



PINAL COUNTY

WIDE OPEN OPPORTUNITY

MEETING DATE: MARCH 20, 2024

TO: PINAL COUNTY BOARD OF SUPERVISORS

CASE NO.: **PZ-PA-012-23, PZ-049-23 (BRADY 28)**

CASE COORDINATOR: LAREE MASON

Executive Summary:

Brady 28 requesting approval of a non-major comprehensive plan amendment and a rezone to designate 27.92± acres from Mid-Intensity Activity Center to Employment and rezone from GR (General Rural) to I-2 (Light Industrial), to allow for the development of an industrial complex; situated in the Casa Grande vicinity, Pinal County, Arizona.

If This Request is Approved:

The applicant will start the site plan process for future development.

Staff Recommendation:

No recommendation.

LEGAL DESCRIPTION: Section 13, Township 06 South, Range 05 East of the Gila and Salt River Base and Meridian

TAX PARCELS: 503-34-002A, 503-34-004A, 503-34-002B, 503-34-0030

LANDOWNER/APPLICANT: Brady and Brady Properties LLC, Brady James Dean Living Trust, & Marietta Brady, owners, Jessica Sarkissian, agent/applicant

REQUESTED ACTION & PURPOSE:

PZ-PA-012-23 — PUBLIC HEARING/ACTION: Brady and Brady Properties LLC, Brady James Dean Living Trust, and Marietta Brady, owners, Jessica Sarkissian — agent/applicant, requesting an approval of a non-major comprehensive plan amendment to designate 27.92± acres from **Mid Intensity Activity Center to Employment**, situated in Section 13, Township 06 South, Range 05 East of the Gila and Salt River Base and Meridian; Tax parcels: 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A, (legal on file), located 0.75 miles west of North Thornton Road along West Maricopa Casa Grande Highway in the Casa Grande vicinity, in Pinal County.

PZ-049-23 — PUBLIC HEARING/ACTION: Brady and Brady Properties LLC, Brady James Dean Living Trust, and Marietta Brady, owners, Jessica Sarkissian — agent/applicant, requesting an approval of a rezone of 27.92± acres from **GR (General Rural)** to **I-2 (Light Industrial and Warehouse)** to allow the development of an industrial complex; situated in Section 13, Township 06 South, Range 05 East of the Gila and Salt River Base and Meridian; Tax parcels: 503-34-002A, 503-34-002B, 503-34-0030, 503-34-004A, (legal on file), located 0.75 miles west of North Thornton Road along West Maricopa Casa Grande Highway in the Casa Grande vicinity, in Pinal County.

LOCATION: Approximately 0.75 miles west of Thornton Road off of Maricopa-Casa Grande Highway.

SIZE: 27.92-acres

COMPREHENSIVE PLAN: Mid-Intensity Activity Center

EXISTING ZONING: GR (General Rural)

SURROUNDING ZONING AND LAND USE:

North: City of Casa Grande Jurisdiction	Industrial
South: General Rural	Residential
East: City of Casa Grande Jurisdiction	Industrial
West: City of Casa Grande Jurisdiction	Industrial

PUBLIC PARTICIPATION:

Neighborhood Meeting:	October 18, 2023
Neighborhood and Agency Mail out:	February 28, 2024
Newspaper Advertising:	February 29, 2024
Site Posting: Applicant:	January 23, 2024
Site Posting: County:	February 29, 2024

COMMISSION/RECOMMEND MOTION (PZ-PA-012-23): At the hearing, after discussion and review of the evidence presented by staff, along with public testimony, the Commission forwarded a favorable recommendation (9-0) to the Board of Supervisors, to recommend approval of PZ-PA-015-23, with no stipulations.

COMMISSION/RECOMMEND MOTION (PZ-049-23): At the hearing, after discussion and review of the evidence presented by staff, along with public testimony, the Commission forwarded a favorable recommendation (8-1) to the Board of Supervisors, to recommend approval of PZ-049-23, with ten (10) stipulations.

STIPULATIONS:

1. The approval of this rezone is contingent upon the Board of Supervisors approval of the minor comprehensive plan amendment (PZ-PA-012-23);

2. Approval of this zone change (PZ-049-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
3. Half-street right-of-way dedication will be required for BURRIS ROAD. The required minimum half street right-of-way is Seventy-Five Feet (75') for BURRIS ROAD along the development's frontage. Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for BURRIS ROAD shall be the responsibility of the applicant;
4. Half-street right-of-way dedication will be required for CLAYTON ROAD. The required minimum half street right-of-way is Fifty-Five Feet (55') for CLAYTON ROAD along the development's frontage. Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for CLAYTON ROAD shall be the responsibility of the applicant;
5. BURRIS ROAD has been identified as a "Route of Regional Significance". Applicant will be required to comply with the "Regionally Significant Routes for Safety and Mobility, Final Report, December 2008" and the current "Access Management Manual" or as approved by the County Engineer;
6. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan 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 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 approval;
7. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
8. All right-of-way dedication shall be free and unencumbered;
9. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer; and
10. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan and/or tentative plat submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan and/or final plat approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer.

1 they're heard together, and I believe we should do that before
2 we break for lunch. Does the Commission concur? Okay, in
3 that case, we are going to go ahead and begin. We have two
4 cases here, one is a plan amendment, and the other one is
5 zoning. First case PZ-PA-012-23.

6 MASON: Hello -

7 RIGGINS: Again for the Commission, these are two
8 different cases, we're going to hear them probably
9 concurrently, but we will have to vote on them separately.

10 MASON: Mr. Chair, Commission, LaRee Mason,
11 Development Services with the Planning Division here to
12 present two cases, Brady 28. This proposal is for a Minor
13 Comprehensive Plan Amendment and rezone. The applicant seeks
14 to amend the Comprehensive Plan from Mid-Intensity Activity
15 Center to Employment and rezone from GR to I-2. Parcel size
16 is 27.92 acres, and this is about three-quarters mile west of
17 Thornton Road and Maricopa-Casa Grande Highway. The owner is
18 Brady and Brady Properties LLC, Brady James Dean Living Trust,
19 and Marietta Brady. Applicant is Jessica Sarkissian with
20 Upfront Planning and Entitlements LLC. Here is the County map
21 I'm showing you. This is in the vicinity of Casa Grande. You
22 can see the highway here and the project site. Here's the
23 case map as well as the notification boundary in red. You can
24 see that the jurisdiction of the City of Casa Grande surrounds
25 this property, except just immediately to the south. Here's

1 an aerial map showing Employment surrounding this area to the
2 Comp Plan. And this is the site plan, it's a boundary survey
3 showing a couple of primary structures on these parcels and
4 some roadways, and the railroad and Maricopa-Casa Grande
5 Highway is diagonally. I'm showing you the hearing notice.
6 And this is facing north from the south of the property. You
7 can see the railroad on the south from the north side of the
8 property. This is east along Clayton Road. Clayton Road runs
9 to the south of these parcels. And this is where it currently
10 is being accessed. And west along Cowtown Road. You can see
11 there have been some improvements, and to the west of this
12 parcel there is some construction activity. Some items of
13 consideration for the Commission. No development plan was
14 provided, that is to say there's not a planned area
15 development for you to consider. This subject site is located
16 in the Pinal County Technology Park, which is approximately
17 1,000 acres. This area is considered a County island
18 surrounded by the City of Casa Grande. The surrounding use
19 and designation is manufacturing and industry. Two letters
20 were received in support, one of them was from the City of
21 Casa Grande, and the property has legal access. Items of
22 consideration here for you to consider. Determine if the
23 proposed amendment creates a more comprehensive development
24 for the site as part of a larger development program for the
25 Pinal County Comprehensive Plan, as well as determine if the

1 rezone request conforms to the intensities that are within the
2 range of the identified land uses. Staff offers no
3 recommendation. Questions and comments?

4 RIGGINS: I just have - going to make sure that I
5 understood it perfectly. We have a general plan amendment
6 here, and then we're moving into a rezoning into I-2, but we
7 have no site plan proposed whatsoever. So it's a blanket I-2
8 zoning with absolutely no idea of anything about it.

9 MASON: Mr. Chair, that's correct.

10 RIGGINS: Okay, very good. Just wanted to make sure
11 I understood it in my own mind. Commission Members, questions
12 for staff? Okay, none being, we'll ask the applicant to come
13 up.

14 COREY: Hi, my name is Jenifer Corey, my address for
15 the record is 3309 East Rock Wren Road, and I'm here again
16 pinch hitting for Jessica Sarkissian of Upfront zoning. This
17 property is in Casa Grande area. Got a couple maps I'll show
18 you, and then I'll kind of walk through. We're here because
19 we need your help. We're kind of in an odd annexation
20 situation, so we need your help kind of figuring out the path
21 forward in resolving these issues. As staff indicated
22 earlier, we're at the cross section of Burris and Clayton at
23 the northeast corner, we're on the south side of the railroad
24 tracks. And going back, you can see there's a lot of
25 industrial area - oh wait - a lot of industrial in the area.

1 There's an Abbott, there's Frito-Lay, there's SRP power plant,
2 and across the street from us is now the Chang Chun chemical
3 manufacturing plant that's being built to support the TSMC
4 Taiwanese plant up in Phoenix. So a lot going on. It looks
5 like it's out in the middle of nowhere, on the outskirts of
6 town, but in reality it is in the center of a very
7 industrial, developing area. As you can see from this map
8 here, you can see there's a little white part to the south of
9 us, and then there's also a white area extending along the
10 railroad tracks. And we're actually surrounded by Casa Grande
11 on most sides, but the problem is we can't annex into the
12 city. And the reason is, is when the Chang Chun development
13 to the west of us came in, they essentially took our ability
14 to annex our property into Casa Grande, because if we were to
15 annex, we would essentially create a County island to the
16 south, but right now it's like a big long finger. So we're
17 stuck. We can't go to the - we would love to go to Casa
18 Grande and be able to develop this as industrial, but we can't
19 because of Arizona statutory requirements.

20 RIGGINS: If I can interrupt you just for a second,
21 aren't you a County island already?

22 COREY: We are a County island, but we'd like to be
23 in the city, but we can't annex. We're actually technically
24 not a County island because the right-of-way - the railroad is
25 a County island, so we're like a big, long finger annexation.

1 So if we are to come in, we would make the area to the south,
2 we would render them a County island.

3 RIGGINS: Because of the railroad it's not an
4 easement, it's actually owned property.

5 COREY: Absolutely. And we were actually - when
6 Chang Chun was coming through, the proposal was to include our
7 property, but when they realized, oh, if they grab us, they
8 couldn't do it, they just went ahead and annexed without us
9 and essentially left us to be the sacrificial lamb. So we're
10 - while the County is lovely, we do not have the ability to
11 annex into the city until such time that the development to
12 the south of us moves in. And those are primarily like more
13 rural residential, some lot splits down there and some small
14 industrial. The likelihood of them coming through or being
15 able to grab those and bring them in is not in the game plan.
16 Okay? So looking at our site a little bit, you can see we're
17 actually a series of four parcels, but it's owned by the Brady
18 family, and the Brady family's here with me. Stacy, the -
19 Marietta's here, and she actually still lives on the property
20 in the house right in the middle there. And the issue is
21 because of this impending development around here, is it's no
22 longer suitable for the GR zoning district, it's not suitable
23 for residential, and I'll walk through the general plan
24 designations for the County right now and how it doesn't match
25 up with what's approved already in Casa Grande. So here

1 again, you can see from this map here, this is Pinal County's
2 map. Right here you can see we are entirely surrounded on
3 three sides by the city, and the city all has industrial
4 zoning in - on the properties. There is a piece, again, on
5 the other side of Clayton that's still in the County. They're
6 actually here for the next case, and my understanding is they
7 have no issue with our case here. They have no issue with us,
8 with what we're requesting here. So the conflict we have is
9 if you look at Pinal County's Comp Plan, it's showing this
10 site as a Mid-Intensity Activity, which is essentially a mixed
11 use development of commercial, office, residential. We're
12 like along the railroad tracks, we're along the most
13 industrial area of the entire County. It's not a good area to
14 have mixed use residential and commercial development or a
15 small office, or an office. It doesn't make sense. You have
16 a major chemical plant going across the street and a power
17 plant across the street. Not major cross streets, it's never
18 going to really develop, or the opportunity for it to develop
19 as a mixed use project, it just doesn't happen. And you can
20 see, though, like in Casa Grande, however, they say our site
21 should be manufacturing and we agree. So we are looking to
22 get what the equivalent of what we'd be able to do in Casa
23 Grande for the site. So in Casa Grande it's manufacturing,
24 we're asking for it to be rezoned in order to allow industrial
25 here. Again, with the zoning, same problem. Our zoning is

1 General Rural, we're proposing to build I-2. Again, I-2
2 zoning, again, so we match the surrounding zoning of what's in
3 Casa Grande. Here's the map. You can see there are lots of
4 pink all over the industrial next to us and Casa Grande, but
5 we're kind of sitting out here all by ourselves and we're in
6 Pinal County. This map here shows what the existing
7 development that's going on in the area. You can see the area
8 to the north, it's one of the largest. It's the County's
9 largest industrial area, it's 2,700 acres. Excuse me, it's
10 the third largest after a project over in Coolidge and in
11 Eloy. Again, we're just merely asking for the Industrial
12 zoning in the industrial General Plan so we could do what we'd
13 be allowed to do if we were in the city. You can see our
14 site's not really set up for commercial and mixed use
15 developments. Got major kVs, so there's lots of power,
16 railroad spurs, it's set up for an industrial user. You can
17 see on the right hand side, we're in the Arizona Water Company
18 service area for industrial - designated for industrial uses,
19 not mixed use. This slide here shows the groundbreaking and
20 is currently under construction. That Chang Chun project
21 that's directly across the street from us, it's an 80 acre
22 parcel. And again, when they came in, they're the ones who
23 took away our ability to annex into the city. And so the
24 question - and Chairman, you alluded to it earlier, is why
25 would we entertain us if we don't have an end user? And the

1 problem we're running into is, is there's so many hurdles, and
2 because we're in the County, and because the General Plan
3 doesn't match, it's really not a marketable piece. But by
4 allowing us to go get the zoning back in conformance, and the
5 General Plan in conformance with what's around us, then this
6 becomes a shovel-ready project and it facilitates this project
7 being developed as an industrial. So there's a lot of users,
8 but again, once everybody looks at our property and then
9 realizes that we don't have the entitlements in place and
10 those hurdles of annexation, they walk away.

11 MENNENGA: That \$50 million sewer, that's under
12 construction.

13 COREY: Yeah. Yeah. It's - whoops, let's go back.
14 The entire area's set up for industrial uses.

15 MENNENGA: (Inaudible).

16 COREY: Yeah. We've had discussions with Casa
17 Grande. They understand the exact predicament we're in. You
18 know, you don't see the city write a letter of support for
19 (inaudible). They wrote us a letter of support saying this
20 area is a critical spur to support the adjacent uses. We've
21 already given that spur, so made the dedication. There's -
22 Union Pacific's making investments in the railroad there in
23 order to accommodate those industrial users, and then we also
24 have a letter of support from Land Advisors where they say,
25 you know, commercial and residential really doesn't make sense

1 here, and would really be impractical. That's all I got. I
2 thought I had another slide, but I guess that's okay. Anyway,
3 though, let's see. I guess that's it. But I'm here to answer
4 any questions you have. We're aware of the stipulations that
5 staff's put forward, we have no issue with any of the
6 stipulations, they make sense. I know staff was hesitant
7 about taking a position on this, and the reason is is because
8 of the General Plan issue, but I think you need to look back
9 and say it's - we are an island in the County, but if you look
10 at the larger scale on the Casa Grande, the General Plan
11 change, and the zoning completely makes sense. There it is.
12 So here you can see the reasons why we're not, you know,
13 again, we're here because we can't annex into the city.
14 Farming doesn't make sense. My understanding is there's
15 irrigation and the water source isn't even dependable here, so
16 it hasn't been farmed in a couple of years. Commercial, you
17 know, should be a mile to the south. And this approval would
18 bring us in conformance with the city plans. And this is a
19 high priority area for economic development for both the
20 State, the city and the County, and that would allow this to
21 be made - allow it to transition to that ultimate use, and
22 would allow us to be a shovel-ready user. Keep in mind, we
23 have a conceptual site plan. We still have to come back when
24 we've identified the user, and the details about the layout
25 and if there's anything that needs to be modified in order to

1 accommodate or buffer or whatever, we would have to address
2 that during the site plan phase of our development. And
3 again, the person most impacted of our project is directly
4 across the street to the south of us, and they're here and
5 they have no opposition to our request. I'm happy to answer
6 any questions you have.

7 RIGGINS: Vice Chair Mennenga.

8 MENNENGA: I guess I'm confused.

9 COREY: Okay.

10 MENNENGA: Maybe. I live in Casa Grande, I was very
11 involved in economic development for years and years, and
12 still am a little bit and actually I'm gonna make a couple
13 phone calls after we're done here, because the city always
14 worked so well. We got Lucid there, my God, what the city to
15 get Lucid in. You know, there's probably more industrial
16 construction and stuff planned within a mile of this site than
17 anywhere in this country. I just drove by the Nikola plant
18 the other day, and it's just - so it just, it confuses me why,
19 this needs to be in the City of Casa Grande. And I - it just
20 does, you know?

21 COREY: Yeah.

22 MENNENGA: That's all there is to it. So, but no, I
23 mean it's a great location. My God, for years we fought with
24 Union Pacific Railroad to give us spurs and they were
25 horrible, and they finally loosened that up and there are some

1 now. So I - and I, you know, the first step is get this zoned
2 I-2 and go push it to users, you know. So, but yeah, I - we
3 just need to get it done.

4 COREY: Yeah.

5 RIGGINS: Commissioners.

6 DAVILA: Mr. Chairman, if I may, I'd like to make a
7 motion.

8 RIGGINS: I have a - well, for one thing, this is a
9 zoning case and we have to have public comment.

10 DAVILA: Right, sorry.

11 RIGGINS: Yeah. Couple of statements. I'll address
12 the first one to whoever in staff wants to address it.

13 Recollection of the last time that hard I-2 zoning was given
14 without any sort of a site plan, any sort of an end user, any
15 sort of any kind of concept whatsoever.

16 OLGIN: Chair, Vice Chair, Commission, I can't
17 recall. Not to say that it doesn't happen, but it's - yeah, I
18 can't recall. And just to clarify what you said earlier to
19 the applicant, the lack of detail is why we gave you no
20 recommendation. We're not against it or for it, we're just -
21 like as you asked earlier, lack of detail on the application.

22 RIGGINS: And one - did you have another - Mr.
23 Billingsley.

24 BILLINGSLEY: I just wanted to, I guess in some way
25 respond, Mr. Chairman. I hope it's helpful. I can't recall,

1 nor do I have any knowledge of, a hard zoning for an
2 industrial project in Pinal County; however, other entities
3 around the State of Arizona, this is their traditional
4 approach, i.e. having hard zoning and only using PADs or PUDs
5 for mixed use development planning. So I wouldn't say it's
6 abnormal in any way, shape or form. A lot of communities and
7 counties actually utilize hard zoning more than they do a PAD
8 or a PUD process. So I just thought I'd give a little
9 anecdote there.

10 RIGGINS: Oh, of course in that, incumbent to
11 realize in that concept, is that the discussion that a site
12 plan review still has to happen, yeah, site plan review has to
13 happen after it is entirely hard zoned I-2. There's not much
14 give and take at that point in time. Pretty much the
15 entitlements are given and whatever wishes to be done on it is
16 a foregone conclusion. They can be done in any which way,
17 which are beneficial or not beneficial to the County. And in
18 saying that, I don't have a single argument at all, or a
19 disagreement that yes, it is exactly, it's in the right place
20 for that and all those concepts are correct. Not being one to
21 sit here and comment business-wise certain things that could
22 be done, there certainly is a small corridor that could be
23 left on the eastern side of this property to keep from
24 creating an island.

25 COREY: If I may, you bring up great points, and

1 your suggestion of we annex, but we reserve a portion to do a
2 long skinny chain, so it keeps that part contiguous. You
3 can't do that anymore. State statutes kill the ability of
4 cities to do that probably 20 years ago, and that's why you
5 see that big, long sliver along the railroad track, that's
6 what happened there. But under State statute, you can't do
7 that anymore. So they have specific rules that say no, you
8 can't have these ten foot strip annexes anymore. I
9 acknowledge that this is highly unusual, and under the
10 circumstances had it not been for this annexation issue, the
11 fix would have been, to this issue would have been to annex to
12 the city and to take care of that here. But we can't do that.
13 So I acknowledge the fact it's unusual that you don't have an
14 end user in mind, but because we can't overcome the annexation
15 issue is this piece has limited value out there. You can't
16 farm it, it doesn't make sense under the current zoning, and
17 more importantly is people look at it and say it's not even an
18 industrial property. I can't, you know, it needs zoning, it
19 needs General Plan use. So doing this essentially facilitates
20 getting the entitlements in place and making a shovel-ready
21 project. You know, if we had neighbors next to us who were,
22 you know, residential we're backing up, I think those would be
23 fair comments, but the reality is, is this is a - the
24 surrounding area's industrial and our neighbors, you know, the
25 area is transitioning and haven't expressed any concerns.

1 RIGGINS: And I think there's no argument to that at
2 all, I think you're entirely correct in that. I think the
3 entire aspect of this is absolutely passing a very, very open,
4 hard zoning case with nothing locked down at all. That's a
5 reach. Is there any other questions? Well then I'll go ahead
6 and I'll take it another place. The changing in the Comp Plan
7 of Activity Centers can be a fraught business, it has
8 difficulties to it. However, generally one of the most
9 difficult things in changing an Activity Center is lessening
10 its employment categories. You're not suggesting lessening
11 the employment categories, you're suggesting maximizing them.

12 COREY: Absolutely.

13 RIGGINS: And so the request for the change of a
14 Comprehensive Plan - again, I speak now as just a personal
15 opinion - would be something that would be compatible with
16 what could be done. It doesn't - it isn't asking for
17 something that is incorrect in the area, nor in the actual
18 regulations with how Activity Centers function. You are
19 actually intensifying the uses of that Activity Center.

20 COREY: Yeah.

21 RIGGINS: And I don't know. I've talked that in as
22 many ways as I can. Does the Commission have any questions or
23 - any other questions of the applicant? Okay, well we need to
24 have a public meeting here.

25 COREY: Absolutely.

1 RIGGINS: So at this time we'll open up the public
2 participation portion of the meeting, and we'll ask if there's
3 anybody in the audience that wishes to come forward to speak
4 to this case. Or actually these cases, because we will - no,
5 no, actually have to open up the - just this case, just all
6 we're talking about now in the public participation portion is
7 the Comprehensive Plan modification. Would like to come up to
8 speak to that? Anybody at all? Okay, we'll close the public
9 participation portion. I don't feel the applicant, would you
10 like to come back up?

11 COREY: I'll address the concerns of the public
12 hearing here. Actually I would like to use this moment to add
13 one additional thing. Is I don't have a number in front of
14 me, but in the Comp Plan, it describes minimum acreage for
15 Mid-Intensity and what are existing General Plan
16 classifications, and I think it says the minimum's like 150
17 acres. We're 27 acres, so technically we're not even in
18 compliance with the existing General Plan designation. That's
19 all I have.

20 RIGGINS: Is there a confirmation of that?

21 BILLINGSLEY: Gilbert, are you going to take a stab
22 at it? I'll do my best way of answering it. Yes, there is
23 text in the Comprehensive Plan that reflects some of that
24 language, but that's not exactly how it works. That's a much
25 longer discussion. The key here is if this was a High

1 Intensity Activity Center, part of this would be moving that
2 somewhere else. Since this is medium, that's not required. I
3 guess I would add that by staff having no recommendation,
4 there's a couple different ways to look at that. So I would
5 like an opportunity to kind of share what that actually means
6 from the staff perspective. We are not opposed to this, it
7 makes a hell of a lot of sense. But we're in an inopportune
8 position in that it is not consistent with the counsel, the
9 Board-adopted Comprehensive Plan, and so that's why we can
10 either say we support or don't support the case, because we
11 have to be agnostic because it's not consistent with the plan,
12 but we don't disagree with the case. Does that make sense?

13 RIGGINS: Makes total sense, and also by the fact
14 the case is even before us, the legalities of the change have
15 already been determined.

16 BILLINGSLEY: Correct.

17 RIGGINS: Okay, are you done?

18 COREY: I'm done.

19 RIGGINS: Okay, well then we've turned it back over
20 to the Commission now, having heard all the aspects of this,
21 is there any further questions of staff or discussion among
22 ourselves?

23 MOONEY: I have a question.

24 RIGGINS: Yes, Commissioner Mooney.

25 MOONEY: Thank you, Chair. I have a question. I

1 apologize because I'm still new to the Commission, but how did
2 the property across the street take away that ability? Was
3 there some sort of discussion that this plot should have been
4 included in? How did that happen?

5 OLGIN: Chair, Vice Chair, Commission Member, we
6 weren't privy to the annexation in that process. Were you,
7 the applicant, were you privy to that?

8 COREY: I was not, but my understanding talking with
9 the Brady family is they originally were approached by it, but
10 when the issue came up that if they included us, it was going
11 to - it was problematic and would create the County Island,
12 they backed away. So that was probably, what, three years
13 ago? So those discussions were with that property owner when
14 that issue came up, so that's why they went - they were in a
15 hurry.

16 BRADY: If I might. I did sign up to speak.

17 OLGIN: The public hearing's closed, isn't it?

18 RIGGINS: The public hearing's closed. So I'm
19 sorry.

20 BRADY: I just wanted to answer the question.

21 RIGGINS: I'm sorry.

22 BRADY: Can I tell you?

23 RIGGINS: We're going to have another, we're going
24 to have another public hearing when we get to the zoning case,
25 so - but Mr. Billingsley.

1 BILLINGSLEY: So Chairman, Ms. Mooney, I'm going to
2 approach this two different ways. Number one, there are
3 length and width requirements that have to be satisfied under
4 ARS statutes to be able to conduct an annexation, and so
5 they're running into those issues. I'm actually partially to
6 blame for this problem, if you want to blame somebody, because
7 years ago I worked for the City of Maricopa and we wanted to
8 annex around the Ak-Chin Community to the east side near Mr.
9 Hartman's dad's property, and there was an issue in the State
10 law where that railroad right-of-way - and all railroad right-
11 of-ways in particular, as well as utilities and other things,
12 weren't able to be considered as part of the private property.
13 They were seen as utilities and/or right-of-way. A gentleman
14 named Paul Jepson, who's now the city manager of Globe and
15 myself, wrote legislation and took it to the legislature to
16 change that interpretation so that we could complete that
17 annexation south of the Hartman's property around the Ak-Chin
18 Community. Unfortunately, when you do something like that,
19 you have a singular focus and you don't understand the impacts
20 that it's going to have on other folks in the future. So for
21 me it's kind of ah-hah moment, of oh boy, didn't think about
22 this, right, at the time. So the situation is what it is.
23 But to Ms. Mooney, or Commissioner Mooney, perhaps at a future
24 P&Z meeting, we set up a work session and a brief presentation
25 on the annexation process in Arizona and how that works,

1 because it's probably something that will be useful to you P&Z
2 Members, because I think we're going to see more and more
3 annexations take place in the near future. If it pleases the
4 Commission.

5 RIGGINS: Okay. Other - so you're back down. Other
6 Commission Members, questions? If we are prepared for a
7 motion, that would be appropriate.

8 DAVILA: Mr. Chair, I'd like to make a motion.

9 RIGGINS: Yes, Commissioner Davila.

10 DAVILA: I'd like to move that the Planning and
11 Zoning Commission forward a recommendation of approval of case
12 PZ-PA-012-23.

13 RIGGINS: Okay, we have a motion for approval, do we
14 have a second?

15 MENNENGA: Second.

16 RIGGINS: Vice Chair Mennenga seconds, all those in
17 favor signify by saying aye.

18 COLLECTIVE: Aye.

19 MENNENGA: Stipulations.

20 DAVILA: There are no stipulations for this.

21 RIGGINS: Yeah, there were no stipulations. Yeah.

22 So, I think we got all the ayes out there, anybody vote in the
23 negative?

24 OLGIN: (Inaudible)?

25 RIGGINS: Yes.

1 OLGIN: Who made the motion?

2 RIGGINS: Motion was Davila, and the second was
3 Mennenga.

4 OLGIN: Thank you.

5 RIGGINS: And I think everybody voted aye, did they
6 not? No nays. So that passes unanimously.

7 OLGIN: Chairman, if I may, for the Commission,
8 please speak into the mic. We can't hear some people and if
9 it's not heard, then we can't get minutes on the recording.
10 Thank you.

11 RIGGINS: So much for the technology.

12 ??: I concur.

13 RIGGINS: Okay.

14 BILLINGSLEY: Mr. Chairman.

15 RIGGINS: Yes.

16 BILLINGSLEY: I forgot to say this earlier, but I
17 think I probably should now. These mics are not like the mics
18 over there, other mics you've used before. These are called
19 directional mics. So if you're to the side of it, it won't
20 pick you up.

21 RIGGINS: They don't do very well over here.

22 BILLINGSLEY: You need - you don't - here's a
23 beautiful representation. If you're in front of it, it picks
24 you up, even if you're three feet away or four feet away. But
25 if you're the side of it, it doesn't pick you up. So make

1 sure that it's pointed at your mouth and then it'll pick you
2 up well.

3 RIGGINS: Very good. Okay, we have passed the
4 General Plan amendment case, so now this parcel no longer has
5 the cloud of a Mid-Intensity Activity Center over the top of
6 it, and the General Plan entirely conforms now to an
7 Industrial zoning. There is no confusion with that anymore.
8 I would think in my mind that a great deal of what the
9 applicant has tried to achieve, they just achieved. I
10 personally still have a difficulty in giving a hard zoning to
11 a parcel that actually has no use palette whatsoever, but
12 that's strictly my opinion and I will leave it at that. And
13 if there's any other, any other discussions? Absolutely,
14 absolutely, you're right as you can be, I got ahead of myself.
15 Any other questions? In that case, we have a public portion
16 of this case to open and see if anybody wishes to come forward
17 for the zoning case, PZ-049-23. Anybody at all. There none
18 being, we'll close the public participation portion of the
19 case, and we will ask the applicant if she wishes to come up
20 and speak to anything at all at this point.

21 COREY: Chairman, I'll make my comments brief.

22 RIGGINS: Thank you.

23 COREY: No, I don't have anything to say.

24 MENNENGA: Great.

25 COREY: No, I'll hold it back, but I'm here if you

1 have any questions.

2 RIGGINS: Okay, thank you. Okay Commissioners, it's
3 back up to us. Questions of staff, discussion among
4 ourselves, or a motion.

5 KLOB: Through the Chair.

6 RIGGINS: Commissioner Klob.

7 KLOB: Normally, I would agree with you in regard to
8 a hard zone without any kind of backup of what it
9 could/should/might be, but I think this is one of those cases
10 where it's on an island of its own, and I think it does
11 support that. So with that in mind, I'm going to make a
12 motion to move the Planning and Zoning Commission forward a
13 recommendation of approval of case PZ-049-23 with its 10
14 stipulations.

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

16 HARTMAN: Second.

17 RIGGINS: We have Commissioner Hartman seconds. All
18 those in favor signify by saying aye.

19 COLLECTIVE: Aye.

20 RIGGINS: Opposed? Nay. So it passes 8 to 1. Yes,
21 Mr. Billingsley.

22 BILLINGSLEY: Mr. Chairman, while that item was
23 going on, our next applicant for D and E provided a request
24 that they wanted me to forward on to the Chair, which is
25 although these cases are not related, they are neighbors, and

1 they were here to support their neighbor and their neighbor's
2 here to support them, so their request was can we hear D and E
3 before the lunch break. Does that makes sense?

4 RIGGINS: Oh, it makes sense. Thank you. Okay.
5 Commission Members, it is just slightly after noon, would the
6 Commission entertain going ahead and hearing these two
7 connected cases before we adjourn?

8 DAVILA: Yes.

9 RIGGINS: Okay, alrighty, then we're on. We'll go
10 ahead and begin case PZ-047-23.

11 ROBERTS: Good afternoon Chair, Vice Chair, Members
12 of the Commission. Patrick Roberts, senior planner, here to
13 discuss case PZ-047-23 and PZ-PD-025-23 for the Hernandez
14 Pecan Farm. This is their proposal they're indicating. This
15 is for a development of a wedding and event venue, and as
16 discussed previously, this is a site located just south of the
17 one we just heard for Brady 28. The site is located
18 approximately 350 feet east of North Burris Road and south of
19 West Camino Ledezma in Pinal County, and due to the nature of
20 the site, it is also - the residential portion of the property
21 in question, is also across the street from Clayton Road. The
22 landowner's Conrad Hernandez, and the representative or agent
23 is Jordan Rose and Peter Furlow of Rose Law Group. This is a
24 location map showing the approximate area of discussion in the
25 County. A vicinity map just south of the Brady 28 property.

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

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

This Consent to Schedule for Development and Conditions/Stipulations and Waiver of Claims for Diminution in Value ("Consent and Waiver") is made in favor of Pinal County (the "County") by James Dean Brady Living Trust ("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 non major comprehensive plan amendment and rezone 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone in Case No. PZ-049-23 and PZ-049-23 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: Sandra Hooper
[Print Entity Name]
Trustee of James
Dean Brady Living Trust

OWNER: _____
[Print Entity Name]

Sandra Hooper
Signature

Signature

Its: Trustee
[Title, if applicable]

Its: _____
[Title, if applicable]

Dated: 3/6/24

Dated: _____

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

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by

[Insert Name of Signor(s)]

Notary Public

My commission expires: _____

CORPORATION, OFFICER, PARTNER OR TRUSTEE ACKNOWLEDGMENT: *[To be filled out if a corporation, partnership, or trust]*

STATE OF Arizona)
COUNTY OF Maricopa) ss.

The foregoing instrument was acknowledged before me, this 6 day of March, 2024, by Sandra Hooper as

Trustee of James Dean Brady & Living Trust
[Insert Name of Officer] [Insert Title]

an N/A corporation, 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: 3/17/26



ACKNOWLEDGMENT: *[Use only when a second company is signing on behalf of owner:]*

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me, this _____ day of _____, 2024, by _____ as

_____ [Insert Signor's Name] _____ [Insert Title]
of _____, an _____ corporation,
[Insert Name of Second Company] [Insert State of Incorporation]

as _____ for _____
[i.e. member, manager, etc.] [Owner's Name]

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

Notary Public _____

My commission expires: _____

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

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

This Consent to Schedule for Development and Conditions/Stipulations and Waiver of Claims for Diminution in Value ("Consent and Waiver") is made in favor of Pinal County (the "County") by Brady & Brady Properties LLC ("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 non major comprehensive plan amendment and rezone 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone in Case No. PZ-049-23 and PZ-049-23 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:

[Print Entity Name]

OWNER:

[Print Entity Name]

Signature

Its:

[Title, if applicable]

Dated:

Signature

Its:

[Title, if applicable]

Dated:

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

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by

[Insert Name of Signor(s)]

Notary Public

My commission expires:

CORPORATION, OFFICER, PARTNER OR TRUSTEE ACKNOWLEDGMENT: *[To be filled out if a corporation, partnership, or trust]*

STATE OF Arizona)
) ss.
COUNTY OF Maricopa

The foregoing instrument was acknowledged before me, this 10 day of March, 2024, by Tyrene Brady & Stacy Brady as Member of Brady & Brady Properties LLC, an Arizona corporation, 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: 3/17/26



ACKNOWLEDGMENT: *[Use only when a second company is signing on behalf of owner.]*

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me, this _____ day of _____, 2024, by _____ as _____ of _____, an _____ corporation, as _____ for _____ who being authorized to do so, executed the foregoing instrument on behalf of said entities for the purposes stated therein.

Notary Public

My commission expires: _____

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

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

This Consent to Schedule for Development and Conditions/Stipulations and Waiver of Claims for Diminution in Value ("Consent and Waiver") is made in favor of Pinal County (the "County") by Marietta Brady ("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 non major comprehensive plan amendment and rezone 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone, Case No. PZ-PA-012-23 and PZ-049-23, 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 non major comprehensive plan amendment and rezone in Case No. PZ-049-23 and PZ-049-23 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: Marietta Brady
[Print Entity Name]

OWNER: _____
[Print Entity Name]

Marietta Brady
Signature

Signature

Its: _____
[Title, if applicable]

Its: _____
[Title, if applicable]

Dated: 3-6-24

Dated: _____

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

STATE OF Arizona)
COUNTY OF Maricopa) ss.

The foregoing instrument was acknowledged before me this 6 day of March, 2024, by
Marietta Brady
[Insert Name of Signor(s)]

[Signature]
Notary Public

My commission expires: 3/17/26



CORPORATION, OFFICER, PARTNER OR TRUSTEE ACKNOWLEDGMENT: *[To be filled out if a corporation, partnership, or trust]*

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me, this _____ day of _____, 20²⁴, by _____ as

[Insert Name of Officer]

of _____,

[Insert Title]

[Insert Name of Company]

an _____ corporation, who being authorized to do so, executed the
[Insert State of Incorporation]
foregoing instrument on behalf of said entity for the purposes stated therein.

Notary Public _____

My commission expires: _____

ACKNOWLEDGMENT: *[Use only when a second company is signing on behalf of owner:]*

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me, this _____ day of _____, 20²⁴, by _____ as

[Insert Signor's Name]

[Insert Title]

of _____, an _____ corporation,

[Insert Name of Second Company]

[Insert State of Incorporation]

as _____ for _____

[i.e. member, manager, etc.]

[Owner's Name]

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

Notary Public _____

My commission expires: _____

EXHIBIT "A"

TO

ORDINANCE NO. 2024-PZ-PA-012-23

[LEGAL DESCRIPTION]

APNs: 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW ¼ SW¼) OF SECTION THIRTEEN (13), TOWNSHIP SIX SOUTH (T6S), RANGE FIVE EAST (R5E), OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER FOR SECTIONS 13, 14, 23 AND 24, TOWNSHIP SIX SOUTH (T6S), RANGE FIVE EAST (R5E), GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, BEING MARKED BY A BRASS CAP, SAID POINT LYING NORTH 89 DEGREES 59 MINUTES 59 SECONDS WEST (BASIS OF BEARINGS) A DISTANCE OF 2649.49 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 13, BEING MARKED BY A BRASS CAP IN HANDHOLE;

THENCE NORTH 00 DEGREES 07 MINUTES 41 SECONDS EAST FEET ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

**THENCE CONTINUING NORTH 00 DEGREES 07 MINUTES 41 SECONDS EAST FEET ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1349.02 FEET;
THENCE SOUTH 53 DEGREES 48 MINUTES 14 SECONDS EAST 412.27 FEET;
THENCE NORTH 00 DEGREES 13 MINUTES 54 SECONDS EAST 1.44 FEET;
THENCE SOUTH 53 DEGREES 49 MINUTES 59 SECONDS EAST 408.87 FEET;
THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST 35.42 FEET;
THENCE SOUTH 53 DEGREES 45 MINUTES 24 SECONDS EAST 819.86 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW ¼ SW ¼ SW ¼) OF SAID SECTION THIRTEEN (13);**

THENCE SOUTH 00 DEGREES 19 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 449.41 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 59 SECONDS WEST PARALLEL WITH AND 33.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 1324.86 FEET TO THE POINT OF BEGINNING.

NET AREA IS 1,171,133 S.F AND/OR 26.885 ACRES MORE OR LESS

EXHIBIT "A"

TO

ORDINANCE NO. 2024-PZ-049-23

[LEGAL DESCRIPTION]

APNs: 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW¼ SW ¼ SW¼) OF SECTION THIRTEEN (13), TOWNSHIP SIX SOUTH (T6S), RANGE FIVE EAST (R5E), OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER FOR SECTIONS 13, 14, 23 AND 24, TOWNSHIP SIX SOUTH (T6S), RANGE FIVE EAST (R5E), GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, BEING MARKED BY A BRASS CAP, SAID POINT LYING NORTH 89 DEGREES 59 MINUTES 59 SECONDS WEST (BASIS OF BEARINGS) A DISTANCE OF 2649.49 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 13, BEING MARKED BY A BRASS CAP IN HANDHOLE;

THENCE NORTH 00 DEGREES 07 MINUTES 41 SECONDS EAST FEET ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 07 MINUTES 41 SECONDS EAST FEET ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1349.02 FEET;

THENCE SOUTH 53 DEGREES 48 MINUTES 14 SECONDS EAST 412.27 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 54 SECONDS EAST 1.44 FEET;

THENCE SOUTH 53 DEGREES 49 MINUTES 59 SECONDS EAST 408.87 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 24 SECONDS EAST 35.42 FEET;

THENCE SOUTH 53 DEGREES 45 MINUTES 24 SECONDS EAST 819.86 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW ¼ SW ¼ SW ¼) OF SAID SECTION THIRTEEN (13);

THENCE SOUTH 00 DEGREES 19 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 449.41 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 59 SECONDS WEST PARALLEL WITH AND 33.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 1324.86 FEET TO THE POINT OF BEGINNING.

NET AREA IS 1,171,133 S.F AND/OR 26.885 ACRES MORE OR LESS

EXHIBIT “B”

TO

ORDINANCE NO. 2024-PZ-049-23

[STIPULATIONS]

1. The approval of this rezone is contingent upon the Board of Supervisors approval of the minor comprehensive plan amendment (PZ-PA-012-23);
2. Approval of this zone change (PZ-049-23) will require, at the time of application for development, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
3. Half-street right-of-way dedication will be required for BURRIS ROAD. The required minimum half street right-of-way is Seventy-Five Feet (75') for BURRIS ROAD along the development's frontage. Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for BURRIS ROAD shall be the responsibility of the applicant;
4. Half-street right-of-way dedication will be required for CLAYTON ROAD. The required minimum half street right-of-way is Fifty-Five Feet (55') for CLAYTON ROAD along the development's frontage. Any additional right-of-way needed for any required infrastructure improvements, such as deceleration/turn lanes, (as identified in the approved Traffic Impact Analysis) for CLAYTON ROAD shall be the responsibility of the applicant;
5. BURRIS ROAD has been identified as a “Route of Regional Significance”. Applicant will be required to comply with the “Regionally Significant Routes for Safety and Mobility, Final Report, December 2008” and the current “Access Management Manual” or as approved by the County Engineer;
6. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat or Site Plan 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 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 approval;
7. Any additional right-of-way dedications needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) for any roadways

shall be the responsibility of the applicant. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

8. All right-of-way dedication shall be free and unencumbered;
9. Any roadway sections, alignments, access locations, and access movements shown in the rezoning application are conceptual only and have not been approved by the Pinal County Engineer; and
10. A drainage report will be required to be submitted to the County Engineer at the time of Site Plan and/or tentative plat submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the Site Plan and/or final plat approval. The approved Drainage Report and drainage plan shall include provisions to accommodate offsite runoff and shall provide retention for storm waters in an onsite retention/common retention area or as approved by the County Engineer.

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Hudson, ss:

Kevin King, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Tri-Valley 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:

Feb. 29, 2024

TRI-VALLEY DISPATCH

(Signed) Kevin King
Agent and/or Publisher of the Tri-Valley Dispatch

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

VERIFICATION

State of New Jersey
County of Hudson

Subscribed in my presence and sworn to before me on this: 02/29/2024

Shanea H. Holmes

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING
BY THE PINAL COUNTY BOARD
OF SUPERVISORS AT 9:30
A.M. ON THE 20TH DAY OF
MARCH 2024, AT THE PINAL
COUNTY ADMINISTRATIVE
COMPLEX, IN THE BOARD
OF SUPERVISORS HEARING
ROOM, 135 N. PINAL STREET,
FLORENCE TO CONSIDER AN
APPLICATION FOR A NON-
MAJOR COMPREHENSIVE
PLAN AMENDMENT REZONE
AND A REZONE IN AN
UNINCORPORATED AREA OF
PINAL COUNTY, ARIZONA.
PZ-PA-012-23 - PUBLIC
HEARING/ACTION: Brady and
Brady Properties LLC, Brady
James Dean Living Trust, and
Marietta Brady, owners, Jessica
Sarkissian - agent/applicant,
requesting an approval of a
non-major comprehensive plan
amendment to designate 27.92±
acres from Mid Intensity Activity
Center to Employment, situated
in Section 13, Township 06 South,
Ranger 05 East of the Gila and
Salt River Base and Meridian;
Tax parcels: 503-34-002A, 503-
34-002B, 503-34-003, 503-34-
004A, (legal on file), located 0.75
miles west of North Thornton
Road along West Maricopa Casa
Grande Highway in the Casa
Grande vicinity, in Pinal County.
PZ-049-23 - PUBLIC HEARING/
ACTION: Brady and Brady
Properties LLC, Brady James Dean
Living Trust, and Marietta Brady,
owners, Jessica Sarkissian-agent/
applicant, requesting an approval
of a rezone of 27.92± acres from
GR (General Rural) to I-2 (Light
Industrial and Warehouse) to allow
the development of an industrial
complex; situated in Section 13,
Township 06 South, Ranger 05
East of the Gila and Salt River
Base and Meridian; Tax parcels:
503-34-002A, 503-34-002B, 503-
34-003, 503-34-004A, (legal on
file), located 0.75 miles west of
North Thornton Road along West
Maricopa Casa Grande Highway
in the Casa Grande vicinity, in
Pinal County.
Information regarding the case can
be found online at:
<https://www.pinal.gov/236/Notice-of-Hearings>
ALL PERSONS INTERESTED IN
THIS MATTER MAY APPEAR AT
THE HEARING AT THE TIME AND
PLACE DESIGNATED ABOVE,
AND SHOW CAUSE, IF ANY, WHY
THIS PETITION SHOULD NOT
BE GRANTED. DOCUMENTS
PERTAINING TO THIS CASE
CAN BE REQUESTED AND ARE
AVAILABLE FOR REVIEW FROM
PINAL COUNTY PLANNING AND
DEVELOPMENT SERVICES
DEPARTMENT PLEASE CALL
(520) 866-6442 FOR MORE
INFORMATION
DATED THIS 21st DAY OF
FEBRUARY 2024
TO QUALIFY FOR FURTHER
NOTIFICATION IN THIS LAND
USE MATTER YOU MUST
FILE WITH THE PLANNING
DEPARTMENT A WRITTEN
STATEMENT OF SUPPORT

OR OPPOSITION TO THE
SUBJECT APPLICATION.
YOUR STATEMENT MUST
CONTAIN THE FOLLOWING
INFORMATION:

1) Planning Case Number (see
above)
2) Your name, address, telephone
number and property tax parcel
number (Print or type)

3) A brief statement of reasons for
supporting or opposing the request

4) Whether or not you wish to
appear and be heard at the hearing
WRITTEN STATEMENTS MUST
BE FILED WITH:

PINAL COUNTY PLANNING AND
DEVELOPMENT SERVICES
DEPARTMENT P.O. BOX 749 (85
N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132

Contact for this matter: LaRee
Mason, Planner

E-mail Address: LaRee.Mason@
pinal.gov

Phone: (520) 866-6514 Fax: (520)
866-6530

No. of publications: 1: date of
publication: Feb 29, 2024

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M., ON THE **20TH** DAY OF **MARCH 2024**, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE TO CONSIDER AN APPLICATION FOR A **NON-MAJOR COMPREHENSIVE PLAN AMENDMENT REZONE** AND A **REZONE** IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-PA-012-23 — PUBLIC HEARING/ACTION: Brady and Brady Properties LLC, Brady James Dean Living Trust, and Marietta Brady, owners, Jessica Sarkissian — agent/applicant, requesting an approval of a non-major comprehensive plan amendment to designate 27.92± acres from **Mid Intensity Activity Center** to **Employment**, situated in Section 13, Township 06 South, Ranger 05 East of the Gila and Salt River Base and Meridian; Tax parcels: 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A, (legal on file), located 0.75 miles west of North Thornton Road along West Maricopa Casa Grande Highway in the Casa Grande vicinity, in Pinal County.

PZ-049-23 — PUBLIC HEARING/ACTION: Brady and Brady Properties LLC, Brady James Dean Living Trust, and Marietta Brady, owners, Jessica Sarkissian — agent/applicant, requesting an approval of a rezone of 27.92± acres from **GR (General Rural)** to **I-2 (Light Industrial and Warehouse)** to allow the development of an industrial complex; situated in Section 13, Township 06 South, Ranger 05 East of the Gila and Salt River Base and Meridian; Tax parcels: 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A, (legal on file), located 0.75 miles west of North Thornton Road along West Maricopa Casa Grande Highway in the Casa Grande vicinity, in Pinal County.

Information regarding the case can be found online at:

<https://www.pinal.gov/236/Notice-of-Hearings>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS 21st DAY OF FEBRUARY 2024

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

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

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 749 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132

Contact for this matter: LaRee Mason, Planner
E-mail Address: LaRee.Mason@pinal.gov
Phone: (520) 866-6514 Fax: (520) 866-6530

Anything below this line not for publication

PUBLISHED ONCE:
Trivalley Dispatch

PINAL COUNTY

Public Hearings

Case Numbers: PZ-PA-012-23 / PZ-049-23

Existing Comprehensive Plan Designation: MID INTENSITY ACTIVITY

Proposed Comprehensive Plan Designation: EMPLOYMENT

Existing Zoning: GR (GENERAL RURAL)

Proposed Zoning: I-2 (LIGHT INDUSTRIAL AND WAREHOUSE)

Acreage: 27.92 ACRES

Applicant Name: JESSICA SARKISSIAN /
UPFRONT PLANNING & ENTITLEMENTS, LLC

Applicant Phone Number: (480) 221-6150

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

Public Hearing **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: 2-29-24

POST COPY OF ACTUAL NOTICE BELOW.

