

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

RESOLUTION NO. 2024-SUP-033-23

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS, APPROVING A SPECIAL USE PERMIT FOR PROPERTY LOCATED ABOUT 1/2 MILE EAST OF NORTH ROYCE ROAD ALONG WEST PHILLIPS ROAD, IN QUEEN CREEK AREA, (TAX PARCEL 509-14-006K), TO OPERATE TENNIS COURTS, ON A 3.46± ACRE SITE, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2024-SUP-033-23

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized, pursuant to the Pinal County Development Services Code § 2.151.010 to approve Special Use Permits in order to ensure and protect the public health, safety, convenience, and general welfare; and,

WHEREAS, on December 1, 2023, the Pinal County Community Development Department received an application from Rafael Font de Mora, owner/applicant, and Upfront Planning & Entitlements, LLC./Jessica Sarkissian, agent, of a 3.46± acre site located about 1/2 mile east of north Royce Road along west Phillips Road, in Queen Creek area, (tax parcel 509-14-006K), and legally described in the attached **Exhibit “A”** (the “**Property**”), to request approval of a special use permit for operating tennis courts on the Property (located in the General Rural (GR) zoning district) (the “**SUP Application**”); and,

WHEREAS, on March 21, 2024, the Pinal County Planning and Zoning Commission held a public hearing on the SUP Application, under case no. SUP-033-23, and following the public hearing, voted 9-0 in favor of forwarding a recommendation of approval to the Board with 23 Stipulations, attached at **Exhibit “B”**. (the “**P&Z Recommended Stipulations**”).

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors, that the SUP Application is hereby approved for the Property, subject to the Board Approved Stipulations set forth in **Exhibit “B”**.

[Signatures appear on the following page.]

RESOLUTION NO. 2024-SUP-033-23

PASSED AND ADOPTED this 15th day of May 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

RESOLUTION NO. 2024-SUP-033-23

[Legal Description of the Property]

APN #509-14-006K

COMMENCING AT THE CENTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, SAID POINT BEING MARKED BY A ½" REBAR LYING NORTH 89 DEGREES 50 MINUTES 14 SECONDS. EAST (BASIS OF BEARING) 2644.30 FEET FROM THE WEST ¼ CORNER OF SAID SECTION 13;

THENCE SOUTH 00 DEGREES 05 MINUTES 09 SECONDS WEST ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 13, 40.00 FEET TO A ½" REBAR'S#41076;

THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS WEST PARALLEL WITH AND 40.00 FEET SOUTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 13, 193.44 FEET TO A ½" REBAR LS#41076 AND THE POINT OF BEGINNING:

THENCE SOUTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 232.19 FEET TO A ½" REBAR LS#41076;

THENCE SOUTH 55 DEGREES 09 MINUTES 25 SECONDS WEST 5.02 FEET TO A ½" REBAR LS #41076;

THENCE SOUTH 00 DEGREES 05 MINUTES 09 SECONDS WEST 386.01 FEET TO A ½" REBAR LS # 41076;

THENCE SOUTH 89 DEGREES 50 MINUTES 33 SECONDS WEST 240.61 FEET TO A ½" REBAR LS # 41076;

THENCE NORTH 00 DEGREES 04 MINUTES 42 SECONDS EAST 621.01 FEET TO A ½" REBAR LS#32278;

THENCE NORTH 89 DEGREES 50 MINUTES 14 SECONDS EAST PARALLEL WITH AND 40.00 FEET SOUTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 13, 247, 26 FEET TO THE POINT OF BEGINNING.

EXHIBIT “B”

TO

RESOLUTION NO. 2024-SUP-033-23

[Stipulations]

- 1) Approval of this SUP (SUP-033-23) 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) 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;
- 3) Applicant shall attend a site plan pre-application meeting to initiate the site plan approval process;
- 4) A landscape plan and irrigation plan shall be submitted for site plan review;
- 5) A lighting plan with photo metrics will not be allowed for the tennis courts for site plan review;
- 6) All structures over 200 square feet will require a permit;
- 7) Owner/developer to construct and/or extend a six foot chain link fence along the western side of tennis court including a noise blanket/ sound mitigation device. Additional chain link fencing around the tennis courts will not be required;
- 8) Campus type activity will not be allowed per SUP-033-23;
- 9) Stabilization of Commercial parking, drives, and yards shall be conducted pursuant to Pinal County Air Quality Code of Regulations Chapter 4, Article 4;
- 10) Air quality dust registration is required if the earthmoving activity causes 0.1 acres or more of land disturbance;
- 11) All construction activity must conform to the earthmoving activity requirements in accordance with Section §4-3-160 thru 190 of Pinal County’s Air Quality Code of Regulations;
- 12) An emergency circulation plan will be required to be submitted an approved prior to site plan approval (approved site plan with SUP will suffice this requirement);
- 13) All off-street parking areas shall comply with ADA standards for accessible design;
- 14) Any expansion beyond the two existing tennis courts will require re-approval;

- 15) A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of 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 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 Site Plan approval;
- 16) 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;
- 17) All right-of-way dedication shall be free and unencumbered;
- 18) 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
- 19) A drainage report will be required to be submitted to the County Engineer at the time of Site Plan submittal for review and approval to ensure provisions have been made to accommodate offsite runoff and to ensure onsite retention of storm water runoff or as approved by the County Engineer;
- 20) Applicant shall apply for all required permitting, facilitate inspections, and receive required approvals from the Building Safety Division regarding existing improvements on the property noted in the existing Code Enforcement case, prior to formal Site Plan approval;
- 21) The four storage sheds on the property as shown on the Plot Plan, excluding the proposed Casita, shall be used for storage purposes only and shall not be used for occupancy in violation of the Pinal County Development Services Code, as determined by the Community Development Director or designee. Such a determination shall result in the revocation of this Special Use Permit and code enforcement action;
- 22) The pickle-ball court currently existing on the property shall be removed prior to SPR approval;
- 23) The applicant to provide a landscape plan, including irrigation, that will support an Oleander hedge at a height of at least ten (8-10) feet at final growth to mitigate for sound and visual impacts. Oleanders shall be planted as minimum 15 gal size and spaced at a 5' separation and shall be planted along the western, southern and eastern tennis court fence lines.