAS, TX 75201

GUARNEROS FELIX VILLEGAS
MAIL RETURN
,

EARLE THOMAS L
11731 MARTHA ANN DR
ROSSMOOR, CA 90720

SCHUELLER KENNETH EDWAR...
4601 CHENNANIT BEACH RD S...
MUKITTEO , WA 98275

BOYER LISA HELENE
1653 S NAVAJO WAY
CHANDLER, AZ 85286

BECICKA JASON LEE
40933 N PINON LN
SAN TAN VALLEY, AZ 85140

VALLEY FARMS UNIT II OWNER...
41968 N OUTBACK RD
SAN TAN VALLEY, AZ 85140

HEINEY DANIEL M & SHARON J...
40850 N RATTLESNAKE RD
SAN TAN VALLEY, AZ 85140

PATTERSON CAMMETTE
40945 N PINON LN
SAN TAN VALLEY, AZ 85140

WORKMAN EDMOND R
41053 N KENWORTHY RD
QUEEN CREEK, AZ 85140

WAYNE RANCH COMMUNITY A...
PO BOX 5720
MESA, AZ 85211

HARRIS JOHN & KAREN
1442 E HARVEST RD
SAN TAN VALLEY, AZ 85140

BREHM DALE A & MASAKO
1551 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

WU YAN G & CHUNG TSAI-PING
1569 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

GRACIANO JOSE MANUEL
1731 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

,

BIAKEDDY ARTHUR
1587 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

GOETSCH KAREN
1749 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

HANNA NOUAL A FAM TRUST
431 E PALO BREA CT
GILBERT, AZ 85296

HANLEY CHERILYN E
1605 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

DUNCAN ALEXANDER W
1767 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

SOLE J ANDREW & RITA I
PO BOX 1589
MARYSVILLE, WA 98270

RATTLESNAKE & OCOTILLO LL...
2805 ROLFE RD
MASON, MI 48854

CHALLENGE INVESTMENTS & ...
23744 S 213TH CT
QUEEN CREEK, AZ 85142

BARNBY TRAVIS & KIMBERLY
1714 E QUARTER HORSE TRL
SAN TAN VALLEY, AZ 85140

WOOD TIMOTHY A & JOANNE ...
42 KELLY CRESCENT
WASAGA BEACH, ON

PFANNENSTIEL SCOTT B
41103 N ROSE LN
SAN TAN VALLEY, AZ 85140

CORPORATION OF THE PRESI...
50 E NORTH TEMPLE FL 22
SALT LAKE CITY, UT 84150

BOLEN JAMES
1641 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

B & M HATCH FAMILY TRUST
41110 N RATTLESNAKE RD
QUEEN CREEK, AZ 85140

,

LAMBERTON RICHARD D & DE...
1659 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

WAYNE RANCH COMMUNITY A...
PO BOX 5720
MESA, AZ 85211

FISHER JHAN M REV TRUST
1371 E SHAMROCK ST
GILBERT, AZ 85295

JENSEN G CURTIS & LUCINDA
1677 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

,

HANNA NOUAL A FAM TRUST
431 E PALO BREA CT
GILBERT, AZ 85296

ROESER JARRETT THOMAS
1695 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

WAYNE RANCH COMMUNITY A...
PO BOX 5720
MESA, AZ 85211

,

SAVILLE JENNIFER L
1713 E MAGNUM RD
SAN TAN VALLEY, AZ 85140

,

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink)

Formal PAD Application & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Pinal County Staff Coordinator: Sangeeta Deokar
2. Date of Pre-application Review: 07 /25/2022 Pre-Application Review No.: Z-PA-125 -22
3. Current Zoning *(Please provide Acreage Breakdown)*: GR
4. Requested Zoning *(Please provide Acreage Breakdown)*: C-3 PAD
5. Parcel Number(s) (Please attach a separate list if more space is needed): 104-22-041A and 041B
6. Parcel Size(s): 2.65
7. The existing use of the property is as follows: vacant
8. The exact use proposed under this request: commercial corner
9. What is the Comprehensive Plan Designation for the subject property: Rural Living
10. Is the property located within three (3) miles of an incorporated community? ☐ YES ☐ NO
11. Is an annexation into a municipality currently in progress? ☐ YES ☐ NO
12. Is there a zoning violation on the property for which the owner has been cited? ☐ YES ■ NO

    If yes, zoning violation # _____
13. Is this a major PAD Amendment request (no zone accompanying change)? ■ YES ☐ NO If yes what was the previous PAD case number PZ-PD-_____
14. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted comprehensive/area plan(s) or similar changes. expansion of the Loop 202 freeway, growth of commercial need in area with new residential homes and master plan developments. Site is located at the SWC of two marjor arterials in Pinal County.
15. Explain why the proposed development is needed and necessary at this time. Desire to located missing ~~restaurant and~~ retail uses in the area here as well as batting cages for youth and recreational sports growing.

INV#:_____ AMT:_____ DATE:_____ CASE:_____ Xref:_____

PROPERTY OWNERSHIP LIST
(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600/ 1,200 (circle one) feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.: see attached
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

Parcel No.:
Name:
Address:
City/ST/Zip:

I hereby verify that the name list above was obtained on the 21 day of Sept, 2022, at the office of Upfront Planning and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 21 day of September, 2022, before me personally appeared FERN VASI
(Name of signor)

Signature [signature] Date 9-21-22

State of AZ
)ss.
County of Pinal

DREW BENTLEY
Notary Public, State of Arizona
Pinal County
Commission # 595445
My Commission Expires
November 12, 2024
(SEAL)

My Commission Expires 11/12/2024

Signature of Notary Public [signature]

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing

Jessica Sarkissian/ Upfront Planning & Entitlements, LLC	1811 S Alma School Rd #283, Mesa, AZ 85210	
Name of Applicant	Address	
Signature of Applicant	Jessica@upfrontplanning.com	480-221-6150
	E-Mail Address	Phone Number

Jessica Sarkissian/ Upfront Planning & Entitlements, LLC	1811 S. Alma School Rd #283, Mesa, AZ 85210	
Name of Agent/Representative	Address	
Signature of Agent/Representative	Jessica@upfrontplanning.com	480-221-6150
	E-Mail Address	Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Fern Vasi	1741 W Green Tree Dr. Queen Creek, AZ 85142	
Name of Landowner	Address	
Fern Vasi	FERNNASidoll5@yahoo.com	505-235-8070
Signature of Landowner	E-Mail Address	Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

Fern Vasi

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of 2.65 acres located at SWC of Kenworthy Road and Ocotillo Road in Pinal County, and further identified

[Insert Address of Property]

As assessor parcel number 104-22-041A and 041B and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

Said property is hereinafter referred to as the "Property."
Owner hereby appoints Upfront Planning & Entitlements, LLC

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

[Individual PROPERTY OWNER signature block and acknowledgment.
DO NOT SIGN HERE IF SIGNING AS AN OFFICER OF A CORPORATION SIGN NEXT PAGE]

Fern Vasi
[Signature]
1741 W. GREEN TREE DR.
[Address]

Dated: 09/21/2022

[Signature]

[Address]

Dated: _____

STATE OF Arizona)
) ss.
COUNTY OF Pinal)

(SEAL)

The foregoing instrument was acknowledged before me, this 21 day of September, 2022
by Fern Vasi

My Commission Expires 11/12/2024

Drew Bentley
Printed Name of Notary

DREW BENTLEY
Notary Public, State of Arizona
Pinal County
Commission # 595445
My Commission Expires
November 12, 2024

Signature of Notary

OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis
Electronically Recorded

DATE/TIME: 08/29/2022 1553
FEE: $30.00
PAGES: 5
FEE NUMBER: 2022-093521

RECORDING REQUESTED BY
Infinity Title Agency LLC

AND WHEN RECORDED MAIL TO:
Fern Vasi
1741 W Green Tree Dr
Queen Creek AZ 85142

ESCROW NO.: 08159708-846-T5M

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,
Noual A Hanna, Trustee of the Noual A Hanna Family Trust, dated March 15 2021
do/does hereby convey to
Fern Vasi, An Unmarried Woman
the following real property situated in Pinal County County, Arizona:

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. And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Beneficiary for Noual A Hanna Family Trust dated March 15 2021:
Noual A Hanna
431 E Palo Brea Ct
Gilbert AZ 85296

EXHIBIT "A"

Legal Description

PARCEL NO. 1:

A portion of the Northeast quarter of Section 20, Township 2 South, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at a Brass Cap, in hand hole, marking the Northeast corner of Section 20, from which a Pinal County Highway Department Brass Cap, flush to the pavement, marking the North quarter of Section 20, bears South 89 Degrees 36 Minutes 57 Seconds West, a distance of 2640.14 feet, and from which a ½-inche Rebar with tag, stamped R.L.S. #32778, marking the East quarter of Section 20, bears South 00 Degrees 10 Minutes 47 Seconds East, a distance of 2640.62 feet. Thence South 89 Degrees 36 Minutes 57 Seconds West, along the North boundary of the Northeast quarter of Section 20, a distance of 184.80 feet to a Set P.K. Nail with tag, R.L.S. #49864, marking the Northeast corner of said Parcel "A" and also being the POINT OF BEGINNING;

Thence South 00 Degrees 10 Minutes 47 Seconds East parallel to and 184.80 feet West of the East Boundary of the Northeast quarter of Section 20, a distance of 412.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southeast corner of said Parcel "A";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 412.50 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 132.00 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southwest corner of said Parcel "A";

Thence North 00 Degrees 10 Minutes 47 Seconds West parallel to and 316.80 feet West of the East boundary of the Northeast quarter of Section 20, a distance of 412.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Northwest corner of said Parcel "A";

Thence North 89 Degrees 36 Minutes 57 Seconds East along the North boundary of the Northeast quarter of Section 20, a distance of 132.00 feet to a Set PK Nail with tag R.L.S. #49864, marking the Northeast corner of said Parcel "A" and also being the POINT OF BEGINNING.

PARCEL NO. 2:

A portion of the Northeast quarter of Section 20, Township 2 South, Range 8 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona and more particularly described as follows:

Commencing at a Brass Cap, in hand hole, marking the Northeast corner of Section 20, from which a Pinal County Highway Department Brass Cap, flush to the pavement, marking the North quarter of Section 20, bears South 89 Degrees 36 Minutes 57 Seconds West, a distance of 2640.14 feet, and from which a ½-inche Rebar, marking the East quarter of Section 20, bears South 00 Degrees 10 Minutes 47 Seconds East, a distance of 2640.62 feet. The said Brass Cap, in Hand hole, marking the Northeast corner of Section 20 is also the POINT OF BEGINNING;
Thence South 00 Degrees 10 Minutes 47 Seconds East along the East Boundary of the Northeast quarter of Section 20, a distance of 33.00 feet to a Set PK Nail with tag R.L.S. #49864, marking a corner of said Parcel "B";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 33.00 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 40.00 feet to a Set PK Nail with tag R.L.S. #49864, marking a corner of said Parcel "B";

Thence South 00 Degrees 10 Minutes 47 Seconds East parallel to and 40.00 feet West of the East boundary of the Northeast quarter of Section 20, a distance of 379.50 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southeast corner of said Parcel "B";

Thence South 89 Degrees 36 Minutes 57 Seconds West parallel to and 412.50 feet South of the North boundary of the Northeast quarter of Section 20, a distance of 144.80 feet to a Set PK Nail with tag R.L.S. #49864, marking the Southwest corner of said Parcel "B";

Application Checklist:

FOR A PROPOSED PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT IN UNINCORPORATED PINAL COUNTY

A. Check the appropriate item:

☐ This PAD is being submitted without a zone change request

☒ This PAD is being submitted in conjunction with a zone change request.
The applicant must complete a zone change application. – ***(Please utilize the "PAD Book" and the "Site Plan" of the PAD application to fulfill the Zoning Application "Narrative" and "Site Plan" in lieu of while having separate copies for each application).***

B. Hold a Neighborhood/Community Meeting:

☐ **1.** Notify all property owners within 1200' (feet)

☐ **2.** Hold the meeting within five (5) miles of the subject property

☐ **3.** Hold the meeting between 5:00 pm – 9:00 pm

☐ **4.** Include with the application the following:

- ☐ Copy of Notice of Neighborhood/Community Meeting
- ☐ List of property owners notified - ***(Use page 2 of this application)***
- ☐ Minutes of the meeting
- ☐ Attendance sign-in sheet with names & addresses

☑ **C. Submit** a completed **"Agency Authorization"** form ***(if applicable, Use page 4 of this application)***.

D. Submit a **"PAD Book"** (written narrative) concerning the proposed development to include the following sections – *Refer to Chapter 2.176.240 (B) of the PCDSC* for further clarification ***(NOTE: Please No Spiral Binding)***:

☑ **1.** Title Page

☑ **2.** Purpose of Request

☑ **3.** Description of Proposal

- ☐ Nature of the Project
- ☐ Proposed Land Uses
- ☐ Building Types & Densities
- ☐ Conformance to adopted Land Use Plans
- ☐ Circulation and Recreation Systems

- [x] **4. Relationship to surrounding properties within onemile**
- [x] **5. Schools**
- [x] **6. Public Services/Community Services and how will the need for these services be addressed**
- [x] **8. Location & Accessibility**
- [x] **9. Compliance with RSRSM, Access Management Manual, October 2008**
- [x] **10. Utilities & Services**
- [x] **11. Ownership & Control – [*See Section 2.176.240(B)11*]**
- [x] **12. Timing of Development (Phasing Schedule)**
- [x] **13. Conformance with the Comprehensive Plan**
- [x] **14. Recreational Amenities**
- [x] **15. Fences, Walls & Screening**
- [x] **16. Total number of dwelling units**
- [x] **17. Maximum Residential Density of each planningunit**
- [ ] **18. Total number of parking spaces for recreational facilities**
- [ ] **19. Type of landscaping**
- [ ] **20. Preliminary hydrologic data and a statement ondrainage**
- [x] **21. Additional Information for Commercial & Industrial Uses *(if applicable)*:**
    - [x] Total Area in acres proposed *(Commercial & Industrial Separated)*
    - [x] Approximate retail sales floor area*(Commercial)*
    - [x] The uses proposed uses based on permitted uses in the basezone.
    - [x] The standards of height, open space, buffering, landscaping, pedestrian and vehicle circulation, off-street parking and loading, signs, outdoor lighting, and nuisance controls intended for the development.
- [x] **22. Tables:**
    - **Land Use Table(s) to include the following:**
        - [x] Total Acreage of the site
        - [x] Total Area of arterial & collector streets
        - [ ] Total Area & Percent of Open Space
        - [ ] Total Number of each type of dwelling unit
        - [ ] Total Number of all dwelling units proposed including the range and mixture of lot sizes within each base zone
        - [ ] The Overall proposed Density

- **Amended Development Standards Table comparing proposed and current zoning code standards for:**
  - ☐ Minimum Lot Area
  - ☐ Minimum Lot Width
  - ☑ Minimum Building Setbacks
  - ☑ Maximum Building Height
  - ☑ Minimum Distance between main & detached accessory buildings
  - ☐ Buildable Area
- **Amended Use Tables:**
  - ☑ Permitted Uses
  - ☐ Non-Permitted Uses
- **Utilities & Services Table of type and source:**
  - ☑ Sewer
  - ☑ Water
  - ☑ Electric
  - ☑ Telephone
  - ☑ Police
  - ☑ Fire
  - ☐ Schools
  - ☑ Solid Waste Disposal

☐ 24. Appendix, as applicable (Cultural Biological/environmental studies, or other items)

E. **Submit** a **map** that shows the relationship to surrounding properties within one mile of the project boundaries. The map shall be drawn at a sufficient scale so as to not exceed a print size larger than 11" X 17". The lettering shall be of sufficient size to be legible when reduced to an 8½" X 11" print. The map shall contain the following information:

- ☐ Zoning Boundaries
- ☐ Street Alignment
- ☐ Open Space
- ☐ Trails

F. **Submit** a current preliminary **Title Report** *(dated within 60 daysprior to application)*

☑ **G.** **Submit** a **Development Plan.** The submittal shall be drawn at a sufficient scale as to not exceed a print size larger than **24" X 36"** with **11" X 17"** reductions to be included in the PAD Overlay District Application where the lettering is of sufficient size to be readable. The Development Plan shall include:

❑ **1. Site Plan:**

- ❑ Title of project as shown in the narrative report, such as ***"Planned Area Development for (insert name of Development)"*** in bold letters.
- ❑ Name(s) of Landowner(s), Developer, Applicant, and Person or Firm preparing the plan.
- ❑ North Arrow, Scales *(written & graphic)*, Preparation Date & Subsequent Revision Dates.
- ❑ Vicinity Map showing project, surrounding development and applicable zoning districts *(scale no less than 1" = 2,000')*
- ❑ Existing Zone designation & requested zone change *(as applicable)*
- ❑ Legal Description of total site
- ❑ Boundaries of the proposed PAD Overlay Zoning District delineated and dimensioned by bearing and distance.
- ❑ All existing and proposed public and/or private streets, location and width of associated easements and rights-of-way and whether they will remain or be extinguished.
- ❑ Location & Identification of all existing and proposed utilities, location and width of associated easements.
- ❑ Location of all existing structures and significant natural features.
- ❑ Nearest regional significant routes to proposed development as projected in RSRSM Final Report, December 2008.
- ❑ All points of ingress and egress.
- ❑ Parking Areas.
- ❑ Identify & Delineate existing and/or proposed trails as shown on the Pinal County trails system master plan.
- ❑ Indicate and/or label *(as applicable)*:
    - Areas to be reserved for residential, commercial, industrial, open space, public use, facilities, drainage, and recreation.
    - Who will own, control and maintain the landscaping, recreational facilities, open areas, refuse disposal, streets, private utility systems.
    - Topography with a maximum contour interval of two feet except where existing ground is on a slope of less than two percent, then either one foot contours or spot elevation shall be provided where necessary.
    - Phase Lines *(as applicable)*
- ❑ Provide lot typical (typical should show building envelope, setbacks, lot dimensions and fences/walls) for:
    - Each type of dwelling unit
    - Lots in unusual locations (i.e. Cul-de-sacs, corners, hillside lots where clustering will occur.
- ❑ Indicate by notes the existing drainage pattern and proposed drainage plans for handling on-site and off-site storm water runoff
- ❑ Indicate location, type, height, and materials for proposed walls, fences, and signs.

- ❑ Location and types of existing and proposed landscaping.
- ❑ Designated Flood Zone

❑ **2. Quantitative Development Data Tables**

- ❑ Land Use table to include:
  - Total Gross Acreage of site
  - Total Area of Streets (Public & Private)
  - Total Area of Public Open Space
  - Total Net Area of all intended uses
  - Total Areas of Open Space for PAD Residents, and total Recreation Area Open Space
  - Total Dwelling Units permitted under base zoning district
  - Total number of each dwelling type including range and mixture of lot sizes within each base zone
  - Grand Total of Dwelling Units
  - Overall Density proposed
- ❑ Zoning Comparison Table of Existing & Proposed to include:
  - Lot area per dwelling unit
  - Setbacks
  - Minimum Lot Widths
  - Maximum Building Heights
- ❑ Parking (number of spaces)
- ❑ Utility & Services Table indicating type and source:
  - Sewer
  - Electric
  - Telephone
  - Water
  - Police/Security
  - Fire
  - Schools
  - Solid Waste Disposal
- ❑ Street Type Table indicating proposed rights-of-way and pavement widths for arterials, collectors, and neighborhood streets.

❑ **3. Submit** an **Open Space & Recreation Plan** ("OSRP") that includes – *Refer to Chapter 2.176*

- ❑ **Reviewed** the Pinal County Open Space & Recreational Area Guideline
- ❑ **Site Analysis**

- Aerial Photo
- Preferred scale of 1"=50' *(maximum scale of 1"=100')*
- Site Analysis should be produced in an **8½" X 11" format for text**
- Site Analysis should be produced in an **24" X 36" format for plans* (coordinate this requirement with your case coordinator)**

❑ Total acreage of proposed development

❑ Context Map showing the proximity and relationship to the County's trails, parks, or schools and connectivity to the adjacent neighborhoods, off-site trails, paths, bikeways, and transit areas.

❑ A concept drawing of the proposed development including:

- Gross Site Area
- Number of proposed lots
- Proposed Arterial & Collector street circulationsystem
- Proposed lot size(s),
- Proposed Retention/detention areas
- Proposed Development Phasing

❑ Context Map showing the proximity and relationship to the County's trails, parks, or schools and connectivity to the adjacent neighborhoods, off-site trails, paths, bikeways, and transit areas.

❑ A concept drawing of the proposed development including:

- Gross Site Area
- Number of proposed lots
- Proposed Arterial & Collector street circulationsystem
- Proposed lot size(s),
- Proposed Retention/detention areas
- Proposed Development Phasing

❑ A pedestrian circulation system

❑ A Slope Analysis identifying the following slope categories:

- 1) 0% - 5%
- 2) 5% - 10%
- 3) 10% and greater

❑ Identification of wash corridors and preliminary hydrologic information for the contributing watershed.

❑ Identification of the location of riparian vegetation and biological habitats. Aerial photos should be used to map the limits of notable vegetation.

❑ Identification of potential view corridors

- ❑ Identification of the projected 100-year floodplain and floodway boundary as required by FEMA.
- ❑ A record check through Arizona State Museum ("ASM") for archeological sites and identification of any sites or surveys
- ❑ The location and percentage of each proposed development to be preserved as conservation open space and the features to be protected including parcel size and minimum dimensions
- ❑ The location and percentage of each proposed development to be preserved as developed open space and the specific Recreation Areas, including amenities, parcel size and minimum dimensions.

❑ **4. Submit** a **Landscape Plan** that includes – *Refer to Chapter 2.176.240 (C) of the PCDSC*:

- ❑ A Vegetation Salvage Plan
- ❑ Proposed treatment of all ground surfaces (paving, turf, gravel, grading, etc.)
- ❑ Extent and location of all plant materials and other landscape features.
- ❑ Extent of decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements.
- ❑ Location of Water Outlets.

❑ **5. Submit a report utilizing the Arizona Game and Fish** ERT online review tool for Habitat and Riparian area identification.

☑ **Reviewed, Met,** and/or **addressed the** following in Chapter 2.176of the PCDSC:

N/A
- ❑ Minimum requirements for Open Space – (Section 130)
- ❑ Uses permitted within open space areas – (Section 140)
- ❑ Uses prohibited within open space areas – (Section 150)
- ❑ Minimum requirements for recreation areas – (Section 160)
- ❑ Minimum requirements for multi-use paths and trails – (Section 170)
- ❑ Minimum requirements for storm water retention & detention basins – (Section 180)
- ❑ Minimum requirements for streetscapes & entryways – (Section 190)
- ❑ Minimum requirements for conservation open space – (Section 200)

❑ **Submit** a **Master Sign Plan** detailing the location and type ofall proposed signage for the project. *(signage must be approved under separate permit, the PAD document cannot alter development standards for signs)*

N/A

☐ **Submit** a **Preliminary Drainage Report***

☐ **Submit** a **Preliminary Traffic Impact Assessment** (TIA)* (Your TIA must be approved prior to scheduling of your Public Hearing)

☐ **Submit** a copy of a certified **A.L.T.A.** survey, including a legal description of the PAD boundary and legal descriptions of all zoning district boundaries

☐ **Aware** that earth fissure maps are available online from theArizona State Geologic Survey.

☐ **Submit a list of all property owners within 600' (feet)** of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within 30 days prior to application submission. A map showing the 600' boundary and parcels must be included as well (*A Tax Assessor Parcel Map is Acceptable*). - ***(This list is a separate list from the "Neighborhood/Community Meeting list of 1,200' however use Page 5 of this application).***

☐ **Submit** separate preliminary reports or master plans for:

- ☐ Storm water drainage
- ☐ Wastewater & Domestic water service.

☐ **Submit** additional materials required for specific types ofcommercial and industrial uses as follows *(as applicable)*:

☐ **Commercial Uses:**

- Retail sales floor area and total area proposed for commercial development
- Type of uses proposed

☐ **Industrial Uses**

- Total Area proposed for industrial uses
- Types of uses proposed
- Anticipated employment for development per major phases

☐ **Standards of:**

- Height
- Open Space
- Buffering
- Landscaping
- Pedestrian & Vehicular circulation
- off-street parking & Loading (the PAD document cannot alter minimum requirements for parking)

- Signs (the PAD document cannot alter the maximum amount of signage)
- Nuisance Controls

☐ **Complete and Submit the** "Comprehensive Plan Compliance Checklist"

☑ Non-Refundable filing fee for a Planned Area Development & Non-Refundable Public Works Fees

☑ **Submit** documentation outlined in the PAD application in a multi-PDF format per item of the application with all supporting documentation via the online portal at: https://citizenaccess.pinalcountyaz.gov/CitizenAccess/.
Please call or email the Planning Division for more information.

☐ **Submit**

☐ An ESRI shapefile for land use (conceptual) which shows all proposed zoning lines and zoning classifications for the project in NAD_1983_stateplan_arizona_central_fips_0202_intlfeet projection

OR

☑ An AutoCAD (.dwg file), which includes the following layers:

- Parcel
- Right-of-way
- Sub-perimeter
- Centerlines
- Section Lines
- Street names
- Lot-numbers
- Distances & Bearings tied by course and distance to two Pinal County survey control points or established city or county survey monuments. *(Information on these control points can be obtained from Public Works, Engineering Technicians at 520-866-6411).*

☑ **Aware to Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.** (*See page 16 of this application for illustrative details*).

☑ **Aware** that all newspaper advertising fees must be paid by the applicant in addition to application fees.

☑ **Aware** that all public works fees are due at application submittal and for each subsequent submittal

☑ **Aware** that on property owner notifications that exceed 30 mail outs the applicant will be responsible for **notice prep and postage**

☑ **Aware** that this application will be submitted to AZGF Department for review and analysis with the ERT online review tool for Habitat and Riparian area identification.

☑ Signature at the end of the **"Checklist"** stating you have reviewed and addressed all areas within it.

I certify that I have submitted all the required information listed above, and I understand that this application for a Planned Area Development cannot be processed until all required information is submitted

Sept 21 , 2022

Signature Date

Planned Area Development

For

San Tan Commercial 3

2.65 acres
at
SWC of Ocotillo and Kenworthy Roads

Project Narrative

PZ-046-23; PZ-PD-001-23

Submitted by:

Upfront Planning & Entitlements, LLC

1811 S. Alma School Road #283
Mesa, AZ 85210

Submitted to:

Pinal County
85 N Florence Street Florence,
AZ 85132

August 2023

1. Purpose of Request

Upfront Planning & Entitlements, is pleased to submit for your consideration a Rezone from GR - General Rural to a C-3 PAD General Commercial for these currently vacant parcels. The parcel numbers are 104-22-041A & 104-22-041B located at the southwest corner of the intersection of Ocotillo Rd and Kenworthy Rd in Pinal County. The parcels are on ± 2.65 acres, parcel 104-22-041A being 1.25 acres and parcel 104-22-041B 1.40 acres.



2. Description of Proposal

The property is being proposed to a rezone from GR – General Rural (**see Existing Zoning Exhibit**) to C-3 General Commercial to transform the current vacant parcels into a commercial corner with outdoor baseball batting cages and small retail shops to serve the large residential population of master plans and incoming residents with the addition of the nearby freeway corridors (**see Proposed Zoning Exhibit**). The proposed complex will adhere to all development standards.

Proposed Land Use Summary

Under the proposed development plan, a total of 3 commercial buildings would be proposed. Two stand along retail buildings and an indoor recreational batting cage facility; (**see Conceptual Site Plan**). These commercial uses are proposed as to serve a need of an under served area for commercial uses due to the fast development of residential master plans over the last 10 years with a slower commercial base. This corner being two arterials and its ability to be easily accessed provides a good location to serve those residents. (**see Table 2 - Land Use Summary**).

Commercial

The Proposed Site Plan contemplates a commercial corner with indoor batting cages and some retail shops to cater to the local community and surrounding region. Because of the surrounding land uses, a PAD overlay will be also added to restrict some of those C-3 General Commercial uses which may not be appropriate for this location while still allowing for the retail and recreational batting cages.

Permitted Uses

The project is proposed to provide commercial permitted uses that is consistent with those of the C-3 General Commercial base zoning district, as outlined in **Table 4 - Permitted Uses**. It should be noted that this palette of permitted uses also includes their accessory buildings and uses. Any uses not identified herein, are prohibited.

3. Relationship to Surrounding Properties

The Project is located south of Ocotillo Road and along the west side of Kenworthy Road. Located one-mile to the west of the property is a similarly zoned and a more intense commercial center which also capitalizes on the principal arterial Ocotillo Road and the Regional arterial Roadway Ironwood Road. (**see Vicinity Map**)

The property is generally bounded by low density residential or vacant land. The Comprehensive Plan Land Use classifications, along with he existing zoning and uses for the parcels adjacent to the Property, are listed in the following table (**Table 1 - Adjacent Land Uses**):

Table 1 – Adjacent Land Uses

Direction	Comp Plan Land Use	Existing Zoning	Existing Use
North	Urban Transition	MR	Agricultural
South	Rural Living	GR	Residential
East	Suburban Neighborhood	CB-2	Vacant
West	Rural Living	GR	Residential

4. Public Services

Public Service	Details	Contact	Email	Phone Number
Fire Protection	Rural Metro will be on contract to provide to this site.	Chief Tim Soule	RuralMetroFire@gmr.net	(800)624-5835
Police/ Public Safety	The Pinal County Sheriff's Department will provide law enforcement and protection services for the site. These services will be provided with existing facilities and resources which are adequate for the proposed development.	Chief Deputy Matthew Thomas	Matthew.Thomas@pinal.gov	(520)866-5133
Solid Waste Disposal	The site will have a contract for solid waste collection services.	Victoria	redempticnjunkremoval@outlook.com	(928)750-8701
Schools	Given the proposed project plan there will be no full-time residents aside from the property owner there is no proposed increased demand to the school district.	Priscilla Almanza	palmanza@jocombs.org	(480)987-5300

5. Community Services

The development of any residential community will generate additional demand for community services. In the case of commercial developments there are no residents so no additional community facilities are proposed while the site will serve the adjacent community needs.

6. Location & Accessibility

Location

The project is located in section 20, Township 2 South, Range 8 East, near Queen Creek in unincorporated Pinal County, south of Ocotillo Road and just west of Kenworthy Road. The property is also located in close proximity to the Loop 202 extension as it has an interchange to the north for Kenworthy Road.

Access

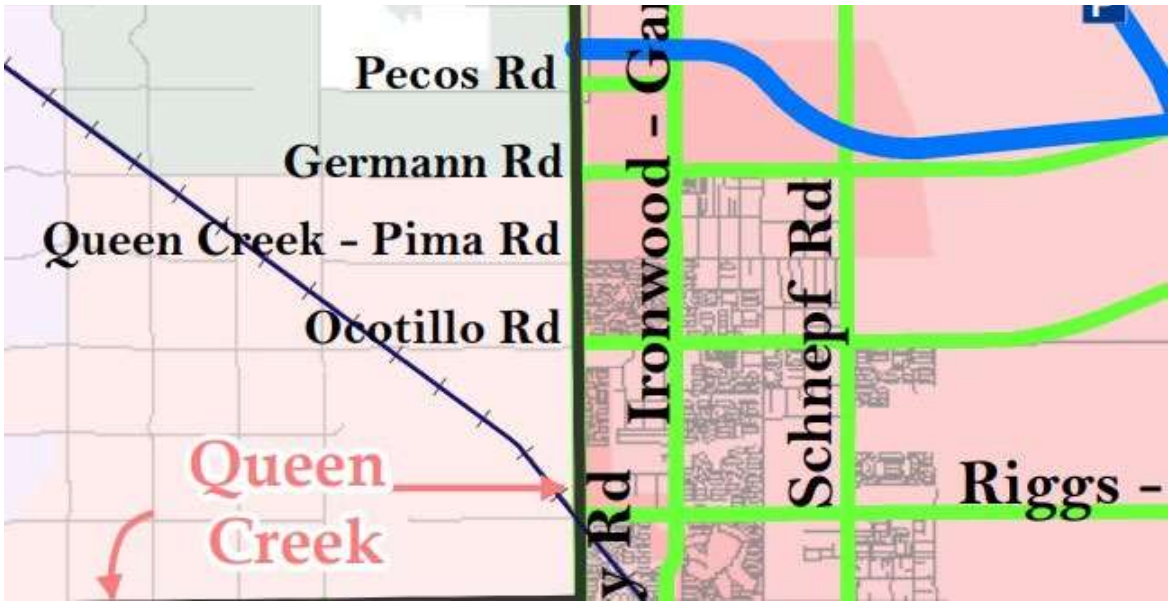
The parcel will be accessed with both Kenworthy and Ocotillo Roads. The project site is also located just to the east of Ironwood Drive, a major regional arterial for the County and Loop 202 freeway extension is also within 3 miles of the site. Ocotillo Road is also in the process of being widened to the north to address regional circulation needs in this part of the County.

Street Improvements

Roadway dedications along Ocotillo and Kenworthy Roads may be required to fulfill the existing ROW dedications along those roads.

7. RSRSM Compliance

The Project's primary access will be via Ocotillo Road which is designated as a Principal Arterial on the 2020 Regional Significant Routes Map Update.



8. Utilities & Services

Water Service

Portable water service will be connected to the Town of Queen Creek water with nearby water lines.

Wastewater Service

Wastewater service will be provided by San Tan Valley.

Electrical Service

Currently the property is within the service area of SRP. Existing infrastructure is able to serve the site.

Cable TV/Data Service

The property is within the service area of Cox and Century Link as well as similar providers.

9. Ownership & Control

All internal driveways and access points will be maintained by the property owner. Dry utility improvements such as electric, natural gas, and data lines, will be owned and maintained by the providers of those services as identified in **(Table 5 - Utilities & Services)**

10. Timing of Development

The project is envisioned to begin development and site plan process as soon as the entitlement is completed.

11. Conformance with Comprehensive Plan

The project is classified as *Moderate Low Density Residential (1 - 3.5 du/ac)* in the Pinal County Comprehensive Plan (**See Comprehensive Plan Exhibit).**

The site is also located with the Gateway / Superstition Vistas Growth Area within the Comprehensive Plan as shown on the County's Comprehensive Plan GIS layers.

The requested C-3 General Commercial zoning conforms to the requirments and goals established in this Comprehensive Plan Land Use category. As indicated on the Comprehensive Plan Compliance Checklist included with this request and attached here to (**See Comprehensive Plan Compliance Checklist)**, the proposed Project is in conformance with the County's Vision Components, including *Sense of Community, Mobility & Connectivity* and *Happy Healthy Residents.*

The application will also respond to the Comprehensive Plan's Vision and specifically addresses a number of goals and policies, including the following:

Policy 3.1.2
"Encourage, coordinate and support commercial and industrial land uses in appropriate areas to maximize adequate services including transportation, water, sewer, fire suppression and utilities."

This project location along two arterials and surrounded by so many nearby developments will be able to utilize the existing infrastructure in place and maximize services to the site while providing the needed commercial component to this under-serviced area of the County which residents have often been requesting in public meetings and through the development forums during the San Tan Area Plan outreach process.