

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

ORDINANCE NO. 2024-PZ-049-23

AN ORDINANCE OF THE PINAL COUNTY ARIZONA BOARD OF SUPERVISORS APPROVING A REZONE FROM GENERAL RURAL ZONING DISTRICT (GR) TO LIGHT INDUSTRIAL WAREHOUSE ZONING DISTRICT (I-2) FOR A CERTAIN PROPERTY LOCATED IN THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4 SW 1/4 SW 1/4) OF SECTION THIRTEEN (13), TOWNSHIP SIX SOUTH (T6S), RANGE FIVE EAST (R5E), OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to the Pinal County Development Services Code § 2.166.010 to approve rezonings in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on September 15, 2023, the Pinal County Community Development Department (the “**Department**”) received an application from Upfront Planning & Entitlements, LLC on behalf of the applicant, Stacy Brady, the landowner of certain property located along West Maricopa-Casa Grande Highway and North Burris Road (tax parcel nos. 503-34-002A, 503-34-002B, 503-34-003, 503-34-004A) and legally described in the attached **Exhibit “A”** (the “**Property**”), requesting approval to rezone the Property (comprising a combined area of 26.88 ± acres) from General Rural Zoning District (GR) to Light Industrial Warehouse Zoning District (I-2) (the “**Rezoning Application**”); and,

WHEREAS, the Department designated the Rezoning Application as Case No. PZ-049-23; and,

WHEREAS, on February 21, 2024 the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public hearing on the Rezoning Application (the “**Public Hearing**”) whereat the Department staff presented the matter to the Commission and recommended that should the Commission find, after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that approving the Rezoning Application 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 the Commission should forward the Rezoning Application to the Board with a favorable recommendation with ten (10) stipulations (the “**Recommended Stipulations**”); and,

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WHEREAS, during the Public Hearing the Commission voted 8-1 in favor of forwarding a recommendation of approval of the Rezoning Application to the Board with ten (10) stipulations, as set forth in the attached **Exhibit "B"** (the "**Stipulations**").

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the Rezoning Application requesting approval to rezone the Property from General Rural Zoning District (GR) to Light Industrial and Warehouse Zoning District (I-2) is hereby approved, subject to the Stipulations set forth at **Exhibit "B"**.

PASSED AND ADOPTED this 20th day of March 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

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

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[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.