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

ORDINANCE NO. 2024-PZ-034-23

AN ORDINANCE OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING THE REZONING FOR CERTAIN PROPERTIES LOCATED ALONG THE SOUTHWEST CORNER OF VAL VISTA ROAD AND JOHN WAYNE PARKWAY IN THE MARICOPA AREA OF UNINCORPORATED PINAL COUNTY (TAX PARCELS: 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D) FROM SINGLE RESIDENCE ZONE (CR-3) AND GENERAL BUSINESS ZONE (CB-2) TO SINGLE RESIDENCE ZONING DISTRICT (R-7) AND COMMUNITY COMMERCIAL ZONING DISTRICT (C-2) IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. **PZ-034-23**; ESTABLISHING AN EFFECTIVE DATE AND DIRECTING ITS PUBLICATION.

WHEREAS, the Pinal County Board of Supervisors (the "**Board**") is authorized pursuant to Arizona Revised Statutes § 11-814 to rezone property in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on April 20, 2023, the Pinal County Community Development Department (the "**Department**") received an application from M. Brennan Ray, Burch & Cracchiolo, P.A., as the agent for property owners Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC (collectively, the "**Applicants**"), with respect to property located along the southwest corner of Val Vista Road and John Wayne Parkway in the Maricopa area of unincorporated Pinal County (Tax Parcels: 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D) (the "**Property**") to rezone the Property from Single Residence Zone (CR-3) and General Business Zone (CB-2) to Single Residence Zoning District (R-7) and Community Commercial Zoning District (C-2) as set forth in the legal descriptions attached hereto as **Exhibit "A"** (the "**Rezoning Application**"); and,

WHEREAS, the Property is currently subject to an existing planned area development overlay zoning district, which the Applicants have separately requested to be amended subsequent to the Property being rezoned pursuant to the Rezoning Application; and,

WHEREAS, on October 17, 2024, the Pinal County Planning and Zoning Commission (the "**Commission**") held a public hearing on the Rezoning Application (which the Department designated as Case No. **PZ-034-23)**, giving no less than 15-days' notice by publication in a newspaper of general circulation in the county seat and by duly posting the area included in the proposed rezoning; and,

///

ORDINANCE NO. 2024-PZ-034-23 (Continued)

WHEREAS, following the public hearing, the Commission voted 6-3 in favor of forwarding a recommendation of approval of the Rezoning Application to the Board with one (1) stipulation of approval as set forth in the attached **Exhibit "B"** (the "**Stipulation of Approval**"); and,

WHEREAS, the Board finds that the request to rezone the Property as set forth in the Rezoning Application, subject to the Stipulation of Approval, is in the best interest of Pinal County and is consistent with and conforms to the adopted comprehensive plan and the general purposes of Pinal County's Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Pinal County Board of Supervisors as follows:

Section 1: The Rezoning Application requesting to rezone the Property from Single Residence Zone (CR-3) and General Business Zone (CB-2) to Single Residence Zoning District (R-7) and Community Commercial Zoning District (C-2) as set forth in the legal descriptions attached as **Exhibit "A"** is hereby approved subject to the Stipulation of Approval set forth in the attached **Exhibit "B"**.

Section 2: This Ordinance shall take effect 30 days after the date of its adoption.

Section 3: This Ordinance shall be published at least once in a newspaper of general circulation in the County seat after its adoption.

PASSED AND ADOPTED THIS 4TH DAY OF DECEMBER, 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-038-23

LEGAL DESCRIPTION – SUNSET CANYON

R-7 ZONING

That part of Section 28, Township 5 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

Beginning at the 1/2" Rebar with no identification marking the Northwest Corner of said Section 28;

Thence North 89°58'45" East, along the North line of the Northwest Quarter of said Section 28, a distance of 2664.52 feet to the 1/2" Rebar with Cap LS#38582 marking the North Quarter Corner of said Section 28;

Thence North 89°58'45" East, along the North line of the Northeast Quarter of said Section 28, a distance of 2664.52 feet to the Arizona Department of Transportation Aluminum Cap in a hand hole marking the Northeast Corner thereof;

Thence South 00°15'50" West, along the East line of said Northeast Quarter, a distance of 2631.31 feet to the Brass Cap in hand hole marking the East Quarter Corner of said Section 28;

Thence South 00°15'57" West, along the East line of the Southeast Quarter of said Section 28, a distance of 320.00 feet;

Thence South 87°58'28" West, departing said East line, a distance of 5380.79 feet to a point on the West line of the Southwest Quarter of said Section 28;

Thence North 01°08'31" East, along said West line, a distance of 135.00 feet 1/2" Rebar with a Pinal County cap marking the West Quarter Comer of said Section 28;

Thence North 01°07'5I" East , along the West line of the Northwest Quarter of said Section 28, a distance of 3005.13 feet to the Point of Beginning.

Except therefrom:

That certain parcel of land as conveyed to Global Water-Santa Cruz Water Company as described in Fee Number 2007-104917, Records of Pinal County, Arizona, more particularly described as follows:

Commencing at the aforementioned Northwest Corner;

Thence North 88°52'19" West, along the West line of said Northwest Quarter, a distance of 63.00 feet;

Thence North 01°07'51" East, departing said West line, a distance of 1443.62 feet to the Point of Beginning;

Thence South 88°52'09" East, a distance of 5.00 feet; Thence South 59°15'37" East, a distance of 30.90 feet; Thence South 88°52'09" East, a distance of 20.17 feet; Thence South 01°07'51" West, a distance of 95.00 feet;

Thence North 88°52'09" West, a distance of 20.17 feet; Thence South 01°07'51" West, a distance of 45.00 feet; Thence South 61°07'51" West, a distance of 31.00 feet; Thence North 88°52'09" West, a distance of 5.02 feet;

Thence North 01°07'51" East, a distance of 170.77 feet to the Point of Beginning.

Except therefrom:

That part of the Northeast Quarter of Section 28, Township 5 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the 1/2" Rebar with cap LS#38582 marking the North Quarter Comer of said Section 28, from which the calculated position of the Center of said Section 28 bears South 00°43'50" West, a distance of 2818.16 feet;

Thence South 00°43'50" West, along the West line of said Northeast Quarter, a distance of 1514.09 feet;

Thence South 89°16'10" East, departing said West line, a distance of 312.35 feet to a point on a 1540.00 foot radius non-tangent curve, whose center bears North 02°52'07" West, being the Point of Beginning;

Thence Easterly, along said curve, through a central angle of 06°42'58", a distance of 180.52 feet; Thence North 80°24'55" East, a distance of 198.26 feet;

Thence South 09°35'05" East, a distance of 320.65 feet to the beginning of a tangent curve of 1500.00 foot radius, concave Westerly;

Thence Southerly, along said curve, through a central angle of 06°26'52", a distance of 168.81 feet;

Thence South 87°58'28" West, a distance of 51.56 feet to a point on a 42.00 foot radius non-tangent curve, whose center bears South 26°13'02" West;

Thence Westerly, along said curve, through a central angle of 56°29'06", a distance of 41.41 feet; Thence South 87°58'28" West, a distance of 345.12 feet;

Thence North 01°22'49" West, a distance of 446.83 feet to the Point of Beginning.

Containing 16,101,752 Square Feet or **369.645 Acres**, more or less.

R-7 ZONING PARCEL CLOSURE REPORT

BOUNDARY

N89°58'45.1035" E 2664.52
N89°58'45.1 035" E 2664.52
S00°15'50.2573" W 2631.31
S00°15'57.2351" W 320.00
S87°58'28.4926" W 5380.79
N0l° 08'31.0879"E 135.00
N01 ° 07'51.1 834" E 3005.13 to Area 16299065 sq ft, **374.175 AC**

Closing course: 323°43'19.1474" 0.010450, Misclosure: 1/1,000,000+
North Error: 0.008424
East Error: 0.006183

R-7 ZONING PARCEL EXCEPTION 1

N88°52'18.73" W 63.00
N01°07'51.18" E 1443.62

BOUNDARY
S88°52'09.00" E 5.00
S59°15'37.00" E 30.90
S88°52'09.00" E 20.17
S01° 07'51.00" W 95.00
N88°52'09.00" W20.17
S01° 07'51.00" W 45.00
S61° 07'51.00" W 31.00
N88°52'09.00" W 5.02
N01°07'51.00" E 170.77 to Area 6945 sq ft, **0.159 AC**

Closing course: 150°55'56.59" 0.003504, Misclosure: 1/120,735
North Error: 0.003062
East Error: 0.001702

R-7 ZONING PARCEL EXCEPTION 2

S00°43'49.86" W 1514.09
S89°16'10.14" E 312.35

BOUNDARY
RB = N02°52'06.82" W R = 1540.00
A= 180.52
C= 180.41
CB= N83°46'24.08" E D = 06°42'58.21"
T = 90.36
RB= S09°35'05.02" E

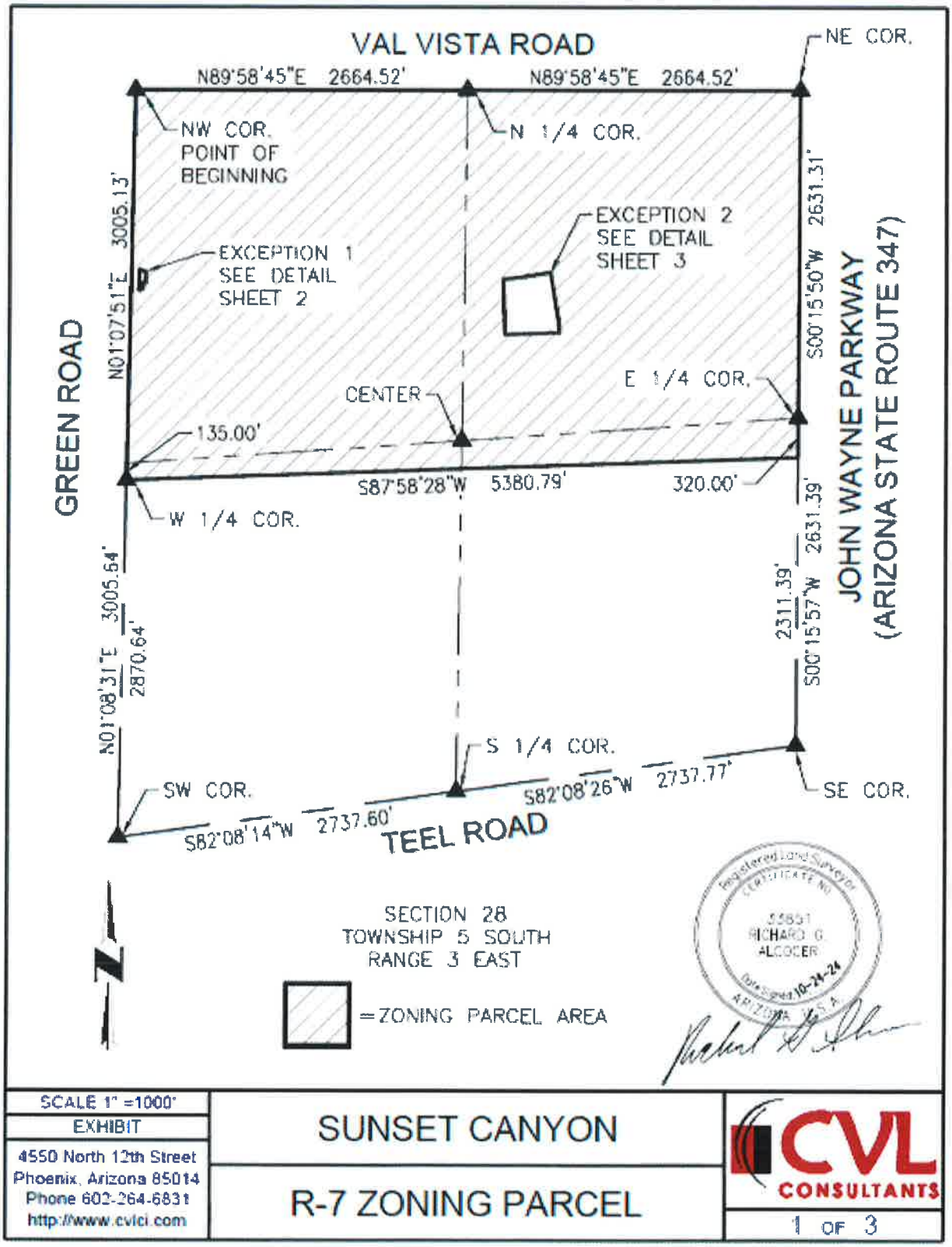
N80°24'54.98" E 198.26
S 09°35'05.02" E 320.65

RB= S80°24'54.98" W R = 1500.00
A= 168.81
C = 168.72
CB= S06°21'38.79" E
D = 06°26'52.46"
T = 84.49
RB= N86°5 l '47.44" E

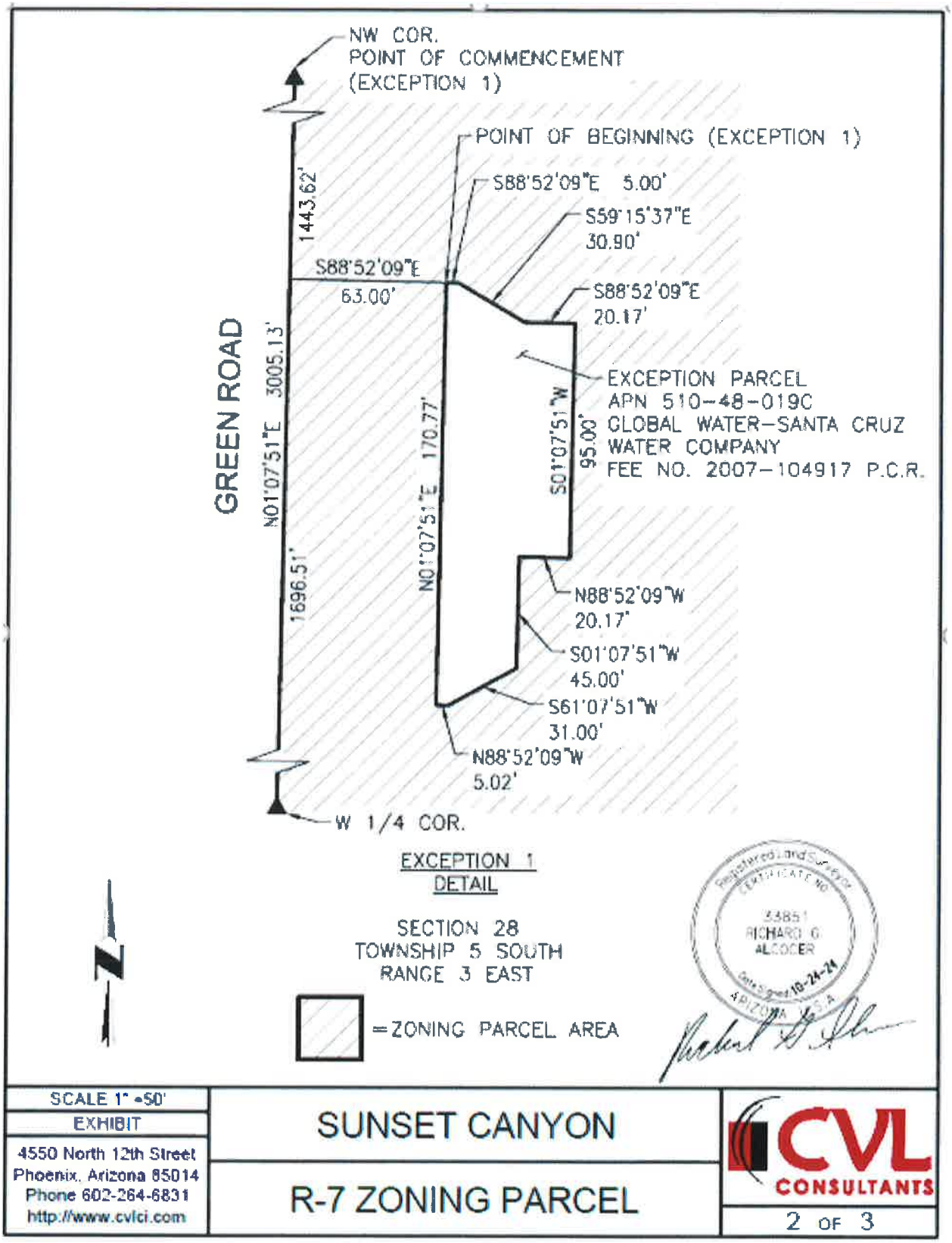
S87 °58'28.49" W 51.56

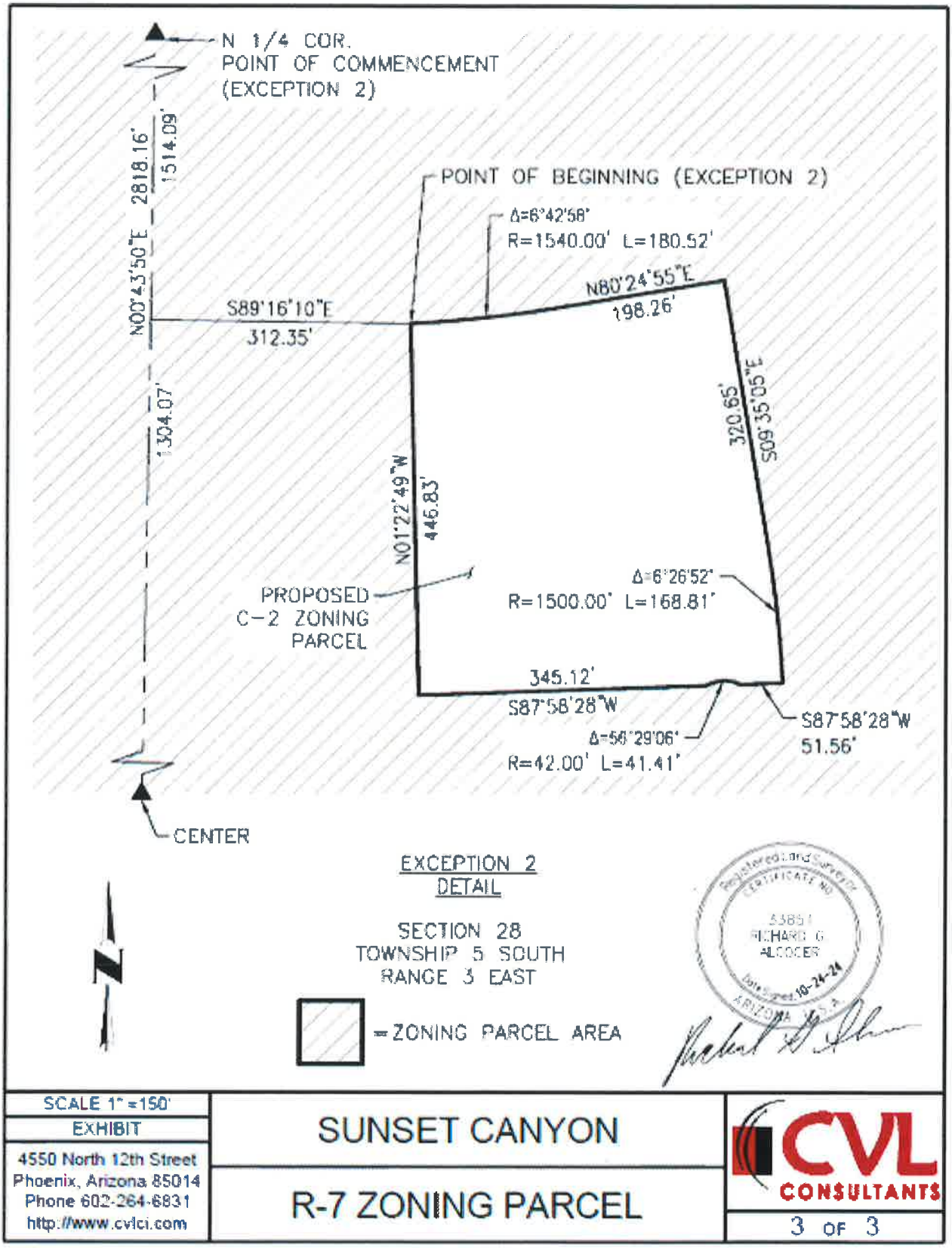
RB= S26°13'01.63" W R = 42.00
A= 41.41
C = 39.75
CB= S87°58'28.49" W D = 56°29'06.27"
T = 22.56
RB= N30°16'04.64" W

S87 °58'28.49" W 345.1 2
N01°22'48.69" W 446.83 to Area 190368 sq ft, **4.370 AC**



SCALE 1" =1000'	SUNSET CANYON	CVL CONSULTANTS
EXHIBIT		
4550 North 12th Street Phoenix, Arizona 85014 Phone 602-264-6831 http://www.cvlci.com	R-7 ZONING PARCEL	1 OF 3


NW COR.
POINT OF COMMENCEMENT
(EXCEPTION 1)
POINT OF BEGINNING (EXCEPTION 1)
S88°52'09"E 5.00'
S59°15'37"E
30.90'
S88°52'09"E
20.17'
S88°52'09"E
63.00'
1443.62'
GREEN ROAD
N01°07'51"E 3005.13'
1696.51'
N01°07'51"E 170.77'
S01°07'51"W
95.00'
EXCEPTION PARCEL
APN 510-48-019C
GLOBAL WATER-SANTA CRUZ
WATER COMPANY
FEE NO. 2007-104917 P.C.R.
N88°52'09"W
20.17'
S01°07'51"W
45.00'
S61°07'51"W
31.00'
N88°52'09"W
5.02'
W 1/4 COR.
EXCEPTION 1
DETAIL
SECTION 28
TOWNSHIP 5 SOUTH
RANGE 3 EAST
=ZONING PARCEL AREA
N
Registered Land Surveyor
CERTIFICATE NO.
33851
RICHARD G.
ALCOCER
Date Signed 10-24-24
ARIZONA U.S.A.
SCALE 1" =50'
EXHIBIT
4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
http://www.cvlci.com
SUNSET CANYON
R-7 ZONING PARCEL
CVL
CONSULTANTS
2 OF 3



SCALE 1" =150' EXHIBIT 4550 North 12th Street Phoenix, Arizona 85014 Phone 602-264-6831 http://www.cvlci.com	SUNSET CANYON R-7 ZONING PARCEL	CVL CONSULTANTS 3 OF 3

LEGAL DESCRIPTION – SUNSET CANYON

C-2 ZONING

That part of the Northeast Quarter of Section 28, Township 5 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the 1/2" Rebar with cap LS#38582 marking the North Quarter Corner of said Section 28, from which the calculated position of the Center of said Section 28 bears South 00°43'50" West, a distance of 2818.16 feet;

Thence South 00°43'50" West, along the West line of said Northeast Quarter, a distance of 1514.09 feet;

Thence South 89°16'10" East, departing said West line, a distance of 312.35 feet to a point on a 1540.00 foot radius non-tangent curve, whose center bears North 02°52'07" West, being the Point of Beginning;

Thence Easterly, along said curve, through a central angle of 06°42'58", a distance of 180.52 feet;

Thence North 80°24'55" East, a distance of 198.26 feet;

Thence South 09°35'05" East, a distance of 320.65 feet to the beginning of a tangent curve of 1500.00 foot radius, concave Westerly;

Thence Southerly, along said curve, through a central angle of 06°26'52", a distance of 168.81 feet;

Thence South 87°58'28" West, a distance of 51.56 feet to a point on a 42.00 foot radius non-tangent curve, whose center bears South 26°13'02" West;

Thence Westerly, along said curve, through a central angle of 56°29'06", a distance of 41.41 feet;

Thence South 87°58'28" West, a distance of 345.12 feet;

Thence North 01°22'49" West, a distance of 446.83 feet to the Point of Beginning.

Containing 190,368 Square Feet or **4.370** Acres, more or less.

C-2 ZONING PARCEL CLOSURE REPORT

S00°43'49.86" W 1514.09
S89°16'10.14" E 312.35

BOUNDARY
RB = N02°52'06.82" W
R = 1540.00
A= 180.52
C = 180.41
CB= N83°46'24.08" E
D = 06°42'58.21"
T = 90.36
RB= S09°35'05.02" E N80°24'54.98" E 198.26

S09°35'05.02" E 320.65

RB= S80°24'54.98" W
R = 1500.00
A= 168.81
C = 168.72
CB= S06°21'38.79" E D = 06°26'52.46"
T = 84.49
RB = N86°51'47.44" E

S87°58'28.49" W 51.56

RB= S26°13'01.63" W R = 42.00
A= 41.41
C = 39.75
CB= S87°58'28.49" W
D = 56°29'06.27"
T = 22.56
RB= N30°16'04.64" W

S87°58'28.49" W 345.12
N0l °22'48.69" W 446.83 to Area 190368 sq ft, **4.370 AC**

Closing course: 359°32'01.54" 0.001514, Misclosure: 1/1,000,000+

North Error: 0.001514
East Error: 0.000012

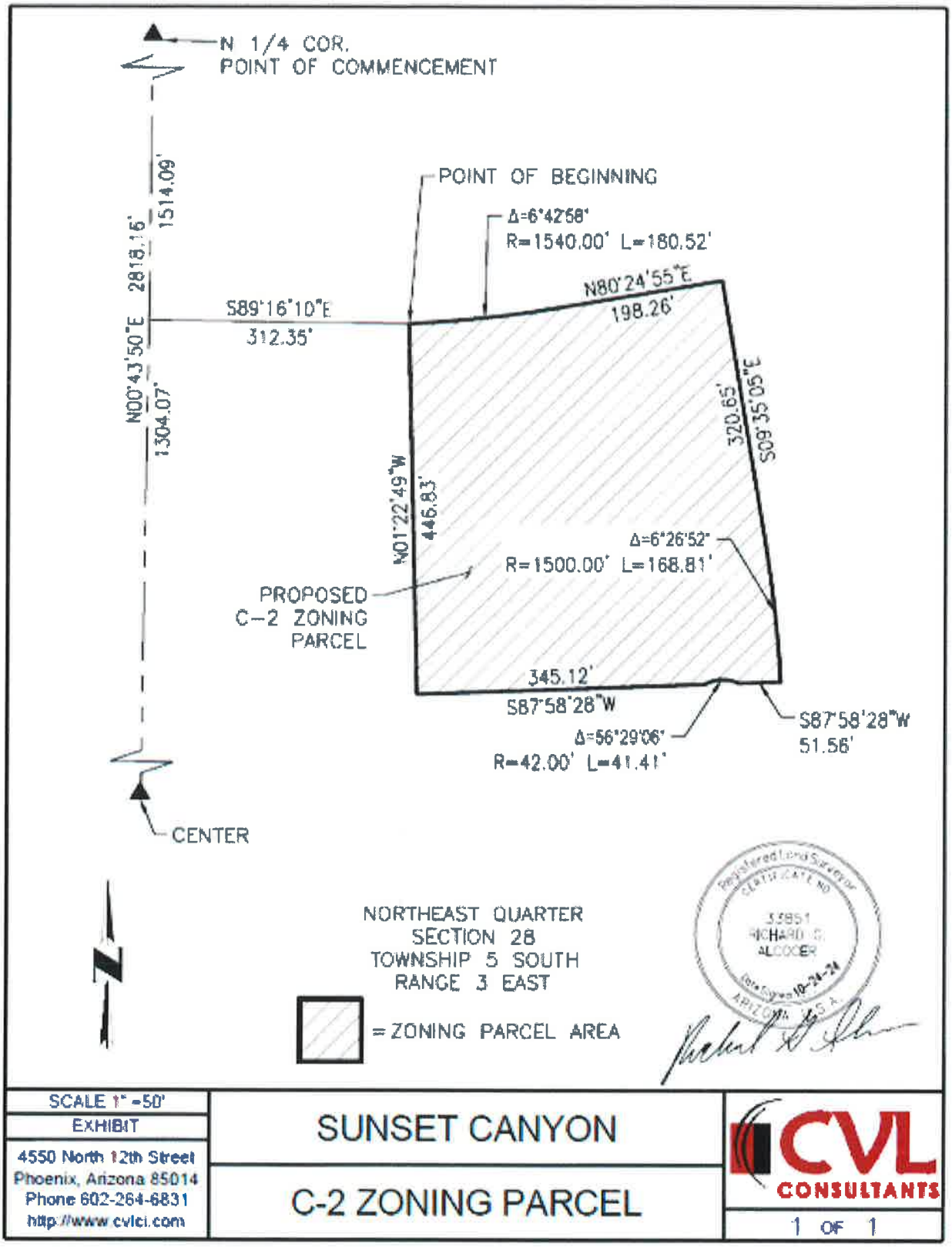

N 1/4 COR.
POINT OF COMMENCEMENT
1514.09'
2618.16'
N00°43'50"E
1304.07'
POINT OF BEGINNING
Δ=6°42'58"
R=1540.00' L=180.52'
N80°24'55"E
198.26'
S89°16'10"E
312.35'
320.65'
S09°35'05"E
N01°22'49"W
446.83'
Δ=6°26'52"
R=1500.00' L=168.81'
PROPOSED
C-2 ZONING
PARCEL
345.12'
S87°58'28"W
Δ=56°29'06"
R=42.00' L=41.41'
S87°58'28"W
51.56'
CENTER
N
NORTHEAST QUARTER
SECTION 28
TOWNSHIP 5 SOUTH
RANGE 3 EAST
= ZONING PARCEL AREA
Registered Land Surveyor
CERTIFICATE NO
35851
RICHARD C.
ALCOCER
Date Signed 10-24-24
ARIZONA U.S.A.
SCALE 1" =50'
EXHIBIT
4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
http://www.cvlci.com
SUNSET CANYON
C-2 ZONING PARCEL
CVL
CONSULTANTS
1 OF 1

EXHIBIT "B"
TO
ORDINANCE NO. 2024-PZ-034-23

[Stipulation of Approval]

1. Approval of this zone change (PZ-034-23) 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.