Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: FEBRUARY 7, 2024

TO: BOARD OF SUPERVISORS

CASE NO: **PZ-PA-001-23**, **PZ-037-23 & PZ-PD-009-23 (SMITH ROTHBERG PAD)**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

Executive Summary: *Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval for a non-major comprehensive plan amendment to designate 60+ acres from Moderate Low Density Residential (MLDR) to Medium Density Residential (MDR) along with a rezone from General Rural (GR) to R-7 with a PAD overlay to allow for 294 single family dwelling units in Red Rock area, Pinal County.*

If This Request is Approved:
The applicant will apply for a subdivision application and applicable permits under the new development and design standards.

Staff Recommendation/Issues for Consideration/Concern:
Staff recommends approval of land-use change (PZ-PA-001-23), zone change (PZ-037-23) and planned area development (PAD) overlay (PZ-PD-009-23), with attached stipulations.

LEGAL DESCRIPTION: A portion of land portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

REQUESTED ACTION & PURPOSE: (Three Cases)

1. **PZ-PA-001-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from Moderate Low density Residential (MLDR) to Medium Density Residential (MDR), situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

2. **PZ-037-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval of a rezone of 60± acres from GR (General Rural Zone) to R-7 (Single Residence Zoning District), to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

3. **PZ-PD-009-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting approval of Smith-Rothberg (PAD) Overlay Zoning District of 60± acres to allow for 294 single family dwelling units; situated in portion of Sections 9,

T10S, R10E G&SRB&M; (legal on file), Tax parcels 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

Tax Parcel: 410-12-001D

LOCATION: Located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

SIZE: 60± acres

COMPREHENSIVE PLAN: The land-use designation for the parcel is Moderate Low Density Residential (MLDR) that allows 1-3.5 du/ac.

EXISTING ZONING AND LAND USE: The subject is currently zoned as General Rural (GR) Zone.

SURROUNDING ZONING AND LAND USE:

North: Single Residence Residential and Multiple Residence Zone (CR-3 & CR-4)
South: General Rural Zone (GR)
East: Industrial Buffer Zone (CI-2)
West: Single Residence Zone (CR-3)

PUBLIC PARTICIPATION:

Neighborhood Meeting(s):	Feb 15, 2023
Mail out:	December 1, 2023
Agency Mail out:	November 29, 2023
Newspaper Advertising:	Week of November 27, 2023, January 18, 2024
Web post:	November 29, 2023, January 24, 2024
Site posting:	November 29, 2023, January 11, 2024

OTHER REVIEW AGENCY COMMENTS:

As of the writing of this report no agency comment has been received.

COMMSISSION RECOMMENDATION (PZ-PA-001-23): At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted unanimously (7-0), to recommend approval of **(PZ-PA-001-23),** based as presented, with no stipulations.

* *no proposed stipulations.

COMMSISSION RECOMMENDATION (PZ-037-23): At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted unanimously (7-0), to recommend approval of **(PZ-037-23),** based as presented, with the 1 stipulation.

PZ-037-23 STIPULATIONS

1. Approval of this zone change (PZ-037-23) 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.

COMMSISSION RECOMMENDATION (PZ-PD-009-23*):* At the hearing, after discussion with staff and the Commission, together with evidence presented & public testimony, the Commission voted unanimously (7-0), to recommend approval of **(PZ-PD-009-23),** based as presented, with the 17 stipulations.

Stipulations number 16 and 17 have been added as recommended by the commission with removal of stipulation 9 shared below:

9. ~~A minimum 55' half street right-of-way dedication and road improvements will be required along the (Southern boundaries). All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;~~

16. For detached accessory buildings, the setback distance for side and rear lot lines shall be a minimum of 5 feet.

17. Applicant shall add a second row of irrigated trees at spacing of 25 feet to offset the first row of irrigated trees on the east side of the PAD.

PZ-PD-009-23 STIPULATIONS

1. Approval of this PAD (PZ-PD-009-23) 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

2. Smith Rothberg Planned Area Development (PAD) Overlay District (PZ-PD-009-23) is to be developed as shown by the site plan/development plan dated November 15, 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;

3. Applicant to follow landscape standards per design guidelines set forth in the PAD book submitted to the county dated November 15, 2023;

4. Applicant to develop 10 feet landscape border along S Aguirre lane. All plant material to follow Arizona low water use plant list per ADWR;

5. 100' buffer along 1-10 to be developed with a 10' landscaping abutting the residential lots;

6. 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-037-23;

7. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. 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 going before the Planning and Zoning Commission;

8. A drainage report will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. The drainage report shall comply with the current Pinal County Drainage Manual and shall be approved prior to the first Final Plat approval. The approved Drainage Plan

shall provide retention for storm waters in a common retention area or as approved by the County Engineer;

9. Per Section 702.6 of the Pinal County Subdivision Regulations there shall be a minimum of two permanent access points to the subject property. Approval of adequate access or approval of a Waiver Request shall be approved by the County Engineer prior to the Tentative Plat going before the Planning and Zoning Commission;

10. 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;

11. Submit a copy of a Geotechnical Report to Pinal County Public Works for review;

12. 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;

13. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;

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

15. 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;

16. For detached accessory buildings, the setback distance for side and rear lot lines shall be a minimum of 5 feet;

17. Applicant shall add a second row of irrigated trees at spacing of 25 feet to offset the first row of irrigated trees on the east side of the PAD.

Date Prepared 1/25/2024 SD

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 249810)

Regular Meeting
9:00 a.m.
Thursday, December 21, 2023
Board of Supervisors Hearing Room
135 N. Pinal Street, Florence, Arizona

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PINAL COUNTY, ARIZONA

setback distance for side and rear lot lines shall be a minimum of five feet.

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

MENNENGA: Second.

RIGGINS: Second by Vice Chair Mennenga. All those in favor signify by saying aye.

COLLECTIVE: Aye.

RIGGINS: Any opposed? That motion passes unanimously. So okay, we'll move on to our next case. Let me adjust my paperwork here. That puts us into case PZ-PA-001-23.

DEOKAR: Good morning once again Chairman, Vice Chair and Commission Members. Sangeeta Deokar, Senior Planner, presenting Smith Rothberg rezone and PAD. This also includes a land use change request and the case numbers are PZ-PA-001-23, the land use change, and the rezone is PZ-037-23 and a PAD overlay of PZ-PD-009-23. The first case is that of a Minor Comp Plan Amendment. The land use changes from Moderate Low Density Residential to a Medium Density Residential for 60 acres. This portion is also requesting a rezone for 60 plus acres from General Rural to R-7, which is a Single Residence zoning district. There's a PAD overlay district requested which consists of 294 dwelling units for the 60 plus acres. The proposal, as mentioned, is 60 plus acres requesting rezone to R-7. Location is west of I-10 and

the Union Pacific Railroad. Owner/applicant is Robin Smith and Robert and Joan Rothberg, and the agent once again is The Planning Center, where Brian Underwood represents that as an agent. The County map showing the location for the 60 plus acres, it is exactly in the same area that we just talked about for the Red Rock Village. It kind of sits and abuts along the I-10. And further zooming into this area shows the red portion which kind of, you know, sticks into the bottom of this prior PAD that has been approved. The existing Comprehensive Plan states and shows that it is Moderate Low Density Residential, 1 to 3.5 dwelling units per acre. Requested density is from 4 to 8 dwelling units per acre for a Medium Density Residential. The aerial shows the development or the area around largely vacant at this point in time. And the zoning shows the existing zoning which has to the south the State Land, CI-2 to the east, CR-4 and CR-3 as it stands right now. The north and the western portion of this area is part of the Red Rock Village that was just shared prior to this case. This the proposed development plan, which is the extension as I talked about for the Red Rocks Village. However, this an independent Smith Rothberg 60 acre portion that kind of is an extension of that Red Rock Village. One can also see that the way it kind of - it locates is it kind of connects from the south Aguirre Lane, has the access to these three phased development of Smith Rothberg. There's a

connection, a vehicular connection to the north of - to the Village B of the Red Rock Village. One can also see that the total - it kind of has a central amenity, which is par for these new 294 dwelling units that have been requested. There is also a buffer along the Interstate 10, which is a 100 acre - sorry, 100 feet buffer with a 10 feet of resident - of landscape that kind of abuts the edging the lots. Here we have the amenities that have been interspersed. There's a pedestrian network, linkages that connects the central main amenity, and it also kind of connects it to – it links it to the northern portion, Village B of the Red Rock Village. Some of the features that I just talked about consists of the 1.55 central amenity with multiple secondary amenities for the new dwelling units 294. There's vehicular and pedestrian network that connects it to the Red Rock Village. There's a buffer and then the site plan is largely an extension seen as an extension of the Red Rock Village PAD to the north and the development in the west. This is an overview of the data table in terms of the way the division is. It's a 60.13 acres development proposal with a maximum overall density showing 4.89 dwelling units. One can see that the open space as proposed is well over 18 percent as per the Pinal County Development Standards density and is 4.89 maximum. And 26 percent has been proposed, which includes the 10.8 open space as the open space and the recreational area is over four

acres. Development standards for R-7, it kind of follows similar standards that are for the Red Rock Village, however, the modified R-7 is showing 4,000 square feet lots as compared to the 2,500 that were there for R-7 and the RRV, which is the Red Rock Village. Some utilities and providers, service providers that have been shared your water, wastewater, Global Water, and APS is the electrical services. We have the police and the schools are stated as shown in this table. Some pictures along north of this. I-10, south of I-10, east of this development, and west. Some items for consideration is that this area for land use change rezone and PAD is for 60 plus acres. Red Rock area is identified in the Comprehensive Plan as a growth area. Smith Rothberg Development is very much consistent with the vision of this area. It is an extension of the Red Rock Village PAD that surrounds it. Lot sizes are similar to the ones in the Red Rock Village. Density is being achieved as 4.89 dwelling units per acre, with 294 total capped dwelling units. And it is rezoning a requesting from GR - General Rural to R-7 Single Residence zone. We received no response, no public responses or letters in opposition. Staff recommends approval with 16 stipulations as stated in the staff report. I'm open for any questions if the Commission may have any.

RIGGINS: Commissioners, any questions from staff on the presentation? Commissioner Hartman.

HARTMAN: Thank you, Mr. Chairman. Sangeeta, maybe I missed it in the beginning, but was this an older subdivision again doing an update, or is this a new one?

DEOKAR: This is a completely new development.

HARTMAN: They're in the same - attached to the same area.

DEOKAR: It kind of, you know, it is kind of surrounded by the Red Rock Village and the developer is the same, Sunbelt Holdings, however, a different owner at this point. Once it is done, the developer plans to take over and do the development as similar to the Red Rock Village.

HARTMAN: Thank you.

RIGGINS: Other Commissioners, any questions? There none being, thank you very much. And we'd like the applicant to come back up. And insofar it is a different case, you will need to sign in again and give us your name and address again, please.

UNDERWOOD: Good morning Chairman, Vice Chairman, Members of the Commission, my name is Brian Underwood and I'm with The Planning Center, 2 East Congress in Tucson. Thank you for hearing another one of our cases here this morning for the Smith Rothberg rezoning and PAD, and also a minor general plan amendment to go along with it. So again, I'll keep my presentation as brief as possible because once again, Ms. Deokar gave an excellent presentation herself. As she

mentioned, it's a 60 acre site there that, as you can see, sits at that southeast corner of Red Rock Village, and there is an agreement with the current owner and Sunbelt Holdings that if they are successful with the rezoning and PAD for the property, that Sunbelt would purchase that land and develop that as a later phase in Red Rock Village, as you can see there just sort of squares off all the land from Red Rock Village back to Interstate 10 there. Just a more zoomed in look and you can see how Aguirre Lane comes down on the west side of the Smith Rothberg parcel outlined there in yellow. So the current Comprehensive Plan land use designation is that Moderate Low Density Residential, 1 to 3.5 dwelling units per acre. Because we are at that 4.89, that's why we're requesting the Minor General Plan Amendment to get up to Medium Density Residential, the MDR designation. Currently the property is zoned GR and we are proposing that rezoning to R-7, the new zoning designation within the code. And so again, I won't go through every single one of these, but more or less that the idea behind doing a planned area development on top of just the rezoning to R-7 is to better align those development standards from the R-7 zone with those that are in Red Rock Village PAD. Because the homes are going to be virtually the same, it'll be the same builder, the same, you know, lot sizes, you know, the same density, same everything, and so the idea is to get those standards as closely matched

up with Red Rock as possible. And so taking another look here at the preliminary development plan, I'll just touch on a few items here. I would like to thank staff and the work that we had was more of a partnership to try to figure out how to lay this out and make it a, you know, a thriving community in the future that albeit it's along the interstate, but we've got a large buffer there that we worked closely with staff on. And you can see we've got a greenbelt path that goes through that, I believe it's 100 feet at its minimum, but you can see it sort of meanders there, the width of that buffer, so it's probably about 120, 130 and it's widest. But we have a couple connections from the community into that greenbelt space, then it loops back around to the sidewalk network. There would be sidewalks throughout the entire community, there will also be, you know, a pathway connection through the center of it and that centralized park, and then we also have some other, you know, green spaces throughout. You know, as Ms. Deokar mentioned, there's 26 percent open space in the community throughout, but we've strategically placed some amenity space where you come into the community off of Aguirre Lane so that you don't see just the side of a house you see, you know, some park space there, some open space. And then as you round that corner down in the southeast corner, you see another kind of larger secondary amenity space there. So definitely lots of opportunities for recreation, and we're looking forward to

having that be an addition to Red Rock Village. One point of clarification before I open it up to any questions would be - or I guess a couple of points of clarification - in the staff report on page 5, under items at the top, items for Commission consideration, the last bullet point there says that said project generates traffic that will warrant the roadways - roadway improvements, traffic signals at locations identified in the traffic report and refined at plat submittal by the applicant. I just wanted to specify that those traffic signal - or the traffic signal is already warranted by Red Rock Village, it's not this project that's warranting that. And then in the stipulations, on page 9 –

RIGGINS: Before you go forward, I just want to make sure that I understand that before we lose the concept.

UNDERWOOD: Yes.

RIGGINS: The traffic study that is within the existing Red Rock development will be affected by this additional load.

UNDERWOOD: Correct.

RIGGINS: So it is incumbent upon the existing study to be altered by this new study because the connectivity is on the same thoroughfares.

UNDERSTOOD: Absolutely. Chairman Riggins, Vice Chair and Members of the Commission, we actually updated the Red Rock Village traffic study to add the additional traffic

from this Smith Rothberg property. I just wanted to make the clarification that in that update it's not the Smith Rothberg property that's triggering that traffic signal, the traffic signal was already discussed in the Red Rock Village PAD prior to being amended to add Smith Rothberg.

RIGGINS: And of course when the tentative plat is brought forth, you will find out with the traffic studies then exactly what may possibly be required at that time.

UNDERWOOD: That is correct. Any other questions about that before I continue? All right. So as far as the stipulations go, on page 7, stipulation number 9, it's again that right-of-way dedication for Aguirre Lane, and we'd like to request that that condition just be struck because the entire width of Aguirre Lane will be dedicated as part of that Red Rock Village PAD that we just modified that condition for. So the whole road will be given by Red Rock Village and that will sit right next to this parcel, the Smith Rothberg parcel, but no dedication will come from Smith Rothberg. So I just wanted to make that clarification that if we could strike that from the list of stipulations.

RIGGINS: You're saying stipulation number 7?

UNDERWOOD: Stipulation number 9 on page 7.

RIGGINS: Oh, I apologize. I apologize. Seems like we have the same issue.

UNDERWOOD: Correct.

RIGGINS: Well it should be easier to rewrite it this time. Do you all see that in the same fashion that is he's enumerating?

JOHNSON: Mr. Chairman, the way I see it is the full 110 foot dedication was made in the Red Rock PAD, and therefore can be stricken from this one. Because that - each one of these PAD requests had a 55 foot half foot right-of-way dedication and in the Red Rock PAD that full 110 foot dedication is being accounted for.

RIGGINS: So we have 110 foot coming to the property boundary of this case.

JOHNSON: Correct.

RIGGINS: And there would not need to be 110 foot – well, does that 110 foot in our diagram we're seeing here, does that go all the way to the southern boundary of the parcel?

JOHNSON: Yes.

RIGGINS: It does. And we've already accounted for that in the last case.

JOHNSON: That is correct, Mr. Chairman.

RIGGINS: So it is your opinion then that not only is number - stipulation number 9 misleading, but it's also absolutely not necessary.

JOHNSON: That is my opinion, yes sir.

RIGGINS: Okay, so that would be something then

under those auspices that it would be able to be just be stricken out.

JOHNSON: Yes Mr. Chairman.

RIGGINS: Do you see it that way yourself?

UNDERWOOD: Yes.

RIGGINS: Okay. Okie dokie. What else?

UNDERWOOD: And that concludes my presentation.

RIGGINS: Okay. Commissioners, what - Commissioner Klob.

KLOB: Through the Chair. Thank you for your presentation. My same comments stand, you know, for the previous one on this one. New development standards, page 38 in your PAD submittal, again, accessory dwelling units are following the R-7 for the four foot side and rear lot lines, if maybe we can add that same stipulation.

UNDERWOOD: Absolutely. Chairman, Vice Chair, Commissioner Klob, yes.

KLOB: Thank you.

RIGGINS: I thought I saw it was seven feet in this case. Maybe I saw –

KLOB: For accessory structures.

RIGGINS: Hm. I'm sure you're looking at it properly. Well, so that does need to be added to this case as well.

KLOB: Correct.

RIGGINS: Okay. Oh, there it is right there. Ah, there we are. And I'm in the right case. I see a minimum distance between main building and detached accessory buildings at seven feet.

KLOB: That's between structures. Further down in their documents under detached accessory buildings –

RIGGINS: Oh, in their documents, not in this one.

KLOB: They don't have that same table.

RIGGINS: Gotcha. Now I understand. So we would need to have a new stipulation 16? 17, a new stipulation 17 written in the same fashion that we did in the last case? If we could put that up for everybody to see again, please.

BILLINGSLEY: Yeah, I believe because we're deleting stip 9 –

RIGGINS: You're right, so –

BILLINGSLEY: It would end up being 16.

RIGGINS: It would be the new 16, yep. While they are taking care of that issue, you agree with that as well?

UNDERWOOD: Yes Chair.

RIGGINS: Okay. All right, very good then. Any other questions or comments to the applicant? Commissioner Hartman.

HARTAN: Thank you, Chairman. Brian, you mentioned the 120-130 foot buffer next to the freeway and then the railroad train tracks, is there also a wall in there, and if

there is, is it next to the freeway or is it towards the houses?

UNDERWOOD: Great question Chairman Riggins, Vice Chair, Commissioner Hartman. There will be, effectively there will be a wall there because along the backside of each of the homes, they'll have their backyard wall, but there won't be another wall beyond that. But there will be a landscape border beyond the backyard walls, so you'll have their wall, then a landscaped screen, and then open space back to the interstate.

MENNENGA: Scott?

RIGGINS: Vice Chair Mennenga.

MENNENGA: What's the - how many total lots are in here?

UNDERWOOD: 294 total.

MENNENGA: 294. Is this included - the water, bring up that dirty word water - assured water cert, was this included in part of the original Red Rock?

UNDERWOOD: So Chairman Riggins, Vice Chair Mennenga, no, this was not included within the original Red Rock Village PAD, however, we have received a hundred – a will serve letter and confirmed that Global Water continues to have a hundred year water, assured water supply to service.

RIGGINS: Within their status as a designated provider.

UNDERWOOD: Yes.

MENNENGA: I'm always dealing with Arizona Water.

RIGGINS: Which is certs.

MENNENGA: Nightmare.

RIGGINS: Yeah.

MENNENGA: Thank you.

RIGGINS: Any other questions? None being, thank you very much.

UNDERWOOD: Thank you.

RIGGINS: At this time, we'll open up the public participation portion of this case and ask if anybody from the audience would like to come up and speak to it. Please. If you could please get your name and address on the log there and give that to us before you begin speaking, please.

LEVERS: Anthony Levers, thanks for your question. I have a question for the builder. Now, going down I-10 you got a lot of noise, a lot of traffic, are they allowing - how much of a wall are they putting up? Is it going to be a buffer enough for the noise that the interstate does create? So I guess that's the question I'm asking.

RIGGINS: Is that the question you're asking?

LEVERS: Yes.

RIGGINS: What we'll do is we will ask the applicant to address that before we commence, but that will be after we close the public participation (inaudible).

LEVERS: I'm worried about, you know, down the road and that, and the noise and everything else, the pollution and I just don't want to be driving down I-10 and see 12 foot walls going all the way down the interstate, going from here to Marana.

RIGGINS: I understand. Any other questions before you step down? Before you step down, any other questions of the speaker? Thank you very much. And this will be during the public participation portion of meetings, if you could address that.

UNDERWOOD: Absolutely. Brian Underwood, again, with The Planning Center, Chairman Riggins, Vice Chair Mennenga, Members of the Commission. The builders that come in and develop this portion of what will be the extension of Red Rock Village will build their standard, you know, patio wall. So it'll be a five foot wall, could be a six foot wall, but it won't be a freeway wall that you would have. They may, they do, you know, commission a sound study if needed, but you know, I don't anticipate that they would be building tall walls there, considering that you also have that 100 to 120-130 foot setback that we put in place.

RIGGINS: I haven't myself looked at your landscape buffer specs in here, could you describe to us a little bit what that landscape buffer will consist of? Do you have some vertical elements? Do you have some things that are somewhat

closely spaced to aid in noise abatement and visual abatement? Is it going to be strictly irrigated by Arizona's natural rainfall, or do you have some intentions of having some aspects of it irrigated to promote some growth? What direction are you going in those aspects?

UNDERWOOD: Excellent question Chairman Riggins, Vice Chair Mennenga, Members of the Commission. We will absolutely have, you know, minimum landscape standards, and that's a minimum. So those could be, you know, beyond that as well, but we will have along that east side a mixture of canopy trees and then the understory shrubs as well, and that will be to the tune of four trees and 12 shrubs for every 100 linear feet. So about a tree every 25 feet, so that those canopies can grow to be something that, you know, is a consistent screen across the entire greenbelt there.

RIGGINS: Are you going to put applied water to any of those things?

UNDERWOOD: Absolutely. So the landscaping will be irrigated and any opportunity that we have to maximize rainwater harvesting onsite by depressing some of those landscape areas, we'll be doing that as well.

RIGGINS: Will this zone eventually go under the homeowners association to maintain?

UNDERWOOD: It absolutely will be a part of the master homeowners association.

RIGGINS: Okay. Other Commissioners questions at this point? Thank you very much.

UNDERWOOD: Thank you.

RIGGINS: The public participation portion of this meeting is still open, does anybody else wish to come up? And if you could get your name and address on the log for us and give that to us before you begin.

TAYLOR: Chairman, Vice Chairman, my name is Robert Taylor, I live in Red Rock Village as well. I live all the way on the far west side by the elementary school. I have no problem with the community growing, we welcome that. My concern is a little bit based on what Mr. Levers said there. With the addition of homes that have already been built now past what when I originally moved in, and the addition of this, it is creating - the train all the way up to Park Links - I used to live right behind train tracks, the train is louder at Park Links than at my house three miles away than when I lived behind it, because it's starting to echo off all these new homes and just work its way down the corridor. And as these other new are built, we need some more buffer zone within the village if these are approved. Because the sound, I mean you can hear the engines, you can hear the horn, you can hear the traffic, there's - that stretch of road there is pretty dangerous and deadly. There's vehicles that 110 feet all the time off the road. Is that going to create a problem

for residents right there? There's only 110 feet buffer, because they're doing 85-90 down that road. The second thing is, is there any planned thing for law enforcement in town? Or streetlights at crossings because it's pretty dangerous in Red Rock. You go to our intersections and they're full of people doing burnouts, knocking down the speed limit signs at a school bus stop, 55-60 mile an hour with police reports reported as well. There's no coverage and we keep adding. We got to have something from the County if this approved. Because law enforcement - I love our law enforcement, I've worked law enforcement, worked corrections, I've worked with sheriff's department, we love our law enforcement, but we're far southern Pinal County, we get forgotten. We call for services, we get told to call Pima County. Pima says no, you're Pinal. We just get forgotten in Red Rock Village. It takes 45 to 30 minutes for an emergency call to respond unless there's an officer in the area. And there have been several break-ins, people have held guns at their doors because people are breaking in their houses. With the addition of all this, we got to have a contingency plan here. With that, I'll close.

RIGGINS: Thank you very much. Before you step down, Commissioners, any questions of the speaker? None being, thank you very much. Would anybody else like to come up to speak to this case? Anybody at all? There none being,

we'll close the public participation portion of the case, would the applicant wish to come back up to respond to anything?

UNDERWOOD: Thank you Chairman, Vice Chairman, Members of the Commission, Brian Underwood again. I just wanted to close by saying that we recognize there are some concerns always with, you know, new housing coming into the area, you know, how that will mesh with an existing community. But we do know that there are street lights at the major intersections, we would continue to have that same pattern of development. We want to ensure that this a safe community, we want to ensure that the folks here are, you know, happy and healthy in their homes. So with that, I would just leave it up to your final decision. Thank you.

RIGGINS: Before you step down –

UNDERWOOD: Yes.

RIGGINS: And indeed, the County will do a traffic analysis to actually mandate you to have traffic control in places according to Pinal County regulations along those lines, that comes further on in the process. So those things will be looked at and that isn't being decided at this point in time.

UNDERWOOD: That is correct.

RIGGINS: And even though it is absolutely not within the purview of this Planning and Zoning Commission, it

probably will be brought up someday to somewhere in Pinal County government, that Red Rock is starting to get big enough to where a substation of the sheriff's department is probably appropriate at that time. Obviously, there's no binding anything that can be done here, but it certainly is a valid statement by the citizens there, and you might tell your clients that there's interest in such a thing.

UNDERWOOD: Absolutely. Thank you.

RIGGINS: Any other questions of the applicant? Yes, Commissioner Davila.

DAVILA: Yeah, I just have a quick question in regards to Aguirre Lane. I see here on the map shown on the computer that there seems to be a 50 foot gas easement that goes into Aguirre Lane. I know previously we stipulated a 110 foot first off of Aguirre Lane, how is that going to impact the road?

UNDERWOOD: So excellent question, Chairman, Vice Chairman, Commissioner Davila. The gas easement will – so it sits at our eastern boundary there - or western boundary, excuse me, the eastern edge of Aguirre, and the gas line itself will not impact the roadway, but you would have a public utility easement that would run along that east side of Aguirre Lane. So the infrastructure, if you will, the gas infrastructure will effectively be within the right-of-way.

DAVILA: Thank you.

RIGGINS: Any other questions while we the applicant up Vice Chair Mennenga.

MENNENGA: That gas line coming through there, I know that – is that a primary main line going through there? Do you know? I'm just curious.

UNDERWOOD: Yes, it is an El Paso natural gas line.

MENNENGA: I thought maybe that was the case. Okay.

RIGGINS: Any other questions of the applicant? Thank you very much.

UNDERWOOD: Thank you.

RIGGINS: Okay, it's back on the Commission if we have any further discussion among ourselves or questions of staff. I would remind the Commission that we actually are voting on three cases here, and there has been some modifications to the last case's stipulations. Could we get that per chance up on the screen, because they'll need to be read.

KLOB: Through the Chair, I do have a quick question for staff before we –

RIGGINS: Oh, very good. Commissioner Klob.

KLOB: Is there going to be, you know, tagging on to what the resident had requested regarding the, any kind of sound study, is that going to be a requirement and how will that play into the walls that parallel I-10 for this development?

DEOKAR: I – yeah, just a moment.

KLOB: Sorry.

BILLINGSLEY: It's the one that says 17, but we'll have to modify it. It'll be the new 16.

JOHNSON: So it's really - yeah, there we go.

RIGGINS: That would be 16, and could we also include on there a strike stipulation 9 above stipulation 16.

DEOKAR: Above 16. So while she's talking about this, we haven't done any noise studies as far as this case is concerned. We were trying to ensure that the buffer would suffice with the 100 feet minimum, and with the addition at certain locations being increased. However, if the Commission may want, we can add that also as part of the stipulation to ensure noise studies are done and that, you know, the residents along the edge of the I-10 (inaudible) with what the Pinal County standards are for sound.

KLOB: Yeah, I think just having the noise from - the natural noise from I-10, combined with the rail line that goes through there, it might not be a bad idea.

RIGGINS: In a follow up to that statement, one of the reasons I asked whether there were vertical elements included in that buffer is without them, the 110 or 130 feet are almost meaningless. That noise will come off that freeway like crazy. Mature trees at 25 feet with an understory, provided they're, you know, grow out to their full potential

will definitely help, but you're also looking at something that's years in the making. Takes a long time to get there. I let it drop, but I believe it's a very good idea to have raised the question again, and I think I would favor the concept of a noise study being done on that area because I drive that a couple of three times a week, and that's a busy place and there's a lot of noise there, and I think if the applicant would like to come up and respond to that comment.

UNDERWOOD: Thank you Chairman, Vice Chairman, Members of the Commission, Brian Underwood again. So we were discussing this over there and essentially there are minimum HUD and FHA standards for, you know, the amount of noise that can be, you know, heard through a wall, you know, a wall, a residential home wall. And so if there is, you know, an instance where we have a row of homes right along the interstate and albeit ours are setback as opposed to ones in Red Rock Village that don't have that buffer, that 100 and so space there, those homes would be built with a higher rating within their, you know, within the insulation, within the materials of the wall itself to comply with FHA and HUD standards. So it would be our preference to not do the noise study and let those standards, you know, play out to ensure that there were enough - there was enough sound attenuation in the walls of those homes.

RIGGINS: I'm going to poll the Commission on this

concept, but first before I do so, in another case that we had today, we had the dichotomy of things that were allowed a long time ago and things that are allowed today. Noise abatement in the original Red Rock Village was decided upon in planning that occurred a very long time ago, and there's some sensitivities to those concepts that are very real in this day and age that weren't addressed in that time. So the fact that the two systems would not be of equal magnitude is a normal, it's to be expected, because this a new concept as opposed to things that were old. Any of us that have been around some of these circumstances, sometimes things get built in such a way that noise is a real problem. Minimum standards that come from the State or the Fed are exactly that, they're minimum standards. The County can impose other standards as well. So with that, I would - I'm not going to do a hands up poll, but would anybody on the Commission like to speak to that? Vice Chairman Mennenga.

MENNENGA: Well – putting my developer/builder hat on - no, I don't think we need to put more restrictions on this because number one, that builder's going to sell those houses, so that builder's going to have to address this issue himself. So for us to restrict that, I just don't think that's necessary. I mean we built houses - build up down I-10 all over Pinal, Pima, Maricopa County, everywhere, you know. So yeah, I mean it's close to I-10, I understand all that, but

I just feel like we don't need to restrict that more. That builder's gotta sell those houses, he's going to have to do what he needs to take care of that.

RIGGINS: Okay. Any other? Commissioner Schnepf.

SCHNEPF: Would a stipulation just addressing the vertical, you know, abatement of that noise be appropriate to put in to ensure that that is done, and appropriately?

RIGGINS: Well in - I certainly will not profess to be a sound engineer, but I have been involved with enough things that I realize in a circumstance with 110 or 130 foot buffer space, there would be an entirely different resultant with two rows of vertical improvements rather than one. Sound tends to come up and roll and can get trapped in multiple circumstances. So, you know, we're not talking about something necessarily that is hugely expensive, but a sound study could help to find a reasonable accommodation to ensure the health, safety and welfare of some residents of Pinal County that might find themselves they got into something they wish they didn't have. And sometimes you can sell things to people that they find out later on that they wish they weren't there. So that's where the developer hat has to be moderated to a certain extent.

WILLIAMS: Mr. Chair, if I can just kind of add -

RIGGINS: Mr. Williams.

WILLIAMS: - to this conversation a little bit. So

I was just conferring with our Deputy County Engineer, I was inquiring specifically about ADOT's relationship and the location of the property, and sound walls and all that. Because the highway is currently in, ADOT is not going to do anything in terms of a sound wall. The challenge we have as a County is if you were to require them to do a sound study, there's not necessarily anything we can kind of hang our hat on with our development services code that kind of forces them, per se, to put in a sound wall. It kind of comes down to sort of the goodwill of the developer and, you know, whether this potentially an issue that they may want to address. Now, Al and I also further talked about if in the future ADOT was to further widen the freeway in that area, potentially ADOT would be forced to put a sound wall in. But because that's not the scenario right now, we – ADOT's not going to force it and it's a little difficult for the County potentially to.

RIGGINS: And I understand that totally, and I don't believe that the neighborhood indeed would want an ADOT specified sound wall, because one is built in Marana that I'm sure Marana had to pay for because there was no alteration of the freeway and it is very large, and for it to be effective fully, I don't know if the residents would want that either. But the concept of utilizing a potentially denser or differently configured vegetative barrier that was thought out

may be a little bit more intensely than the minimum concepts, I believe is something that we could work with. I mean you could have a stipulation that stated - and I hate to write a stipulation exactly, because again, we're not sound engineers here, there's others that could answer that better than we can, but I don't think there's any intention to make anything happen that require this applicant to build a full ADOT-approved sound wall because one, it'd be incredibly expensive, and two, the residents might not like that at all because they're pretty large. So is there a middle place for this?

KLOB: Through the Chair.

RIGGINS: Commissioner Klob.

KLOB: To your point, you know, a combination of things can really - can go a long way. You know, if we're talking a five, you know using the applicant's words, a five or a six foot wall with a single story or a two story home, single story will get some advantage it, two story would get zero advantage of a five or six foot wall. By bumping that up to a eight, even an eight foot wall, yes I realize that that's, you know, more expensive, but from my experience as a design professional, I've seen a substantial change in building along major thoroughfares, major roadways and so on, just that extra two feet of wall what it can do, and then combine that with additional landscaping, and so on. That way the wall isn't nearly as, you know, obtrusive but, you know,

staggering landscaping and trees, albeit those trees are going to be 10-15 years down the road before they're mature and they actually give the full effect, I just think this an area where a little extra could and should be done where historically maybe things weren't done.

RIGGINS: And to jump into that, beyond the shadow of a doubt the higher wall does a certain amount of things, some people might object to what it does to their view. Those are concepts that are there. However, in 110 to 130 vegetation border, if you take two rows of vertical elements, separate them by 40 feet and put them on a 50 percent differential planning alignment so one covers the gap of the other, that might make quite a bit of difference, particularly if it's maintained and it's irrigated to where it gets some size. That's not something that would cost a lot of money, that's not a big thing, but it could make a big difference.

UNDERWOOD: So we share those same concerns about views and a larger, more imposing wall. If we were to have something that were eight feet and that were the backyard wall, certainly that is quite a large wall to have, you know, however far from your back door as you come out into your yard. Also, you know, the concern about creating another wall, so kind of stepping that wall back and having, you know, two barriers there so the backyard wall and another one that sits within that buffer space, is that now we're creating sort

of this no man's land as well of, you know, we have two walls there, you have blowing debris in that area, you have, you know, things that collect and that would not be, I think, you know, something that we would want to propose for this project. However, we are open to working on, you know, some denser vegetation in key locations and ensuring that we would have that kind of screening effect. And we would have that screen, you know, that would be irrigated, it would, you know, achieve kind of that full size on those canopy trees within 4 to 5 years. I live in a new community that had the 15 gallon trees and I can tell you they were already scratching our upper two stories very, very quickly. So if it's irrigated, I think we can achieve it, we can get there, and it does become kind of that tradeoff of what does a person want? Do they want more of the sound attenuation and can that be achieved within the walls of their home, or do they, you know, without having a wall that sits up and blocks their view, or would they rather have that wall there? And I think for us, our preference would be to leave that open to the builder and have them, as Vice Chair Mennenga mentioned, do what would be prudent for the sale of those homes and ensure that they did have the right sound attenuation so that they can keep their sales up.

RIGGINS: My personal opinion in this is concerning hardscape. I think it's very difficult to decide exactly on

the run while we're sitting here what hardscape improvements should be made or imposed, I think that's very difficult. Talking about landscape enhancements in key areas, well the key area is this entire buffer. For it to make any difference, then it is part of the entire scheme, it's not bits and pieces. Like I say, another row of trees in there is not a large thing to do.

UNDERWOOD: And I apologize, that's what I meant by key area. So you had mentioned a staggering, so if we had our first row of trees there and if you offset those into the key areas, into those gaps, then you would have that second row that would help you achieve that screen a little easier.

RIGGINS: And, you know, you actually could create an amenity if you'd actually do a little mixing of species, have some things - something that's quite attractive and serves a great purpose and isn't really expensive for anybody, but it might do an excellent job in protecting the future residents of those homes.

UNDERWOOD: Would it be possible if I could just confer for 30 seconds with my client and make sure that they're okay with an extra row of trees?

RIGGINS: Please.

MENNENGA: You know, I can give you a pretty good example where that was done where I live. It's really cost (inaudible) now. (Inaudible). ADOT approved it, it's a big

old (inaudible).

RIGGINS: We're not talking about that. I know what you're talking about there.

UNDERWOOD: Chairman, Vice Chair, Members of the Commission, I've spoken with my client and they are amenable to adding an extra row of trees behind the first row of trees within those gaps. So an offset of 25 feet per tree, so the next row would sit in between.

RIGGINS: Yeah. And you also need – it needs to be a bit more than 25 feet between the two rows, probably more like 40 feet or 45 feet to get some separation, that's what gives you the density a barrier, and also allows things to have to roll over the top.

UNDERWOOD: Absolutely. And we wouldn't want those trees, the two rows growing together, so yep.

RIGGINS: How do we need to specify this? There needs to be a stip on this.

HARTMAN: Mr. Chairman?

RIGGINS: Commissioner Hartman.

HARTMAN: Yeah, I just wanted to make a quick comment. I like where you're going with this vegetation, you know, as far as the sound buffer and everything, but I lean towards the Chairman and Commissioner Klob's thoughts on doing a sound study. I don't think it will hurt anything to do it, at least you'll be aware. And then in the future, because you

said there's regulations on the building of those homes next to the busy freeway and train, it could limit some future complaints that we have because people, kind of a buyer beware. We've done a sound study, it meets all the Fed or State regulations and it's a good place to live, as opposed to moving in there and oh my God, I can't sleep anymore and that kind of thing. Just my comments.

RIGGINS: I think what's trying to be designed over here is a fairly specific thing that doesn't take too much to enumerate into a mandated stipulation to do something that is a little bit more than what you had suggested. I don't think that some of the mandated hardscaping that I've seen would be appropriate in this circumstance, I don't believe it would be. I'm not a sound engineer, but esthetically I know that those things can actually be quite obtrusive to the people that live there, too. They're not necessarily a panacea in all forms. Something in a soundscape or landscape situation can actually - you actually get some sound absorption from the irregular shape of things as opposed to how things work when you have linear hard stuff with sound. So if we can come up with something – Todd, do we have something?

JOHNSON: Well we - the stipulation 18 where we had the sound study's easy, Mr. Chairman. The stipulation 17 where we're adding a second row of trees, I might need a little bit of assistance for the language on that on how the

Commission wants that to read. Right now it says the applicant shall add a second row of trees as a buffer on the east side of the PAD. Do you want to include language offsetting the current 25 feet, or how would the Commission like that worded?

RIGGINS: It's hard to get into the kind of specificity you would absolutely want when you're in open meeting and you're trying to create a stipulation.

JOHNSON: Agree, I completely agree.

RIGGINS: Doing this stuff, negotiations on the fly in a public meeting aren't the easiest thing in the world. Why don't we include the concept of a second rows of trees and spacing in the rows at 25 feet? I think that gives the specificity and they're going to try to find the esthetic to go with that and also put the concept in those trees that they're irrigated.

JOHNSON: All right, let's try this. Applicant shall add a second row of irrigated trees at spacing of 25 feet offsetting the first row of irrigated trees on the east side of the PAD.

RIGGINS: I think that's as much specificity as we can find today. So could you get those onto our changes sheet we're looking at here?

JOHNSON: I'm going to send a whole new sheet with all the stuff.

RIGGINS: Okay. Very good. Thank you. Yes, Commissioner Davila.

DAVILA: I have a quick question for staff. If we were to not be discussing the subject of changing this area's designation, would the sound wall have still been necessary for the homes that could be built there?

DEOKAR: Yes, that's independent. Yes.

WILLIAMS: Monica, we now have the new information, it was emailed to you. Sangeeta getting it?

RIGGINS: Well, the sound study that they will do doesn't mandate anything. They're doing a sound study. That could help them in their design of the vegetated barrier. It is on a full speed, 75 mile an hour freeway.

UNDERWOOD: So I would hate to waste anyone's time, but if I see that we've got a stipulation there for the completion of a sound study, we're going to have to ask for a continuance of this case because currently Sunbelt Holdings doesn't own the property, it is owned by Smith Rothberg, the family there, and so we can't impose the sound study on this property without first discussing that with them. So we would respectfully request a continuance if that stipulation stands.

RIGGINS: Okay. Let's discuss the stipulation of a sound study. Is that where we absolutely need to be on this? If this a non-mandated, this doesn't - this is a sound study that doesn't require them to do anything other than to do the

sound study, as the stipulation states.

MENNENGA: I'm going to go on record as opposing the sound study. Again, the builder, you know, they gotta figure out how to sell these houses, okay? You know, they're going to spend a lot, a lot of money figuring all that out. I'm just, I'm against any further regulations, I hate to see us delay this project, actually.

RIGGINS: I will state I think we've gone a long way in trying to help this situation with our stipulation 17, and I believe if we're imposing a continuation and a great deal of renegotiation due to the sound study, that I don't believe that I would like to be a party into imposing it.

DAVILA: I would agree.

SCHNEPF: I agree. Removing it would be prudent.

DEL COTTO: Chair Riggins?

RIGGINS: Yes.

DEL COTTO: I would agree with that, too, and I would think that there possibly would be a way, like you say, the builder, the developer, if there would be some compensation for people that were willing to live along the freeway, maybe didn't spend a lot of time at home, something like that, that they would find a way around, you know, around it being a problem and come up with a solution. And so I would agree with removing it. The sound study. And let them deal with selling and providing a comfortable environment for

their –

SCHNEPF: Yeah, we don't have – the County doesn't have any teeth behind it anyways to be able to do anything. If we put a stip in there, it's like what's the purpose of it?

RIGGINS: I concur. I concur with that concept. Would it be –

LIZARRAGA: I agree with no sound study.

RIGGINS: Okay. Would it be appropriate for the Commission if I asked stipulation 18 as it's written, to be removed from what's in front of us?

??: Yes.

??: Yes.

RIGGINS: Okay. If we could please do that. Okay. So there is our – oh yeah, we lost our stipulation. Well that's stipulation 17, okay.

JOHNSON: Mr. Chairman, if I may.

RIGGINS: Yes.

JOHNSON: I'm sorry, Scott Johnson from the County Attorney's Office. I'm looking at stipulation - Mr. Williams and I were just talking about stipulation 17, and maybe the stipulation could say something like directing staff to work with the applicant on an enhanced landscape and buffer plan or something? It's just a suggestion.

RIGGINS: I would suggest verbiage like that tends to water this down and not have something that is in concrete

that will be a benefit, is a known benefit. If the applicant, through their own devices comes up with what they feel is a very excellent way to do this, that – it seemed to be an excellent way to do this, they will have not a hard time changing this stipulation, if they have something that is equally effective and maybe they've created an esthetic or a visual they find very effective. I think if they want to do something that is more enhanced than this, they can get that change done very easily. So I would hate to water it down to where there wasn't specificity in it.

JOHNSON: Sure. So be it Mr. Chairman, I just wanted to make sure you all had options.

RIGGINS: Oh no, thank you very much. Thank you very much. So I'll ask the applicant to step back up. Your concerns were noted and we have, as a Commission, have decided to change what we first put up there. Are you now with what we're seeing here, are you in line with what the stipulations have been amended to?

UNDERWOOD: Chairman, Vice Chairman, Members of the Commission, we are. Thank you.

RIGGINS: Okay, before you step down, Commission Members, any other questions whatsoever of the applicant? There none being, thank you very much.

UNDERWOOD: Thank you.

RIGGINS: Is there any further questions of staff?

Okay, well we're ready for discussion among ourselves or if someone's ready to begin the series of three separate motions for these cases. Commissioner Schnepf, I heard you clearing your throat.

SCHNEPF: I guess I will make a motion. Let me just make sure I'm on the right - okay. I move the Pinal County Planning and Zoning Commission forward a recommendation of approval to the Board of Supervisors with its one stipulation for PZ-046-23. Oh, I'm on the wrong one.

RIGGINS: Yep. Our first one, the way I've got this read, our first one is PZ-PA-001-23, and it has no stipulations.

SCHNEPF: Yes. For PZ-PA-001-23, with no stipulations, forward it to the Board of Supervisors with approval.

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

MENNENGA: Second.

RIGGINS: We have a second from Vice Chair Mennenga. And all those in favor stipulate by saying aye.

COLLECTIVE: Aye.

RIGGINS: Any opposed? The motion passes unanimously. Our next case for motion is PZ-037-23.

SCHNEPF: Commissioner Riggins.

RIGGINS: Yes, Commissioner Schnepf.

SCHNEPF: I'd like to make a motion that we move the

Pinal County Planning and Zoning Commission forward a recommendation of approval to the Board of Supervisors for PZ-037-23 with its one stipulation as listed in the staff report.

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

MENNENGA: Second.

RIGGINS: Vice Chair Mennenga seconds. All those in favor stipulate by saying aye.

COLLECTIVE: Aye.

RIGGINS: Any opposed? That motion passes unanimously. All right, our last motion on this trio of cases is for PZ-PD-009-23.

SCHNEPF: Commissioner Riggins.

RIGGINS: Commissioner Schnepf.

SCHNEPF: I'd like to make a motion. I move the Pinal County Planning and Zoning Commission forward a recommendation of approval to the Board of Supervisors for PZ-PD-009-23 to the Board of Supervisors with its 16 stipulations as listed in staff report. However, with the striking of stipulation number 9 and the addition of stipulation 17, which reads, applicant shall add a second row of irrigated trees at spacing of 25 feet to offset the first row of irrigated trees on the east side of the PAD, with language in stipulation 16 to read, for detached accessory buildings, the setback distance for side and rear lot lines shall be a minimum of five feet.

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

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INFORMATION ABOUT CONSENT TO CONDITIONS/STIPULATIONS AND WAIVER OF CLAIMS FOR DIMINUTION IN VALUE

Pinal County, as part of the application process concerning land use requests, is now requesting that property owners or their authorized agents execute and return the attached Consent and Waiver. This policy is a result of that part of the Private Property Rights Protection Act (Proposition 207 *est. 2006*) that deals with regulatory takings and changes in land uses (A.R.S. §§12-1134 – 12-1138).

By signing the Consent and Waiver, the property owner agrees and consents to all conditions and stipulations in conjunction with the property owner's application, acknowledges that approval of the application might affect current or existing rights to use, divide, sell or possess the owner's property, and waives any right to compensation for diminution in value that may result from approval.

The Consent and Waiver form will be provided at the Concept Review Meeting to allow ample time for review. Should the Pinal County Planning and Zoning Commission ("Commission") recommend approval of the property owner's application, the form will again be provided to applicant together with the Commission's recommended stipulations/conditions. These materials will be provided to the applicant via e-mail, within three business days of the Planning Commission hearing. The property owner is requested to return the executed document to the Pinal County Planning and Development Department within 10 working days so that the document can be inserted into the packet to be presented to the Supervisors as part of the planning staff's report.

If an owner does not sign the Consent and Waiver, the application will continue through the normal County process. The Supervisors will be informed of the refusal and this will be one of the factors considered by the Supervisors.

If the Commission recommends denial of the property owner's application but the Supervisors decide to approve the application, the property owner will be requested to sign the Consent and Waiver with attached conditions/stipulations and conditions, after the Board of Supervisors' hearing.

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Planning Division

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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 Smith, Robin B and Rothberg, Robert & Joan O ("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 comprehensive plan amendment, rezoning, and Planned Area Development ("PAD") 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 comprehensive plan amendment, rezoning, and PAD, Case No. PZ-PA-001-23, PZ-037-23, PZ-PD-009-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the comprehensive plan amendment, rezoning, and PAD Case No. PZ-PA-001-23, PZ-037-23, PZ-PD-009-23, 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 comprehensive plan amendment, rezoning, and PAD, Case No. PZ-PA-001-23, PZ-037-23, PZ-PD-009-23, 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 comprehensive plan amendment, rezoning, and PAD in Case No. PZ-PA-001-23, PZ-037-23, PZ-PD-009-23 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: Robin B Smith
[Print Entity Name]

Signature

Its: Owner
[Title, if applicable]

Dated: 12/29/23

OWNER: Robert & Joan O Rothberg
[Print Entity Name]

Signature

Its: Owner
[Title, if applicable]

Dated: 12/29/23

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

STATE OF New Jersey)
) ss.
COUNTY OF Union)

The foregoing instrument was acknowledged before me this 29 day of December, 2023, by Joan O Rothberg, Robert Rothberg
[Insert Name of Signor(s)]

Notary Public

My commission expires:

RASHEEDAH SUBER
Notary Public, State of New Jersey
Comm. # 50140356
My Commission Expires 10/13/2025

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: Robin B Smith
[Print Entity Name]

Signature

Its: _____
[Title, if applicable]

Dated: 1/7/2024

OWNER: Robert & Joan O Rothberg
[Print Entity Name]

_____
Signature

Its: _____
[Title, if applicable]

Dated: _____

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

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 7 day of JANUARY 2024, by ROBIN B SMITH.
[Insert Name of Signor(s)]

Notary Public DENNIS KEETE

My commission expires: 9/7/25

Notary Public State of Florida
Dennis R Keete
My Commission HH 130796
Expires 09/07/2025

EXHIBIT A

PZ-PA-001-23/ PZ-037-23-PZ-PD-009-23 (SMITH ROTHBERG)

APN: 410-12-001D

The Land referred to herein below is situated in the County of Pinal, State of Arizona, and is described as follows:

A part of Section 9, Township 10 South, Range 10 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

COMMENCING at the Southeast corner of the Southeast one-quarter of said section;

THENCE North 89’ 56’ 53’ West along the South line of the said Southeast one-quarter, a distance of 50.87 feet to the POINT OF BEGINNING on the West right-of-way line of Interstate 10;

THENCE continue North 89° 56’ 53’’ West, along the said South line, a distance of 1,700.25 feet to the East line of the El Paso Natural Gas easement;

THENCE North 37° 51’ 09’’ West along the said East line, a distance of 1,365.93 feet;

THENCE North 54° 37’ 04’’ East 1,444.28 feet to the said West right-of-way line;

THENCE South 35° 22’ 56’ East along the said West right-of-way line, a distance of 856.29 feet;

THENCE South 35° 22’ 45’’ East along the said West right-of-way line, a distance of 1,494.12 feet to the POINT OF BEGINNING

EXCEPT for a period of (99) ninety-nine years from March 27, 1989, an undivided one-eight of all minerals, including oil and gas that may be on, in, under, or produced from the property, as reserved in Deed recorded in Docket 1593, page 760, Records of Pinal County, Arizona.

General Notes:

1. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH FIRST AMERICAN TITLE INSURANCE CO., FILE NO. 06199288-128-CM COMMITMENT DATE: JANUARY 28, 2022.
2. BASIS OF BEARINGS: IS THE NORTH LINE OF SECTION 8, TOWNSHIP 10 SOUTH, RANGE 10 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AND BEARING BEING: S 89°45'51" W.
3. AREA OF THIS PARCEL = 60.128± ACRES.
4. THIS IS AN ABOVE GROUND SURVEY. THE UNDERGROUND UTILITIES, IF SHOWN, ARE BASED ON INFORMATION PROVIDED BY THE VARIOUS UTILITY COMPANIES AND THESE LOCATIONS SHOULD BE CONSIDERED APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES NOT SHOWN ON THIS DRAWING.

5. THE WORD "CERTIFY" OR "CERTIFICATE" IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESS OR IMPLIED.

6. FLOOD ZONE DESIGNATION IS SHADED ZONE "X" PER FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NUMBER 04021C2400E, PANEL NUMBER 2400 OF 2575, EFFECTIVE DATE: DECEMBER 4, 2007.

7. NO BUILDINGS OBSERVED.

EXHIBIT B

PZ-037-23 STIPULATIONS

1. Approval of this zone change (PZ-037-23) 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.

EXHIBIT B

PZ-PD-009-23 STIPULATIONS

1. Approval of this PAD (PZ-PD-009-23) 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

2. Smith Rothberg Planned Area Development (PAD) Overlay District (PZ-PD-009-23) is to be developed as shown by the site plan/development plan dated November 15, 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;

3. Applicant to follow landscape standards per design guidelines set forth in the PAD book submitted to the county dated November 15, 2023;

4. Applicant to develop 10 feet landscape border along S Aguirre lane. All plant material to follow Arizona low water use plant list per ADWR;

5. 100' buffer along 1-10 to be developed with a 10' landscaping abutting the residential lots;

6. 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-037-23;

7. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. 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 going before the Planning and Zoning Commission;

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

9. Per Section 702.6 of the Pinal County Subdivision Regulations there shall be a minimum of two permanent access points to the subject property. Approval of adequate access or approval of a Waiver Request shall be approved by the County Engineer prior to the Tentative Plat going before the Planning and Zoning Commission;

10. 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;

11. Submit a copy of a Geotechnical Report to Pinal County Public Works for review;

12. 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;

13. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;

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

15. 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;

16. For detached accessory buildings, the setback distance for side and rear lot lines shall be a minimum of 5 feet;

17. Applicant shall add a second row of irrigated trees at spacing of 25 feet to offset the first row of irrigated trees on the east side of the PAD.

Pinal Central Dispatch

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Hudson, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for 1 issue. The publications thereof having been on the following date:

PUBLICATION DATES:
Jan. 18, 2024

PINAL CENTRAL DISPATCH

(Signed) Yuade Moore
agent and/or publisher of the Pinal Central Dispatch

VERIFICATION

State of New Jersey
County of Hudson

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

Subscribed in my presence and sworn to before me on this: 01/19/2024

Shannea H. Holmes
Notary Public
This notarial act involved the use of communication technology

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 NON-MAJOR COMPREHENSIVE PLAN AMENDMENT, REZONE & A PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-PA-001-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from Moderate Low density Residential (MLDR) to Medium Density Residential (MDR), situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-037-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval of a rezone of 60± acres from GR (General Rural Zone) to R-7 (Rural Zoning District), to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-PD-009-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting approval of Smith-Rothberg (PAD) Overlay Zoning District of 60± acres to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; (legal on file), Tax parcels 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, 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 Planning and Development Department, Pinal County Complex, 85 N. Florence Street, Florence, Arizona, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the internet at: https://www.pinal.gov/236/Notice-of-Hearings

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 8th 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 749, FLORENCE AZ 85132 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.

NO LATER THAN 5:00 PM ON JANUARY 29, 2024

Contact for this matter: Sangeeta Deokar

E-mail Address: Sangeeta.deokar@pinal.gov

Phone # (520) 866-6641 Fax # (520) 866-6530

No. of publications: 1: date of publication: Jan 18, 2024

Affidavit of Broadcast Sign Installation

Case No.: PZ-PA-001-23/PZ-037-23/PZ-PD-009-23

Applicant Name: Garrett Aldrete , The Planning Center

Location: Red Rock, Pinal County

I, the undersigned, confirm that broadcast signs for the Pinal County Public Hearing were installed as required for the case(s) noted above.

Garrett Aldrete — 2/12/24

Applicant/Representative Signature — Date

This instrument was acknowledged before me on this 12 day of Jan, 2024, by Garrett Aldrete. In witness whereof I hereunto set my hand and official seal.

Merry Fennesy

Notary Public

My commission expires 3/2/25

MERRY FENNESY
Notary Public - Arizona
Pima County
Commission # 595939
My Commission Expires March 02, 2025

PINAL COUNTY
Public Hearings

NOTICE

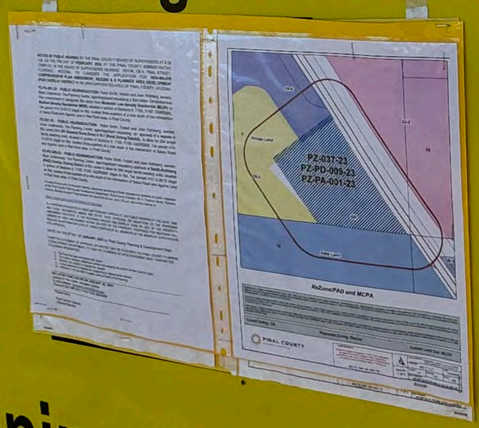
PLANNING & ZONING
PINAL COUNTY
PUBLIC HEARING

Any person who is interested may file written comments, in favor or in opposition, with Community Development Department in Pinal County or appear in person at the hearing.

Date Posted: 1/11/24

POST COPY OF ACTUAL NOTICE BELOW.

Public Hearing Information



Case Number: PZ-PA-001-23

Existing Comprehensive Plan Designation:
Moderate Low Density Residential

Proposed Comprehensive Plan Designation:
Medium Density Residential

Acreage: 60.13

Applicant Name: Brian Underwood, The Planning Center

Applicant Phone Number: 520-623-6146

Case Information Available at Pinal County Planning and Development Services
(520) 866-6442

NOTICE

PLANNING & ZONING
PINAL COUNTY
PUBLIC HEARING

Any person who is interested may file written comments, in favor or in opposition, with Community Development Department in Pinal County or appear in person at the hearing.

Date Posted: 1/11/24

POST COPY OF ACTUAL NOTICE BELOW.

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 **MAJOR COMPREHENSIVE PLAN AMENDMENT, REZONE & A PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT** IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-PA-001-23 – PUBLIC HEARING/ACTION: Robin Smith, Stoben and Joan Rushberg, owners; Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from **Moderate Low-Density Residential (MLDR)** to **Medium-Density Residential (MDR)**, situated in portion of Sections 9, T.10S., R.10E. GASRB&M. (legal on file), Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-457-23 – PUBLIC HEARING/ACTION: Robin Smith, Stoben and Joan Rushberg, owners; Brian Underwood, The Planning Center, agent/applicant requesting a Rezone of 60± acres from **GR (General Rural Zone)** to **R-7 (Rural Zoning District)**, to allow for one single-family dwelling, situated in portion of Sections 9, T.10S, R.10E GASRB&M. (legal on file), Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-PD-009-23 – PUBLIC HEARING/ACTION: Robin Smith, Stoben and Joan Rushberg, owners; Brian Underwood, The Planning Center, agent/applicant requesting a Rezone of 60± acres from **GR (General Rural Zone)** to **CR-3 (Single Residence Zoning District)** and **(PAD) Overlay Zoning District** of 60± acres, to allow for 294 single residence or single-family dwellings, situated in portion of Sections 9, T.10S, R10E GASRB&M. (legal on file), Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

To review 24 hours prior to the public hearing, documents pertaining to these requests are available for review on the Pinal County Planning and Development Department, Pinal County Community Development Division website, Monday through Friday between the hours of 8 a.m. to 5 p.m. or 24 hours on the internet at:

https://www.pinalcountyaz.gov/Departments/Pages/Index.aspx

ALL PERSONS INTERESTED IN THESE MATTERS MAY APPEAR AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE STATED ABOVE AND STATE THEIR APPROVAL OR OBJECTIONS TO THE PROPOSED AMENDMENT. ANY PROTEST AGAINST THE REZONING OF THE PROPERTY PROPOSED TO BE REZONED SHALL BE SIGNED BY OWNERS, BY AREA AND NUMBER, OF THE PROPERTY WITHIN THE ZONE AFFECTED BY THE PROPOSED AMENDMENT AND WITHIN 150 FEET OF THE PROPERTY PROPOSED TO BE REZONED. FOR APPROVAL OR PROTEST, THREE-FOURTHS OF ALL MEMBERS OF THE BOARD MUST CONCUR.

DATED ON THIS 8th 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 & ZONING DEPARTMENT, P.O. BOX 749, FLORENCE AZ 85132 STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

1) The Planning Case Number(s) here shown.
2) Your name, address, telephone number and property tax parcel number (print or type).
3) Whether you support or oppose the proposal.
4) Reason for your decision and be specific in stating the reason.

NO LATER THAN 5:00 PM ON JANUARY 29, 2024

Contact for this Notice: Margarita Chavez
E-mail Address: Margarita.Chavez@pinal.gov
Phone # (520) 866-6641 Fax # (520) 866-6639

Submitted by:

Pinal Central Director,
Aroona Redstin.



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PZ-PA-001-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from **Moderate Low density Residential (MLDR)** to **Medium Density Residential (MDR),** situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-037-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval of a **rezone** of 60± acres from **GR (General Rural Zone)** to **R-7 (Rural Zoning District)**, to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-PD-009-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting approval of **Smith-Rothberg (PAD) Overlay Zoning District** of 60± acres to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; (legal on file), Tax parcels 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

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5) Whether or not you wish to appear and be heard at the hearing.

NO LATER THAN 5:00 PM ON JANUARY 29, 2024

Contact for this matter: Sangeeta Deokar
E-mail Address: Sangeeta.deokar@pinal.gov
Phone # (520) 866-6641 Fax # (520) 866-6530

Publish once:

Pinal Central Dispatch
Arizona Republic

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: DECEMBER 21, 2023

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO: **PZ-PA-001-23**, **PZ-037-23 & PZ-PD-009-23 (SMITH ROTHBERG PAD)**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

Executive Summary: *Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval for a non-major comprehensive plan amendment to designate 60+ acres from Moderate Low Density Residential (MLDR) to Medium Density Residential (MDR) along with a rezone from General Rural (GR) to R-7 with a PAD overlay to allow for 294 single family dwelling units in Red Rock area, Pinal County.*

If This Request is Approved:
The applicant will apply for a subdivision application and applicable permits under the new development and design standards.

Staff Recommendation/Issues for Consideration/Concern:
Staff recommends approval of land-use change (PZ-PA-001-23), zone change (PZ-037-23) and planned area development (PAD) overlay (PZ-PD-009-23), with attached stipulations.

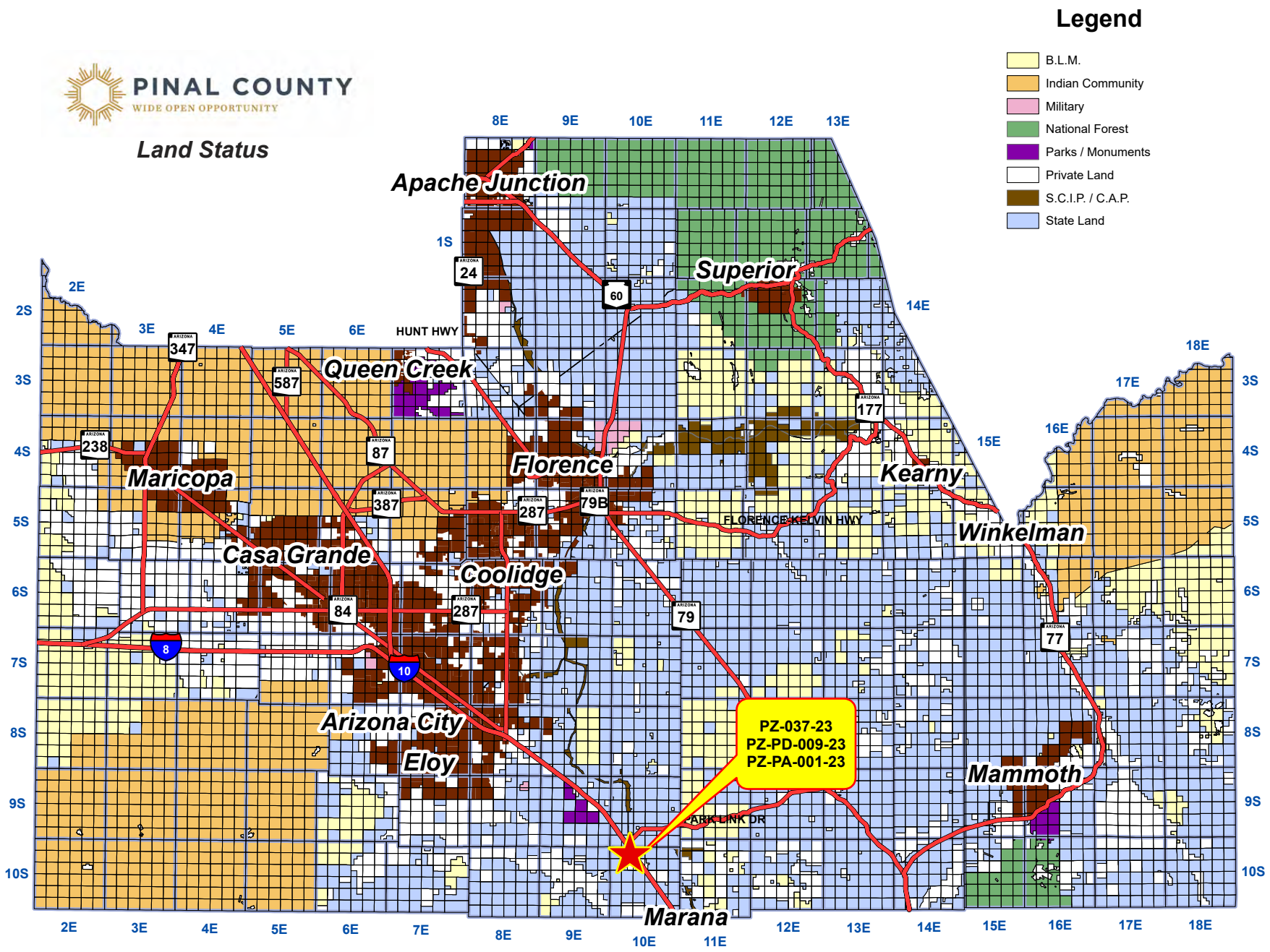
LEGAL DESCRIPTION: A portion of land portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

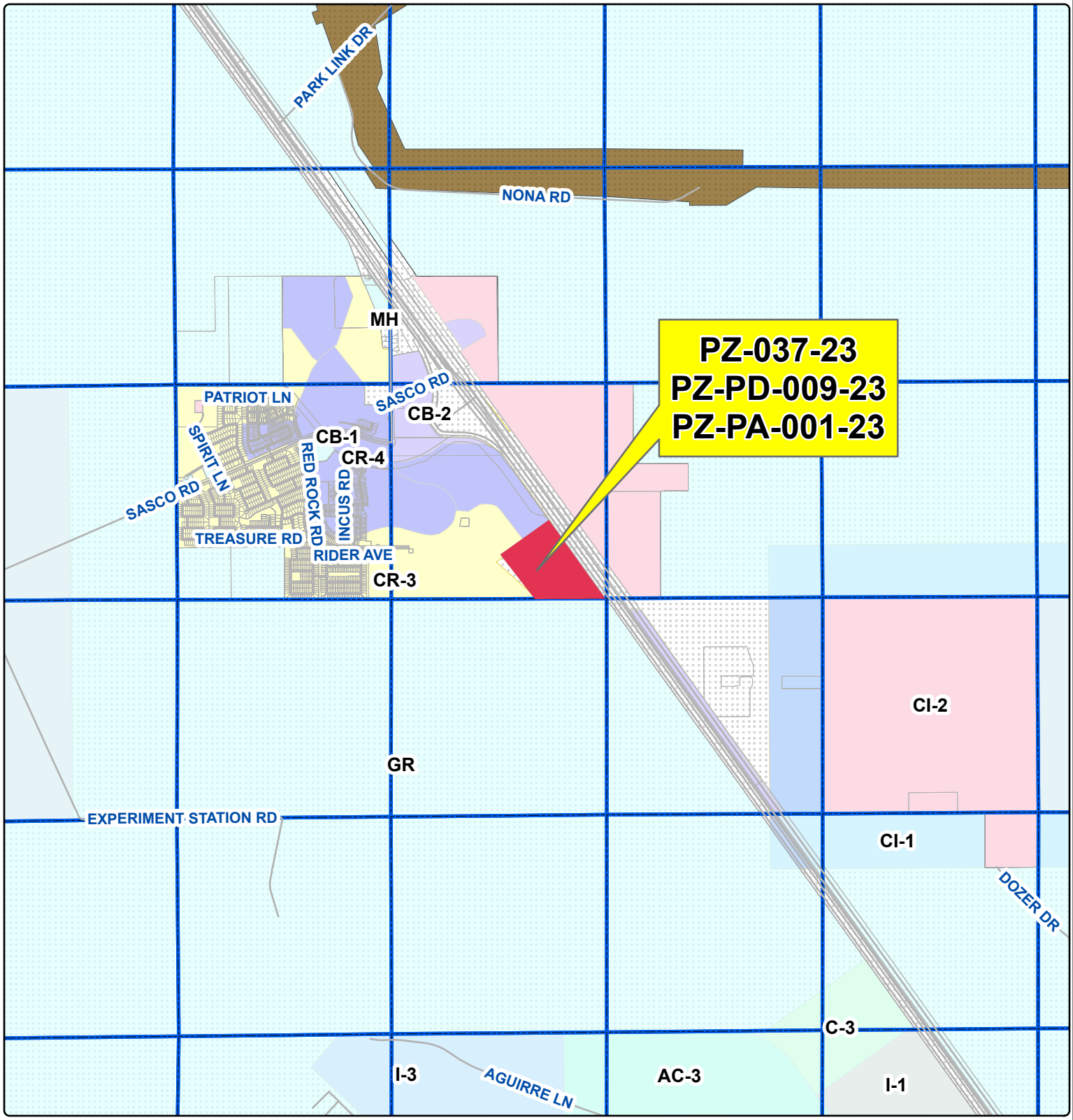
REQUESTED ACTION & PURPOSE: (Three Cases)

1. **PZ-PA-001-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from Moderate Low density Residential (MLDR) to Medium Density Residential (MDR), situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

2. **PZ-037-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval of a rezone of 60± acres from GR (General Rural Zone) to R-7 (Single Residence Zoning District), to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

3. **PZ-PD-009-23 PUBLIC HEARING/ACTION:** Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting approval of Smith-Rothberg (PAD) Overlay Zoning District of 60± acres to allow for 294 single family dwelling units; situated in portion of Sections 9,


PINAL COUNTY
WIDE OPEN OPPORTUNITY
Land Status
Legend
B.L.M.
Indian Community
Military
National Forest
Parks / Monuments
Private Land
S.C.I.P. / C.A.P.
State Land
Apache Junction
Superior
Queen Creek
Florence
Kearny
Winkelman
Maricopa
Casa Grande
Coolidge
Arizona City
Eloy
Mammoth
Marana
HUNT HWY
FLORENCE-KELVIN HWY
PARK LINK DR
PZ-037-23
PZ-PD-009-23
PZ-PA-001-23
1S
2S
3S
4S
5S
6S
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10E
11E
12E
13E
14E
15E
16E
17E
18E
24
60
347
587
238
87
387
287
79B
177
84
79
77
8
10



Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

SEC 09, TWN 10S, RNG 10E

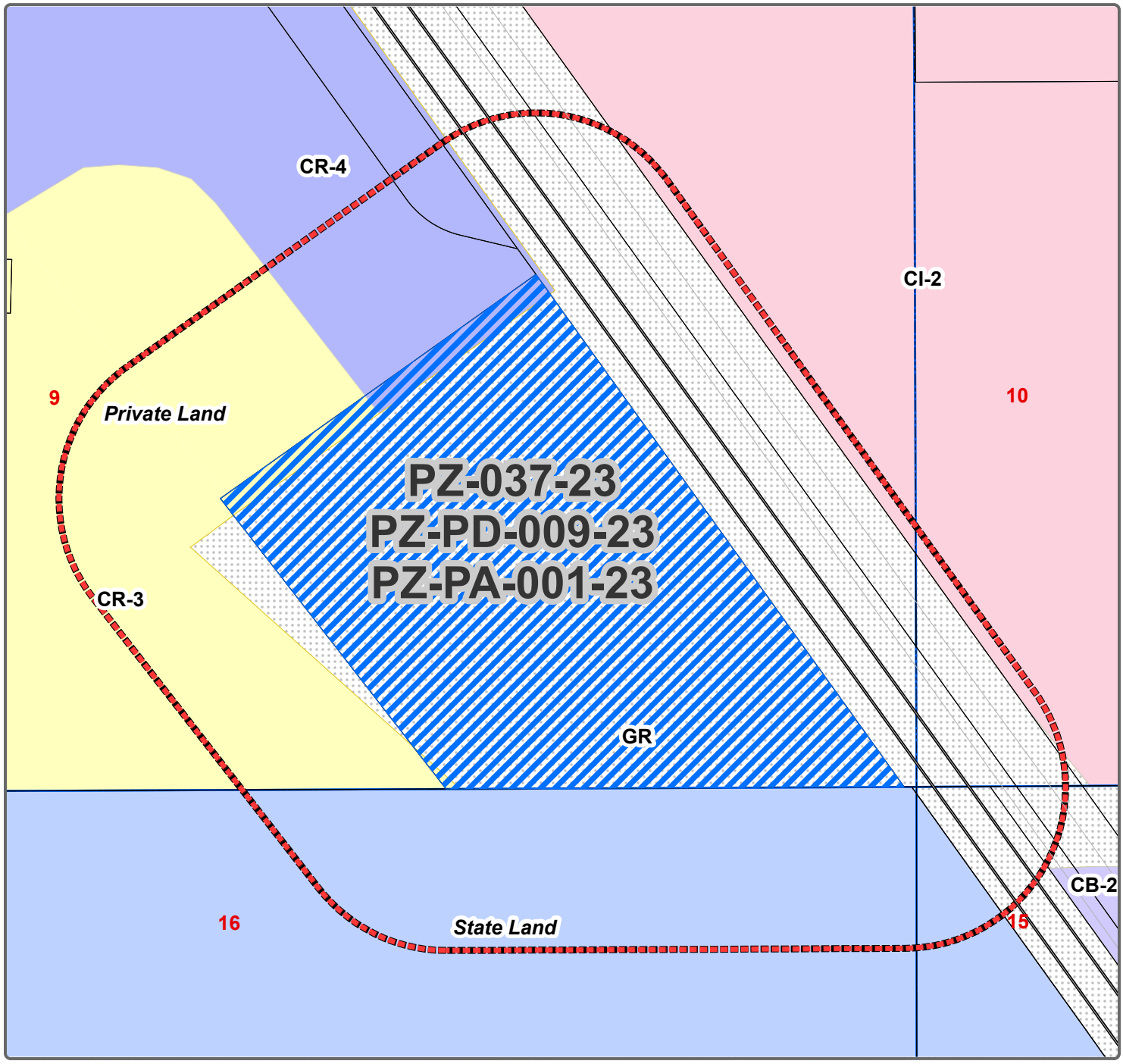
Owner/Applicant:	ROBIN SMITH, ROBERT & JOAN ROTHBERG BRIAN UNDERWOOD, THE PLANNING CTR
Drawn By:	GIS / IT / LJT
Date:	10/24/2023
Sheet No.	1 of 1
Section	09
Township	10S
Range	10E
Case Number:	PZ-037-23,PZ-PD-009-23,PZ-PA-001-23



Community Development

PZ-037-23
PZ-PD-009-23
PZ-PA-001-23

PINAL COUNTY
WIDE OPEN OPPORTUNITY



ReZone/PAD and MCPA

PZ-PA-001-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting a Non-Major Comprehensive Plan Amendment to designate 60± acres from Moderate Low density Residential (MLDR) to Medium Density Residential (MDR), situated in portion of Sections 9, T10S, R10E G&SRB&M;, Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-037-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting an approval of a rezone of 60± acres from GR (General Rural Zone) to R-7 (Rural Zoning District), to allow for 294 single family dwelling units; situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

PZ-PD-009-23 – PUBLIC HEARING/ACTION: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant requesting approval of Smith-Rothberg (PAD) Overlay Zoning District of 60± acres to allow for 294 single family dwelling units; situated in portion of Sections 28, T02S, R08E G&SRB&M; (legal on file), Tax parcels 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

Current Zoning: GR	Requested Zoning: Rezone	Current Land Use: MLDR

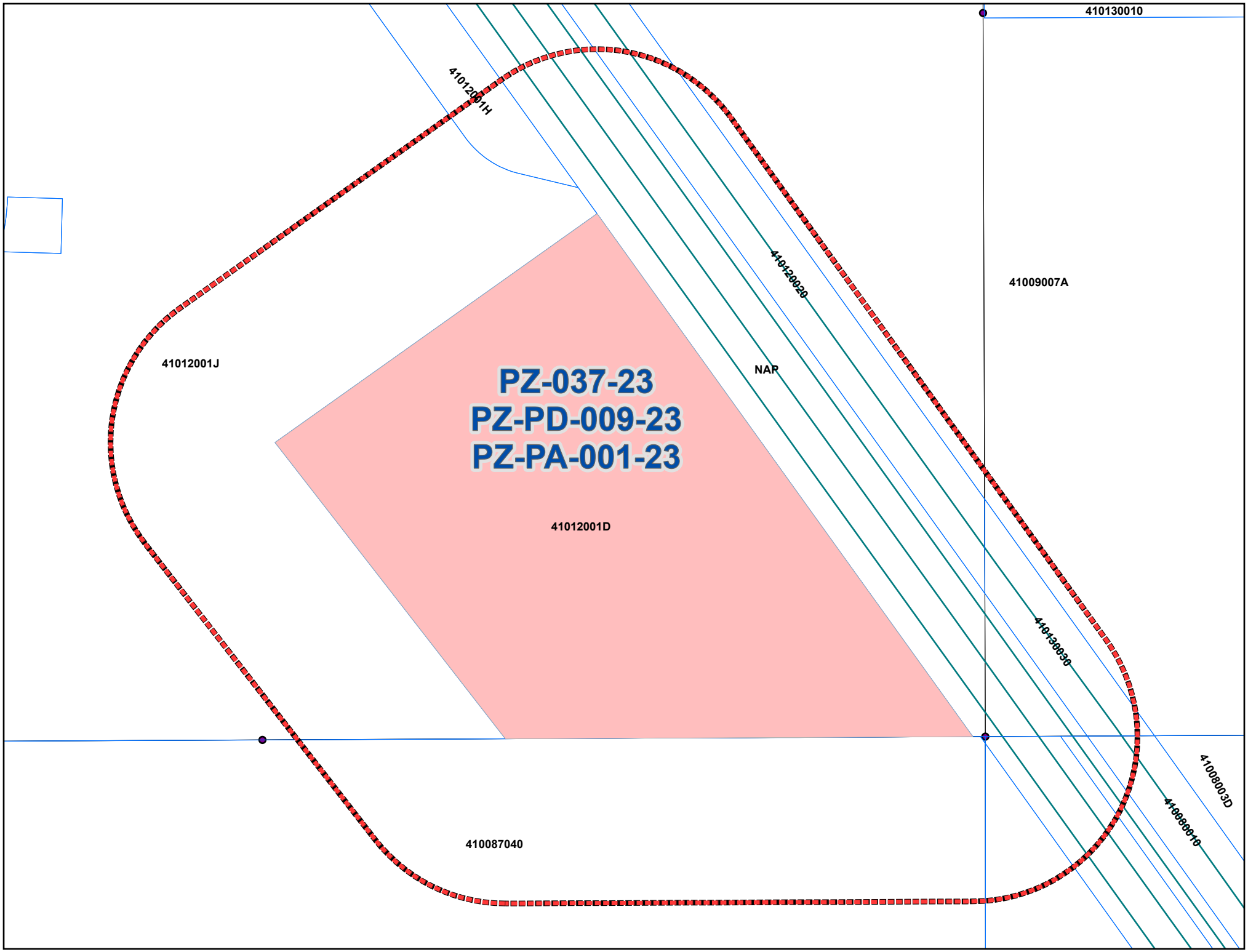
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in portion of Sections 9, T10S, R10E G&SRB&M; Tax parcel 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

SEC 09, TWN 10S, RNG 10E

Owner/Applicant: ROBIN SMITH, ROBERT & JOAN ROTHBERG BRIAN UNDERWOOD, THE PLANNING CTR			
Drawn By: GIS / IT /LJT			Date: 10/24/2023
Sheet No. 1 of 1	Section 09	Township 10S	Range 10E
Case Number: PZ-037-23,PZ-PD-009-23,PZ-PA-001-23			


410130010
41012001H
41009007A
41012001J
PZ-037-23
PZ-PD-009-23
PZ-PA-001-23
NAP
41012001D
410087040

T10S, R10E G&SRB&M; (legal on file), Tax parcels 410-12-001D (legal on file), located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

Tax Parcel: 410-12-001D

LOCATION: Located three-quarters of a mile south of the intersection of Sasco Road and Aguirre Lane in Red Rock area, in Pinal County.

SIZE: 60± acres

COMPREHENSIVE PLAN: The land-use designation for the parcel is Moderate Low Density Residential (MLDR) that allows 1-3.5 du/ac.

EXISTING ZONING AND LAND USE: The subject is currently zoned as General Rural (GR) Zone.

SURROUNDING ZONING AND LAND USE:

North: Single Residence Residential and Multiple Residence Zone (CR-3 & CR-4)
South: General Rural Zone (GR)
East: Industrial Buffer Zone (CI-2)
West: Single Residence Zone (CR-3)

PUBLIC PARTICIPATION:

Neighborhood Meeting(s):	Feb 15, 2023
Mail out:	December 1, 2023
Agency Mail out:	November 29, 2023
Newspaper Advertising:	Week of November 27, 2023
Web post:	November 29, 2023
Site posting:	November 29, 2023

FINDINGS/SITE DATA:

History:

The subject site lies south of the Red Rock Village PAD (RRV PAD) and is currently vacant. RRV PAD is a master planned community of 977 acres approved in 2008. The 60-acre parcel lies south of the RRV PAD. The parcel has remained vacant and is surrounded by the RRV PAD to its north, east and the west. The site is situated along the west of I-10 and the Union Pacific Railroad.

Proposed Use:

The Smith Rothberg PAD is a single-family subdivision similar to its neighbor to the north -The Red Rock Village PAD. The proposal consists of **294** single-family residences as an extension of the Red Rock Village community.

Flood Zone:

The property is currently undeveloped land and lies in the Flood Zone X. The proposed site is bound to the east by Interstate 10, while the land immediately north, south and west of the project is undeveloped. The community of Red Rock lies to the north of the site but does not form a boundary with the proposed project. The site currently drains to the west/southwest. There are no regional off-site flows impacting the project. In accordance with the Pinal County Subdivision and Infrastructure Design Manual, local drainage channels are proposed within dedicated drainage easements and will be used as a means of conveying on-site runoff to the retention basin.

Access:
The primary entrance for Smith Rothberg proposal will be from the west along South Aguirre lane. A secondary access point is provided through a vehicular connection into the existing northern portion of the Red Rock Village B. Both access points will comply with Pinal County Public Works requirements. There is also a pedestrian connection proposed that connects this development to its north of RRV PAD.

ANALYSIS:
Comprehensive Plan
Red Rock area is identified as a Growth Area in the Pinal County Comprehensive plan. Growth Areas are defined where development will occur and encouraged for future growth. The land-use designation for the parcel is Moderate Low Density Residential (MLDR) and allows 1-3.5 du/ac. The applicant proposes a change to the land use designation from (MLDR) to Medium Density Residential (MDR) for residential density ranging from 4-8 du/acre. This project seeks a change that is consistent with the primary goal of the Pinal County Comprehensive Plan as a Growth Area.

Smith Rothberg PAD is an addition of residential homes of similar sizes to the RRV PAD. The density proposed is consistent to its adjacent neighbor and would not stand out as a standalone development but rather be an extension of the RRV PAD. Proposed density is 4.89 du/acre. With additional homes of similar sizes as the neighboring PAD, this proposal would increase the housing supply and assist with the shortage and affordability currently experienced in the region.

Access to the proposed Smith Rothberg PAD is from Aguirre Lane that connects the existing RRV PAD on the west and has an additional access into the north of the development from the abutting RRV PAD. Thus this pocket of proposed development is well connected and would become a part of the extension of the existing RRV PAD. Trails proposed in the new development give residents an opportunity to connect with opens spaces within the PAD and extend into the neighboring RRV PAD.

Smith-Rothberg PAD proposal ensures its future residents with over 18% of developed open space with recreation and amenities. The central park consists of 1.55 acres of the primary amenity with additional pocket parks interspersed across the layout. Pedestrian circulation is designed to connect within the PAD and to its neighboring villages of the RRV PAD.

Rezone & PAD
This application is requesting a rezone of the 60-acre site from General Rural (GR) to Single Residence Zoning district (R-7) with a PAD overlay. Pinal County allows for PAD overlays in order to provide unique communities with flexibility in development standards. The proposed single level homes are an extension of the similar to those adjoining the RRV PAD to the north. This development will be consistent to the upcoming RRV PAD. Smith Rothberg PAD will follow development guidelines and regulations as the RRV PAD. Sunbelt holdings is the owner for RRV PAD and the Smith Rothberg PAD. The Red Rock Village community Association will likely manage the Smith Rothberg PAD.

The requested PAD overlay will facilitate certain necessary deviations from the R-7 development standards. Requested deviations from the development standards include minimum lot size, front yard setbacks, rear yard setbacks and side yard setbacks. Smith Rothberg community will consist of 294 single-family homes with an overall density of 4.89 dwelling units per acre.

The proposed community provides a housing option with amenities to include a large central park, three pocket parks trails. One of the trail connects the central park to the village in the RRV PAD thus making this development as an extension to the existing RRV PAD.

Development Standards

Section 2.275.040 outlines the Development Standards for R-7 zoning district. Below are the R-7 Development standards along with the proposed PAD standards and Open Space calculations for Smith Rothberg PAD:

Development Standards R-7

Smith-Rothberg PAD – Zoning Standard Comparison			
	Red Rock Village CR-4 Zone (for comparison only)	R-7 Zone Standards	Modified R-7 PAD Standards
	CR-4		
Minimum Lot Area	2,500 sq. feet	7,000 sq. feet	4,000 sq. feet
Minimum Lot Width	25 feet	50 feet	35 feet
Minimum Building Setback			
Front	10 feet	20 feet	10 feet
Sides	4 feet	10 feet	5 feet
Rear	10 feet	25 feet	10 feet
Maximum Building Height	30 feet	30 feet	30 feet
Minimum Distance between Main Building and Detached Accessory Building	7 feet	7 feet	7 feet
Buildable Area	N/A	N/A	N/A

Open Space Table

Smith-Rothberg PAD – Open Space			
Site Acreage	**Required Acreage (based on 18% open space requirement)**	**Provided Acreage**	**As a Percent**
60	10.8 Open Space	15.6 OS	26% OS
60	4.21 Recreation Area	7.28 RA	12% RA

Layout of the streets within the PAD is proposed to unite the residential and recreational areas into a coherent system. Neighborhood streets provide access to all homes and recreation areas. These are lined with sidewalks with trees and landscape that provide a distinctive quality and an overall community theme.

All landscape standards follow the code as established in the Section 2.176.180. A 100 foot buffer along east border of the project entails a 20 feet of landscape border along the project edge. Another 10 feet landscape buffer is proposed adjacent to the Aguirre Lane on the west side of the Smith Rothberg PAD.

UTILITIES AND SERVICES:

Smith-Rothberg PAD – Utilities and Public Services	
Utility/Service	**Provider**
Water	Global Water – Santa Cruz Water Company, Inc
Wastewater	GW – Palo Verde Utilities Company
Solid Waste	Waste Management, Inc
Electrical Service	Arizona Public Service
Natural Gas Service	Southwest Gas Corporation
Cable/Internet/Phone	CenturyLink, Xfinity, Viasat
Police	Pinal County Sheriff's Office
Fire	Avra Valley Fire District
Schools	Red Rock Elementary School District

Items for Commission Consideration:

- The site is requesting designation as Medium Density Residential (MDR) consistent with the RRV PAD surrounding it on three sides.
- Staff has forwarded a recommendation of approval of both applications.
- The proposed rezoning to R-7 will allow for the development of a Single Residence Zoning consistent with the adjacent housing typology.
- Said project generates traffic that will warranty the roadways improvements, traffic signals at locations identified in the Traffic report and refined at plat submittal by the applicant.

Staff notes in regards to public participation, a solicitation for comments and questions period was offered by the applicant prior to the formal submittal for this project. Letters were sent out to all property owners within 1,200 feet of the site notifying neighbors of the solicitation period and providing a general description of the request as well as contact information should they have questions at any time during the process. As of 12/12/2023, no response has been received.

The Pinal County Department of Public Works reviewed the proposal and had no comments.

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 Rezone (PZ-037-23) and PAD amendment (PZ-PD-009-23). Furthermore, the Commission must determine that this zone change and PAD overlay will promote the orderly growth and development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan and rezone request.

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: Robin Smith, Robert and Joan Rothberg, owners, Brian Underwood, The Planning Center, agent/applicant, have submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page one (1) of this staff report:

1. This land use request is for approval of a Minor Comprehensive Plan Amendment, Rezone and Planned Area Development.
2. To date, no public comments have been received.
3. The property has legal access.
4. The subject property is currently designated as Moderate Low Density Residential as per the Pinal County Comprehensive Plan.
5. Granting of the PAD will require, after the time of zoning 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-PA-001-23): After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), staff recommends approval on this request however:

Should the Commission find after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that these Non-Major Comprehensive Plan Amendment is needed and necessary 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 Commission forward PZ-PA-001-23 to the Board of Supervisors with a favorable recommendation.

STAFF RECOMMEND MOTION (PZ-PA-001-23): ***I move the Planning and Zoning Commission forward a recommendation of approval of Case PZ-PA-001-23.***

* *no proposed stipulations.

STAFF RECOMMENDATION (PZ-037-23): 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, subject to the stipulations listed in the recommended motion:

STAFF RECOMMEND MOTION (PZ-037-23): ***I move the Pinal County Planning and Zoning Commission forward a recommendation of APPROVAL to the Board of Supervisors with its one stipulation as listed in the staff report:***

1. Approval of this zone change (PZ-037-23) 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-009-23): Staff recommends APPROVAL, however if the Planning and Zoning Commission finds after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this PAD request is needed and necessary 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 Commission forward PZ-PD-009-23 to the Board of Supervisors with a favorable recommendation with the attached stipulations.

STAFF RECOMMEND MOTION (PZ-PD-009-23): ***I move the Pinal County Planning and Zoning Commission forward a recommendation of APPROVAL to the Board of Supervisors with its 16 stipulations as listed in the staff report:***

1. Approval of this PAD (PZ-PD-009-23) 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

2. Smith Rothberg Planned Area Development (PAD) Overlay District (PZ-PD-009-23) is to be developed as shown by the site plan/development plan dated November 15, 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;

3. Applicant to follow landscape standards per design guidelines set forth in the PAD book submitted to the county dated November 15, 2023;

4. Applicant to develop 10 feet landscape border along S Aguirre lane. All plant material to follow Arizona low water use plant list per ADWR;

5. 100' buffer along 1-10 to be developed with a 10' landscaping abutting the residential lots;

6. 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-037-23;

7. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. 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 going before the Planning and Zoning Commission;

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

9. A minimum 55' half street right-of-way dedication and road improvements will be required along the (Southern boundaries). All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

10. Per Section 702.6 of the Pinal County Subdivision Regulations there shall be a minimum of two permanent access points to the subject property. Approval of adequate access or approval of a Waiver Request shall be approved by the County Engineer prior to the Tentative Plat going before the Planning and Zoning Commission;

11. 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;

12. Submit a copy of a Geotechnical Report to Pinal County Public Works for review;

13. 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;

14. All construction activity must conform to the Earthmoving Activity requirements of the Pinal County Air Quality Control District;

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

16. 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.

Date Prepared 12/5/2023 SD
Revised: 12/15/2023 SD

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA
(All Applications Must Be Typed or Written in Ink)

Comprehensive Plan Amendment unincorporated & 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. The legal description of the property: A PRT OF SE OF SEC 9-10S-10E BEG AT A PNT 50.87' W OF SE COR OF SAID SEC 9 TH CONT W-1700.25' TH N-37 DEG 51' W-1365.93' TH N-54 DEG 37' E-1444.28' TH S-35 DEG 22' E-2350.41' TO POB TOGETHER WITH 30' EASEMENT AS DESC IN DKT 1593/PG 760 59.92 AC

2. Parcel Number(s): 410-12-001D Total Acreage: 60

3. Current Land Use Designation: Moderate Low Density Residential (1 - 3.5 du/ac)

4. Requested Land Use Designation: Medium Density Residential (3.5 - 8 du/ac)

5. Date of Concept Review: 1/24/23 Concept Review Number: Z-PA-001-23

6. Why is this Comprehensive Plan Amendment being requested? (You must provide a summary of the anticipated development on this page, if not provided, the application cannot be processed.): The developer of the Smith-Rothberg PAD wishes to create a subdivision of 294 single-family homes. These homes will have similar lot sizes to the existing single-family neighborhoods in Red Rock. The density of the development will be 4.88 du/ac. This density is more than what is allowed in the Moderate Low Density Residential land use. The Medium Density Residential land use will allow additional housing of a similar style in Red Rock.

7. Discuss any recent changes in the area that would support your application. The Red Rock Village PAD is currently being built-out by a collection of different homebuilders. These homebuilder have crafted a series of neighborhoods with varying densities, some more than 3.5 du/ac. As these neighborhoods are completed, a demand for housing will require new neighborhoods in Red Rock. This PAD will provide entitlements to continue the existing development pattern in Red Rock.

8. Explain why the proposed amendment is needed and necessary at this time. Arizona is experiencing a housing shortage and housing affordability problem. These two issues go hand-in-hand and are best alleviated through providing new market-rate housing that will increase the supply and bring prices down.

INV#: AMT: DATE: CASE: Xref:

PINAL COUNTY COMPREHENSIVE PLAN AMENDMENT APPLICATION

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- ☐ A. **Certified Boundary Survey**, including legal descriptions of the proposed designations
- ☐ B. Location map which identifies the property and its relationship to Pinal Countyenvirons.
- ☐ C. Map showing the topography of the property.
- ☐ D. Site map which specifically identifies the property including parcels under separate ownership.
- ☐ E. Property owner(s) authorization for the Comprehensive Plan Amendment.
- ☐ F. Other information as may be determined necessary by the Planning staff or other information the applicant feels is pertinent to this request.
- ☐ G. Non-refundable filing fee as shown on the cover page.
- ☐ H. Narrative in PDF format.
- ☐ I. Neighborhood meeting report

Your application must be submitted digitally via the online submittal portal site at https://citizenaccess.pinalcountyaz.gov/CitizenAccess/Default.aspx

Please call or email the Planning Division for more information.

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.

Name of Landowner (Applicant)	Address	Phone Number
Joan Rothberg	12 Cedric Road Summit NJ 07901	908 277-1580
Robert Rothberg	12 Cedric Road Summit, NJ 07901	908 277-1580

Signature of Landowner (Applicant)	E-Mail Address
Joan C Rothberg	Joan.rothberg.15@gmail.com
Robert R Rothberg	Robertrothberg1@gmail.com

Name of Agent	Address	Phone Number

Signature of Agent	E-Mail Address
Brian Underwood	bunderwood@azplanningcenter.com

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

PINAL COUNTY COMPREHENSIVE PLAN AMENDMENT APPLICATION

IN ADDITION TO THIS APPLICATION, YOU WILL NEED TO SUBMIT:

- ☐ A. **Certified Boundary Survey**, including legal descriptions of the proposed designations
- ☐ B. Location map which identifies the property and its relationship to Pinal Countyenvirons.
- ☐ C. Map showing the topography of the property.
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Your application must be submitted digitally via the online submittal portal site at https://citizenaccess.pinalcountyaz.gov/CitizenAccess/Default.aspx

Please call or email the Planning Division for more information.

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.

Robin Smith	19750 Beach Rd Apt 601 Jupiter, Fl 33469	561-339-4703 cell 561-250-6337 landline
Name of Landowner (Applicant)	Address	Phone Number
Robin B Smith		robinblumsmith@gmail.com
Signature of Landowner (Applicant)		E-Mail Address

Name of Agent	Address	Phone Number
Brian Underwood		bunderwood@azplanningcenter.com
Signature of Agent		E-Mail Address

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

AGENCY AUTHORIZATION

(To be completed by landowners of subject property when landowners 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 Planning & Development Services
P.O. Box 2973
Florence, AZ 85132

Smith Robin B, and Rothbeg Robert& Joan O
[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

hereinafter referred to as "Owner," is/are the owner(s) of 60 acres located at In Red Rock, AZ approximately half a mile south of the intersection of Aguirre Lane and Sasco Road., and further identified
[Insert Address of Property]

as assessor parcel number 410-12-001D and legally described as follows:
[Insert Parcel Number]

[Legal Description is attached hereto as Exhibit A]

Said property is hereinafter referred to as the "Property."

Owner hereby appoints The Planning Center
[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 approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

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

[Signature]
19750 Beach Rd Apt 601
[Address] Jupiter FL 33469
Dated: 3/28/2023

[Signature]
[Address]
Dated:

STATE OF FL)
) ss.
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 28 day of March 2023 by ROBIN SMITH
[Insert Name of Signor(s)]

My commission expires OCT 29, 2025

MURSHIDA UDDIN
Printed Name of Notary

MURSHIDA UDDIN
Notary Public - State of Florida
Commission # HH 170636
My Comm. Expires Oct 29, 2025

Signature of Notary Public

AGENCY AUTHORIZATION

(To be completed by landowners of subject property when landowners 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 Planning & Development Services
P.O. Box 2973
Florence, AZ 85132

Smith Robin B, and Rothbeg Robert& Joan O
[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

hereinafter referred to as "Owner," is/are the owner(s) of 60 acres located at In Red Rock, AZ approximately half a mile south of the intersection of Aguirre Lane and Sasco Road., and further identified
[Insert Address of Property]

as assessor parcel number 410-12-001D and legally described as follows:
[Insert Parcel Number]

[Legal Description is attached hereto as Exhibit A]

Said property is hereinafter referred to as the "Property."

Owner hereby appoints The Planning Center
[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 approvals from Pinal County for any necessary amendment to Pinal County's Comprehensive Plan; zone changes; planned area development overlay districts; platting of the subject property; special use permit or industrial use permit; and to file applications and make the necessary submittals for such approvals.

Owner consents and agrees to be bound by all stipulations agreed to by this Agent in connection with any of above-referenced processes.

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

[Signature]
12 Cedric Road Summit NJ 07901
[Address]

Dated: 3/28/23

[Signature]
12 Cedric Rd Summit NJ 07901
[Address]

Dated: 3/28/23

GARY A WOODS
Notary Public - State of New Jersey
My Commission Expires Jan 13, 2026

STATE OF New Jersey)
) ss.
COUNTY OF Union)

The foregoing instrument was acknowledged before me this 28 day of March by Gary Woods.
[Insert Name of Signor(s)]

My commission expires 01/13/26

Printed Name of Notary

GARY A WOODS
Notary Public - State of New Jersey
My Commission Expires Jan 13, 2026

Signature of Notary Public

Corporate PROPERTY OWNER signature block and acknowledgment the appropriate corporate officer or trustee signs this signature block NOT the block on the previous page.

_____
[Insert Company or Trustee's Name]

By: _____
[Signature of Authorized Officer or Trustee]

Its: _____
[Insert Title]

Dated: _____

STATE OF_____)
) ss.
COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____day of_____,
_____, by_____,_____of
[Insert Signor's Name] ***[Insert Title]***
_____, an _____
[Insert Name of Company or Trust] ***[Insert State of Incorporation, if applicable]***

and who being authorized to do so, executed the foregoing instrument on behalf of said entity for the purposes stated therein.

_____
Notary Public

My commission expires: _____

ALTERNATE: Use the following acknowledgment only when a second company is signing on behalf of the owner:
STATE OF_____)
) ss.
COUNTY OF_____)

On this_____day of_____, _____, before me, the undersigned, personally appeared

_____ Who acknowledged himself/herself to be
[Insert Signor's Name]

_____ of _____
[Title of Office Held] ***[Second Company]***
As_____for_____, and who being
[i.e, member, manager, etc.] ***[Owner's Name]***
Authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

My commission expires: _____

_____ _____
Printed Name of Notary Signature of Notary