Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: DECEMBER 4, 2024

TO: BOARD OF SUPERVISORS

CASE NO: **PZ-034-23 & PZ-PD-008-23 (SUNSET CANYON PAD AMENDMENT)**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

Executive Summary: *Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting an approval of rezone of CR-3 PAD and CB-2 PAD to R-7 PAD and C-2 PAD in the southwest corner of Val Vista Road and John Wayne Parkway, Pinal County along with an amendment to the Planned Area Development.*

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

Items for Boards consideration:
- Proposal is to rezone 369.65 acres to R-7 PAD (Single Residential Zoning District) and 4.37 acres of C-2 PAD (Community Commercial Zoning District)
- Proposed density is 4.06 du/ac with a maximum of 1,519 Dwelling Units.
- County has received fifteen letters in opposition from surrounding property owners.
- City of Maricopa recommended denial due to the loss of commercial opportunities

Commission recommendation:
- At the Oct 17th Planning and Zoning meeting, the Commission recommended for approval on a 6 to 3 vote, to Rezone with one stipulation and Planned Area Development with 21 stipulations to the Board of Supervisors. Stipulations for approval are provided below:

PZ-034-23 Stipulation:

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.

PZ-PD-008-23 Stipulations:

1. Approval of Sunset Canyon PAD amendment (PZ-PD-008-23) 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. Sunset Canyon Planned Area Development (PAD) amendment overlay district (PZ-PD-008-23) is to be developed as shown by the site plan/development plan dated May, 2024, along with the other

supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal County Development Services Code;

3. Approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-034-23;

4. Val Vista Road and State Route 347 have been identified as "Routes of Regional Significance". Applicant will be required to comply with the "Regionally Significant Routes for Safety and Mobility (RSRSM), Final Report, December 2008" the 2020 RSRSM map update, and the current "Access Management Manual" which may specify limited or reduced access on these roads or as approved by the County Engineer;

5. Half-street right-of-way dedication and half-street improvements will be required for Greene Road (Western boundary). The required minimum half-street right-of-way is fifty-five feet (55ft) for Greene Road along the western boundary. Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

6. Right-of-way dedication and street improvements will be required Val Vista Road. The required minimum right-of-way dedication is one-hundred and fifty feet (150ft) for the sections of Val Vista Road traversing through the development and 75ft for the segments along the development's perimeter (northern boundary). Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

7. A drainage report will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the 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;

8. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

9. A Geotechnical Report shall submitted for review and approval at the time of Final Plat submittal. The report shall cover all recommended pavement sections for this development, include offsite and half-street pavement. The Geotechnical report shall be approved prior to the Final Plat and improvement plan approvals;

10. A minimum of two paved, permanent access points to be provided for ingress and egress from the development to existing public roads. Approval of adequate access by the County Engineer shall be a condition of approval of the plat by the Board.

11. 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.

12. Any required contributions (design and construction costs) for future traffic signals, as identified in the approved Traffic Impact Analysis, shall be paid to the County prior to the final plat approval or as approved by the County Engineer;

13. Applicant to follow landscape standards per design guidelines set forth in the PAD narrative dated November 15, 2023. All plant material to follow Arizona low water use plant list per ADWR;

14. 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;

15. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more;

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

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

18. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;

19. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing agricultural, ranchette, and animal privilege properties that may cause adverse noise, odors, dust, and other related externalities. The "Public Subdivision Report," "Purchase Contracts," CC&Rs, and final plat shall include a disclosure statement outlining that the site is adjacent properties that have agricultural, ranchette, and animal privileges and may therefore be subject to adverse noise, odors, dust, and other related externalities and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by Pinal County for receiving such notice.

20. Minimum side yard setbacks for all dwelling units shall be 5'; and

21. For all detached Accessory Buildings, minimum distance to the side and rear lot lines shall be 5'.

Date Prepared 11/18/2024 SD

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 252269)

Regular Meeting
9:00 a.m.
Thursday, October 17, 2024

Pinal County Administrative Complex
Emergency Operations Center
301 E. 11th Street, Florence, Arizona

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we're having some issues (inaudible), so I want to make sure he's (inaudible).

OLGIN: We're back. Perfect.

KLOB: All right.

OLGIN: So Chair, Vice Chair, Commission, if you'd like, we could start the roll call again just to acknowledge him being here.

KLOB: Sure.

OLGIN: Okay. Chair, Vice Chair, it is 9:30, and we're going to do the roll call again, because we have a new member that just showed up. So Vice Chair Klob.

KLOB: Here.

OLGIN: Chairman Mennenga. Member Del Cotto.

DEL COTTO: Here.

OLGIN: Member Hartman.

HARTMAN: Present.

OLGIN: Member Keller.

KELLER: Present.

OLGIN: Member Lizarraga.

LIZARRAGA: Here.

OLGIN: Member Schnepf.

SCHNEPF: Present.

OLGIN: Member Davila.

DAVILA: Here.

OLGIN: Member Mooney.

MOONEY: Here.

OLGIN: Member Pranzo.

PRANZO: Present.

OLGIN: Okay, we have a quorum.

KLOB: Very good, thank you. It looks like the applicant from the first case is – got out of traffic and has been able to join us. Any issues bringing that case forward at this time? If so, I'd like the staff to present their two cases, PZ-034-23 and PZ-PD-008-23.

DEOKAR: Good morning Vice Chair, Commission Members, Sangeeta Deokar, Senior Planner presenting this case. Just to give you an overview of this case. August 15th, this case was noticed and was continued by the applicant without a public hearing. September 25th is when we had the first public hearing. It was continued again at the request of the applicant and as requested also by the Planning and Zoning Commission. We have today the second public hearing, and this would be - this is presenting the case. There is no changes that were shared by the applicant until the upload of all documents which were same. If you would wish, I can go ahead and present the same case. After the upload, we received an updated development plan, a draft from the applicant, and per applicant's wishes I can go ahead and open that directly or move forward with what the Commission wishes for.

KLOB: Thank you. I'd like to go back to probably

the attorney and ask, any issues of documents submitted after the after the cut-off date, can they be presented today? Or staff, either one.

OLGIN: Chair, Vice Chair, Commission, great question. So typically when we have a change to a plan, it's typically something that the P&Z hasn't seen. This request is happening today. The request at the last one, before this with continuance, was in regards to commercial and the lack of. So the request was from the Commission - it's here at the continuance, it's still in front of the Commission, and so whatever's presented today, you're seeing it for the first time. We have it on the PowerPoint to show you if you wish to see it, but it can be presented today because it's in front of the Commission today. So there's no changes that you haven't seen. Typically if there's any changes going to the Board, that there is the issue. It has to go back to the beginning, start back with the P&Z, but we're with the P&Z today.

??: (Inaudible).

OLGIN: When you do have a chance to make a comment at the public hearing. They can't hear you back there, so (inaudible).

KLOB: So yeah, why don't we kind of go through the case again and then if there's adjustments, then we can address those individually.

DEOKAR: Absolutely. So basically this is case PZ-

034-23, PZ-PD-008-23, Sunset Canyon rezone and a PAD amendment. The total size is 374 acres for R-7 zoning. Location is southwest corner of Val Visa Road and John Wayne Parkway in Maricopa area. The owner/applicant is Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC, and we have the agent, Brennan Ray representing from Burch & Cracchiolo. This is the County map location. You can see that it is in the Maricopa area, shared with a red star, west of the central County location. Area map vicinity showing the location once again west of the 347 and marked by CR-3 zoning all around. There's CB-2 to the south, and we have the reservation to the north, east and north. Further zooming into the Comp Plan showing Moderate Low Density Residential allowing only 1 to 3.5 dwelling units per acre. The proposed density, as per what was shared, was 4.1 dwelling units per acre. Aerial map showing an undeveloped site and parcels. Existing zoning is CB-2 for 24 acres, CR-3 for 350 acres. The proposed zoning was R-7. This was the existing and the proposed, again sharing the maps for the surrounding zoning also. Existing CR-3, CB-2 to the northeast, R-7 for the whole area for 374 acres. This is the roadway access that we talked about, the Val Vista alignment that kind of was a challenge for Sunset Canyon in accommodating all the residences and the commercial zone. This was the development plan that was shared. We talked about the entry points, the R-7 zoning, the four lot

mixes, the drainage channel along the eastern side as 380 feet. You know, we also talked about all the TIA and the drainage that requires to be approved prior to moving forward. We talked about also the development standards for R-7 zone that had issues with the side setbacks as four feet, I remember that. Density as proposed was 4.1 dwelling units per acre and the open space proposed was 20.49 percent of this property. Some pictures to the north. South. East, and west. And these were the items that were discussed last time. The total area that was 374 for a single zoning, R-7. The Comprehensive Plan with Moderate Low Density that allows for 1 up to 3.5 dwelling units per acre. The alternative land uses that the applicant had used provide what was allowed, basically providing flexibility to promote mixed use concepts which were not shown in this plan. And the portion being MLDR. The medium and high density residential, employment and is allowed only with a Comp Plan amendment. The density that is existing is 3.5 dwelling units per acre, and proposed was 4.1 dwelling units per acre, with 1,532 dwelling units. The items as we discussed was promoting mixed use to be able to use that higher density, which was not the case. And so basically it was the single zoning - R-7 - and that was a complete removal of 24 acres of commercial, further reducing the mixed use. We had received at that point 15 emails in opposition with for increase in density. We had economic

development director and City of Maricopa both not really supporting this proposal. Staff had included 18 stipulations, and at this point I have shared with you a document. It has around 50-plus property owners who have – who are in opposition for this case. And the requested stipulations at that point were 19 stipulations as shared in the staff report. We received an updated new development plan with the commercial as shown for 4.3 acres. Staff have not had a chance really to review this. We would - I would call the applicant at this point to share more on this.

KLOB: Sangeeta, is that it for your proposal? Or your presentation, I mean?

DEOKAR: Yeah, my presentation is –

KLOB: Okay.

DEOKAR: Yeah.

KLOB: Any questions for staff before we go to the applicant? Seeing none, if the applicant. And Brennan, I know you just got here, did you sign in?

RAY: (Inaudible).

KLOB: Thank you, sir.

RAY: Thank you, Chair. I'm not accustomed to speaking this close to a microphone, so I apologize for my poor posture. But nevertheless, thank you Chair, Members of the Commission for the accommodation due to my traveling down here. But as staff indicated, I'm happy to go through a full

presentation, if necessary. I don't believe it is because at the last hearing we were charged to go back and see if we could provide some amount of commercial in a location that made sense, given the constraints that exist around the perimeter of the property along John Wayne, along Green Road, and so what we have done is provided approximately 4.37 acres in a location we feel is appropriate. It still is at the corner of a major parkway with Val Vista and how it was realigned to go south, and feel that this is as good a location, given the site constraints. Again, we listened to what the Commission said when we were before you a month ago, and so what we would request is that your recommendation be forwarded to the Board of Supervisors, specifically stating that we provide the commercial as identified on the site plan. In the event that that is the recommendation of this body, we will then work with staff to get legal description, get all the other exhibits updated, and everything as necessary to ensure that it's proper as it goes to the Board of Supervisors. Again, I can go into a lot of details. We did have a lengthy discussion at last month's meeting that I don't know that it's necessary, but we'll certainly defer to your wishes.

KLOB: Would the dais, anybody on the dais want additional information or a full presentation from the applicant?

HARTMAN: Vice Chair, I don't - I wasn't here at the last meeting and I was just curious. This is in the planning of the City of Maricopa zone, is that why they gave an opinion on not, you know, recommending denial on this? And I'm curious, is it just because of the commercial or were there other issues? Can you elaborate on that?

RAY: Yeah, through the Chair, Commissioner Hartman. My understanding was that there was a concern from the City of Maricopa for the loss of commercial. I know that they feel that is important. Certainly as you go south of the Ak-Chin Community and head into this area down here, that at least my recollection was that it - their opposition was for the loss of the commercial. Is that right, Sangeeta?

DEOKAR: Yes, and this location of the school site.

RAY: They did also express a concern about the elementary school site, but that location that we are proposing, if I remember correctly, is in the same location as the original approval back in 2003.

KLOB: Good? Thank you. Any other questions?

MOONEY: Chair, if I may.

KLOB: Commissioner Mooney.

MOONEY: So have the City of Maricopa and the others been notified of this change?

RAY: Through the Chair, Commissioner, no, they have not been notified of this change, nor has – and I appreciate

staff's comment where they said people were. Obviously, we have not circled back with economic development because I know they had a concern about it, but my suspicion - and I know that planning staff had a concern about it as well, and I certainly won't speak for those two departments, but at least through conversations we've had getting to this point, we believe that this would satisfy some of those concerns and objections that planning had, as well as economic development.

MOONEY: Okay. Can I ask staff question? Because I'm new. Tabling this or putting it off until - would they have to start the process over?

OLGIN: Chair, Vice Chair, Commission, great question. They would run out of the ability to continue this. This is the final continuance. And if I may, on that note, whatever happens today, we're going to send this to the Board of Supervisors with the proper notifications, the new legals. Now, we will also vet this process because this is the first time it's happened to us, back through our attorney team and if they feel necessary to come back to the Commission, we'll do that if needed. But I wanted to note, just for clarity, and those that are concerned, typically what happens is these cases will be approved/disapproved at this level. They'll go to the Board. The Board then sees that - or I should say the applicant sees that there's possible denial coming, they'll remand it back to the P&Z. Now we're at the P&Z, we never

left the P&Z. The request was from the applicant from the last continuance. So as I said, whatever happens today, we'll properly vet this through our attorneys before we get to the BOS. And if they feel we still need to come back again because of some discrepancy or some issue, we'll do that. But we're not trying to deceive anybody. This was a decision that came from the applicant because of the last meeting that we had that was continued from the Planning and Zoning Commission. So - and to be clear, there's already commercial on the site, we just had asked them from the very beginning to leave some commercial. So this request isn't mind blowing or mind changing because there's already commercial there as of today, 25 acres. So this request is the four acre piece that we asked them to leave. So per the discussion of the P&Z.

JOHNSON: And just to piggyback on that Mr. Chairman, Commissioner Mooney, as Gilbert said this is a recommending body, so per the rules you've run out of continuances. The Commission has to make a recommendation today one way or the other, whether it's approval or denial, and then when it goes to the Board, ultimately whatever that decision, whatever the decision of this Commission is, would then be forwarded to the Board with appropriate notices.

MOONEY: And may I ask one more question, Chair? Again, because I'm new, is it possible, I mean this - I mean we're just seeing this part of it today for the first time,

and others that were opposed especially due to the commercial, can it be ever tabled for two months so that we allow ample time for something like that to be done? I'm not sure. Brennan took a deep breath when I said that. It's not going to happen today. No, I just mean in the future when something, because 30 days is a short timeframe to turn around with something, in my opinion, as major as trying to get commercial back on a piece of property, or whatever change.

JOHNSON: Yeah, and this is the third, this is the third continuance, so I mean –

MOONEY: Right, not this case. I'm saying in the future, because I made that motion, could it have been continued for two months so they had more time?

JOHNSON: Yes.

MOONEY: Thank you.

KLOB: Any other questions for the applicant?

HARTMAN: Vice Chair. On the commercial, is the City of – you've got 4.37 acres, does the city want more than that?

RAY: Through the Chair, Commissioner Hartman, I'm not aware of an acreage requirement that the city put forth. I know Sangeeta, you've asked the question and is reviewing the City of Maricopa letter right there, but I'm not aware of any objection to it. Again, as kind of Gilbert and staff alluded to, the original plan back in 2003 - and I appreciate

that you were not here at the last meeting - called for 25 acres, actually at the hard corner of what was then Val Vista, which was to be an east-west road and John Wayne Parkway - 347. And so as we went through the process, Val Vista was realigned to its configuration now, and the very short reason why that was was because of where it intersects with the Ak-Chin Community on the east side, and getting it back down to essentially bump out where Ak-Chin goes to the south. And so to continue it - I don't know if anybody's got my presentation from last month handy, but if you need an exhibit we can give you one to show it, but there is a very – staff, County staff has a very specific reason why Val Vista was realigned to cut now through the middle of our site, effectively eliminating a viable option at the hard corner of, again, what was Val Vista east-west and a true arterial intersection.

HARTMAN: Through the Chair, yeah, thank you. That's a quick, good explanation. I was just curious if they're looking for more than a Fry's or a drugstore, they're thinking a, you know, employment center or something, but that's good enough. Thank you.

KLOB: Any other questions? I had a couple little things. Brennan, last time we talked about my notorious four foot versus five foot detached structure setbacks, any opposition of going to - changing that to five foot?

RAY: No Vice Chair. No, no opposition to that

request.

KLOB: Okay. And then the second one, you know just quick – and we're all seeing this, you know, for the first time here, and thank you for bringing some commercial back into this. I truly think it needs it and I think it'll be a better development if it goes forward because of it. One of the things that I noticed kind of quickly is as that Val Vista Road hooks in, it looks to drop straight down to the south versus in the previous iteration it really kind of cut along that southern property line. And maybe this goes back Sangeeta, can you take a look at that? How does that alignment work, and is that – we might be kind of overstepping a little bit too, so –

RAY: Vice Chair, I'm happy to answer that question. I know what is in process, a case that is not before you yet, is a rezoning case to the south of there called McLean Ranch, and that one is working through staff, staff is reviewing it. We are - I've actually been asked to represent that developer on that case, and so we've got some homework to do with respect to the neighbors. I know there's some here that are listening, but we need to go out and talk to them about that. So in coordination between this development and the one to the south, that's what's kind of dictated where Val Vista would enter their property on the south side. Again, it still will exit out to 347 and continue in the east-west as I kind of

alluded to on a prior exhibit from last month's hearing, but I think as I've heard Gilbert say many a times, while we show a site plan and we focus on some of those details, that's really additional details that work out administratively as we go through the site planning process with staff to firm up the alignment. And as you know with master planned communities such as Sunset Canyon, such as McLean Ranch and a number of others, there does need to be a level of coordination that occurs between those developments.

KLOB: Very good. Thank you. Anything else before I - ?

MOONEY: Yes Chair, if I may.

KLOB: Yeah, Commissioner Mooney.

MOONEY: You brought up a good point with your setbacks. Those two - there was another item, and I'm sorry I'm drawing a blank, I don't have my previous packet with me. Has that chart been updated to reflect those two items were going to be updated? The chart, with instead of four foot to change to five foot.

RAY: Through the Chair, Commissioner Mooney, it has not been updated yet. Again, that's some of the cleanup items that will occur as we go from you all, should you choose to recommend to the Board, that is - that's on our homework items. Again, as Gilbert indicated and Sangeeta indicated, we want to make sure it's cleaned up and we just, not knowing

where this discussion would go with this, we didn't undertake to update the entire narrative, but that is something that will be done prior to the Board hearing.

MOONEY: Thank you.

KLOB: Anything else?

SCHNEPF: I would just add that if we wanted that in, we would put that in a stipulation and make that go forward so that it would be in there, and then that would be the accountability you're going for.

KLOB: Right, thank you. All right –

RAY: Chair.

KLOB: Any other comments?

RAY: Vice Chair, if I may. Just really quickly. There was another stipulation that we had requested at the end of the last meeting in the event that this group chooses to recommend approval, we would like that stipulation included as part of the package as well. And for those that weren't here the last time, we can - I think Sangeeta's got it in a presentation, but it essentially provided disclosure of the rural agrarian nature of the people around, and the public subdivision report, and the CC&Rs, and through a separate written disclosure that future homeowners would sign.

DEOKAR: Just go back in the same presentation. Go back further. Further back. Further.

RAY: Right there.

DEOKAR: This one. Yeah. Thank you.

KLOB: Any Members of the Commission have any questions on the stipulation on the screen?

SCHNEPF: I do have a question.

KLOB: Commissioner Schnepf.

SCHNEPF: And maybe this is for Gilbert or legal. If this type of stipulation is entered into this, County does not have any enforcement on this, is that correct?

JOHNSON: You are correct.

SCHNEPF: Okay, so something for the Commission to consider.

MOONEY: If I may.

KLOB: Commissioner Mooney.

MOONEY: It looks like they want this to go into the CC&Rs, and in an HOA, then that would be enforceable, correct?

JOHNSON: Yeah, I'm not an HOA attorney, but I would assume that the HOA could then enforce through their CC&Rs, yes. That's correct.

MOONEY: Go through that part of it.

SCHNEPF: And that's fine to put that in there, but the County itself, through the stipulation, wouldn't have enforceable means to go behind it.

KLOB: Did you wanna add something to that, Brennan?

RAY: While I – Chair, Members of the Commission, I certainly haven't had a discussion to talk with legal about

it, but my experience dealing with this stipulation in other municipalities and other jurisdictions, it is an enforceable stipulation because it comes part of the approval, and that if we are found violative of it, then depending on the rules, there is the potential of a civil action that could be brought forward. I know in other jurisdictions, if this is part of approval and nobody does it, then it's a class one misdemeanor. And so it is, I believe that it is enforceable. Again, I haven't had those specific discussions with the County Attorney's Office as to this, but generally speaking, I've always understood stipulations to be enforceable by the jurisdiction that they're in.

SCHNEPF: I'd like to defer to legal on that, the answer.

JOHNSON: Yeah, I mean again, and maybe we should go into executive session on this topic to be sure, but the County itself does not have a method to enforce sign-off on regulations. It just does not. If it can be enforced through the HOA and their CC&Rs, then the HOA can do that, but I don't see, at least without discussing it further with Mr. Ray, obviously, how the County would enforce this specific provision. And I don't think that the County, at least as it's set up right now, is set up to enforce that type of provision.

KLOB: Is there - kind of tag on to that, is there a

reason why we shouldn't, other than the enforceability, why we shouldn't have this as a stipulation?

JOHNSON: I think that would be a question best answered in executive session.

KLOB: Does the Commission want to go in executive session to discuss this?

SCHNEPF: I'd like to move the Commission to go into executive session for clarification.

KLOB: Do we have a second?

MOONEY: I'll second.

KLOB: We have a second. All in favor?

COLLECTIVE: Aye.

KLOB: Any opposed? So moved. We will go to go to executive session.

[Executive Session]

OLGIN: All right. Chair, Vice Chair, Commission, the minutes are on, you may continue.

KLOB: Do I need to – yeah.

OLGIN: Yes, yes.

KLOB: Need a motion to come back from executive session.

SCHNEPF: Vice Chair Klob, I move the Planning and Zoning Commission come out of executive session.

MOONEY: Second.

KLOB: Commissioner Mooney. All in favor?

COLLECTIVE: Aye.

KLOB: Any opposed? Carries.

OLGIN: Chair, Vice Chair, I would like to take another roll call. I believe we have someone on the phone, and we have a new member. The Chairman that is here now, so I'd like to put it into the record.

KLOB: Very well.

OLGIN: Okay. Vice Chair Klob.

KLOB: Here.

OLGIN: Chairman Mennenga.

MENNENGA: Here.

OLGIN: Member Del Cotto.

DEL COTTO: Here.

OLGIN: Member Hartman.

HARTMAN: Present.

OLGIN: Member Keller.

KELLER: Present.

OLGIN: Member Lizarraga.

LIZARRAGA: Here.

OLGIN: Member Schnepf.

SCHNEPF: Here.

OLGIN: Member Davila.

DAVILA: Here.

OLGIN: Member Mooney.

MOONEY: Here.

OLGIN: Member Pranzo.

PRANZO: Here.

OLGIN: Everybody on the Commission is here, it is 10:14.

KLOB: Very good, thank you. Do we want to go over the proposed stipulation and talk about it, or should we go to the public?

OLGIN: Chair, Vice Chair, I think it'd make more sense to open the public hearing. Have that, close it, and then we talk about stipulations, if it's applicable.

KLOB: Very good, thank you. If the applicant is done with their presentation?

RAY: Yes, thank you.

KLOB: Thank you. Can I see how many people are here to speak on this project? Raise of hands. We're probably going to limit everybody's comments today because we do have a very full agenda, to three 3 minutes. Please be concise in what you're saying and try not to repeat the same thing over and over, but we want to make sure that you get your voice heard. So with that, I'll open the public portion and for the – oh yes, this is - and you're speaking on both cases, PZ-034-23 and PZ-PD-008-23.

FLANAGAN: And I've already signed in.

KLOB: Thank you.

FLANAGAN: I strenuously object to not being

informed of the change as a community member.

KLOB: I apologize for interrupting, can you state your name?

FLANAGAN: My name is Maryeileen Flanagan, and I reside at 4990 North Appaloosa Road in Maricopa, Arizona 85139, approximately four miles from the Sunset Canyon subdivision. If I could, I would turn back the clock to 2003 and oppose the entire subdivision, but since that's impossible, I'm asking the Planning and Zoning Commission to enforce the original design of 3.5 homes per acre and approximately 25 acres of commercial development. The design of Val Vista Road, as it runs mostly north and south through the property and crosses a major east-west street, creates a natural nexus for commercial development within the subdivision. Given the County's plans for Val Vista, it is sure to be a highly trafficked thoroughfare. Given the proposed layout for the subdivision, the area where the monuments are designated to be are perfect for a 25 acre commercial enclave on all four corners, or just 1 or 2. After all, even with a small, grassy buffer, who wants to buy a home abutting a major intersection? Our area currently has very little commercial development, and builder after builder points to the other sites with their commercial preapproved as a reason they don't need to build their stipulated commercial sites. We actually need all the builders in this area to

build commercial properties in their subdivisions, as this is how one cuts down on trips along the already overburdened 347. We need doctors office, dentists, veterinarians, technical businesses. We're desperate for grocery stores. It's 17 miles to the nearest grocery store, hardware stores, dry cleaners, restaurants, especially nice sit down restaurants, hotels, motels, theaters, churches and more. Maybe Sunset Canyon's commercial area could be an arts mecca like old Scottsdale with artist studios located in or under their homes, and galleries that (inaudible) turn into a pleasant walking environment. The possibilities are endless. Whatever you do, please do not allow more homes instead of commercial development. We were promised this area would only have 3.5 homes per acre with almost 25 acres of commercial area, and we really are anticipating that. Since we can't turn the clock back to 2003 and stop development in its tracks, let's build what was promised and no more. I beg of you, please protect our water, our electrical grid, our traffic and our way of life. Pinal County's Comprehensive Plan calls for protection of our open spaces, rural communities and lifestyles. Please make that protection a reality.

KLOB: Thank you. Any questions for the speaker? Seeing none, thank you. Next person. Monica, do we have a timer?

??: (Inaudible).

KLOB: Okay, thank you.

DAVIS: Sign in real quick. Okay, Vice Chair and Commissioners, I am Robin Davis and I live on Warren Road in Hidden Valley. For disclosure, I'm on the Pinal County Transportation Advisory Committee and I'm on Representative Martinez's 347 committee working at the State level. So I have some knowledge of how this development and traffic would have on this area, and there are no plans to repair or upgrade 347 south of the City of Maricopa. And I totally object to the fact that this developer gave us no notification of this change of plan. It wasn't until last night that we caught wind. They want to offer you a pithy 4.37 acres of commercial on this plan. That is not acceptable and it's a hard no for us residents. Yet here we go again, the residents of Thunderbird Farms and Hidden Valley are here to fight for our way of life. This developer wants to make a major amendment to the Master Comprehensive Plan in order to eliminate more commercial space that would be helpful to the residents, and to shove more housing into smaller spaces. This must stop here. And you know who started this? You guys, Planning and Zoning, by allowing other developers to rezone commercial into homes. This started with the Bonita development. You allowed 15 acres of commercial to be rezoned to residential because they said, well look at all these other commercial zones out here. You started this, now you must stop it. This

developer's offer of 4.37 acres of commercial is an insult. Their entire request for commercial change and higher density homes - CR-7 - should be denied. Developers should not be able to come in here and make major amendments when the residents have little to no say so. They know very well what they bought this land at and the zoning that it was, and it should remain that way in the same timeframe that us residents get to speak, which is about every ten years. And so it has started. The city people are already complaining about local ranches. I can't say how I know or what it is due to confidentiality, I haven't gotten permission yet. But there was a formal complaint about a local ranch and the activity on that ranch. We, the residents out there, are being asked to change our way of life because the city people are moving in. Shouldn't be that way. This should be stopped immediately. In the meantime, developers could develop on 1.25 acres as stated in the zoning that is General Rural and we would not object. But my belief is they are too greedy. More houses equals more money, equals more greed. CR-3 was not good enough for them, they wanted more money and up it to CR-7. This doesn't fit in our area, so I'm asking all Commissioners to vote no on this rezoning amendment.

??: Time.

DAVIS: Developers are lining up to develop the farmland into a city we do not want. But nobody is listening

to us. This must change here. Thank you.

??: Thank you.

KLOB: Thank you, and any questions for the speaker? Thank you. Next speaker. Thank you, did you sign in?

METIVIER: Yes, I did.

KLOB: Thank you. Please state your name and –

METIVIER: My name is Gary Metivier, I live in Papago Buttes Ranchos 2, which is on the other side of the Ak-Chin area in Pinal County, in the Thunderbird Farms/Hidden Valley area. (Inaudible) several speakers today warning of unintended consequences of uncontrolled development. After observing the process for some time, I've concluded that it is not working as designed. I have read through the Pinal County Comprehensive Plan, paying particular attention to the vision that is referenced in so many places. States that Pinal residents emphasize they value open space, rural atmosphere and environment, natural beauty, history, heritage, night sky and clean air. And they also don't want to lose any of that. This application for yet another Major Comprehensive Plan Amendment is but the latest in a series. Over the past two years several other zombie developments, as I like to refer to them, have come before the Commission. These amendment requests for developments were approved in many cases as far back as early 2000s. Many of them had a stipulation and said they had to break ground in 18 months or they might have to

start over. Property owners and developers have been sitting on these approvals for 20 years. They can put shovels in the ground as we stand here discussing it, but no, that's never enough. The vast majority of western Pinal County is zoned at 3.4 (inaudible) acre in the Comprehensive Plan, the majority of the existing communities in the area or one home on three acres. Yet somehow over the last couple of years, this Commission has recommended approval on virtually every application asking for an increase in density. So my questions are: what purpose does the vision, as stated earlier, have if it is all but ignored in these proceedings? And, if a zoning classification exists, but an amendment to increase the density is virtually always approved, of what use is that zoning classification? If this is going to be how Pinal County is to manage its growth –

??: One minute (inaudible).

METEVIER: - in the western area of the County, al those values stated in the plan will be lost. Before 2003, I could look up at the night sky, see the Milky Way with clarity. Not any more. The city lights Maricopa wash out the sky. Atmosphere and environment are disappearing with each new home that goes up. All the residents of this area can now look forward to is the view on the horizon being a sea of two story tiled roof homes instead of a view off to the horizon. I ask two things of the Commission today. First, deny the

applicant's request for the zoning change. They're sitting on an approved PAD in compliance with the zoning for the area. That should be enough. Secondly, I respectfully request the Commission reinstate the stipulation that the applicant must break ground within 18 months, and use the word "shall" instead of "may" in that stipulation. That stipulation was to –

??: 3 minutes.

METEVIER: - prevent abuse of the development process. This amendment request is a textbook example of why that stipulation was put in there in the first place.

OLGIN: Sir, please wrap it up.

METEVIER: Please begin to reinstate the stipulation in all cases. Thank you.

KLOB: Thank you. Any questions for the speaker? Thank you.

FULLER: Good morning.

KLOB: Did you sign in?

FULLER: (Inaudible) I'm signed in. Laurie Fuller of Thunderbird Farms. First of all, I would like to object strenuously to the lack of notice by this landowner/lawyer about the change in plans. We're the residents out there, we're the ones that are impacted by this. I got a phone call at 7:40 last night. All of a sudden they're in a panic to let us know. So first of all, they knew they were supposed to let

us know. And you know what, they had a month to let us know. They had a month to let you know. The one change from 25 acres to 4 to 4.5? That's not enough. That's not enough notice and that's not enough commercial space. Just a little side note. The lawyer was over half an hour to 45 minutes late to this because of the traffic. That's what we're saying. The infrastructure out there is not keeping pace with the density. More and more houses are being built. We were on time because we're living it, we're living the lack of infrastructure and the crowded roads and the lousy roads. He's in the city, he doesn't know what we're dealing with out here. He was 45 minutes late because of the lack of infrastructure. Every development deserves access to commercial space. They deserve their own churches. They deserve their own convenience stores, hair shops, taco stands, they deserve it. This development is over six miles to the Fry's grocery store. It's four miles to Ak-Chin, it's two miles to the closest convenience store, which is on Papago Road. There's no public transportation out there. The only way for these residents to get to any of these conveniences is by a vehicle. It's putting more vehicles on overcrowded roads, which are now dangerous. The statistics of accidents on Papago and 347, and I-10 in that area, is significant.

??: One minute remaining.

FULLER: In a recent *InMaricopa* article, it has the

buildout of Maricopa for permitted houses at 210,000 people, an increase of that significance. Pinal County itself has approved between 15,000 and 17,000 homes just within Hidden Valley and Thunderbird Farms. That's up to 45,000 to 55,000 more people. It's already permitted. It's already passed Planning and Zoning. Please do not increase the density. This development has 49.9 acres of homes that are eight per acre. I know the average says 4.10, that's what you guys read on the main page, but if you get further into that plan, there are eight homes per acre. That does not suit the Pinal County Comprehensive Plan.

??: Three minutes.

FULLER: Open spaces do not include behind walls.

OLGIN: Ma'am, please conclude your time, thank you.

KLOB: Thank you. Any questions for the speaker? Hearing none, thank you. Anyone else? Very good.

LEPPER: Good morning.

KLOB: Did you sign in?

LEPPER: I have, yes, thank you. My name is Ken Lepper, I live at 52476 West Esch Trail in Maricopa, and actually in Thunderbird Farms. And I am the Chairman of the Thunderbird Farms Hidden Valley Advisory Committee. We have approximately 125 members and we're doing the best that we can. I have a couple of quick questions. One is, I was told the Commission suggested the five acres. I don't know what

Commission might have suggested five acres. I know that at the last meeting supervisor Del Cotto said, well I might be okay with five acres. I don't know if they've carried that basket without his knowledge or not. But the bottom line is, this looks like a negotiation where you throw them a bone, maybe they'll take it. The answer's no. The original platting, the original agreement, at 3.1 we recognize that that is in fact there, and they have a right to do that. You can't give up the commercial. Why? This particular 26.3 acres - and I've got a binder back there I didn't bring up with me - shows that this is to be one of the largest in that area that's going to be there. So you're going to give up essentially half, maybe two-thirds of it's already been agreed upon, and the point's already been made, that for Venita we gave up commercial space that could have been used for a lot of things. What can you do with 26 acres? A large anchor. Anchor's are always good. Grocer, small hardware store, auto services, retail shops, restaurants, all of that can be done on that acreage and will be needed in that area. And the staff did a great job of addressing that in terms of how it fits the development plan. Reread their notes. Any questions?

KLOB: Any questions for the speaker? Good, thank you.

LEPPER: Thank you.

KLOB: Anybody else wish to speak to this? Seeing none, I'm going to close the speaking portion of these two cases and bring it back to the applicant to address comments that were said.

RAY: Chair, Members of the Commission, just really three quick things. Again, without rehashing the entire presentation that I did at the last month's meeting, you're well aware of the site constraints. When we started this process, we would have loved to have kept the 25 acres of commercial, but due to roadway realignment, due to the drainage impact on the site, it didn't create the ideal condition to have 25 acres that would be viable and successful. The second thing is that we believe we've designed an appropriate amount of commercial. Again, in spite of the constraints that we have, we feel we've located it in as appropriate a location as we can. Still along a parkway, I still have some access to John Wayne Parkway throughout this community. And so again, we feel that it is appropriate. It's certainly not our intention to pull the wool over anyone's eyes - I think I heard throw a bone – it is something that we looked at closely. Last thing with respect to - or second to last thing - with respect to a formal complaint that I heard one of the speakers mention, that's why we're offering this stipulation up. And I know that you guys went into executive session to talk about that, but that's one of the

reasons. I had the opportunity to do a lot of developments next to rural agrarian properties and we found that this stipulation, again as I mentioned in the last meeting, short of throwing a big pink neon sign up that says, hey dummies, there's farming and agricultural uses next to you, this is the best way that we know how. And the last thing, I respect the comment about traffic and time. I'll probably have a conversation with the City of Chandler, that's where I live and that's where the accident occurred that prevented me from arriving here on time. So thank you for that. Again, happy to answer any additional questions that you all might have, but we would request your recommendation for approval, again, with the change to the development table, with the addition of this commercial acreage, and with that additional stipulation.

KLOB: Very good, thank you. Any questions for the applicant?

HARTMAN: Vice Chair?

KLOB: Yeah.

HARTMAN: Yeah, thank you. I like your stipulation. I think that's really important to let people know when they move into a rural area that there's going to be dust and animal smells and farming and everything else, so I appreciate that personally. On the commercial, I realize that's probably a marketing thing and, you know, people - we would like to see more commercial, more amenities, grocery stores, things like

that. What I'm concerned about is staff is recommending denial on both cases, and I personally have a hard time - I can't study everything like they can, and it's hard for me to go against staff. Do you have any comments on that?

RAY: Yeah Vice Chair, Commissioner Hartman. Unless I'm mistaken, the staff's presentation and the conversations that I've had as we've gone through this, I believe their objection to the plan was the lack of commercial. I know that the Board of Supervisors at a (inaudible) policy, high policy decision, have said and encouraged everyone to keep as much commercial as possible. So I think as a result of the directive, generally speaking, that's coming from the Board, that as we worked through things with staff that their concern was you had the commercial. I believe staff understands the constraints, the site constraints that exist, obviously Val Vista realigning, that's a big curveball because commercial land is more valuable than residential land. So I know there was a comment about making money. We would have loved to have kept the commercial, it would have paid us more money, but we also need to do so in a smart manner, an efficient manner, such that it remains viable not only now but ten years, 20 years down the line. And so, again, my understanding that staff's objection was simply due to not having commercial, but I will defer to Gilbert and Sangeeta and let them speak. But that's been always my understanding.

OLGIN: Chair, Vice Chair.

KLOB: Gilbert.

OLGIN: Good question. You have a specific question for me or do you want me to go off of what was said by the applicant?

KLOB: Oh, sorry, I thought you were asking to speak.

OLGIN: No, no, no, I just - I'm not. I'd be happy to, but you have a question.

DEL COTTO: Chair, thank you. To staff, Gilbert, I was under the impression in regards to the staff making denial, or a motion to move forward, that you were not going to be including those in our reports and now I see them here again today. Can you clarify in regards to your approach?

OLGIN: Yes.

DEL COTTO: Thank you.

OLGIN: So we – for this case and all the ones going forward, we still write the reports in regards to for or against. But in regards to recommendations, specifically for the P&Z, we don't give that recommendation. We don't give the recommendation at the Board anymore as well. But our reports will pick a side in regards to if we think it's a good project, if we don't. We typically try to be more subjective, give you pros and cons, which is done in other jurisdictions. But that's what we're being asked to do going forward. So the

report that you had in front of you prior to this hearing was not reflective of the commercial and we (inaudible) that we thought the commercial was a good idea.

DEL COTTO: So if I could, Chair, Vice Chair. So are you suggesting that you just didn't clean it up in regards to taking off your recommendation for denial based on how you're going to be moving forward with or without recommendations to us, the Planning and Zoning Commission?

OLGIN: That should have been removed. Because if you remember, they had asked us to stop with the recommendations about, I believe it was the last (inaudible).

DEL COTTO: If I could Chair, a little bit of information like Pinal - Thunderbird Farms and Papago Buttes is approximately five square miles of 3.3 acre many farms. Within that five square miles of 3.3 acre mini farms there are only eight commercial lots designated. With that said, out of those eight commercial lots, there are only two and a half of those 3.3 acre commercial lots that actually have active businesses on them. So if that helps shed some light in regards to maybe how much commercial's needed or where the commercial's needed, I would suggest that the applicant's doing a good job in regards to adding some commercial to the project, and I think it would certainly help it move along and give the people some sense of community that are going to be living there.

OLGIN: Chair, Vice Chair, Commission, I just double checked the report from September 25th, there is no recommendation anywhere in the report in regards to for or against. We checked it on all angles, it's not in there. So I'm not sure what report you're –

KLOB: The staff report that I'm looking at shows it.

OLGIN: When was it dated? Because this was, this was - been continued for quite a –

KLOB: Yeah, well it's on today's agenda, page 8. Or page 18, I'm sorry, of the staff report.

OLGIN: When is it dated?

MOONEY: September 25th.

KLOB: Yeah, September 25th.

??: It's right in front of us.

OLGIN: What page?

MOONEY: It's the packet that was emailed to us.

OLGIN: Yeah, no, that's – the way (inaudible) to say that you have the authority of on that. We have no recommendation. That's the way it reads. It's saying that you have the right to make a decision yay or nay, and if you do, to move forward. But that's more of a gist to - that's a boilerplate comment that we use, but we have no recommendation on this case. So I'm sorry for the mix up, but yeah, there was never the intent to approve or deny, that's up for the

Commission to decide.

KLOB: Any other questions for the applicant? Seeing none, thank you. Staff, anything else that you'd like to add?

DEOKAR: Not at this moment.

KLOB: Very good, thank you. With that, I'll close that portion, bring it back to the dais for discussion, for motions.

MOONEY: Chair, Vice Chair, if I may.

KLOB: Commissioner Mooney.

MOONEY: Commissioner Del Cotto, you mentioned other commercial spaces within that area, and that is not my neck of the woods, so are they viable large commercial spaces that could hold some of these things that the residents have talked about? Churches, large grocery store chains, etc.?

DEL COTTO: I believe there's an existing convenience store with a gas station which has just opened up there, restaurant that had been closed for years. And then there's one retail plaza on 3.3 acres with approximately 10,000 square feet of space available. And then we have a Dollar General on half of a 3.3 acre lot. So yes that's it, but also I don't know if it would be safe to say that nobody's knocking the door down to open up any businesses, unfortunately. When I moved to Thunderbird Farms, we had to go to Ahwatukee or Casa Grande for groceries, so to say that

you're 17 miles away from a grocery store, thank God, because 25 years ago or 20 years ago, you were, you know, 30 or 25 miles, or 30 miles away from a grocery store. So this would provide, in my opinion, it would provide more available, convenient space for the people that decide to live there, and I think that that is a very large, it's a great a business model. And unfortunately for years, being on the Commission, a lot of the commercial has been taken out, but that also was based on the fact that there are already - there's a lot of commercial space that is in the zip code that people may not be aware of that, like I said, nobody's knocking the door down to put anything up. So we still we still are very rural and that could be a reason why there's not a lot of commercial going on yet. But this 4 or 5 acres would certainly compliment the development, in my opinion, and give people a reason to want to hang their hat there and know that there will be something close by, whether it's a bakery, whether it's a bar, barber shop, etc. And that's it.

MOONEY: So just to be clear, the space that is left is viable space for some of those larger things to come? I'm not familiar with the area.

DEL COTTO: I'm no economist, but –

??: There are some spaces down there?

KLOB: And there's also some that are platted from other developments, like this previously was. The challenge

with the commercial space, and it's a bit of a catch 22, in a big box developer, a big grocery store, without the rooftops they're not coming. So, you know, if these projects don't go through, grocery stores will never come. If they do go through, then it raises the chances. The City of Maricopa is running into exactly that right now. Now, they have a lot of rooftops, now they're just waiting for more grocery stores to come in. I think San Tan Valley is also going through some growing pains.

MOONEY: And that's my concern, is San Tan Valley. I just got on the Commission in January, but they've overturned so many pieces of commercial property, and when I moved there 15 years ago, there still were plenty of commercial spaces and they just got chopped up into things. So I would hate to see an area like this that was similar to San Tan Valley get butchered. We're trying to fight to find places to put something, and I understand and respect that it does take rooftops, but at the same time, the rooftops don't need to be stacked on top of one another. Thank you.

KLOB: Well, the other challenge that we have here as well for – with commercial developments is the commercial world has gone upside down in the last four years. What was commonplace in 2019 completely changed in 2020, and has stayed that way. And so we're not seeing a lot of these big developers. The land is there. The land is there in San Tan

Valley, the land is there in Maricopa, the land is there in Hidden Valley. If someone, you know, if Fry's really wanted to come build a grocery store, they're going to come build a grocery store. They're not putting up the money to do it at this point. And I think once, again once the rooftops are there, they'll start taking notice.

DEL COTTO: Vice Chair, are we are we going to be able to hear from the applicant one more time or is –

KLOB: I've already closed it.

OLGIN: Chair, Vice Chair, Commission, at the discretion of the Chairman, he has the right to bring the applicant back up to speak if you chooses to.

DEL COTTO: Well, if I could, if I could.

KLOB: I don't have a problem with that.

DEL COTTO: I do think that the commercial aspect is far more important than maybe most people think, and I would hope even that at your site plan or prior, you know, as the development moves forward that you could think of some kind of out of the box, you know, if you want to call it that, type of commercial development where it makes it easier for people to conduct business, whether you call that a live-work, which I believe that that would be a good term for it, but I really think then it becomes more affordable for the business person and they'll be more viable. It'll be easier on them, you know, based on the fact that they can possibly live and work –

and I'm sure that you can, with your 4.37 acres, create a very nice, workable - you know, and it all depends on who wants to be there, I understand that too, and we can't tell you what to do, but I've often thought that that's a great approach in regards to adding some commercial space to your development.

KLOB: If you'd like to address that real quick, or?

RAY: Chair, Commissioner Del Cotto, certainly the intention of the commercial is to make it appropriate, we don't want it to be unviable. We don't want a vacant strip center and any of that. And so as this development and community comes online, certainly that is something that we will consider in looking at that, because as you indicated, there's a variety of, and as you discussed, there's a variety of factors that goes into the type of commercial, the success of it, and the viability of it, and as this group has discussed, rooftops matter. They matter certainly for the live-work type of a concept where there is a concentration of people that are able to provide those live-work services that you would typically see. But again, that does – good of bad - require additional rooftops and density in the area.

SCHNEPF: I have a, Vice Chair Klob, to the applicant. How much on this development, at no fault of your own, was the realignment of the road an impact to the development?

RAY: Through the Vice Chair, Commissioner Schnepf,

when we first submitted, we had Val Vista going where it should, out to 347, and staff was extremely insistent that it needed to realign and cut through the middle of our development. And at the point at which I got brought on board to help out with this, my impression was, is that we staff probably aren't really comfortable with you guys moving forward, again, because of the bigger transportation picture items of where Val Vista Road needs to do and where it needs to cut, you know, and just to get that alignment with the Ak-Chin, how it bumps down. And so as a result of that, it's not something that we were standing up saying, yes please, let's put a - I think it's a 150 foot roadway section through the middle of our community, because it is parkway. It's not just a, you know, four lane arterial road that you would typically see, it is a parkway with enhanced, all kinds of stuff cutting through the middle of it.

SCHNEPF: Okay.

KLOB: Very good, thank you. Any other questions? Comments? Chair.

MENNENGA: So I want to make a couple comments, then I'm going to make a motion. You know our companies that we don't operate, we're a commercial building company. Commercial has changed. I mean, it's amazing how it's changed. I live in Casa Grande. We' done commercial projects on every major road. In the prior boom, we could put up a

building or whatever and we'd lease it, rent it, sell it, whatever. It's amazing to me the amount of development that's going on in Casa Grande right now, I mean there's apartments and rental communities, it's crazy. There's almost zero commercial development there. It's shocking. There's thousands and thousands of vacant space in Casa Grande that - the kind of work I'm trying to rent. So it's really a whole world, you know, it's all switched to Amazon. I mean our company's bought a lot of stuff from Amazon. So that's really changed. You know, talking about rooftops, there was a major event just happened in Maricopa. They opened a Home Depot. That's taken, what, 20 years to get there for a Home Depot. I'm very familiar with Home Depot company, we worked with that company for years. So, you know, we - I commend this developer on working with the County. I mean I don't know, a couple of hundred lots that realigning Val Vista Road through there. I mean I do. And you know what, we can - on this Planning and Zoning Commission, we could turn this down, but I'll bet you 100 bucks to anybody, the Board of Supervisors are going to approve this because this comes back to the basic American right, it's the right to do with your property what you want to do. I know, look I understand you all are out there upset with this coming and all the stuff that's coming, but that's the right we have, you know? So, unfortunately, I mean we've turned down developments like this before, and the

Board of Supervisors approves them. I've had discussion with them and it's come down, it's progress. So with that said, I move that the Planning and Zoning Commission move forward to the Board –

KLOB: Hang on, are we going to talk about stipulations?

MENNENGA: I'm going to.

KLOB: Okay, thank you.

MENNENGA: The Board of Supervisors - Pinal County Planning and Zoning Commission move forward for approval to the Board of Supervisors, case PZ-034-23. Now, stipulations, how many stipulations are on this?

JOHNSON: I believe, if I'm not mistaken, the rezone just has the one stipulation. I think the offer of the additional stipulation by the applicant was for the PAD.

MENNENGA: Okay, all right. Do I need to read that in?

OLGIN: Chair, Vice Chair, Commissioner, so there was two stipulations that were brought up. It was the big one that was - you saw it up up there. Yes, you'd have to read that, we'll put up (inaudible) for you. And the second one, I believe, was in regards to the five foot setbacks, that'd be the second one. So (inaudible) put that up on the Board for you. Good luck reading out loud, it is quite lengthy. But yes, (inaudible).

MENNENGA: All right, you ready?

JOHNSON: Hold on one second, I'm going to ask the Board to delay their motion. I just received a note, I need to talk to Gilbert.

OLGIN: Yeah, one second.

JOHNSON: Okay Mr. Chairman, thank you, and I apologize to everybody for the delay. We were just handed a note from a member of the public and as a result of that, I just want to bring it to the Board's attention and ask if there's anybody or any Commissioner on the Board that feels that they have a conflict of interest in this specific case. And if they do feel that they have a conflict of interest, to recuse themself from this matter.

DEL COTTO: If I could, Chair. If there's somebody in the public that may believe or think that I have a conflict of interest in regards to this case, or who owns this property, or how I may or may not vote on it, I'd be certainly willing to hear it.

JOHNSON: The public hearing portion of the hearing is closed, unless the Chairman wants to reopen for that portion to hear from the public.

DEL COTTO: Chair, if I could. I would hope that you would reopen the case so that we could clear up whatever it may be.

KLOB: Yeah, I think if it's direct –

DEL COTTO: And then at that point, I think, I would certainly have a bit more to say to the public at that point, if that's okay. Or the –

JOHNSON: I mean, again, and Mr. Chairman and Commissioner Del Cotto, ultimately the decision on whether there is a conflict of interest or not rests with you, right?

DEL COTTO: Yes, yes.

JOHNSON: So you have to make that decision on whether or not you feel that there's a conflict of interest or not, and if you feel that the public needs to know something, you're more than welcome to let them know that, but ultimately it's your decision.

DEL COTTO: Well the thing that concerns me at this point is they're pointing fingers at me. So in my – if –

JOHNSON: And one of the things we have to keep the meeting on track, right? We cannot, we cannot go –

DEL COTTO: Then I would say no, I would say no, I have - there is no conflict of interest with me in regards to this applicant.

JOHNSON: And then that satisfies the rules of the Commission.

DEL COTTO: Thank you.

??: (Inaudible).

KLOB: No, the public portion is closed. To the - we had a motion, I think staff and legal were talking about.

Are these, the three motions that we're looking to add, are they going to be part of the zoning or the PAD?

OLGIN: PAD.

KLOB: Okay. So the one stipulation would still carry with (inaudible).

JOHNSON: Correct, Mr. Chairman, yeah.

KLOB: So your motion, Chairman.

MENNENGA: Very – I'm ready to read this, right?

??: (Inaudible).

MENNENGA: Okay. Yeah, I made a motion to approve case PZ-034-23 with one stipulation.

KLOB: Do I have a second?

DEL COTTO: I'd like to second that.

KLOB: Commissioner Del Cotto. All in favor?

COLLECTIVE: Aye.

KLOB: Any opposed?

MOONEY: Opposed.

PRANZO: Aye.

HARTMAN: Aye.

PRANZO: And I'll tell you why. I'm new to this, but this case is half-baked.

OLGIN: Chair, Vice Chair, your mic is not on Commission Member Pranzo.

PRANZO: Thank you. As I started to say, this square peg doesn't really fit in a round hole yet. A lot of

talk about density. I don't agree with the density, I think it's too high for the area. And secondly, commercial, although it doesn't exist today, demand will increase and so will cash flow potential. And I don't feel like we're really planning, getting in front of this. I think we're working from behind. You have certainly made a great presentation and I understand you're representing a client, but at this time I don't feel like I can endorse this project.

KLOB: Should we go back to a roll call for that vote?

JOHNSON: I would ask for a roll call, yes.

KLOB: Very well. So roll call for the first case, PZ-034-23 for the rezoning.

OLGIN: Yes sir. Chairman Mennenga.

MENNENGA: Yes.

OLGIN: Vice Chair Klob.

KLOB: Yes.

OLGIN: Member Del Cotto.

DEL COTTO: Yes.

OLGIN: Member Hartman.

HARTMAN: No.

OLGIN: Member Keller.

KELLER: Yes.

OLGIN: Member Lizarraga.

LIZARRAGA: Yes.

OLGIN: Member Schnepf.

SCHNEPF: Yes.

OLGIN: Member Davila. Member Mooney.

MOONEY: No.

OLGIN: Member Pranzo.

PRANZO: No.

JOHNSON: It carries.

OLGIN: Motion carries.

KLOB: Thank you. Do we want to look for a motion for PAD, PZ-PD-008-23. And with that, we have three – if we want to have a motion to approve, there are three stipulations to be added, that need to be added to the record.

MENNENGA: Vice Chairman Klob.

KLOB: Chair Mennenga.

MENNENGA: I move Pinal County Planning and Zoning Commission approve and forward to the Board of Supervisors for approval, case PZ-PD-008-23 with three stipulations.

JOHNSON: There - excuse me, Mr. Chairman, there are 18 stipulations in the presentation and there are going to be three additional read into the record.

MENNENGA: 18 stipulations and three additional.

KLOB: You want to read the –

MENNENGA: Which one do you want me to read? This one? So, prior to time of making any lot reservation or subsequent sales agreements, the homebuilder, lot developer,

shall provide a written disclosure statement for the signature of each buyer acknowledging that (inaudible) location adjacent to or nearby existing agricultural ranchette and animal privileged properties that may cause adverse noise, odors, dust and other related externalities. The public subdivision report, purchase contract, CC&Rs and the final plat shall include a disclosure statement outlining that the site's adjacent properties that have agricultural, ranchette and animal privileges and may therefore be subject to adverse noise, odors, dust, and other related externalities, and shall state that such uses are legal and should be expected to continue indefinitely. The responsibility for notice rests with the homebuilder, lot developer, and shall not be construed as an absolute guarantee by Pinal County for receiving such notice.

OLGIN: Well done.

KLOB: And that would be, that'd be stipulation 19?

OLGIN: Yes sir.

KLOB: And then stipulation 20.

OLGIN: Chair, Vice Chair, there was some discussion in regards to the setbacks, I believe that would be the next one.

KLOB: Yes. Stipulation 20 would –

MENNENGA: Just to move the setback to five foot.

KLOB: Accessory structure from four foot to five

foot.

MENNENGA: Right, correct.

OLGIN: That's (inaudible) – just be specific. Is it for the accessory or was it for side setbacks?

KLOB: I think it was detached structures is how it was listed in the staff report.

OLGIN: Okay.

MENNENGA: Yeah, yeah.

OLGIN: Tell them in the mic.

DEOKAR: You could go back in the development standards stable, minimum distance to the side and rear lot lines to be increased to five feet.

KLOB: Correct.

MENNENGA: So the second stipulation is in regards to secondary structures, to change that setback from four foot to five foot. And the last stipulation is regards to adding the 4.37 acres of commercial property.

JOHNSON: And for the record, that's stipulation 20.

MENNENGA: And that's stipulation –

JOHNSON: Excuse me.

KLOB: It would be 21.

JOHNSON: 21.

MENNENGA: 21, yeah, okay. (Inaudible).

OLGIN: Perfect.

KLOB: Motion made, do I have a second?

DEL COTTO: I'll second that.

KLOB: Commissioner Del Cotto. Can we do a roll call?

OLGIN: Sure. Okay, this is for the decision of the PAD case. Chairman – sorry, Vice Chair Klob.

KLOB: Yes.

OLGIN: Chairman Mennenga.

MENNENGA: Yes.

OLGIN: Member Del Cotto.

DEL COTTO: Yes.

OLGIN: Member Hartman.

HARTMAN: No.

OLGIN: Member Keller.

KELLER: Yes.

OLGIN: Member Lizarraga.

LIZARRAGA: Yes.

OLGIN: Member Schnepf.

SCHNEPF: Yes.

OLGIN: Member Davila. Member Davila. Member Mooney.

MOONEY: No.

OLGIN: Member Pranzo.

PRANZO: No.

OLGIN: Motion passes.

KLOB: Thank you.

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 Ham Sunset, 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 PAD 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 PAD Amendment and Rezone, Case No. PZ-034-23 & PZ-PD-008-23, which are attached hereto as EXHIBIT B.

By signing below, Owner acknowledges that the approval of the PAD Amendment and Rezone, Case No. PZ-034-23 & PZ-PD-008-23, 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 PAD Amendment and Rezone, Case No. PZ-034-23 & PZ-PD-008-23, 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 PAD Amendment and Rezone in Case No. PZ-034-23 & PZ-PD-008-23 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: HAM Sunset, LLC
[Print Entity Name]

OWNER: _____
[Print Entity Name]

_____
Signature

_____
Signature

Its: Manager
[Title, if applicable]

Its: _____
[Title, if applicable]

Dated: Nov. 19, 2024

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 _____, _____, 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 19 day of November, 2024, by Harry Zeitlin ***[Insert Name of Officer]*** as Manager ***[Insert Title]*** of HAM Sunset, LLC ***[Insert Name of Company]***, an Arizona ***[Insert State of Incorporation]*** 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: May 20, 2026

BILLI J HOCKING
Notary Public, State of Arizona
Maricopa County
Commission # 627806
My Commission Expires
May 20, 2026

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 _____, 20____, by _____ ***[Insert Signor's Name]*** as ***[Insert Title]*** of _____ ***[Insert Name of Second Company]***, an _____ ***[Insert State of Incorporation]*** corporation, as _____ ***[i.e. member, manager, etc.]*** for _____ ***[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

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 li ne, 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

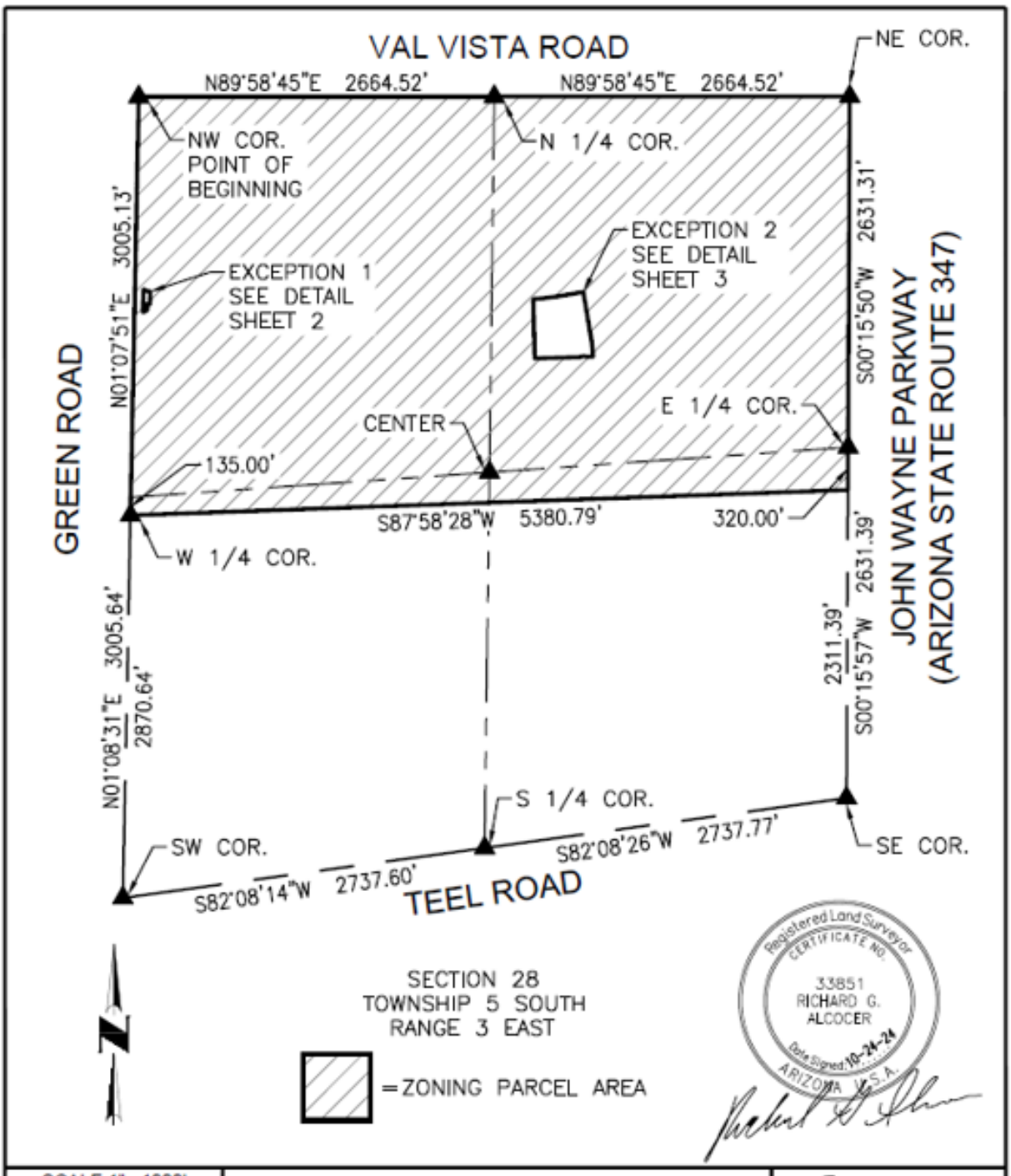
RB= S80°24'54.98" W R = 1500.00
A= 168.81
C = 168.72
CB= S06°21'38.79" E
D = 06°26'52.46"
T = 84.49
RB= N86°5 l '47.44" E

S87 °58'28.49" W 51.56

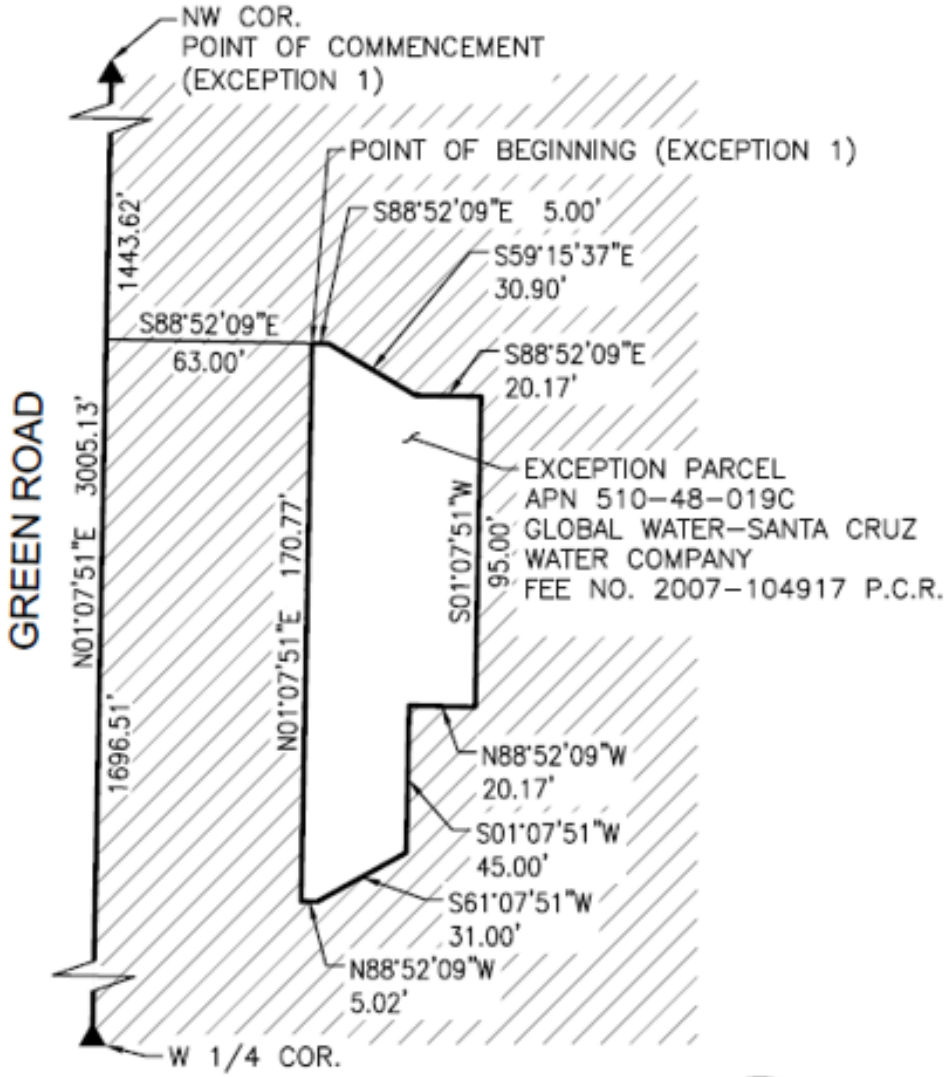
RB= S26°13'01.63" W R = 42.00
A= 41.41
C = 39.75
CB= S87°58'28.49" W D = 56°29'06.27"
T = 22.56
RB= N30°16'04.64" W

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



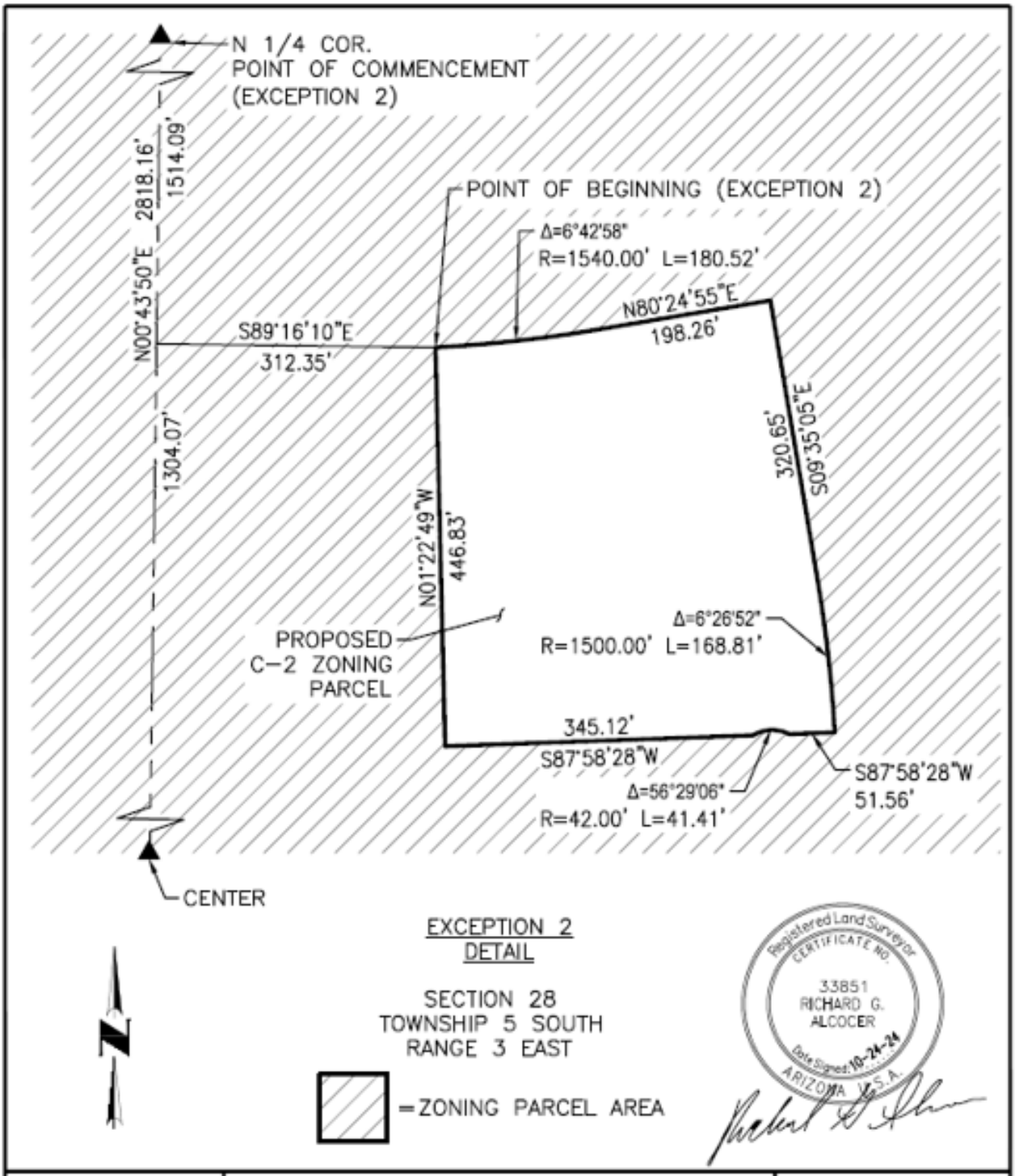
EXCEPTION 1
DETAIL

SECTION 28
TOWNSHIP 5 SOUTH
RANGE 3 EAST

= ZONING PARCEL AREA

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



EXCEPTION 2
DETAIL

SECTION 28
TOWNSHIP 5 SOUTH
RANGE 3 EAST

Registered Land Surveyor
CERTIFICATE NO.
33851
RICHARD G.
ALCOCER
Date Signed: 10-24-24
ARIZONA U.S.A.

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

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

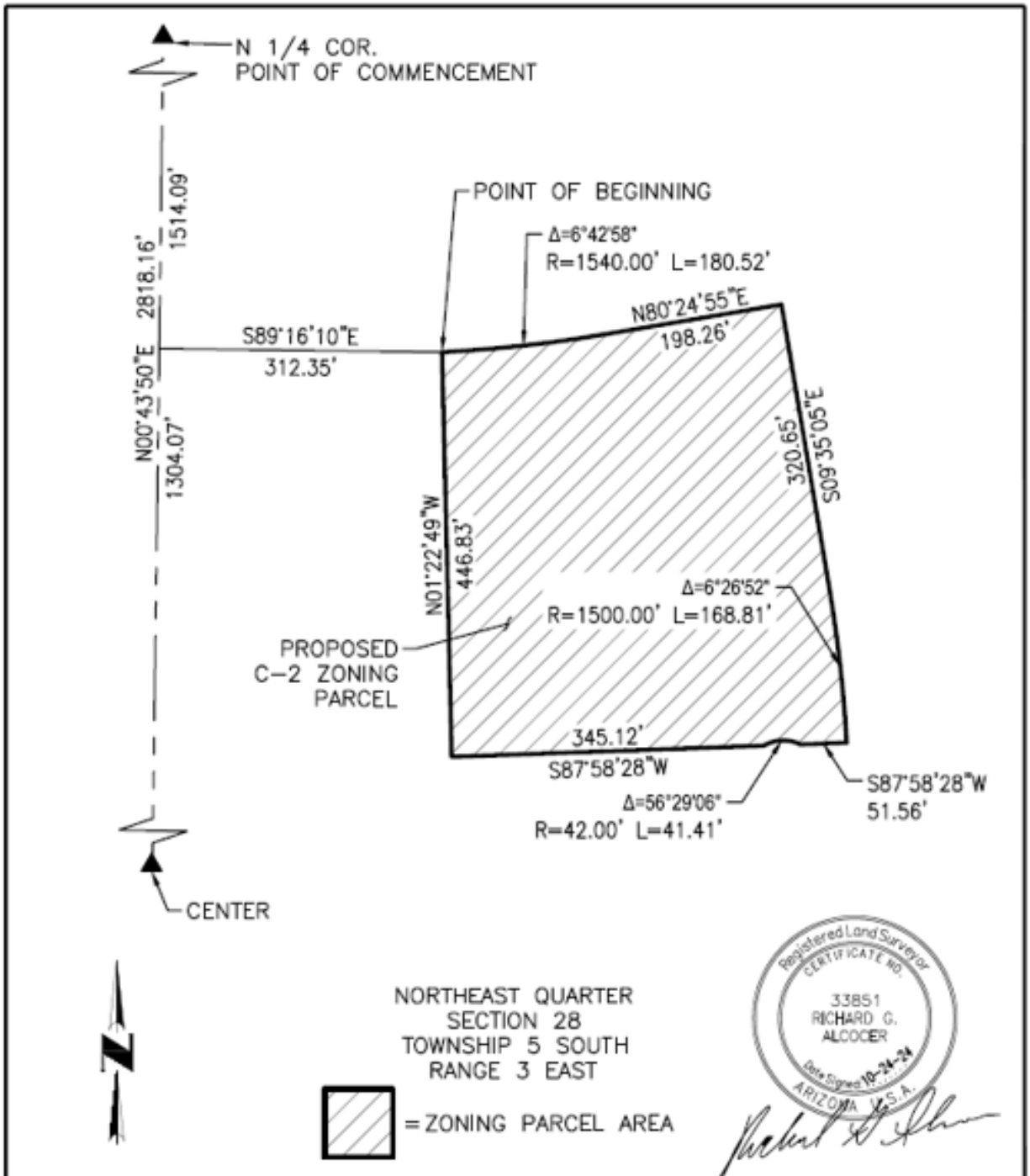
RB= S26°13'01.63" W R = 42.00
A= 41.41
C = 39.75
CB= S87°58'28.49" W
D = 56°29'06.27"
T = 22.56
RB= N30°16'04.64" W

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



SCALE 1" =50' EXHIBIT	SUNSET CANYON	CVL CONSULTANTS
4550 North 12th Street Phoenix, Arizona 85014 Phone 602-264-6831 http://www.cvlci.com	C-2 ZONING PARCEL	1 OF 1

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

(Stipulations 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.

EXHIBIT B
TO
ORDINANCE NO. 2024- PZ-PD-008-23

(Stipulations of Approval)

1. Approval of Sunset Canyon PAD amendment (PZ-PD-008-23) 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. Sunset Canyon Planned Area Development (PAD) amendment overlay district (PZ-PD-008-23) is to be developed as shown by the site plan/development plan dated May, 2024, along with the other supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal County Development Services Code;

3. Approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-034-23;

4. Val Vista Road and State Route 347 have been identified as "Routes of Regional Significance". Applicant will be required to comply with the "Regionally Significant Routes for Safety and Mobility (RSRSM), Final Report, December 2008" the 2020 RSRSM map update, and the current "Access Management Manual" which may specify limited or reduced access on these roads or as approved by the County Engineer;

5. Half-street right-of-way dedication and half-street improvements will be required for Greene Road (Western boundary). The required minimum half-street right-of-way is fifty-five feet (55ft) for Greene Road along the western boundary. Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

6. Right-of-way dedication and street improvements will be required Val Vista Road. The required minimum right-of-way dedication is one-hundred and fifty feet (150ft) for the sections of Val Vista Road traversing trough the development and 75ft for the segments along the development's perimeter (northern boundary). Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

7. A drainage report will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the 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;

8. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

9. A Geotechnical Report shall submitted for review and approval at the time of Final Plat submittal. The report shall cover all recommended pavement sections for this development, include offsite and half-street pavement. The Geotechnical report shall be approved prior to the Final Plat and improvement plan approvals;

10. A minimum of two paved, permanent access points to be provided for ingress and egress from the development to existing public roads. Approval of adequate access by the County Engineer shall be a condition of approval of the plat by the Board.

11. 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.

12. Any required contributions (design and construction costs) for future traffic signals, as identified in the approved Traffic Impact Analysis, shall be paid to the County prior to the final plat approval or as approved by the County Engineer;

13. Applicant to follow landscape standards per design guidelines set forth in the PAD narrative dated November 15, 2023. All plant material to follow Arizona low water use plant list per ADWR;

14. 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;

15. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more;

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

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

18. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;

19. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of

each buyer, acknowledging that the subdivision is located adjacent to or nearby existing agricultural, ranchette, and animal privilege properties that may cause adverse noise, odors, dust, and other related externalities. The “Public Subdivision Report,” “Purchase Contracts,” CC&Rs, and final plat shall include a disclosure statement outlining that the site is adjacent properties that have agricultural, ranchette, and animal privileges and may therefore be subject to adverse noise, odors, dust, and other related externalities and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by Pinal County for receiving such notice;

20. Minimum side yard setbacks for all dwelling units shall be 5’; and

21. For all detached Accessory Buildings, minimum distance to the side and rear lot lines shall be 5’.

Casa Grande Dispatch

AFFIDAVIT OF PUBLICATION

State of Texas, County of Bexar, ss:

Jake Seaton, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Casa Grande Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Tuesday, Thursday, and Saturday 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 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:
Nov. 14, 2024

NOTICE ID: saypWCqnjFz7MLuv8vhz
NOTICE NAME: PZ-034-23 & PZ-PD-008-23

Jake Seaton

(Signed)_____

VERIFICATION

State of Texas
County of Bexar

LIZA ORTIZ
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires November 27, 2028

Subscribed in my presence and sworn to before me on this: 11/15/2024

Liza Ortiz

_____
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 4TH DAY OF DECEMBER 2024, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR, REZONE & A PLANNED AREA DEVELOPMENT AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

PZ-034-23 PUBLIC HEARING/ ACTION: Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/ applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting a, approval of a rezone of 374.016± acres from CR-3 PAD (Single Family Zone), CB-2 PAD (General Business Zone) (Case PZ-PD-032-03) to 369.65 acres R-7 PAD (Single Residence Zoning District) and 4.37 acres C-2 PAD (Community Commercial Zoning District) to allow for 1,519 dwelling units; situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

PZ-PD-008-23 - PUBLIC HEARING/ACTION: Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC, owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting approval of an amendment to Sunset Canyon Planned Area Development (PAD) Overlay Zoning District (Case PZ-PD-032-03), for 374.016+ acres to allow for 1,519 dwelling units, situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

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ALL PERSONS INTERESTED IN THESE MATTERS MAY APPEAR AT THE PUBLIC HEARING AT THE DATE, TIME AND PLACE DESIGNATED ABOVE AND STATE THEIR APPROVAL OR OBJECTION TO THE PROPOSED AMENDMENT. PROTESTS TO THE REZONING AND/OR PAD OVERLAY ZONE BY 20% OF THE PROPERTY OWNERS BY AREA AND NUMBER WITHIN 300 FEET OF THE PROPERTY PROPOSED FOR REZONING WILL REQUIRE AN AFFIRMATIVE VOTE OF

THREE-FOURTHS OF ALL MEMBERS OF THE BOARD OF SUPERVISORS FOR APPROVAL. DATED this 31st day of October 2024, Pinal County Community Development Dept.
A WRITTEN STATEMENT OF APPROVAL OR PROTEST MAY BE FILED WITH THE PINAL COUNTY PLANNING & DEVELOPMENT DEPARTMENT, P.O. BOX 749, FLORENCE AZ 85132 STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:
1) 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 your wish to appear and be heard at the hearing
Contacts for this matter: Sangeeta Deokar, Senior Planner
E-mail Address: sangeeta.deokar@pinalcountyaz.gov
Phone #: (520) 866-6641 Fax: (520) 866-6530
Published 11/14/24

LocaliQ
Arizona
GANNETT

PO Box 632099, Cincinnati, OH 45263-2099

AFFIDAVIT OF PUBLICATION

Burch & Cracchiolo
1850 N Central AVE # 1700
Phoenix AZ 85004-4574

STATE OF WISCONSIN, COUNTY OF BROWN

The West Valley Republic, a publication of the Arizona Republic, a newspaper published in the city of Phoenix and general circulation in the counties of Maricopa, Coconino, Pima and Pinal, State of Arizona, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

11/13/2024

and that the fees charged are legal.
Sworn to and subscribed before on 11/13/2024

Legal Clerk

Notary, State of WI, County of Brown

5·15·27

My commission expires

Publication Cost:	$369.55	
Tax Amount:	$0.00	
Payment Cost:	$369.55	
Order No:	10750970	# of Copies:
Customer No:	1388774	0
PO #:	LAZS0188422	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NANCY HEYRMAN
Notary Public
State of Wisconsin

NOH (BOS Hearing) - Zeitlin Capital

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF SUPERVISORS AT 9:30 A.M. ON THE 4TH DAY OF DECEMBER 2024, AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER THE APPLICATION FOR, REZONE & A PLANNED AREA DEVELOPMENT AMENDMENT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA.

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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 your wish to appear and be heard at the hearing

Contacts for this matter: Sangeeta Deokar, Senior Planner
E-mail Address: sangeeta.deokar@pinalcountyaz.gov
Phone #: (520) 866-6641 Fax: (520) 866-6530
November 13 2024
LAZS0188422

AFFIDAVIT OF Mailing of Notice of Hearing*

I, Shay Ediss, Burch & Cracchiolo, P.A., Applicant for case PZ-034-23 & PZ-PD-008-23 (Case number), personally caused 23 mailer(s) to be mailed by first class post regarding the public hearing associated with case PZ-034-23 & PZ-PD-008-23 on 11/13/2024 (Date), on a form prescribed by the planning division at least 21 days before the Board of Supervisors Public Hearing, regarding the proposed PAD Amendment & Rezone (Type of application), in unincorporated Pinal County.

The notice(s) and mailing lists were mailed as attached.

Mary Ediss
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

Subscribed and sworn to me by Shay Ediss this 14th day of November, 2024.

Melanie A. Wright
Notary Public
My Commission Expires:
January 22, 2025

MELANIE A. WRIGHT
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
Commission #: 598303
My Comm. Expires January 22, 2025

*** as directed by your staff Coordinator**
*** please attach the mailer and the list addresses**

AFFIDAVIT OF POSTING OF BROADCAST SIGN (and Notice of Hearing)*

I, Shay Ediss, Burch & Cracchiolo, P.A., Applicant for case PZ-034-23 & PZ-PD-008-23 (Case number), personally caused 9 sign(s) to be posted in a visible place on or near the proposed project site on 11/13/2024 (Date), at least 21 days before the Board of Supervisors Public Hearing, regarding the proposed PAD Amendment & Rezone (Type of application), in unincorporated Pinal County

The notice(s) was posted as indicated on the attached map and photograph.

Shay Ediss
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF MARICOPA)

Subscribed and sworn to me by Shay Ediss this 14th day of November, 2024

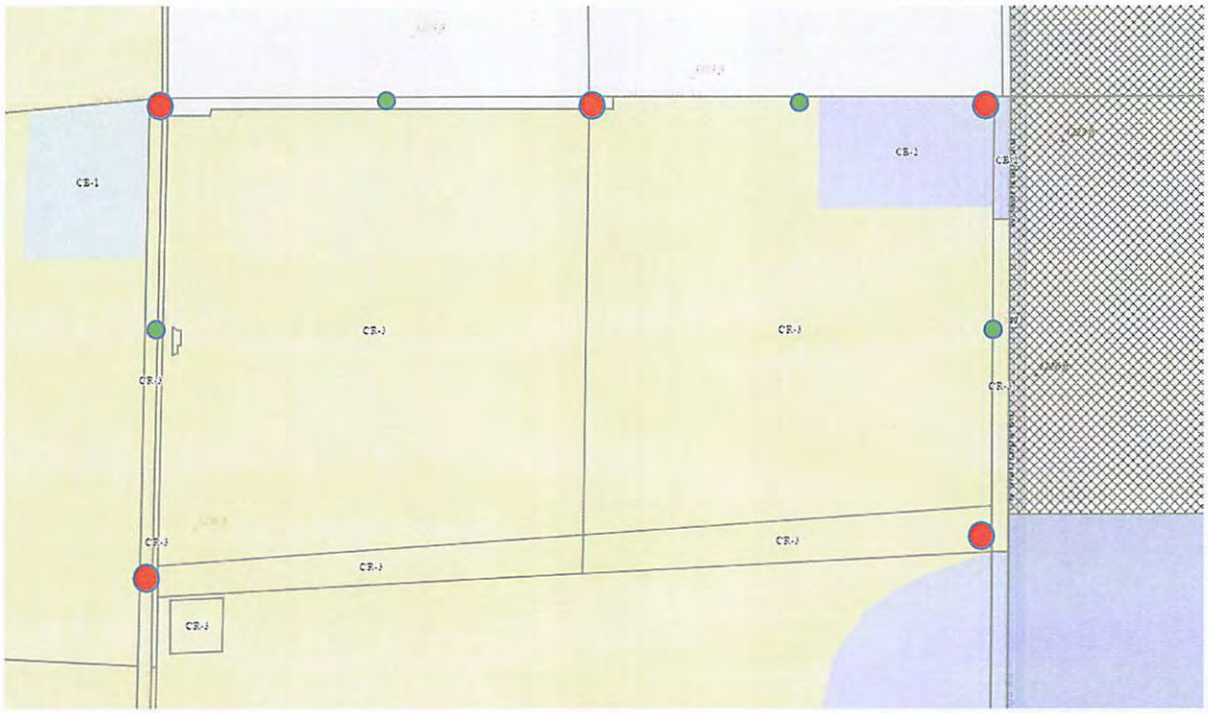
Melanie A. Wright
Notary Public
My Commission Expires:
January 22, 2025

MELANIE A. WRIGHT
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
Commission #: 598303
My Comm. Expires January 22, 2025

*** as directed by your staff Coordinator**

Sunset Canyon- Broadcast Signs Locations

- Large signs- 5
- Small signs- 4




PINAL COUNTY
Public Hearings
Case Number: PZ-034-23 & PZ-PD-008-23
Public Hearing Information
Existing Zoning: CR-3 PAD & CB-2 PAD (PZ-PD-032-03)
NOTICE
Proposed Zoning: R-7 PAD (369.65 acs) & C-2 PAD (4.37 acs)
Acreage: 374.02 +/-
Applicant Name: Brennan Ray, Burch & Cracchiolo
Applicant Phone Number: 602-234-8794
Case Information Available at Pinal County Planning and Development Services
(520) 866-6442

PINAL COUNTY
Public Hearings

Case Number: PZ-034-23 & PZ-PD-008-23

Existing Zoning: CR-3 PAD & CB-2 PAD (PZ-PD-032-03)

Proposed Zoning: R-7 PAD (369.65 acs) & C-2 PAD (4.37 acs)

Acreage: 374.02 +/-

Applicant Name: Brennan Ray, Burch & Cracchiolo

Applicant Phone Number: 602-234-8794

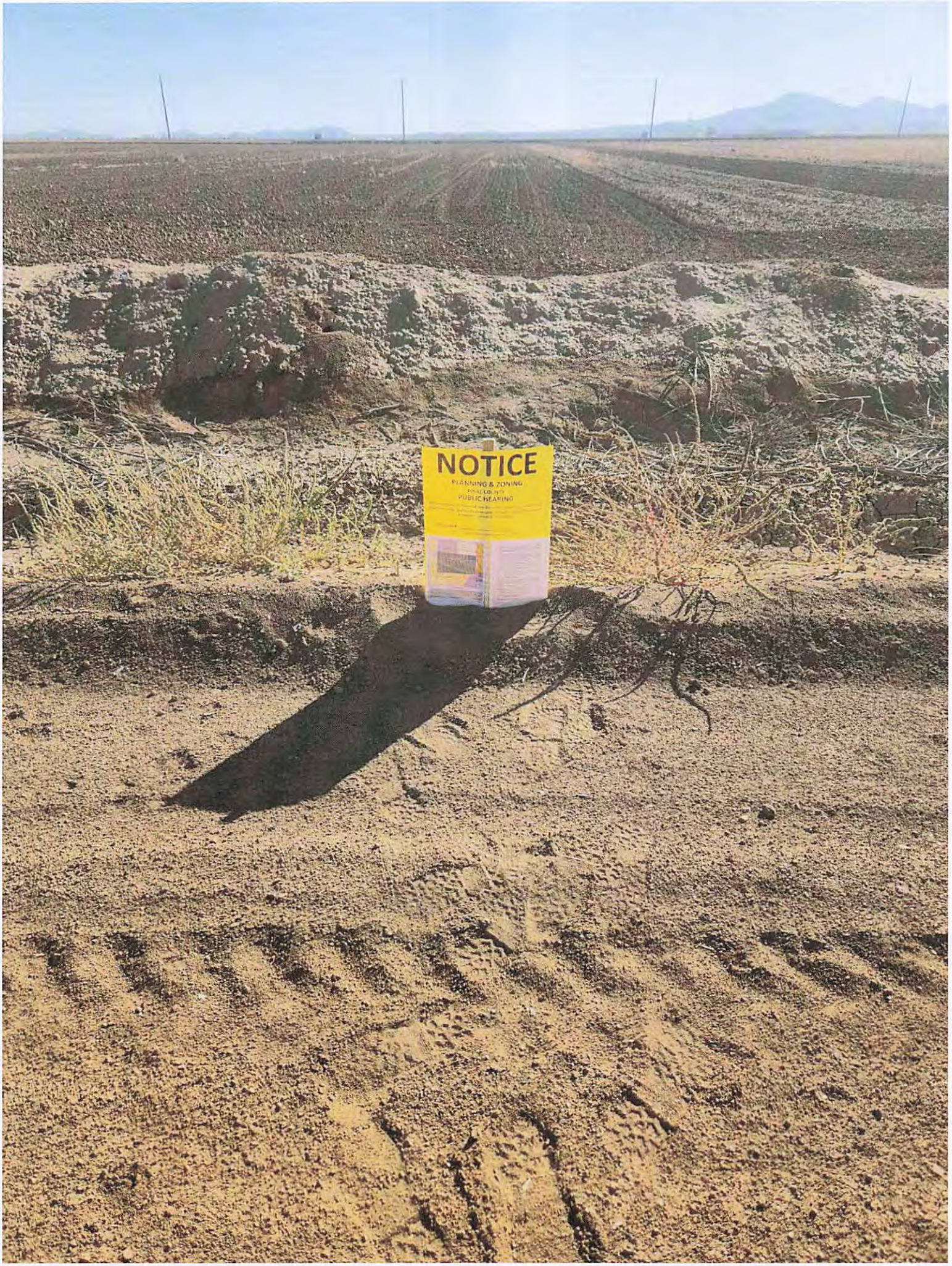
Public Hearing Information

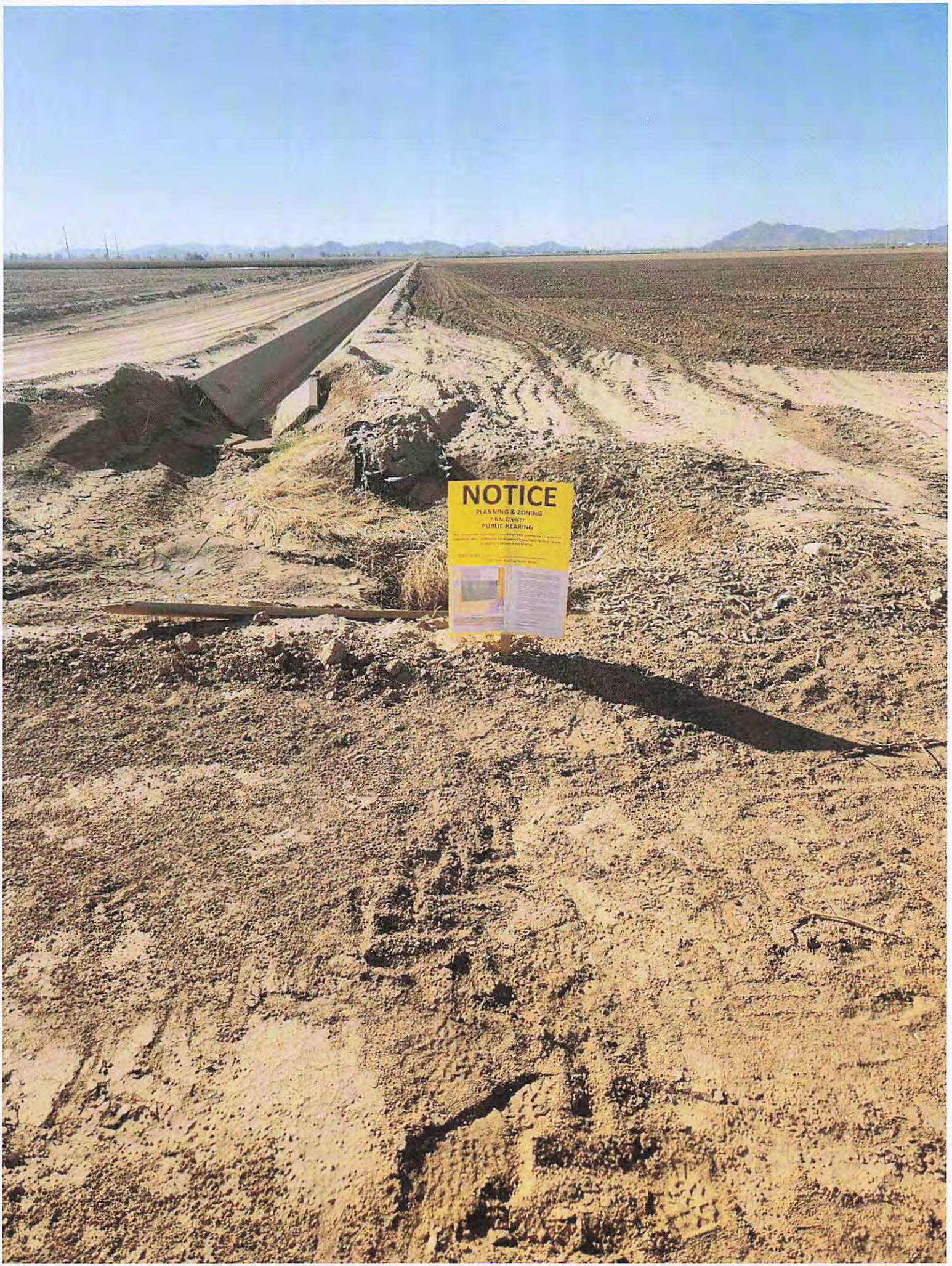


Case Information Available at Pinal County Planning and Development Services
(520) 866-6442


PINAL COUNTY
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NOTICE
PLANNING & ZONING
PUBLIC HEARING


NOTICE
PLANNING & ZONING
PUBLIC HEARING

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Applicant

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) ss:
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PZ-PD-008-23 – PUBLIC HEARING/ACTION: Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC, owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting approval of an amendment to **Sunset Canyon Planned Area Development (PAD) Overlay Zoning District** (Case PZ-PD-032-03)**,** for 374.016± acres to allow for 1,519 dwelling units, situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

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DATED this **31st** day of **October 2024**, Pinal County Community Development Dept.

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3) A brief statement of reasons for supporting or opposing the request
4) Whether or not your wish to appear and be heard at the hearing

Contacts for this matter: Sangeeta Deokar, Senior Planner
E-mail Address: sangeeta.deokar@pinalcountyaz.gov
Phone #: (520) 866-6641 Fax: (520) 866-6530

[Anything below this line is not for publication.]

PUBLISHED ONCE:

Arizona Republic
Pinal Central Dispatch

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING DATE: OCTOBER 17, 2024 (Continued from September 25, 2024)

TO: PINAL COUNTY PLANNING & ZONING COMMISSION

CASE NO: **PZ-034-23 & PZ-PD-008-23 (SUNSET CANYON PAD AMENDMENT)**

CASE COORDINATOR: SANGEETA DEOKAR, SENIOR PLANNER

Executive Summary: *Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting an approval of rezone of CR-3 PAD and CB-2 PAD to R-7 PAD in the south-west corner of Val Vista Road and John Wayne Parkway, Pinal County along with an amendment to the Planned Area Development.*

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

Recommendation:
No Recommendation.

LEGAL DESCRIPTION: A portion of land portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

REQUESTED ACTION & PURPOSE: (Two Cases)

1. **PZ-034-23 PUBLIC HEARING/ACTION:** Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting a, approval of a rezone of 374.016± acres from **CR-3 PAD** (Single Family Zone), **CB-2 PAD** (General Business Zone) (Case PZ-PD-032-03) to **R-7 PAD (Single Residence Zoning District)** to allow for 1,532 single family residential; situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

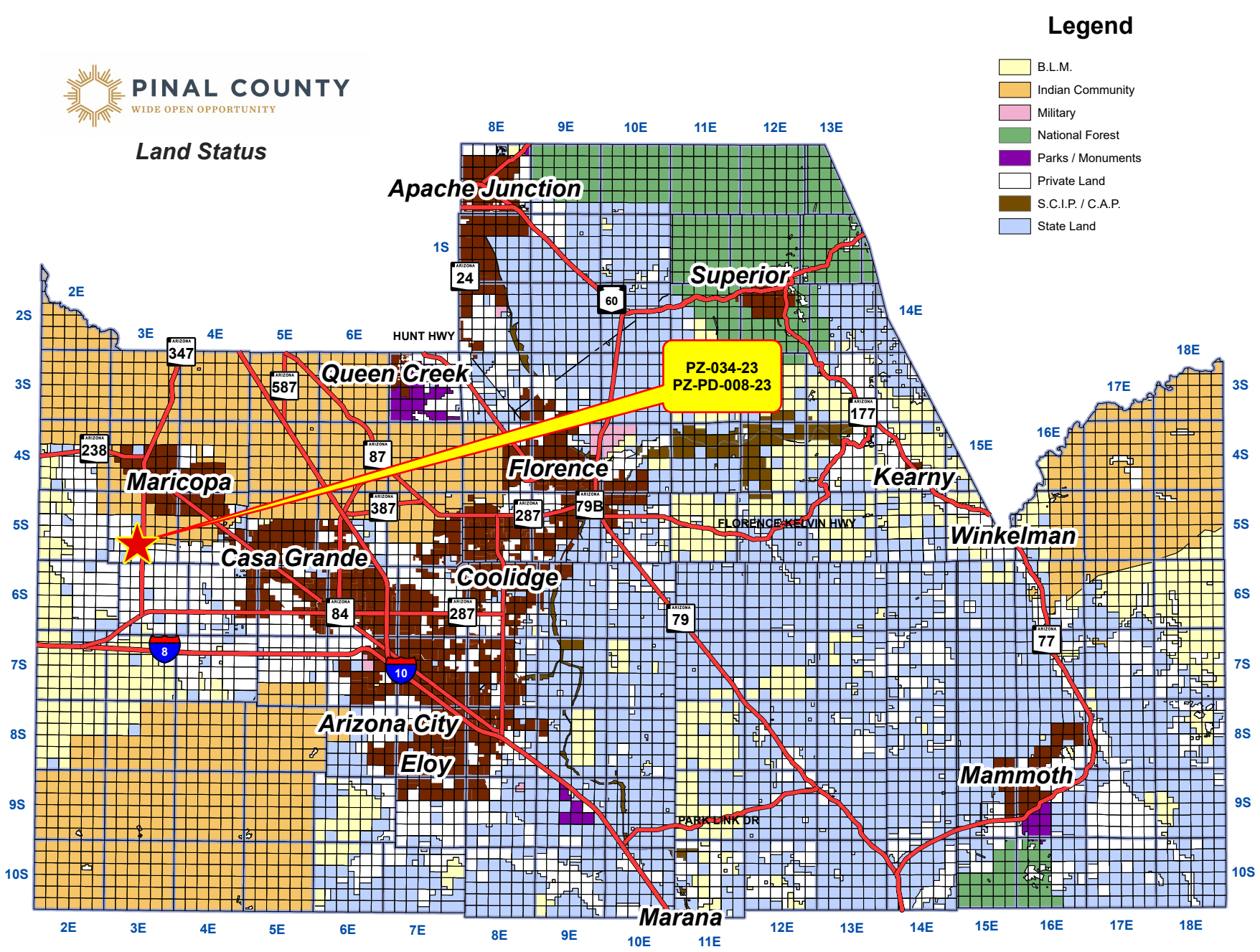
2. **PZ-PD-008-23 PUBLIC HEARING/ACTION:** Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC, owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent requesting approval of an amendment to **Sunset Canyon Planned Area Development (PAD) Overlay Zoning District** (Case PZ-PD-032-03), for 374.016± acres to allow for 1,532 single family residential, situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area

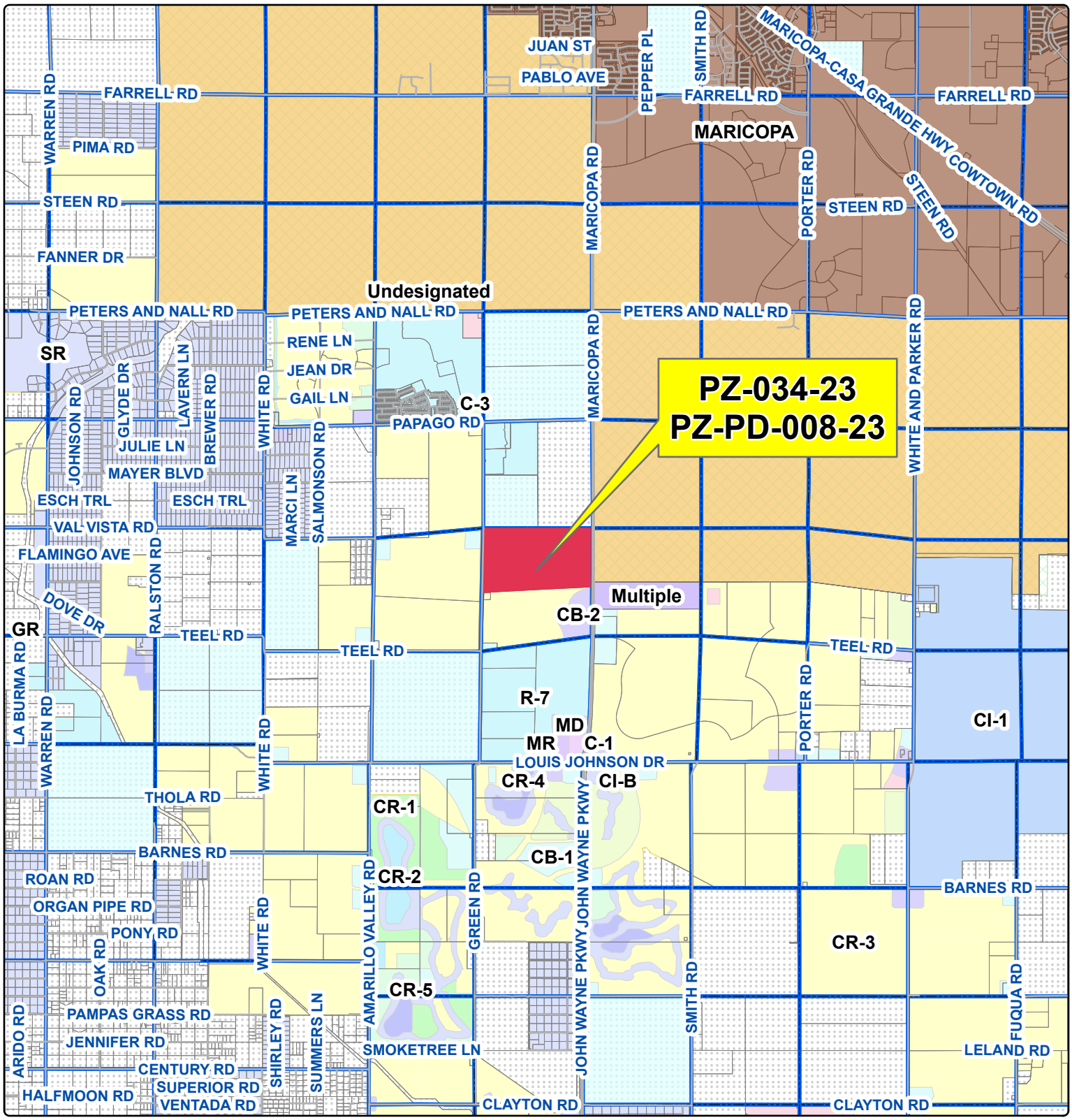
TAX PARCELS: 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D

LOCATION: Located southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Land Status





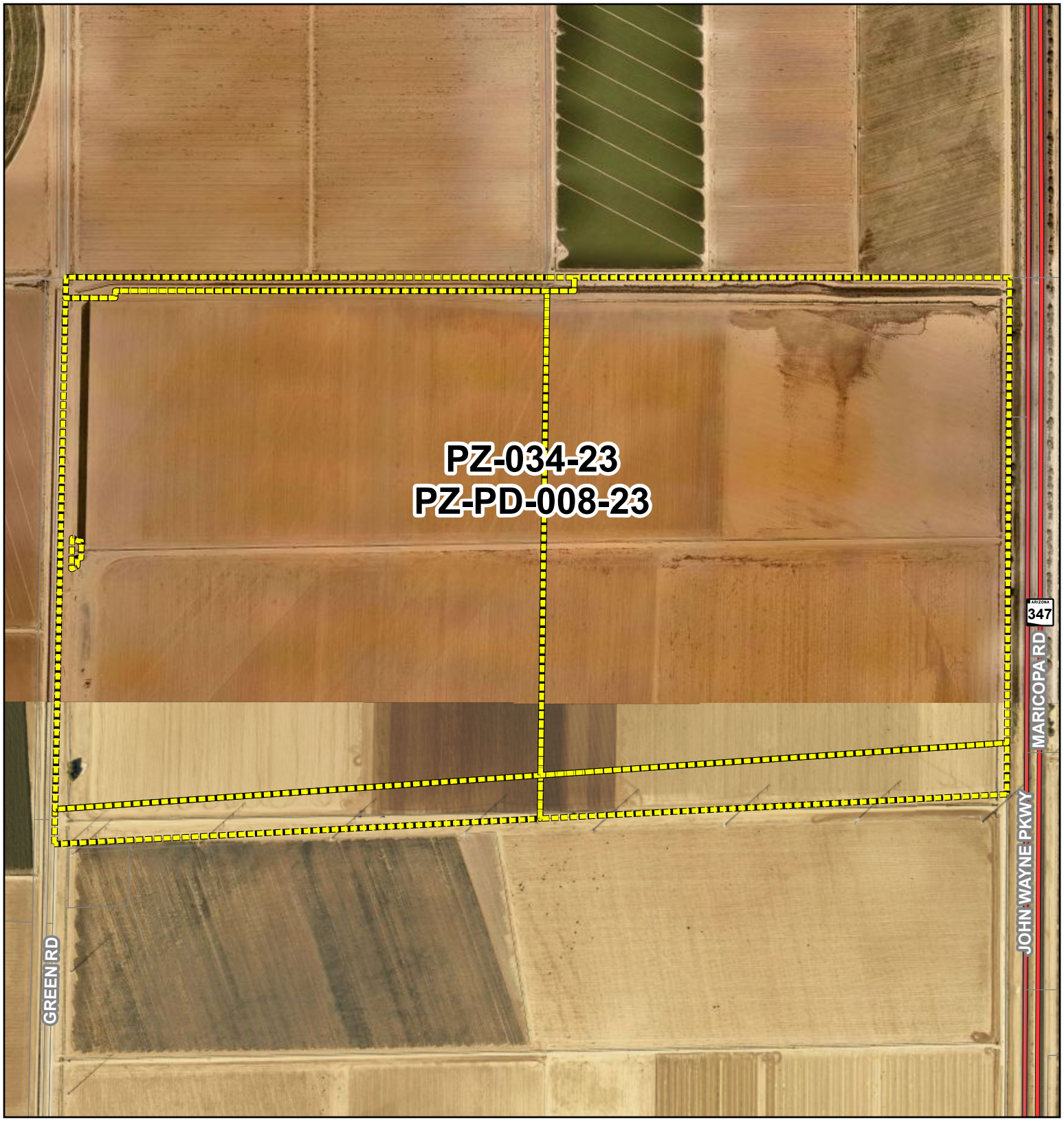
Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:
Situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

SEC 28, TWN 05S, RNG 03E

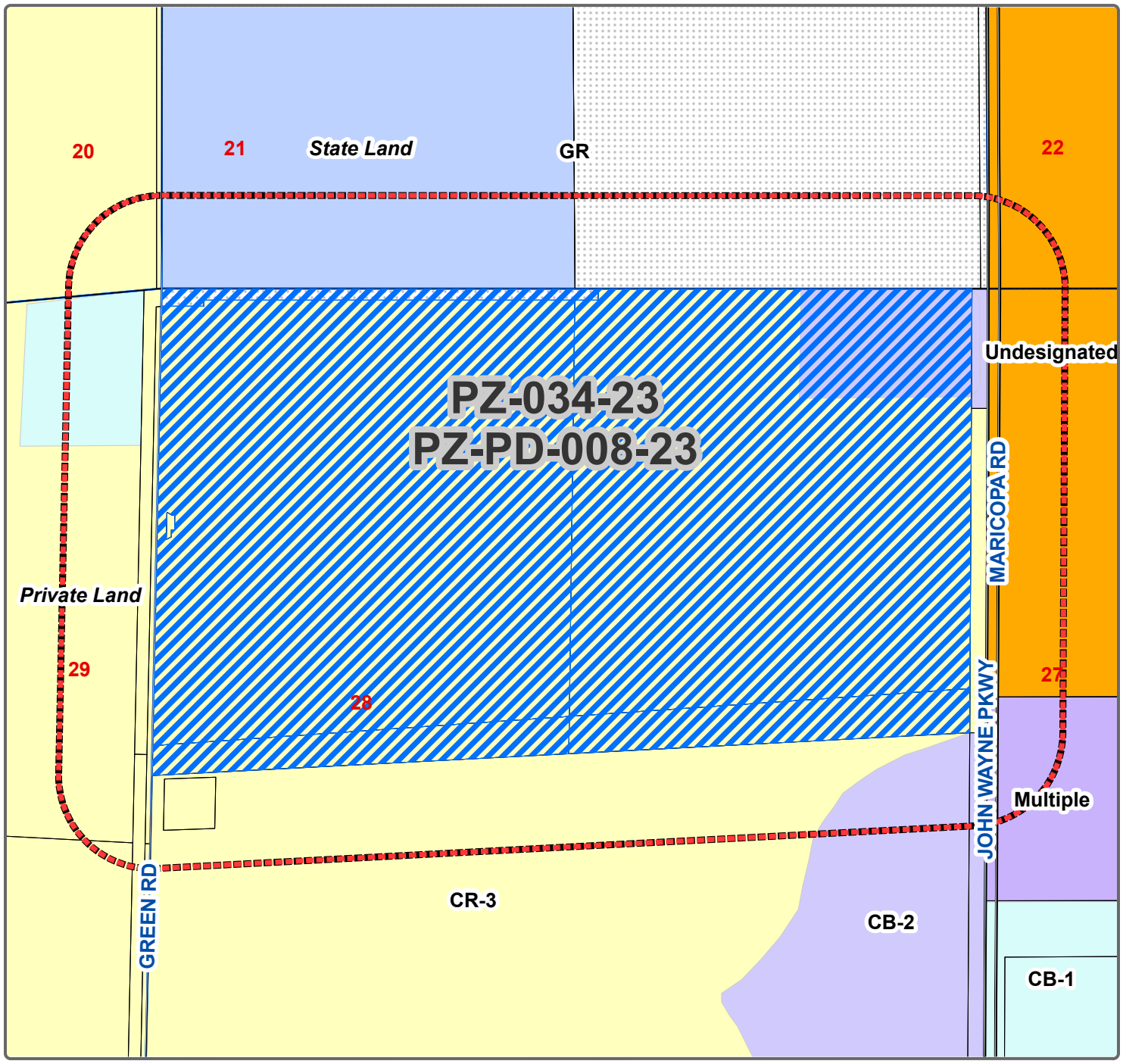
Sheet No. 1 of 1	Owner/Applicant: ZEITLIN CAPITAL, HARRY ZEITLIN, HAM SUNSET LLC		
	Drawn By: GIS / IT / RWH		Date: 07/22/2024
	Section 28	Township 05S	Range 03E
	Case Number: PZ-034-23, PZ-PD-008-23		



Community Development

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PZ-034-23
PZ-PD-008-23



Community Development

PZ-034-23 – PUBLIC HEARING/ACTION: Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/applicants, Alex Fish, ABLA , agent requesting a, approval of a rezone of 374.17± acres from CR-3 PAD (Single Family Zone), CB-2 PAD (General Business Zone) (Case PZ-PD-032-03) to R-7 PAD (Single Residence Zoning District) to allow for 1,532 single family residential; situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

Current Zoning: CR-3	Requested Zoning: Rezone	Current Land Use: MLDR

PINAL COUNTY
WIDE OPEN OPPORTUNITY

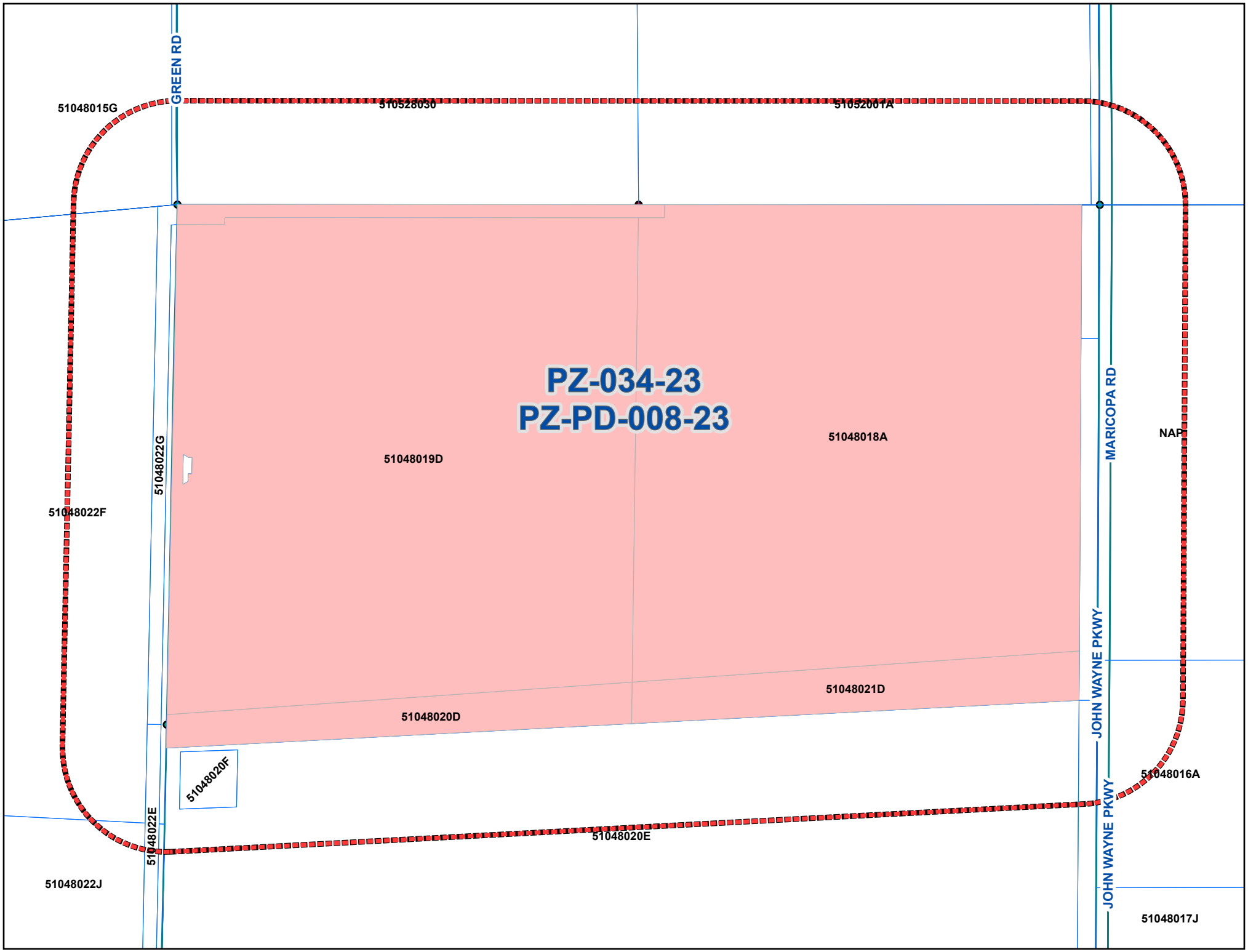
Legal Description:

Situated in portion of Sections 28, T05S, R03E G&SRB&M; (legal on file), Tax parcels 510-48-018A, 510-48-019A, 510-48-019D, 510-48-020D, 510-48-021D, located along southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

SEC 28, TWN 05S, RNG 03E

Sheet No. 1 of 1

Owner/Applicant:	ZEITLIN CAPITAL, HARRY ZEITLIN, HAM SUNSET LLC		
Drawn By:	GIS / IT /RWH	Date:	07/22/2024
Section	28	Township	05S
Range	03E		
Case Number:	PZ-034-23, PZ-PD-008-23		


PZ-034-23
PZ-PD-008-23
GREEN RD
MARICOPA RD
JOHN WAYNE PKWY
JOHN WAYNE PKWY
51048015G
510528030
51052001A
51048022G
51048019D
51048018A
NAP
51048022F
51048021D
51048020D
51048020F
51048016A
51048022E
51048020E
51048022J
51048017J

LOCATION: Located southwest corner of Val Vista Road and John Wayne Parkway road in Maricopa Area.

SIZE: 374.016± acres

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

EXISTING ZONING AND LAND USE: The subject parcels are currently zoned as Single Residence Zone (CR-3 PAD) and General Business Zone (CB-2 PAD) Zone.

SURROUNDING ZONING AND LAND USE:

North: General Rural (GR)
South: Single Residence Zone (CR-3) and General Business Zone (CB-2)
East: Ak Chin Reservation
West: Single Residence Zone (CR-3) and Local Business Zone

FLOOD ZONE: X

PUBLIC PARTICIPATION:

Neighborhood Meeting:	Nov 1, 2023 & Sept 16, 2024
Mail out:	Week of July 22, 2024
Agency Mail out:	Week of July 22, 2024
Newspaper Advertising:	Week of July 22, 2024
Web post:	Week of July 22, 2024
Site posting:	Week of July 22, 2024

FINDINGS/SITE DATA:

History:

Sunset Canyon PAD spans approximately 374.016 acres, originally approved under case PZ-PD-032-03, situated at the southwest corner of Val Vista Road and John Wayne Parkway in the Maricopa Area. Historically used for agriculture, the site features an overall drainage slope of less than five percent. The project's design has been influenced by regional topography and drainage patterns, notably reflected in a significant drainage channel along the eastern boundary.

Initially rezoned from General Rural to an overlay district incorporating general business and residential classifications, the PAD encompassed around 374 acres of undeveloped land. This overlay district accommodated various land uses to meet both current and future community needs. The plan included a mix of residential lots interspersed with open space, commercial areas, and a designated school site centrally located within the development (PZ-PD-032-03). The commercial zone, spanning approximately 24 acres, was planned northeast of John Wayne Parkway and Val Vista Road, while the school site encompassed 14 acres. Residential areas, covering 350 acres, were restricted to a density of 3.5 dwelling units per acre, complemented by 15% open space and a trail system. Currently, the PAD comprises zoning categories CR-3 (Single Residence Zone) and CB-2 (General Business Zone).

Although the Sunset Canyon plats were approved in 2005 (S-002-05), final plats were not subsequently advanced. In 2008, Val Vista Road underwent realignment as part of a regional study supporting future development, including an anticipated 90,000 homes in the Hidden Valley and Casa Grande areas. However, despite being entitled over two decades ago, the Sunset Canyon site spanning 375 acres remains vacant and undeveloped to date.

Proposed Use:
The Sunset Canyon PAD amendment seeks to rezone approximately 374.01 acres from CR-3 PAD Zoning (Single Residence Zone) and CB-2 PAD (General Commercial Zone) to R-7 (Single Residence Zone). This proposed amendment transitions the zoning from a mixed-use designation to exclusively residential zoning for 1532 dwelling units.

Flood Zone:
The Sunset Canyon PAD spans approximately 374.01 acres within Flood Zone X. Currently used for agriculture, the site slopes gently to the northeast at around 0.4 percent. Offsite flows affecting the area are influenced by the Vekol Wash Tributary Hydrology, with planned channels along the site's perimeter to manage anticipated 100-year flows from southern runoff. On-site hydrology will be managed by retention basins integrated into the development.

A preliminary drainage report for Sunset Canyon PAD has been evaluated. The proposed development includes 11 parcels featuring single-family residential units and a school. The master plan incorporates designated open spaces as parks with drainage easements, infrastructure roads, and a comprehensive drainage system. This system includes all-weather access roads, street design considerations, strategically located retention basins, culverts, drywells, and erosion control measures.

Access:
Access to the Sunset Canyon PAD site will be facilitated via Val Vista Road, Green Road, and John Wayne Parkway. Val Vista Road, which borders the northwest boundary and extends diagonally through the site to the southeast corner, is classified as a Principal Arterial Regionally Significant Route (RSR) under Pinal County's Regionally Significant Routes for Safety and Mobility (RSRSM) guidelines.

ANALYSIS:
Comprehensive Plan
The current land-use designation for Sunset Canyon PAD is MLDR (1-3.5 dwelling units per acre). The comprehensive plan provides alternative land-use provisions for Moderate Low Density Residential to increase flexibility and encourage mixed-use concepts, as outlined in the Pinal County Comprehensive Plan. It states as follows:

> A large portion of the planning area is designated as Moderate Low Density Residential. Therefore, to provide flexibility and promote mixed use concepts that will result in sustainable developments, alternative land uses may be allowed if certain guidelines are met. Within this land use, Medium and High Density Residential, Commercial, and Employment (office and light industrial) developments are all permitted to some extent without a Comprehensive Plan amendment. The following guide outlines how alternative land uses can be achieved within the Moderate Low Density Residential land use designation. The acreages shown for the various intersection types are designated to show the maximum for the entire intersection.

The applicant has chosen to utilize alternative land use by proposing medium-density residential zoning that allows for a range of 3.5 to 8 dwelling units per acre, specifically for 399 single-family units designated solely for residential purposes. There is no other land-use proposed in this request except residential. This approach overlooks the core intent of the mixed-use concept envisioned in the Comprehensive Plan, and contradicts the goals of the land use designation through implementation of a single land use.

The Sunset Canyon PAD Amendment proposes a total of 1,532 dwelling units with an overall density averaging 4.1 dwelling units per acre. While the development complies with the MLDR category of the Comprehensive Plan, it does not fully embrace the mixed-use policy intended to achieve the proposed density of 4.1 dwelling units per acre.

Land-Use Table - Comparison: Existing vs Proposed

Table 3: Sunset Canyon PAD - Comparison

Existing					Proposed				
Land Use	**Zoning**	**Gross AC**	**Units**	**Density**	**Land Use**	**Zoning**	**Gross AC**	**Units**	**Density**
Moderate Low Density	CR-3	350 AC	1,225 DU	3.5 DU/AC	**Moderate Low Density**	R-7	324.10 AC	1,133 DU	3.5 DU/AC
	CB-2	24 AC				R-7	49.92 AC	399 DU	8.0 DU/AC
Existing Total		374 AC	1,225 DU	3.3 DU/AC	**Proposed Total**		374.02 AC	1,532 DU	4.1 DU/AC

Rezone & PAD

The Sunset Canyon PAD amendment pertains to a large-scale residential development covering approximately 374 acres. The current zoning encompasses a mix of residential, commercial, and a school site. The proposed amendment requests a zone change and PAD overlay conversion for the entire 374 acres from two existing zoning categories—350 acres of CR-3 PAD (Single Residence Zone) and 25 acres of CB-2 PAD (General Commercial Zone)—to a single zoning category: R-7 (Single Residence Zone). This change would eliminate the 25 acres of commercial zoning. Staff recognizes a contradiction presented by the intent to omit replacement commercial areas. The existing zoning is more indicative of the mixed use concepts identified by MLDR land uses than the offered replacement.

Over the past 20 years, surrounding area development has been planned with the assumption of existing commercial zoning in this location. Removing the commercial zoning will impact surrounding areas and permanently forfeit the opportunity to include neighborhood commercial facilities for the proposed 1,500+ homes in the amendment. Residents will need to travel further for basic amenities that retail commercial zones typically provide. Staff notes that eliminating commercial zoning will result in loss of basic services that neighborhood commercial usually serves. Additional travel time and longer commute by household will add to the traffic along major arterials.

The proposed housing type under the R-7 zone includes single-family residences with varying lot sizes: 40'x115', 45'x120', 50'x120', and 55'x120'. The proposal lacks diversity in housing types within a large residential development of approximately 374.01 acres. This amendment shifts from a mixed-use development to a single-use residential zone with a density of 4.10 dwelling units per acre.

In summary, the proposed changes include:

- Rezoning from CR-3 (350± acres) and CB-2 (24.01± acres) to R-7 (374.01± acres)
- Elimination of existing commercial zoning and its impact on the surrounding area
- Absence of housing diversity (single-family residential only)
- Use of an alternative land-use concept to achieve higher density without incorporating the 'mixed-use' concept.

Development Standards

Section 2.275.040 outlines the Development Standards for R-7 zoning district. Below are the R-7 Development standards and Open Space calculations for Sunset Canyon PAD Amendment

Development Standards R-7 (TABLE 8 PAD NARRATIVE)

	County Code	Proposed - Category A	Proposed - Category B	Proposed - Category C
Minimum Lot Area [1]	7,000 SF	1,800 SF	2,700 SF	4,600 SF
Minimum Lot Width	50'	20'	30'	40'
Minimum Front Yard Setback	20'	20' to garage with parking on driveway, 10' to architecture, 5' max [2] to front facing garage without driveway parking	20' to garage with parking on driveway, 10' to architecture, 5' max [2] to front facing garage without driveway parking	20' to garage, 10' to architecture
Minimum Side Yard Setback	10' each	5' 0' where attached	5'	5'
Minimum primary structure separation	NA	10'	10'	10'
Minimum Rear Yard Setback	25'	10' (front loaded), 5' (rear loaded)	10' (front loaded), 5' (rear loaded)	10' single-story, 15' two-story
Maximum Building Height	30'	30'	30'	30'
Maximum Lot Coverage	-	86%	75%	60%
Detached Accessory Buildings				
Permitted Coverage	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks
Maximum Height	20'	20'	20'	20'
Minimum Distance to main building	7'	7'	7'	7'
Minimum distance to front lot line	60'	60'	60'	60'
Minimum distance to side and rear lot lines	4'	4'	4'	4'
Product Restriction	NA	Attached homes in configurations such as, but not limited to duplex, triplex, cluster, hammerhead, and townhome are permitted. No detached homes are permitted. May be front loaded or rear loaded	Detached homes in configurations such as, but not limited to alley, cluster, and hammerhead are permitted. May be front loaded or rear loaded	None

	County Code	Proposed - Category D	Proposed - Category E	Proposed - Category F
Minimum Lot Area [1]	7,000 SF	5,175 SF	5,750 SF	6,600 SF
Minimum Lot Width	50'	45'	50'	55'
Minimum Front Yard Setback	20'	20' to garage, 10' to architecture	20' to garage, 10' to architecture	20' to garage, 10' to architecture
Minimum Side Yard Setback	10' each	5'	5'	5'
Minimum primary structure separation	NA	10'	10'	10'
Minimum Rear Yard Setback	25'	15' single-story, 20' two-story	15' single-story, 20' two-story	20' single-story, 25' two-story
Maximum Building Height	30'	30'	30'	30'
Maximum Lot Coverage	-	60%	60%	60%
Detached Accessory Buildings				
Permitted Coverage	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks
Maximum Height	20'	20'	20'	20'
Minimum Distance to main building	7'	7'	7'	7'
Minimum distance to front lot line	60'	60'	60'	60'
Minimum distance to side and rear lot lines	4'	4'	4'	4'
Product Restriction	NA	None	None	None

1. Minimum lot size may be decreased by up to 200 SF for corner lots which are impacted by the roadway chamfer/radius.
2. The 5' max may be increased to 8' for a portion of the building where curved roads occur.

Open Space:
The Sunset Canyon PAD amendment proposes allocating 76.65 acres, or 20% of the total area, for open space, adhering to the standards established in Section 2.176.180 of the code. The quantitative table details the distribution of recreational open space within the proposed PAD amendment.

Developed Open Space:
The development plan features a structured open space hierarchy, incorporating both common and private open space elements to create a desirable living environment for residents. The 76.65 acres of developed open space include landscaped areas, pedestrian pathways, and recreational spaces.

The site will employ a landscape design that adheres to Arizona Department of Water Resources (ADWR) low-water use criteria, featuring an agricultural-inspired aesthetic through thoughtful planting, shaded walkways, and architectural elements. An interconnected network of pedestrian paths will link parks and amenity areas across the site. Storm water management on-site will be managed through retention basins, as recommended by the Pinal County Flood division.

Table 3: Open Space Allocation Table

Category (for 0-5% Slope)	**Area Required**	**Area Provided**
Conservation Open Space	0 acres	0 acres
Developed Open Space		
Recreation Open Space	26.18 acres	26.41 acres
Total Open Space*	67.32 acres	76.65 acres

Utilities and Services:

Table 7: Utility Service Provider Contacts

Service	**Provider**	**Contact Number**	**Website**
Sewer	Global Water	866-940-1102	https://www.gwresources.com
Water	Global Water	866-940-1102	https://www.gwresources.com
Electric	ED3	520-424-9201	https://www.ed3online.org/
Telephone	Century Link/ Cox	602-630-5480/ 623-328-3807	https://www.centurylink.com https://www.cox.com
Fire	South Maricopa Fire Association	520-723-4680	N/A
Police	Pinal County Sheriff's Office	520-509-3555	https://www.pinalcountyaz.gov/sherif
Schools	Maricopa Unified School District	520-568-5100	https://www.musd20.org/
Solid Waste Disposal	Private Hauler		
Natural Gas	Southwest Gas	877-860-6020	https://www.swgas.com/

Second Alternative:
A second alternative shared by the applicant proposes the same number of dwelling units (1532). The development plan maintains the same density of 4.1 du/ac. This plan shows transfer of units along N Green Road with Townhomes and increased density on the parcel over 10 units per acre. Increased number of dwelling units and having a school along N Green Road will have increased cars impacting flow of traffic and circulation.

Items for Commission Consideration:

- Staff has recommended **denial** of both applications (Rezone and PAD)
- The proposed rezoning to R-7 PAD will permit the development of single-residence zoning across the 374.01± acres.
- The proposed density is 4.10 dwelling units per acre inconsistent with 3.5 du/ac per MLDR
- The Sunset Canyon PAD amendment proposes a maximum of 1,532 housing units.

Staff notes in regards to public participation, a solicitation for comments and questions period was offered by the applicant prior to the formal submittal for this project. Letters were sent out to all property owners within 600 feet of the site notifying neighbors of the solicitation period and providing a general description of the request as well as contact information should they have questions at any time during the process. As of 9/19/24, five letters in opposition have been received and multiple phone calls sharing concerns of the proposal.

The Pinal County Department of Public Works reviewed the proposal and has shared stipulations to be followed.

The City of Maricopa has provided feedback, stating that the need for commercial space will be important as new homes are added in Sunset Canyon, and a relocation of commercial areas should be considered. Additionally, the city advises that the school site remain within the development to address traffic concerns along Green Road. The current proposal for approximately 374± acres dedicated solely to residential development is not supported by the City of Maricopa.

Staff conducted several meetings with Public works, Pinal County Economic Development department to discuss the proposal. They expressed similar concerns for loss of neighborhood commercial space in an area that is rapidly growing and facing pressure for new development.

At the public hearing, the Commission needs to be satisfied that the health, safety and welfare of the County and adjacent properties will not be negatively impacted Rezone (PZ-034-23) and PAD amendment (PZ-PD-008-23). Furthermore, the Commission must determine that this zone change and PAD overlay will promote the orderly growth and development of the County, at this location and time, and this proposed development is compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan and rezone request.

THE BURDEN OF PROOF IS UPON THE APPLICANT TO PROVIDE THE NECESSARY AND REQUIRED INFORMATION AT THE PUBLIC HEARING. THE APPLICANT NEEDS TO BE PREPARED TO ADDRESS AND MITIGATE, AS APPLICABLE, THE FOLLOWING ISSUES AND CONCERNS:

a. LAND USE, PERIMETER WALLS, SIGNAGE, SETBACKS, INGRESS/EGRESS & LANDSCAPING
b. PUBLIC SERVICES - SEWER, WATER, UTILITIES, DRAINAGE
c. NEIGHBORHOOD IMPACT
d. FLOOD CONTROL
e. TRAFFIC IMPACT
f. COMPATIBILITY/CONSISTENCY WITH PINAL COUNTY COMPREHENSIVE PLAN
g. BENEFITS/DETRIMENTS TO PINAL COUNTY

STAFF SUMMARY: Zeitlin Capital, Harry Zeitlin, HAM Sunset LLC owners/applicants, M. Brennan Ray, Burch & Cracchiolo, P.A., agent, have submitted the proper application and evidence sufficient to warrant a staff recommendation as provided in the Ordinance. Staff provides the following findings together with the information on Page 1 of this staff report:

1. This proposal is for approval of rezone and planned area development amendment.
2. To date, no public comments have been received.
3. The property has legal access.
4. The subject property is currently designated as Moderate Low Density Residential (1-3.5 du/ac)
5. Granting of the rezone and PAD amendment will require, after the time of zoning approval, that the applicant/owner submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals.

STAFF RECOMMENDATION (PZ-034-23): After a detailed review of the request, Pinal County Comprehensive Plan, and the Pinal County Development Services Code (PCDSC), staff recommends **denial** of this request, subject to the stipulations listed in the recommended motion:

STAFF RECOMMEND MOTION (PZ-034-23): ***I move the Pinal County Planning and Zoning Commission forward a recommendation of DENIAL to the Board of Supervisors with its one stipulation as listed in the staff report:***

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.

STAFF RECOMMENDATION (PZ-PD-008-23): Staff recommends **denial**, however if the Planning and Zoning Commission finds after the presentation of the applicant and together with the testimony and evidence presented at the public hearing, that this PAD request is needed and necessary at this location and time, will not negatively impact adjacent properties, will promote orderly growth and development of the County and will be compatible and consistent with the applicable goals and policies of the Pinal County Comprehensive Plan, then staff recommends that the Commission forward PZ-PD-008-23 to the Board of Supervisors with a favorable recommendation with the attached stipulations.

STAFF RECOMMEND MOTION (PZ-PD-008-23): ***I move the Pinal County Planning and Zoning Commission forward a recommendation of DENIAL to the Board of Supervisors with its 18 stipulations as listed in the staff report:***

1. Approval of Sunset Canyon PAD amendment (PZ-PD-008-23) 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. Sunset Canyon Planned Area Development (PAD) amendment overlay district (PZ-PD-008-23) is to be developed as shown by the site plan/development plan dated May, 2024, along with the other supplementary documentation in accordance with the applicable criteria set forth in Chapter 2.176 of the Pinal County Development Services Code;

3. Approval of this Planned Area Development (PAD) Overlay District is contingent upon the Board of Supervisors zone change approval as set forth in Planning Case PZ-034-23;

4. Val Vista Road and State Route 347 have been identified as “Routes of Regional Significance”. Applicant will be required to comply with the “Regionally Significant Routes for Safety and Mobility (RSRSM), Final Report, December 2008” the 2020 RSRSM map update, and the current “Access Management Manual” which may specify limited or reduced access on these roads or as approved by the County Engineer;

5. Half-street right-of-way dedication and half-street improvements will be required for Greene Road (Western boundary). The required minimum half-street right-of-way is fifty-five feet (55ft) for Greene Road along the western boundary. Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

6. Right-of-way dedication and street improvements will be required Val Vista Road. The required minimum right-of-way dedication is one-hundred and fifty feet (150ft) for the sections of Val Vista Road traversing trough the development and 75ft for the segments along the development's perimeter (northern boundary). Any additional right-of-way needed for any required infrastructure improvements (as identified in the approved Traffic Impact Analysis) shall be the responsibility of the applicant. All roadway and infrastructure improvements (public or private) shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;

7. A drainage report will be required to be submitted to the County Engineer at the time of Tentative Plat submittal for review and approval. The drainage report shall include a drainage plan that complies with the current Pinal County Drainage Manual and shall be approved prior to the 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;

8. A Traffic Impact Analysis (TIA) will be required to be submitted to the County Engineer at the time of Tentative Plat for review and approval. All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines and Procedures and shall be approved prior to the Tentative Plat approval;

9. A Geotechnical Report shall submitted for review and approval at the time of Final Plat submittal. The report shall cover all recommended pavement sections for this development, include offsite and half-street pavement. The Geotechnical report shall be approved prior to the Final Plat and improvement plan approvals;

10. A minimum of two paved, permanent access points to be provided for ingress and egress from the development to existing public roads. Approval of adequate access by the County Engineer shall be a condition of approval of the plat by the Board.

11. 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.

12. Any required contributions (design and construction costs) for future traffic signals, as identified in the approved Traffic Impact Analysis, shall be paid to the County prior to the final plat approval or as approved by the County Engineer;

13. Applicant to follow landscape standards per design guidelines set forth in the PAD narrative dated November 15, 2023. All plant material to follow Arizona low water use plant list per ADWR;

14. 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;

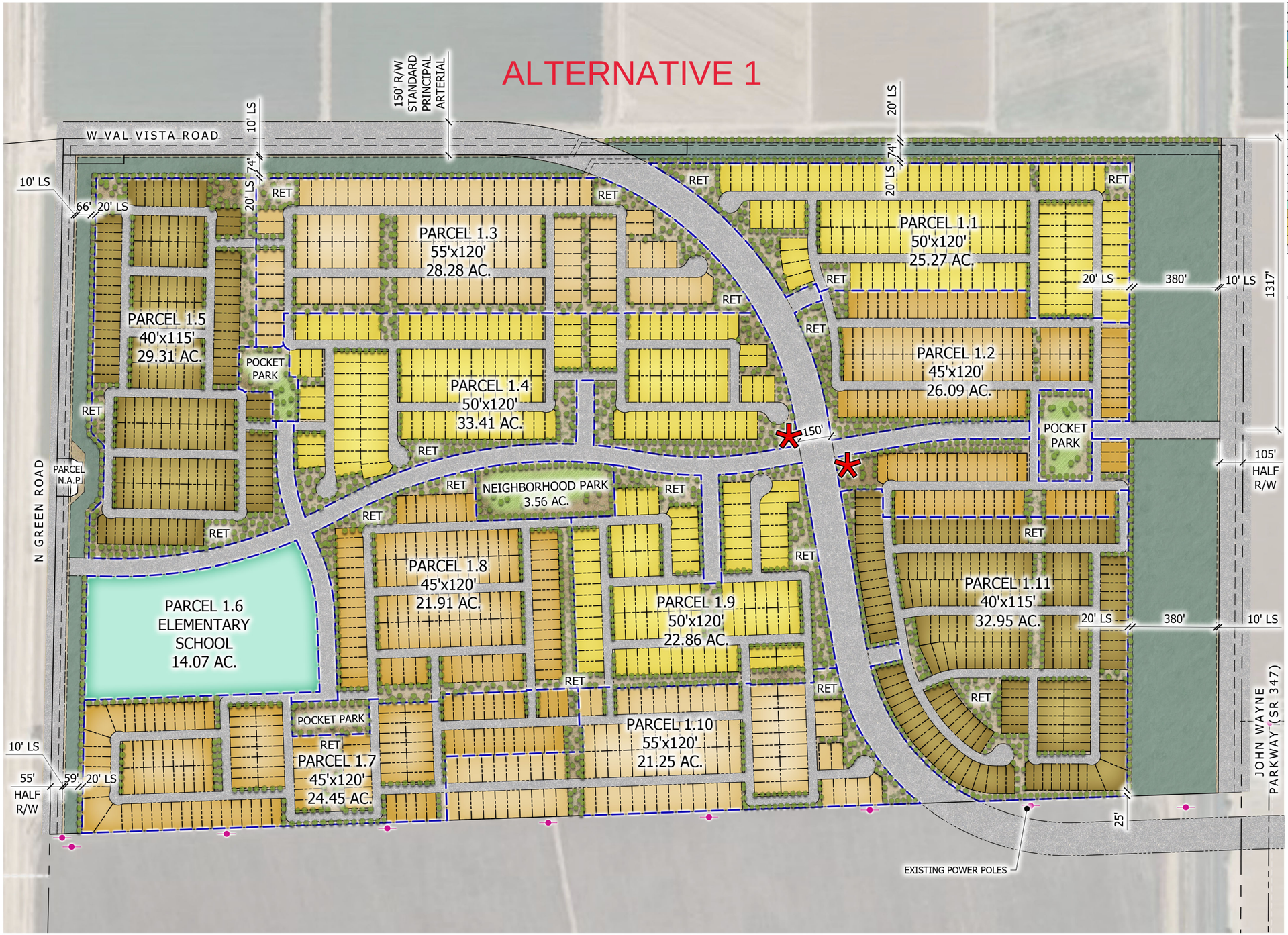
15. A dust registration permit from the Pinal County Air Quality Control District shall be obtained prior to the disturbance of 0.1 acres or more;

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

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

18. Any roadway sections, alignments, access locations and access movements shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;

Date Prepared 9/11/2024 SD
Revised: 9/19/2024 SD



SITE DATA				
GROSS ACREAGE	374.02 AC.		4.10 D.U./AC.	
NET ACREAGE	354.00 AC.			
DRAINAGE CHANNEL[1]	37.41 AC.			
DEDICATED OPEN SPACE	12.83 AC.			
TRAIL AREAS	11.97 AC.			
POCKET PARKS	10.88 AC.			
NEIGHBORHOOD PARK	3.56 AC.			
TOTAL OPEN SPACE	76.65 AC.		20.49%	
DESCRIPTION	**ACREAGE**	**USE**	**UNITS**	**UNIT PERCENTAGE**
PARCEL 1.1	25.27 AC.	50'x120'	140 D.U.	9.14%
PARCEL 1.2	26.11 AC.	45'x120'	176 D.U.	11.49%
PARCEL 1.3	28.28 AC.	55'x120'	133 D.U.	8.68%
PARCEL 1.4	33.41 AC.	50'x120'	166 D.U.	10.84%
PARCEL 1.5	29.31 AC.	40'x115'	182 D.U.	11.88%
PARCEL 1.6	14.07 AC.	ES		
PARCEL 1.7	24.45 AC.	45'x120'	157 D.U.	10.25%
PARCEL 1.8	21.91 AC.	45'x120'	117 D.U.	7.64%
PARCEL 1.9	24.08 AC.	50'x120'	116 D.U.	7.57%
PARCEL 1.10	21.25 AC.	55'x120'	122 D.U.	7.96%
PARCEL 1.11	32.95 AC.	40'x115'	223 D.U.	14.56%
ELEMENTARY SCHOOL	**14.07 AC.**	**ES**		
40'X115'	**62.26 AC.**	**40'x115'**	**405 D.U.**	**26.44%**
45'X120'	**72.47 AC.**	**45'x120'**	**450 D.U.**	**29.37%**
50'X120'	**82.76 AC.**	**50'x120'**	**422 D.U.**	**27.55%**
55'X120'	**49.53 AC.**	**55'x120'**	**255 D.U.**	**16.64%**
SUNSET CANYON TOTAL	**281.09 AC.**		**1,532 D.U.**	

1. DRAINAGE CHANNEL TO BE INCLUDE IN DEDICATED OPEN SPACE ON "CONCEPTUAL OPEN SPACE EXHIBIT" TABLE.

LEGEND

MAJOR ENTRY MONUMENT

Exhibit 8: Site Plan

ALTERNATIVE 2



SITE DATA PER MAX DENSITY				
GROSS ACREAGE	374.02 AC.		4.10 D.U./AC.	
NET ACREAGE	354.00 AC.			
DRAINAGE CHANNEL[1]	37.41 AC.			
DEDICATED OPEN SPACE	12.83 AC.			
TRAIL AREAS	11.97 AC.			
POCKET PARKS	10.88 AC.			
NEIGHBORHOOD PARK	3.56 AC.			
TOTAL OPEN SPACE	76.65 AC.		20.49%	
DESCRIPTION	**ACREAGE**	**USE**	**UNITS**	**UNIT PERCENTAGE**
PARCEL 1.1	25.27 AC.	50'x120'	136 D.U.	8.88%
PARCEL 1.2	26.11 AC.	45'x120'	144 D.U.	9.40%
PARCEL 1.3	28.20 AC.	55'x120'	123 D.U.	8.03%
PARCEL 1.4	33.00 AC.	50'x120'	148 D.U.	9.66%
PARCEL 1.5	29.47 AC.	TH	310 D.U.	20.23%
PARCEL 1.6	14.07 AC.	ES		
PARCEL 1.7	24.45 AC.	45'x120'	133 D.U.	8.68%
PARCEL 1.8	21.91 AC.	45'x120'	114 D.U.	7.44%
PARCEL 1.9	24.08 AC.	50'x120'	113 D.U.	7.38%
PARCEL 1.10	21.25 AC.	55'x120'	111 D.U.	7.25%
PARCEL 1.11	32.95 AC.	40'x115'	200 D.U.	13.05%
ELEMENTARY SCHOOL	14.07 AC.	ES		
TOWNHOMES	29.47 AC.	TH	310 D.U.	20.23%
40'X115'	32.95 AC.	40'x115'	200 D.U.	13.05%
45'X120'	72.47 AC.	45'x120'	391 D.U.	25.52%
50'X120'	82.35 AC.	50'x120'	397 D.U.	25.91%
55'X120'	49.45 AC.	55'x120'	234 D.U.	15.27%
SUNSET CANYON TOTAL	280.76 AC.		1,532 D.U.	

1. DRAINAGE CHANNEL TO BE INCLUDE IN DEDICATED OPEN SPACE ON "CONCEPTUAL OPEN SPACE EXHIBIT" TABLE.

LEGEND

MAJOR ENTRY MONUMENT

ZEITLIN CAPITAL

SUNSET CANYON

Conceptual Site Plan

Plan Scale 1 : 200 Date: 08-21-2024

200' 400' 600'

ABLASTUDIO.COM

ABLA

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PROCEDURE AND APPLICATION FOR A ZONE CHANGE IN UNINCORPORATED PINAL COUNTY

1. Submit a Pre-Application meeting request with the Community Development Department for a meeting with Planning Department and other affected County agencies. - (The Pre-application review is a separate application prior to applying for a rezone).*****

2. Hold a **Neighborhood / Community Meeting** per requirements outlined in Section – [2.166.050 (E)] of the PCDSC. Applicant will be required to notify any jurisdiction within three (3) miles of the subject site boundary and provide proof via letter or email correspondence of sent notification and any jurisdiction response received.

3. Submit a **Zone Change Application** with the required supporting documentation using the attached forms.******

4. Submit the following fees made payable to Pinal County in accordance with Section [2.166.050] of the PCDSC:

    a. 0-499 mail-outs: $4,478.00
    b. 500 or more mail-outs: $4,880.00
    d. Public Works Fees: TIA Review : $750.00; Drainage Review: $750.00 (*Fees are due at application submittal and at subsequent reviews)
    e. Advertising and postage fees shall be paid by the applicant

5. Attend **Planning & Zoning Commission Public Hearing** for Commission recommendation to the Board of Supervisors. - (Time frame is approximately 10 to 15 weeks from application acceptance by the Planning Department).

6. Attend **Board of Supervisors Public Hearing** for decision. – (Time Frame is approximately 4 to 8 weeks after Planning & Zoning Commission Public Hearing).***

Applicants should allow 4 to 6 months from the application acceptance by the Planning Department to a decision from the Pinal County Board of Supervisors.

* Your **pre-application meeting request** can be found here: http://www.pinalcountyaz.gov/CommunityDevelopment/Planning/Documents/2019%20NEW%20APPLICATIONS/Zone%20Change%20Pre-App.pdf

** ***Your application must be submitted digitally following the naming format at the end of the application form via the online submittal site at:*** https://citizenaccess.pinalountyaz.gov/CitizenAccess/.
Please call or email the Planning Division for more information.

*** **A Zone Change is not effective until 31 days after approval by the Board of Supervisors**

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyaz.gov

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR CHANGE OF ZONING REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA
(All Applications Must Be Typed or Written in Ink)

Formal Zoning Change & Property Information:
(feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Pinal County Staff Coordinator: Evan Evangelopoulos
2. Date of Pre-application Review: 5/10/2022 Pre-Application Review No.: Z-PA-044-22
3. Current Zoning *(Please provide Acreage Breakdown)*: CR-3 Zoning (350 acres), CB-2 Zoning (24.06 acres)
4. Requested Zoning *(Please provide Acreage Breakdown)*: _____
5. Parcel Number(s): 51048018A, 51048019A, 51048019D, 51048020D, 51048021D
6. Parcel Size(s): 374.18 gross acres
7. The existing use of the property is as follows: Agricultural fields
8. The exact use proposed under this request: _____
9. What is the Comprehensive Plan Designation for the subject property: Moderate Low Density Residential (1-3.5 du/ac)
10. Is the property located within three (3) miles of an incorporated community? ■ YES ❑ NO
11. Is an annexation into a municipality currently in progress? ❑ YES ❑ NO
12. Is there a zoning violation on the property for which the owner has been cited? ❑ YES ■ NO
    If yes, zoning violation # _____
13. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted comprehensive/area plan(s) or similar changes. See Narrative
14. Explain why the proposed development is needed and necessary at this time. See Narrative

INV#:_____ AMT:_____ DATE:_____ CASE:_____ Xref:_____

SUPPORTING INFORMATION

1. Note any services that are not available to the site. Discuss any improvements of services that would be paid for by the public: _____

_____

2. What is the amount of traffic to be generated (# of trips/day, deliveries/week)? Show ingress/egress on the site plan: _____

_____

3. How many parking spaces are to be provided (employees and customers)? Indicate these parking spaces on the site plan: _____

4. Is there a potential for excessive noise (I.E.; children, machinery) or the production of smoke, fumes, dust or glare with this proposed land use? If yes, how will you alleviate these problems for your neighbors?

_____

5. What type of landscaping are you proposing to screen this use from your neighbors?

_____

6. What type of signage are you proposing for the activity? Where will the signs be located?

_____

7. If the proposed land use involves any type of manufacturing or production process, provide a short synopsis of the processes utilizing diagrams, flowcharts and/or a short narrative: _____

_____

8. Explain how the appearance and operation of the proposed land use will maintain the integrity and character of the zone in which the use is requested: _____

_____

9. Have you discussed possible conditions that may be placed on the approval with the Planning Department?

❑ YES ❑ NO

10. Do you understand that if a condition is violated, that there is a public process by which your zoning may be reverted? ❑ YES ❑ NO

PROPERTY OWNERSHIP LIST
(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600 feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

I hereby verify that the name list above was obtained on the _____day of_____, 20___, at the office of _____and is accurate and complete to the best of my knowledge.
(Source of Information)

On this_____day of_____, 20___, before me personally appeared_____
(Name of signor)

Signature_____Date_____

State of_____
)ss. (SEAL)
County of_____

My Commission Expires_____

Signature of Notary Public_____

I **certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing**

Alex Fish	310 E. Rio Salado Parkway Tempe, AZ 85281
Name of Applicant	Address
	alex.fish@ablastudio.com 480-530-0077
Signature of Applicant	E-Mail Address Phone Number

Harry Zeitlin	5050 N. 40th Street, Suite 380, Phoenix, AZ 85018
Name of Agent/Representative	Address
	harry@zeitlincapital.com 602-648-5227
Signature of Agent/Representative	E-Mail Address Phone Number

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

Harry Zeitlin	5050 N. 40th Street, Suite 380, Phoenix, AZ 85018
Name of Landowner	Address
	harry@zeitlincapital.com 602-648-5227
Signature of Landowner	E-Mail Address Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

_____

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of _____acres located at _____, and further identified

[Insert Address of Property]

As assessor parcel number _____and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

Said property is hereinafter referred to as the "Property."
Owner hereby appoints _____

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

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

_____ _____

[Signature] ***[Signature]***

_____ _____

[Address] ***[Address]***

Dated: _____ Dated: _____

STATE OF_____)
) ss. (SEAL)
COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____ day_____, 20____
by _____

My Commission Expires_____

Signature of Notary Public_____

_____ _____

Printed Name of Notary Signature of Notary

CORPORATE PROPERTY OWNER SIGNATURE BLOCK AND ACKNOWLEDGMENT

_____
[Insert Company's or Trust's Name]

By: _____
[Signature of Authorized Officer, or Trustee]

Its: _____
[Insert Title]

Dated: _____

STATE OF_____)
) ss.
COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____ day of _____, 20____ by

_____,_____ _____
[Insert Signor's Name] ***[Insert Title]***

_____, _____an,
[Name of Company or Trust] ***[Insert State of Incorporation, if applicable]***

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

My Commission Expires: _____

_____ _____
Printed Name of Notary Signature of Notary

ALTERNATE: Use the following acknowledgment only when a second company is signing

On behalf of the owner:

STATE OF_____)
) ss. (Seal)
COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____ day of _____, 20____ by _____, who acknowledges himself/herself to be
[Insert Signor's Name]

_____, of _____
[Title of Office Held] ***[Second Company]***

As _____ for _____, and who being
[*i.e. member, manager, etc.]* ***[Owner's Name]***

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

My Commission Expires_____

_____ _____
Printed Name of Notary Signature of Notary

Application Checklist:

A. Check the appropriate item:

❑ This Zone Change is being submitted without a PAD request

■ This Zone Change is being submitted in conjunction with a PAD request.

The applicant must complete a PAD application. – *(Please utilize the "PAD Book" and the "Site Plan" of the PAD application to fulfill the Zoning Application "Narrative" and "Site Plan" in lieu of while having separate copies for each application).*

B. Hold a Neighborhood/Community Meeting:

❑ Notify all property owners within 1200' (feet)

❑ Hold the meeting within five (5) miles of the subject property

❑ Hold the meeting between 5:00 pm – 9:00 pm

❑ Include with the application the following:

- Copy of Notice of Neighborhood/Community Meeting
- List of property owners notified - ***(Use page 5 of this application)***
- Minutes of the meeting
- Attendance sign-in sheet with names & addresses

C. Submit a completed **"Agency Authorization"** form *(if applicable).*

D. Submit a written **Narrative** concerning the proposed development ***(if not submitting in conjunction with a PAD Application)*** to include:

❑ **1.** Title Page

❑ **2.** Purpose of Request

❑ **3.** Description of Proposal

- **a.** Nature of the Project including Proposed Land Use
- **b.** Conformance to adopted Comprehensive Plan
- **c.** Answers to the questions from the **Supporting Information** sheet
- **d.** Location & Accessibility
- **e.** Utilities & Services
- **f.** Neighborhood Meeting Information
- **g.** Appendix, as applicable

E. Submit a **Site Plan** ***(if not submitting in conjunction with a PAD Application)*****.** The submittal shall be professionally prepared (*by a surveyor, architect, or other design professional*) and drawn at a sufficient scale as to not exceed a print size larger than 11" X 17". The lettering shall be of sufficient size to be legible when reduced to an 8½" X 11" print and include:

- ❑ **1.** Legal Description of total site.
- ❑ **2.** Name(s) of Landowner(s), Developer, Applicant and Person or Firm preparing plan.
- ❑ **3.** North Arrow, Scales (*written and graphic*), Preparation Date and Subsequent Revision Dates.
- ❑ **4.** Location of all Existing & Proposed Structures & Buildings
- ❑ **5.** Location of all Existing & Proposed Utilities with Location & Width of Associated Easements.
- ❑ **6.** All Existing & Proposed Public and/or Private Streets with Location & Width of Associated Easements & Right-of-Ways.
- ❑ **7.** All Points of Ingress & Egress.
- ❑ **8.** Location & Types of Existing & Proposed Landscaping.
- ❑ **9.** Indicate Location, Type, Height, & Materials for Proposed Walls, Fences & Signs.
- ❑ **10.** Show whether the property is adjacent to a projected regionally significant route (RSR) as identified on the Corridor Preservation Map (Figure 9) in the Regionally Significant Routes for Safety and Mobility (RSRSM), Final Report. If adjacent to a projected RSR, show how applicant will comply with the RSRSM Final Report and the RSRSM Access Management Manual.

F. Submit the following information regarding **Water Supply**:

- ❑ **1**. Identify the water service provider
- ❑ **2**. Provide an estimated range of water demand and include an explanation of the method used to obtain the estimate
- ❑ **3.** Provide information about water supply and source, including renewable and non-groundwater supplies
- ❑ **4**. If a portion of the water supply for the proposed project is groundwater, the application shall be accompanied by the following information that is publicly available from the Arizona Department of Water Resources (ADWR) and/or Arizona Geological Survey, or otherwise available to the land owner:
    - o Depth to bedrock & Depth to groundwater
    - o Known fissures or land subsidence in the area
    - o Known wells in the area, available information on status and water levels
    - o Summary of data-gathering efforts and sources of information

G. **Submit** a copy of a certified **A.L.T.A.** survey, including a legal description of proposed zoning districts.

H. Submit a **Drainage report** and a **TIA report.** ***(Public Works fees for these reviews will be due at the time of submittal and each subsequent review until deemed acceptable).***

I. **Aware** that earth fissure maps are available online from the Arizona State Geologic Survey.

J. **Submit a list of all property owners within 600' (feet)** of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within 30 days prior to application submission. A map showing the 600' boundary and parcels must be included as well (*A Tax Assessor Parcel Map is Acceptable*). - ***(This list is a separate list from the "Neighborhood/Community Meeting list of 1,200' however use Page 5 of this application as well).***

K. **Complete and Submit** the "Comprehensive Plan Compliance Checklist" a copy of the Checklist can be found here: http://www.pinalcountyaz.gov/CommunityDevelopment/Planning/Documents/Planning%20Applications/CompPlan%20Checklist.pdf

L. **Submit** the Non-Refundable fees for a zone change outlined on page one of the Zone Change Application.

M. **Submit** all documentation outlined in the Zone Change application in a multi-PDF format per item of the application with all supporting documentation via the online portal site at: https://citizenaccess.pinalcountyaz.gov/CitizenAccess/. *

a. An ESRI shapefile for land use (conceptual) which shows all proposed zoning lines and zoning classifications for the project in NAD_1983_stateplan_arizona_central_fips_0202_intlfeet projection

** Your application must be submitted digitally via the online portal site. Please call or email the Planning Division for more information.*

N. **Aware to Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.** (*See page 10 & 11 of this application for illustrative details*). **Aware** that newspaper advertising fees and postage must be paid **by the applicant.** *(in addition to application fees)*

O. Signature at the end of the **"Checklist"** stating you have reviewed and addressed all areas within it.

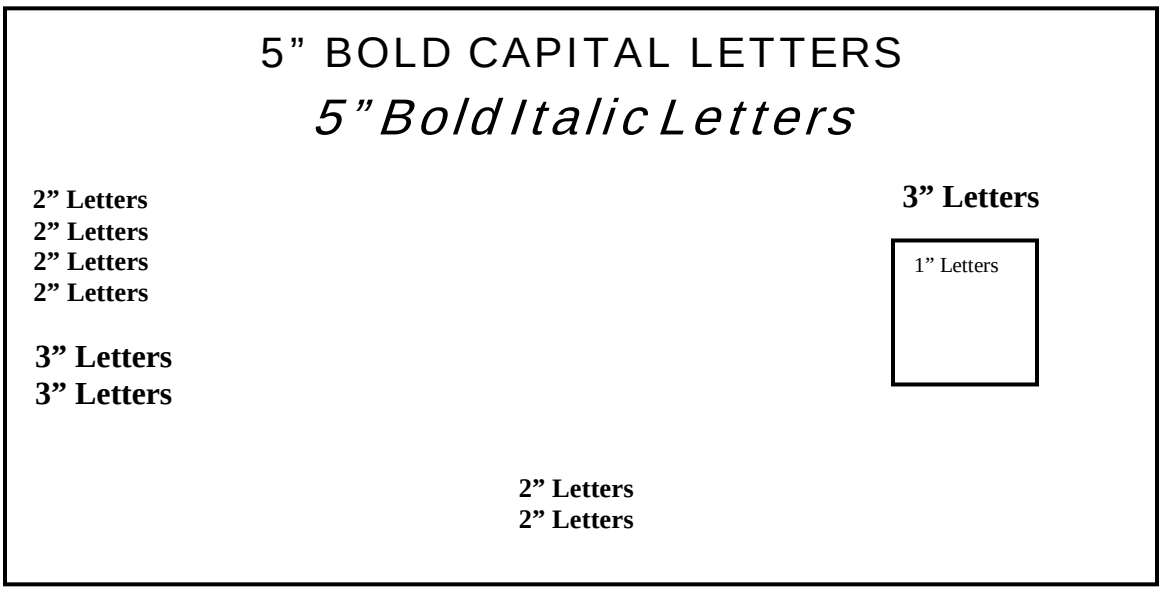
I certify that I have submitted all the required information listed above, and I understand that this application for a Zone Change cannot be processed until all required information is submitted.

Signature Date

Pinal County Broadcast Notification Signs:
Zoning, Planned Area Developments, Special Use Permits and Industrial Use Permits
Site Posting Requirements

1. Broadcast signs shall be installed and removed by the applicant
2. Broadcast signs shall be installed 28 days before the Planning Commission hearing
3. Broadcast signs shall remain in place until the Board of Supervisors has made a decision on the case
4. Broadcast signs shall be removed no later than 30 days after the Board of Supervisors has made a decision on the case
5. Broadcast signs shall be placed adjacent to each road that borders the property, or as determined by the Planning Manager
6. Broadcast signs can contain more than one case
7. Regular signs, if needed, will be posted by County Staff
8. Text on the sign shall meet the specifications shown on page 2 of this document
9. Broadcast sign specifications:
    a. 4 Feet Tall by 8 Feet Wide
    b. Top of the sign shall be 6 feet above the ground
    c. Laminated plywood or MDO board
    d. Attached to 2 – 4" by 4" wooden poles
    e. All surfaces, including edges shall be painted **Yellow**
    f. **Black** letters shall be used and shall be sized per the specifications shown below
10. Pinal County staff will place information about Planning Commission and Board of Supervisor hearings on the Broadcast sign in the designated area

Letter Sizes: All Letters Upper and Lower Case Unless Specified



Zoning and Planned Area Development Cases:
(4 Feet Tall by 8 Feet Wide)

PINAL COUNTY

Public Hearings

Case Number:
Existing Zoning:
Proposed Zoning:
Acreage:

Public Hearing Information

Hearing Info Posted by Pinal County

Applicant Name: Applicant
Phone Number:

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

Special Use Permit and Industrial Use Permit Cases
(4 Feet Tall by 8 Feet Wide)

PINAL COUNTY

Public Hearings

Case Number:
Existing Zoning: Proposed
SUP/IUP Use: Acreage:

Public Hearing Information

Hearing Info Posted by Pinal County

Applicant Name: Applicant
Phone Number:

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

AFFIDAVIT OF POSTING OF BROADCAST SIGN (and Notice of Hearing)*

I,_____, Applicant for case_____(Case number), personally caused_____sign(s) to be posted in a visible place on or near the proposed project site on_____(Date), at least 28 days before the Planning and Zoning Commission Public Hearing, regarding the proposed_____(Type of application), in unincorporated Pinal County

The notice(s) was posted as indicated on the attached map and photograph.

_____
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF PINAL)

Subscribed and sworn to me by_____this____day of_____, 20___.

_____
Notary Public
My Commission Expires:

*** as directed by your staff Coordinator**

AFFIDAVIT OF Mailing of Notice of Hearing*

I,_____, Applicant for case_____(Case number), personally caused_____mailer(s) to be mailed by first class post regarding the public hearing associated with case _____ on _____(Date), on a form prescribed by the planning division at least 28 days before the Planning and Zoning Commission Public Hearing, regarding the proposed_____(Type of application), in unincorporated Pinal County.

The notice(s) and mailing lists were mailed as attached.

_____
Applicant

STATE OF ARIZONA)
) ss:
COUNTY OF PINAL)

Subscribed and sworn to me by_____this____day of_____, 20___.

_____
Notary Public
My Commission Expires:

*** as directed by your staff Coordinator**
*** please attach the mailer and the list addresses**

E-Submittal Requirements:

All Zoning Case reviews must be submitted through the online permitting portal which can be found at https://citizenaccess.pinalountyaz.gov/CitizenAccess/ and follow the naming convention provided below.

ePlan Reviews

Plans **MUST** be in **one multi-page PDF** and use following naming format:
Review Type #_Plan Type. For example:

- First Substantive Review
  - SUB1_Application
  - SUB1_PAD Book or Narrative
  - SUB1_TIA
  - SUB1_ALTA
  - SUB1_Drainage Report...etc
  - SUB1_...etc

- Second Substantive Review
  - SUB2_Application
  - SUB2_Drainage Report
  - SUB2_TIA
  - SUB2_ALTA
  - SUB2_...etc

** Documents that are uploaded which do not follow the appropriate naming convention will be rejected.*
** Online submittals are subject (up to) a 5 day processing timeframe for invoicing based on uploaded documents please do not pay until your staff coordinator has provided a fee amount*

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

PROCEDURE AND APPLICATION FOR A PLANNED AREA DEVELOPMENT (PAD) OVERLAY IN UNINCORPORATED PINAL COUNTY

1. Submit a Pre-Application meeting request with the Community Development Department for a meeting with Planning Department and other affected County agencies. - (The Pre-application review is a separate application prior to applying for a PAD).*

2. Hold a **Neighborhood / Community Meeting** per requirements outlined in Section – [2.166.050 (E)] of the PCDSC.

3. Submit a **PAD Application** with the required supporting documentation using the attached forms.**

4. Submit the following fees made payable to Pinal County in accordance with Section [2.167] of the PCDSC:

   a. without accompanying zone change 0-499 mail-outs: $4,478.00
   b. without accompanying zone change 500 or more mail-outs: $4,880.00
   c. with accompanying zone change: $888.00
   d. Public Works Fees: TIA Review : $750.00; Drainage Review: $750.00 (*Fees are due at application submittal and at subsequent reviews)

5. Attend **Planning & Zoning Commission Public Hearing** for Commission recommendation to the Board of Supervisors. - (Time frame is approximately 10 to 15 weeks from application acceptance by the Planning Department).

6. Attend **Board of Supervisors Public Hearing** for decision. – (Time Frame is approximately 4 to 8 weeks after Planning & Zoning Commission Public Hearing).***

Applicants should allow 4 to 6 months from the application acceptance by the Planning Department to a decision from the Pinal County Board of Supervisors.

* Your **pre-application meeting request** can be found here: http://www.pinalcountyaz.gov/CommunityDevelopment/Planning/Documents/2019%20NEW%20APPLICATIONS/Zone%20Change%20Pre-App.pdf

** ***Your application can also be submitted digitally via email or FTP site please call or email the Planning Division for more information.***

*** **A PAD Overlay is not effective until 31 days after approval by the Board of Supervisors**

Leo Lew
County Manager

PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink)

Formal PAD Application & Property Information:

(feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Pinal County Staff Coordinator: Evan Evangelopoulos
2. Date of Pre-application Review: 5/10/2022 Pre-Application Review No.: Z-PA-044-22
3. Current Zoning *(Please provide Acreage Breakdown)*: CR-3 Zoning (350 acres), CB-2 Zoning (24.06 acres)
4. Requested Zoning *(Please provide Acreage Breakdown)*: _____
5. Parcel Number(s) (Please attach a separate list if more space is needed): 51048018A, 51048019A, 51048019D, 51048020D, 51048021D
6. Parcel Size(s): 374.18 gross acres
7. The existing use of the property is as follows: Agricultural fields
8. The exact use proposed under this request: _____
9. What is the Comprehensive Plan Designation for the subject property: Moderate Low Density Residential (1-3.5 du/ac)
10. Is the property located within three (3) miles of an incorporated community? ❑ YES ❑ NO
11. Is an annexation into a municipality currently in progress? ❑ YES ❑ NO
12. Is there a zoning violation on the property for which the owner has been cited? ❑ YES ❑ NO

    If yes, zoning violation # _____
13. Is this a major PAD Amendment request (no zone accompanying change)? ❑ YES ❑ NO If yes what was the previous PAD case number PZ-PD-032-03
14. Discuss any recent changes in the area that would support your application i.e.: zone change(s), subdivision approval, Planned Area Development (PAD), utility or street improvements, adopted comprehensive/area plan(s) or similar changes. See Narrative
15. Explain why the proposed development is needed and necessary at this time. See Narrative

INV#:_____ AMT:_____ DATE:_____ CASE:_____ Xref:_____

PROPERTY OWNERSHIP LIST
(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600/ 1,200 (circle one) feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
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Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

Parcel No.:_____
Name:_____
Address:_____
City/ST/Zip:_____

I hereby verify that the name list above was obtained on the _____day of_____, 20____, at the office of _____and is accurate and complete to the best of my knowledge.
(Source of Information)

On this_____day of_____, 20____, before me personally appeared_____
(Name of signor)

Signature_____Date_____

State of_____
)ss. (SEAL)
County of_____

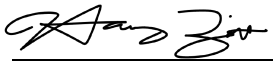
My Commission Expires_____
Signature of Notary Public_____

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing

Alex Fish	310 E. Rio Salado Parkway Tempe, AZ 85281	
Name of Applicant	Address	
	alex.fish@ablastudio.com	480-530-0077
Signature of Applicant	E-Mail Address	Phone Number

Harry Zeitlin	5050 N. 40th Street, Suite 380, Phoenix, AZ 85018	
Name of Agent/Representative	Address	
	harry@zeitlincapital.com	602-648-5227
Signature of Agent/Representative	E-Mail Address	Phone Number

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

Harry Zeitlin	5050 N. 40th Street, Suite 380, Phoenix, AZ 85018	
Name of Landowner	Address	
	harry@zeitlincapital.com	602-648-5227
Signature of Landowner	E-Mail Address	Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

_____

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of _____acres located at _____, and further identified

[Insert Address of Property]

As assessor parcel number _____and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

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

Owner hereby appoints _____

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

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

_____	_____
[Signature]	***[Signature]***
_____	_____
[Address]	***[Address]***
Dated: _____	Dated: _____

STATE OF_____)
) ss. (SEAL)
COUNTY OF_____)

The foregoing instrument was acknowledged before me, this ____ day of _____, 20_____
by _____

My Commission Expires_____

_____ _____
Printed Name of Notary Signature of Notary

CORPORATE PROPERTY OWNER SIGNATURE BLOCK AND ACKNOWLEDGMENT

The appropriate corporate officer or trustee signs this signature block NOT the block on the previous page

_____

[Insert Company's or Trust's Name]

By: _____

[Signature of Authorized Officer, or Trustee]

Its: _____

[Insert Title]

Dated: _____

STATE OF_____)

) ss.

COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____ day of _____, 20____ by

_____,_____ _____

[Insert Signor's Name] ***[Insert Title]***

_____, _____an,

[Name of Company or Trust] ***[Insert State of Incorporation, if applicable]***

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

My Commission Expires: _____

_____ _____

Printed Name of Notary Signature of Notary

ALTERNATE: Use the following acknowledgment only when a second company is signing

On behalf of the owner:

STATE OF_____)

) ss. (Seal)

COUNTY OF_____)

The foregoing instrument was acknowledged before me, this_____ day of _____, 20____ by

_____, who acknowledges himself/herself to be

[Insert Signor's Name]

_____, of _____

[Title of Office Held] ***[Second Company]***

As _____ for _____, and who being

[i.e. member, manager, etc.] ***[Owner's Name]***

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

My Commission Expires_____

_____ _____

Printed Name of Notary Signature of Notary

Application Checklist:

FOR A PROPOSED PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT IN UNINCORPORATED PINAL COUNTY

A. Check the appropriate item:

❑ This PAD is being submitted without a zone change request

■ This PAD is being submitted in conjunction with a zone change request.

The applicant must complete a zone change application. – ***(Please utilize the "PAD Book" and the "Site Plan" of the PAD application to fulfill the Zoning Application "Narrative" and "Site Plan" in lieu of while having separate copies for each application).***

B. Hold a Neighborhood/Community Meeting:

❑ **1.** Notify all property owners within 1200' (feet)

❑ **2.** Hold the meeting within five (5) miles of the subject property

❑ **3.** Hold the meeting between 5:00 pm – 9:00 pm

❑ **4.** Include with the application the following:

- ❑ Copy of Notice of Neighborhood/Community Meeting
- ❑ List of property owners notified - ***(Use page 2 of this application)***
- ❑ Minutes of the meeting
- ❑ Attendance sign-in sheet with names & addresses

C. Submit a completed **"Agency Authorization"** form ***(if applicable, Use page 4 of this application)***.

D. Submit a **"PAD Book"** (written narrative) concerning the proposed development to include the following sections – *Refer to Chapter 2.176.240 (B) of the PCDSC* for further clarification ***(NOTE: Please No Spiral Binding)***:

■ **1.** Title Page

■ **2.** Purpose of Request

■ **3.** Description of Proposal

- ■ Nature of the Project
- ■ Proposed Land Uses
- ■ Building Types & Densities
- ■ Conformance to adopted Land Use Plans
- ■ Circulation and Recreation Systems

- ☐ **4. Relationship to surrounding properties within onemile**
- ☐ **5. Schools**
- ☐ **6. Public Services/Community Services and how will the need for these services be addressed**
- ☐ **8. Location & Accessibility**
- ☐ **9. Compliance with RSRSM, Access Management Manual, October 2008**
- ☐ **10. Utilities & Services**
- ☐ **11. Ownership & Control – [*See Section 2.176.240 (B)11*]**
- ☐ **12. Timing of Development (PhasingSchedule)**
- ☐ **13. Conformance with the Comprehensive Plan**
- ☐ **14. Recreational Amenities**
- ☐ **15. Fences, Walls & Screening**
- ☐ **16. Total number of dwellingunits**
- ☐ **17. Maximum Residential Density of each planningunit**
- ☐ **18. Total number of parking spaces for recreationalfacilities**
- ☐ **19. Type of landscaping**
- ☐ **20. Preliminary hydrologic data and a statement ondrainage**
- ☐ **21. Additional Information for Commercial & Industrial Uses *(if applicable)*:**
    - ☐ Total Area in acres proposed *(Commercial & Industrial Separated)*
    - ☐ Approximate retail sales floor area*(Commercial)*
    - ☐ The uses proposed uses based on permitted uses in the basezone.
    - ☐ The standards of height, open space, buffering, landscaping, pedestrian and vehicle circulation, off-street parking and loading, signs, outdoor lighting, and nuisance controls intended for the development.
- ☐ **22. Tables:**
    - o **Land Use Table(s) to include the following:**
        - ☐ Total Acreage of the site
        - ☐ Total Area of arterial & collector streets
        - ☐ Total Area & Percent of Open Space
        - ☐ Total Number of each type of dwelling unit
        - ☐ Total Number of all dwelling units proposed including the range and mixture of lot sizes within each base zone
        - ☐ The Overall proposed Density

- **Amended Development Standards Table comparing proposed and current zoning code standards for:**
  - ❑ Minimum Lot Area
  - ❑ Minimum Lot Width
  - ❑ Minimum Building Setbacks
  - ❑ Maximum Building Height
  - ❑ Minimum Distance between main & detached accessory buildings
  - ❑ Buildable Area
- **Amended Use Tables:**
  - ❑ Permitted Uses
  - ❑ Non-Permitted Uses
- **Utilities & Services Table of type and source:**
  - ❑ Sewer
  - ❑ Water
  - ❑ Electric
  - ❑ Telephone
  - ❑ Police
  - ❑ Fire
  - ❑ Schools
  - ❑ Solid Waste Disposal

❑ 24. Appendix, as applicable (Cultural Biological/environmental studies, or other items)

E. **Submit** a **map** that shows the relationship to surrounding properties within one mile of the project boundaries. The map shall be drawn at a sufficient scale so as to not exceed a print size larger than 11" X 17". The lettering shall be of sufficient size to be legible when reduced to an 8½" X 11" print. The map shall contain the following information:

- ■ Zoning Boundaries
- ■ Street Alignment
- ■ Open Space
- ■ Trails

F. **Submit** a current preliminary **Title Report** *(dated within 60 daysprior to application)*

G. **Submit** a **Development Plan.** The submittal shall be drawn at a sufficient scale as to not exceed a print size larger than **24" X 36"** with **11" X 17"** reductions to be included in the PAD Overlay District Application where the lettering is of sufficient size to be readable. The Development Plan shall include:

❑ **1. Site Plan:**

- ❑ Title of project as shown in the narrative report, such as ***"Planned Area Development for (insert name of Development)"*** in bold letters.
- ❑ Name(s) of Landowner(s), Developer, Applicant, and Person or Firm preparing the plan.
- ❑ North Arrow, Scales *(written & graphic)*, Preparation Date & Subsequent Revision Dates.
- ❑ Vicinity Map showing project, surrounding development and applicable zoning districts *(scale no less than 1" = 2,000')*
- ❑ Existing Zone designation & requested zone change *(as applicable)*
- ❑ Legal Description of total site
- ❑ Boundaries of the proposed PAD Overlay Zoning District delineated and dimensioned by bearing and distance.
- ❑ All existing and proposed public and/or private streets, location and width of associated easements and rights-of-way and whether they will remain or be extinguished.
- ❑ Location & Identification of all existing and proposed utilities, location and width of associated easements.
- ❑ Location of all existing structures and significant natural features.
- ❑ Nearest regional significant routes to proposed development as projected in RSRSM Final Report, December 2008.
- ❑ All points of ingress and egress.
- ❑ Parking Areas.
- ❑ Identify & Delineate existing and/or proposed trails as shown on the Pinal County trails system master plan.
- ❑ Indicate and/or label *(as applicable)*:
    - Areas to be reserved for residential, commercial, industrial, open space, public use, facilities, drainage, and recreation.
    - Who will own, control and maintain the landscaping, recreational facilities, open areas, refuse disposal, streets, private utility systems.
    - Topography with a maximum contour interval of two feet except where existing ground is on a slope of less than two percent, then either one foot contours or spot elevation shall be provided where necessary.
    - Phase Lines *(as applicable)*
- ❑ Provide lot typical (typical should show building envelope, setbacks, lot dimensions and fences/walls) for:
    - Each type of dwelling unit
    - Lots in unusual locations (i.e. Cul-de-sacs, corners, hillside lots where clustering will occur.
- ❑ Indicate by notes the existing drainage pattern and proposed drainage plans for handling on-site and off-site storm water runoff
- ❑ Indicate location, type, height, and materials for proposed walls, fences, and signs.

- ❑ Location and types of existing and proposed landscaping.
- ❑ Designated Flood Zone

❑ **2. Quantitative Development Data Tables**

- ❑ Land Use table to include:
  - Total Gross Acreage of site
  - Total Area of Streets (Public & Private)
  - Total Area of Public Open Space
  - Total Net Area of all intended uses
  - Total Areas of Open Space for PAD Residents, and total Recreation Area Open Space
  - Total Dwelling Units permitted under base zoning district
  - Total number of each dwelling type including range and mixture of lot sizes within each base zone
  - Grand Total of Dwelling Units
  - Overall Density proposed
- ❑ Zoning Comparison Table of Existing & Proposed to include:
  - Lot area per dwelling unit
  - Setbacks
  - Minimum Lot Widths
  - Maximum Building Heights
- ❑ Parking (number of spaces)
- ❑ Utility & Services Table indicating type and source:
  - Sewer
  - Electric
  - Telephone
  - Water
  - Police/Security
  - Fire
  - Schools
  - Solid Waste Disposal
- ❑ Street Type Table indicating proposed rights-of-way and pavement widths for arterials, collectors, and neighborhood streets.

❑ **3. Submit** an **Open Space & Recreation Plan** ("OSRP") that includes – *Refer to Chapter 2.176*

- ❑ **Reviewed** the Pinal County Open Space & Recreational Area Guideline
- ❑ **Site Analysis**

- Aerial Photo
- Preferred scale of 1"=50' *(maximum scale of 1"=100')*
- Site Analysis should be produced in an **8½" X 11" format for text**
- Site Analysis should be produced in an **24" X 36" format for plans* (coordinate this requirement with your case coordinator)**

- ❑ Total acreage of proposed development
- ❑ Context Map showing the proximity and relationship to the County's trails, parks, or schools and connectivity to the adjacent neighborhoods, off-site trails, paths, bikeways, and transit areas.
- ❑ A concept drawing of the proposed development including:
    - Gross Site Area
    - Number of proposed lots
    - Proposed Arterial & Collector street circulationsystem
    - Proposed lot size(s),
    - Proposed Retention/detention areas
    - Proposed Development Phasing
- ❑ Context Map showing the proximity and relationship to the County's trails, parks, or schools and connectivity to the adjacent neighborhoods, off-site trails, paths, bikeways, and transit areas.
- ❑ A concept drawing of the proposed development including:
    - Gross Site Area
    - Number of proposed lots
    - Proposed Arterial & Collector street circulationsystem
    - Proposed lot size(s),
    - Proposed Retention/detention areas
    - Proposed Development Phasing
- ❑ A pedestrian circulation system
- ❑ A Slope Analysis identifying the following slope categories:
    - 1) 0% - 5%
    - 2) 5% - 10%
    - 3) 10% and greater
- ❑ Identification of wash corridors and preliminary hydrologic information for the contributing watershed.
- ❑ Identification of the location of riparian vegetation and biological habitats. Aerial photos should be used to map the limits of notable vegetation.
- ❑ Identification of potential view corridors

- ❑ Identification of the projected 100-year floodplain and floodway boundary as required by FEMA.
- ❑ A record check through Arizona State Museum ("ASM") for archeological sites and identification of any sites or surveys
- ❑ The location and percentage of each proposed development to be preserved as conservation open space and the features to be protected including parcel size and minimum dimensions
- ❑ The location and percentage of each proposed development to be preserved as developed open space and the specific Recreation Areas, including amenities, parcel size and minimum dimensions.

❑ **4. Submit** a **Landscape Plan** that includes – *Refer to Chapter 2.176.240 (C) of the PCDSC*:

- ❑ A Vegetation Salvage Plan
- ❑ Proposed treatment of all ground surfaces (paving, turf, gravel, grading, etc.)
- ❑ Extent and location of all plant materials and other landscape features.
- ❑ Extent of decorative design elements such as fountains, pools, benches, sculptures, planters, and similar elements.
- ❑ Location of Water Outlets.

❑ **5. Submit a report utilizing the Arizona Game and Fish** ERT online review tool for Habitat and Riparian area identification.

❑ **Reviewed, Met,** and/or **addressed the** following in Chapter 2.176of the PCDSC:

- ❑ Minimum requirements for Open Space – (Section 130)
- ❑ Uses permitted within open space areas – (Section 140)
- ❑ Uses prohibited within open space areas – (Section 150)
- ❑ Minimum requirements for recreation areas – (Section 160)
- ❑ Minimum requirements for multi-use paths and trails – (Section 170)
- ❑ Minimum requirements for storm water retention & detention basins – (Section 180)
- ❑ Minimum requirements for streetscapes & entryways – (Section 190)
- ❑ Minimum requirements for conservation open space – (Section 200)

❑ **Submit** a **Master Sign Plan** detailing the location and type ofall proposed signage for the project. *(signage must be approved under separate permit, the PAD document cannot alter development standards for signs)*

❑ **Submit** a **Preliminary Drainage Report***

❑ **Submit** a **Preliminary Traffic Impact Assessment** (TIA)* (Your TIA must be approved prior to scheduling of your Public Hearing)

❑ **Submit** a copy of a certified **A.L.T.A.** survey, including a legal description of the PAD boundary and legal descriptions of all zoning district boundaries

❑ **Aware** that earth fissure maps are available online from the Arizona State Geologic Survey.

❑ **Submit a list of all property owners within 600' (feet)** of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within 30 days prior to application submission. A map showing the 600' boundary and parcels must be included as well (*A Tax Assessor Parcel Map is Acceptable*). - ***(This list is a separate list from the "Neighborhood/Community Meeting list of 1,200' however use Page 5 of this application).***

❑ **Submit** separate preliminary reports or master plans for:

- ❑ Storm water drainage
- ❑ Wastewater & Domestic water service.

❑ **Submit** additional materials required for specific types of commercial and industrial uses as follows *(as applicable)*:

- ❑ **Commercial Uses:**
  - Retail sales floor area and total area proposed for commercial development
  - Type of uses proposed
- ❑ **Industrial Uses**
  - Total Area proposed for industrial uses
  - Types of uses proposed
  - Anticipated employment for development per major phases
- ❑ **Standards of:**
  - Height
  - Open Space
  - Buffering
  - Landscaping
  - Pedestrian & Vehicular circulation
  - off-street parking & Loading (the PAD document cannot alter minimum requirements for parking)

- Signs (the PAD document cannot alter the maximum amount of signage)
- Nuisance Controls

❑ **Complete and Submit the** "Comprehensive Plan Compliance Checklist"

❑ Non-Refundable filing fee for a Planned Area Development & Non-Refundable Public Works Fees

❑ **Submit** one **(1) hard copy** of all documentation outlined in the PAD application and one **(1) digital copy** in a multi-PDF format per item of the application with all supporting documentation on **one (1) CD.** **Your application can also be submitted digitally via email or FTP site please call or email the Planning Division for more information.

❑ **Submit** one (1) CD which contains:

❑ An ESRI shapefile for land use (conceptual) which shows all proposed zoning lines and zoning classifications for the project in NAD_1983_stateplan_arizona_central_fips_0202_intlfeet projection

OR

❑ An AutoCAD (.dwg file), which includes the following layers:

- Parcel
- Right-of-way
- Sub-perimeter
- Centerlines
- Section Lines
- Street names
- Lot-numbers
- Distances & Bearings tied by course and distance to two Pinal County survey control points or established city or county survey monuments. *(Information on these control points can be obtained from Public Works, Engineering Technicians at 520-866-6411).*

❑ **Aware to Install Broadcast Notification Sign(s) on the site in conformance with the information shown in this application.** (*See page 16 of this application for illustrative details*).

❑ **Aware** that all newspaper advertising fees must be paid by the applicant in addition to application fees.

❑ **Aware** that all public works fees are due at application submittal and for each subsequent submittal

- ❑ **Aware** that on property owner notifications that exceed 30 mail outs the applicant will be responsible for **notice prep and postage**

- ❑ **Aware** that this application will be submitted to AZGF Department for review and analysis with the ERT online review tool for Habitat and Riparian area identification.

- ❑ Signature at the end of the **"Checklist"** stating you have reviewed and addressed all areas within it.

I certify that I have submitted all the required information listed above, and I understand that this application for a Planned Area Development cannot be processed until all required information is submitted

Signature Date

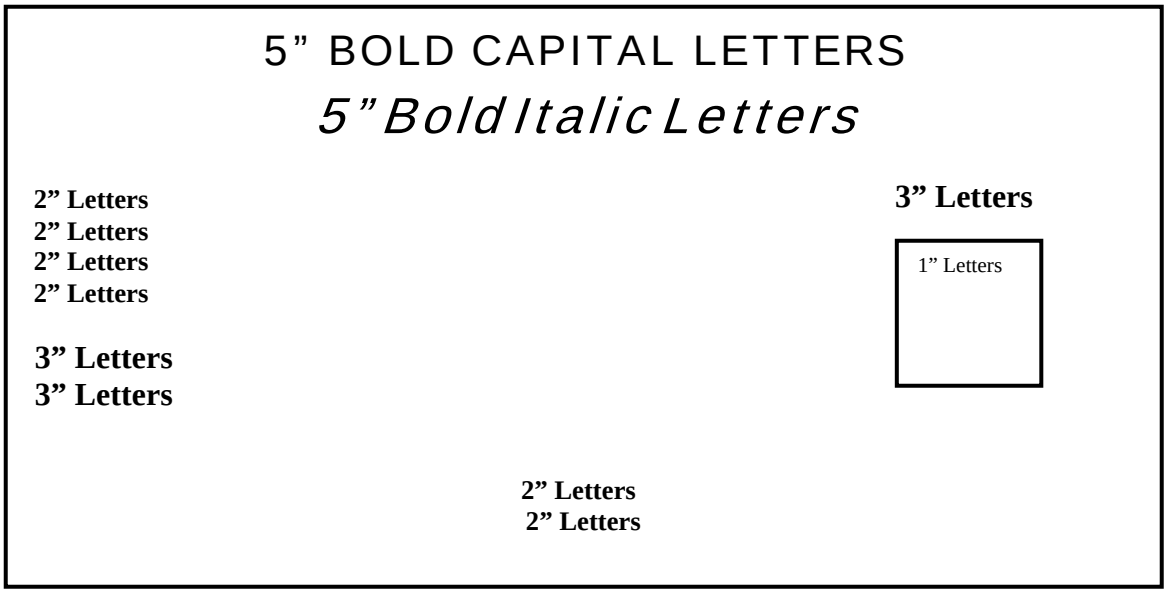
Pinal County Broadcast Notification Signs:

Zoning, Planned Area Developments, Special Use Permits & Industrial Use Permits

Site Posting Requirements

1. Broadcast signs shall be installed and removed by the applicant
2. Broadcast signs shall be installed 28 days before the Planning Commission hearing
3. Broadcast signs shall remain in place until the Board of Supervisors has made a decision on the case
4. Broadcast signs shall be removed no later than 30 days after the Board of Supervisors has made a decision on the case
5. Broadcast signs shall be placed adjacent to each road that borders the property, or as determined by the Planning Manager
6. Broadcast signs can contain more than one case
7. Regular signs, if needed, will be posted by County staff
8. Text on the sign shall meet the specifications shown on page 2 of this document
9. Broadcast sign specifications:
    - **a.** 4 Feet Tall by 8 Feet Wide
    - **b.** Top of the sign shall be 6 feet above the ground
    - **c.** Laminated plywood or MDO board
    - **d.** Attached to 2 – 4" by 4" wooden poles
    - **e.** All surfaces, including edges shall be painted **Yellow**
    - **f.** **Black** letters shall be used and shall be sized per the specifications shown below
10. Pinal County staff will place information about Planning Commission and Board of Supervisor hearings on the Broadcast sign in the designated area

Letter Sizes: All Letters Upper and Lower Case Unless Specified



Zoning and Planned Area Development Cases:

(4 Feet Tall by 8 Feet Wide)

PINAL COUNTY

Public Hearings

Case Number:
Existing Zoning:
Proposed Zoning:
Acreage:

Applicant Name:
Applicant Phone Number:

Public Hearing Information

Hearing Info Posted by Pinal County

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

Special Use Permit and Industrial Use Permit Cases

(4 Feet Tall by 8 Feet Wide)

PINAL COUNTY

Public Hearings

Case Number:
Existing Zoning:
Proposed SUP/IUP Use:
Acreage:

Applicant Name:
Applicant Phone Number:

Public Hearing Information

Hearing Info Posted by Pinal County

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

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

HAM Sunset, LLC, Arizona

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of 361.83 acres located at the SW corner of John Wayne Parkway and Val Vista, and further identified

[Insert Address of Property]

As assessor parcel number 510480180A4D; 510480200 and 210 and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

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

Owner hereby appoints Harry Zeitlin

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

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

_____	_____
[Signature]	*[Signature]*
_____	_____
[Address]	*[Address]*
Dated: _____	Dated: _____

STATE OF _____)
) ss.
COUNTY OF _____)

(SEAL)

The foregoing instrument was acknowledged before me, this ____ day of _____, 20_____
by _____

My Commission Expires_____

_____ _____
Printed Name of Notary Signature of Notary

CORPORATE PROPERTY OWNER SIGNATURE BLOCK AND ACKNOWLEDGMENT
The appropriate corporate officer or trustee signs this signature block NOT the block on the previous page

HAM Sunset, LLC
[Insert Company's or Trust's Name]

By: _____
[Signature of Authorized Officer, or Trustee]

Its: Manager
[Insert Title]

Dated: 11/16/2023

STATE OF Arizona)
) ss.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me, this 16th day of November, 2023 by Harry Zeitlin, Manager
[Insert Signor's Name] *[Insert Title]*
HAM Sunset, _____ an,
[Name of Company or Trust] *[Insert State of Incorporation, if applicable]*

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

JUDY KOGAN
Notary Public - Arizona
Maricopa County
Commission # 594038
My Comm. Expires Jan 27, 2025

My Commission Expires: 1-27-25

Judy Kogan
Printed Name of Notary

Judy Kogan
Signature of Notary

ALTERNATE: Use the following acknowledgment only when a second company is signing

On behalf of the owner:

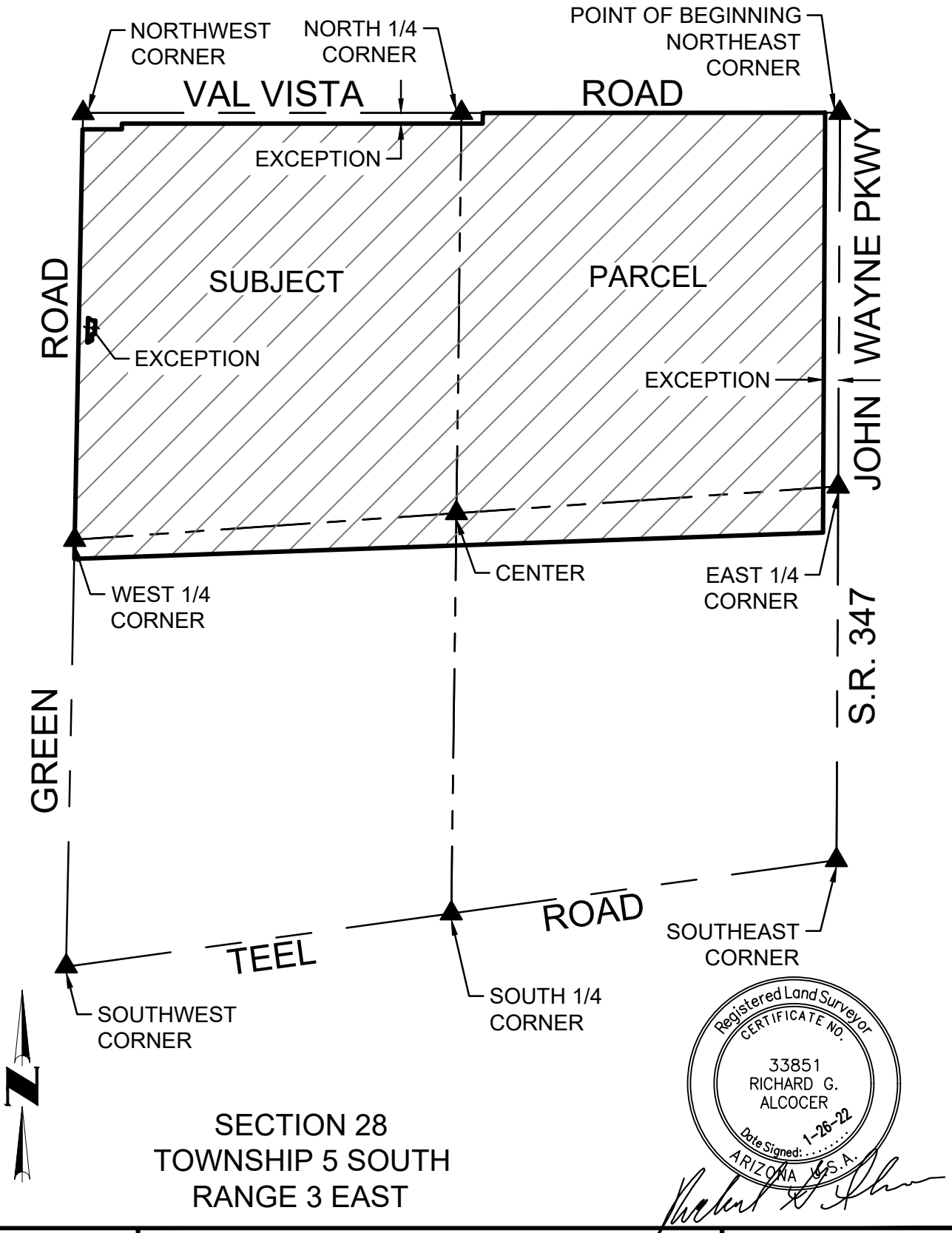
STATE OF _____)
) ss. (Seal)
COUNTY OF _____)

The foregoing instrument was acknowledged before me, this _____ day of _____, 20____ by _____, who acknowledges himself/herself to be
[Insert Signor's Name]
_____, of _____
[Title of Office Held] *[Second Company]*
As _____ for _____, and who being
[i.e. member, manager, etc.] *[Owner's Name]*

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

My Commission Expires_____

_____ _____
Printed Name of Notary Signature of Notary



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

N:\01\0376401\CADD\Exhibits\VX.GROSS.dwg **TomD** **January 27, 2022**

January 26, 2022

LEGAL DESCRIPTION FOR
SUNSET CANYON
GROSS PARCEL DESCRIPTION

A parcel of land lying in and being a part of Section 28, Township 5 South, Range 3 East, Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 28, the True Point of Beginning;

Thence North 89 degrees 58 minutes 45 seconds East, a distance of 5329.05 feet to the Northeast corner of Section 28;

Thence South 0 degrees 16 minutes 00 seconds West, a distance of 2951.34 feet;

Thence South 87 degrees 58 minutes 24 seconds West, a distance of 5380.90 feet;

Thence North 01 degrees 08 minutes 33 seconds East, a distance of 135.00 feet to the West quarter corner of Section 28;

Thence North 01 degrees 08 minutes 06 seconds East, a distance of 3005.30 feet to the True Point of Beginning;

EXCEPT that portion of the East half of the East half of said Section 28, described as follows:

Beginning at the Northeast corner of said Section 28;

Thence South 00 degrees 17 minutes 57 seconds West along the East line of Section 28, a distance of 2631.35 feet to the East quarter corner of Section 28;

Thence South 00 degrees 18 minutes 28 seconds West along the East line of Section 28, a distance of 320.00 feet;

Thence South 88 degrees 00 minutes 20 seconds West, a distance of 105.25 feet;

Thence North 00 degrees 18 minutes 12 seconds East, a distance of 2955.04 feet to a point on the North line of Section 28;

Thence South 89 degrees 59 minutes 03 seconds East, a distance of 105.00 feet to the Point of Beginning; and

ALSO EXCEPT the North 75 feet of the West half of said Section 28; and

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ALSO EXCEPT the South 40 feet of the North 115 feet of the West 275 feet of the West half of said Section 28;

ALSO EXCEPT the North 75 feet of the West 150 feet of the East half of said Section 28;

ALSO EXCEPT that part of the Northwest quarter of Section 28, Township 5 South, Range 3 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, more particularly described as follows:

Commencing at the 1/2" Iron Bar marking the Northwest corner of said Section 28, from which the 1/2" Iron Bar with Pinal County Cap marking the West quarter corner of said Section 28 bears South 01 degrees 07 minutes 51 seconds West, a distance of 3004.65 feet;

Thence South 01 degrees 07 minutes 51 seconds West along the West line of the Northwest quarter of said Section 28, a distance of 1443.62 feet;

Thence South 88 degrees 52 minutes 09 seconds East departing said West line, a distance of 63.00 feet to the True Point of Beginning;

Thence continuing South 88 degrees 52 minutes 09 seconds East, a distance of 5.00 feet;

Thence South 59 degrees 15 minutes 37 seconds East, a distance of 30.90 feet;

Thence South 88 degrees 52 minutes 09 seconds East, a distance of 20.17 feet to a point on a line which is parallel with and 115.03 feet Easterly, as measured at right angles, from the West line of the Northwest quarter of said Section 28;

Thence South 01 degrees 07 minutes 51 seconds West along said parallel line, a distance of 95.00 feet;

Thence North 88 degrees 52 minutes 09 seconds West departing said parallel line, a distance of 20.17 feet to a point on a line which is parallel with and 94.86 feet Easterly, as measured at right angles, from the West line of the Northwest quarter of said Section 28;

Thence South 01 degrees 07 minutes 51 seconds West along said parallel line, a distance of 45.00 feet;

Thence South 61 degrees 07 minutes 51 seconds West departing said parallel line, a distance of 31.00 feet;

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Thence North 88 degrees 52 minutes 09 seconds West, a distance of 5.02 feet to a point on a line which is parallel with and 63.00 feet Easterly, as measured at right angles, from the West line of the Northwest quarter of said Section 28;

Thence North 01 degrees 07 minutes 51 seconds East along said parallel line, a distance of 170.77 feet to the True Point of Beginning;

EXCEPTING THEREFROM all coal, oil, gas, and mineral deposits as conveyed to DRH Energy, Inc., a Colorado corporation, recorded March 27, 2007 in Fee No. 2007-036589, Official Records.

Containing 15,759,708 Square Feet or 361.793 Acres, more or less.



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Planned Area Development Amendment and Rezone for:

Sunset Canyon







Case No: PZ-PD-008-23

Submitted: May 2024

Applicant and Consultant Team

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Site Data

Project Location: *The southwest corner of Val Vista Road and John Wayne Parkway*

Request: *Rezone and PAD Amendment*

Existing Comprehensive Plan Designation: *Moderate Low Density Residential (1-3.5 du/ac)*

Existing Zoning: *Single-Family Residence (CR-3) and General Business Zone (CB-2)*

(Existing PAD PZ-PD-032-03)

Proposed Zoning: *Single Residence Zone (R-7)*

Gross Area: *374.02 ac.*

Maximum Proposed Dwelling Units: *1,532 Dwelling Units*

Maximum Proposed Density: *4.10 du/ ac.*

Open Space: *76.65 ac. (20.49%)*

1. Purpose of Request

The following document is a part of the application for Rezone and PAD Amendment (referred to hereafter as the "Amendment"). The Amendment is for approximately 374.02 gross acres (354.00 net acres) of the site known as Sunset Canyon (referred to hereafter as the "Site"). The Site is located at the southwest corner of Val Vista Road and John Wayne Parkway, see **Exhibit 1: Vicinity Map** and **Exhibit 2: Aerial Map.**

In 2003, Sunset Canyon was rezoned from General Rural Zone (GR) to Single Residence Zone (CR-3) and General Business Zone (CB-2) creating the Sunset Canyon Master Planned Community (PZ-032-03, PZ-PD-032-03). This Amendment is requested to replace the existing PAD and modify the Site zoning dedicated to Single-Family Residence Zone (CR-3) and General Business Zone (CB-2) to Single Residence Zone (R-7) to reflect the needs of the current market trends and the needs of Pinal County. See **Exhibit 4: Existing and Proposed Zoning Map**. The existing Comprehensive Plan designation of Moderate Low Density Residential (1-3.5 du/ac) will remain and the Amendment utilizes the flexibility allowed within the Alternative Land Uses for Moderate Low Density Residential to include areas of Medium Density Residential near John Wayne Parkway, see **Exhibit 5: Existing Comprehensive Plan Map** and **Exhibit 6: Alternative Land Use Conformance Map**.

With a high demand for housing variety, this Site aims to address the need with the proposed one thousand five hundred thirty-two (1,532) dwelling units. This location was chosen for its proximity to principal arterials and John Wayne Parkway (SR 347).

2. Description of Proposal

The Amendment modifies the Site zoning dedicated to CR-3 and CB-2 to R-7 to reflect the needs of the current market trends and the needs of Pinal County. The design of the Site provides a logical transition of intensity and density with the highest density near John Wayne Parkway. See **Exhibit 4: Existing and Proposed Zoning Map** for additional information.

Stipulations associated with the existing PAD have been reviewed and will be modified and replaced by the proposed PAD.

2.1 Single Residence Zoning District (R-7)

The Site rezoned to R-7 consists of one thousand five hundred thirty-two (1,532) dwelling units comprised of lots ranging in size from 40' x 115', 45' x 120', 50' x 120', and 55' x 120'. Per single-family development standards, R-7 will allow flexibility for a variety of lot sizes and product types for a more diverse community. See **Table 8: Single-Family Residence Development Standards R-7 PAD** for additional information.

2.2 Nature of the Project

The Site has been used for agricultural purposes since the 1980's. In 2003, Sunset Canyon was rezoned from GR to CR-3 and CB-2 creating the Sunset Canyon Master Planned Community (PZ-032-03). Today, this Amendment is requested to replace the existing PAD and modify the Site zoning dedicated to CR-3 and CB-2 to R-7 to better reflect the current market trends and the needs of Pinal County, refer to **Exhibit 4: Existing and Proposed Zoning Map**.

2.3 Proposed Land Uses

The Site's current land use designation of Moderate Low Density Residential (1-3.5 du/ac) will remain unchanged, see **Exhibit 5: Existing Comprehensive Plan Map**. Flexibility for higher density development will be included per the alternative land uses for Moderate Low Density Residential as detailed in Pinal County's Comprehensive Plan allowing portions of the Site to include Medium Density Residential (3.5-8 du/ac) without the need of a Minor Comprehensive Plan Amendment, see **Exhibit 6: Alternative Land Use Conformance Map**.

The proposed one thousand five hundred thirty-two (1,532) dwelling units of this Amendment will be distributed as shown on **Table 1: Conformance with Alternative Land Uses for Moderate Low Density Residential**.

Table 1: Conformance with Alternative Land Uses for Moderate Low Density Residential

Proposed Land Use	Acreage Requirement	Proposed Acreage	Proposed Units	Proposed Density
Moderate Low Density Residential (1-3.5 DU/AC)	NA	324.10 AC	1,133 DU	3.5 DU/AC
Medium Density Residential (3.5-8 DU/AC)	25-50 AC	49.92 AC	399 DU	8.0 DU/AC
	Total	**374.02 AC**	**1,532 DU**	

Table 2: Sunset Canyon - Proposed Density

Pinal County Land Use Categories	Pinal County Alternative Land Use Categories within the Moderate Low Density Residential	Land Use Description	Zoning	Proposed		
				Gross Acres	Units	Density
Moderate Low Density Residential (1-3.5 du/ac)	Moderate Low Density Residential (1-3.5 du/ac)	Medium Low Density	R-7	324.10 AC	1,133 DU	3.5 DU/AC
	Medium Density Residential (3.5-8 DU/AC)	Medium Density Residential	R-7	49.92 AC	399 DU	8.0 DU/AC
			Total	**374.02 AC**	**1,532 DU**	**4.1 DU/AC**

A comparison of the proposed zoning and PAD to the existing PAD are illustrated in **Table 3: Sunset Canyon PAD – Comparison**.

Table 3: Sunset Canyon PAD - Comparison									
Existing					**Proposed**				
Land Use	**Zoning**	**Gross AC**	**Units**	**Density**	**Land Use**	**Zoning**	**Gross AC**	**Units**	**Density**
Moderate Low Density	CR-3	350 AC	1,225 DU	3.5 DU/AC	**Moderate Low Density**	R-7	324.10 AC	1,133 DU	3.5 DU/AC
	CB-2	24 AC				R-7	49.92 AC	399 DU	8.0 DU/AC
Existing Total		374 AC	1,225 DU	3.3 DU/AC	**Proposed Total**		374.02 AC	1,532 DU	4.1 DU/AC

2.3.1 Moderate Low Density Residential (1-3.5 du/ac)

Moderate Low Density Residential (1-3.5 du/ac) comprises a majority of the Site. All single-family dwelling units are zoned under R-7 and will fall under this land use category as shown on **Table 2: Proposed Density** and **Exhibit 6: Alternative Land Use Conformance Map**.

2.3.2 Medium Density Residential (3.5-8 du/ac)

Medium Density Residential (3.5-8 du/ac) comprises the area in the southeast corner of the Site along the drainage channel and John Wayne Parkway as shown on **Exhibit 6: Alternative Land Use Conformance Map**. This land use encompasses the three hundred ninety-nine (399) single-family dwelling units as shown on **Table 2: Proposed Density.**

Under the Comprehensive Plan, this Amendment seeks to include twenty-five (25) to fifty (50) acres of Medium Density Residential Uses as permitted under the following conditions:

- Allowed at the intersection of two (2) proposed or existing parkways or higher roadway classification, or
- Allowed as part of a two hundred fifty (250) acres or larger master planned community with a land use transition to adjacent properties.

2.4 Building Types and Densities

The Site consists of single-family products of 40' x 115', 45' x 120', 50' x 120', and 55' x 120'. The maximum density of the Site is proposed at 4.10 du/ac, see **Exhibit 8: Site Plan**.

2.5 Conformance to adopted Land Use Plans

The Site's existing land use designation of Moderate Low Density Residential shall be retained. Additional land uses have been included as permitted under the alternative land uses for Moderate Low Density Residential portion of the Comprehensive Plan. This has been incorporated to allow for flexibility and a variety of housing densities and types to better respond to the current market and the needs of Pinal County. See **Section 2.5: Proposed Land Uses, Exhibit 5: Existing Comprehensive Plan Map, Exhibit 6: Alternative Land Use Conformance Map,** and **Table 1: Conformance with Alternative Land Uses for Moderate Low Density Residential** for more information.

2.6 Circulation and Recreation Systems

The Site will be accessed from Val Vista Road, Green Road, and John Wayne Parkway. See **Exhibit 7: Pinal County Trails, Roadways, and Access Context Map** and **Exhibit 11: Circulation and Trails Plan**. See **Exhibit 18: Sections** for more information on the hierarchy of streets within the Site.

Val Vista Road is proposed as a principal arterial roadway however, Val Vista Road borders existing single-family ranch properties approximately one and a half (1.4) miles west of the Site. As such, widening Val Vista Road to a major arterial from Amarillo Valley Road to Warren Road will require significant right-of-way needs through these residential properties to provide continuity for the proposed roadway network. In addition, there are plans within the proposed Red River development to provide a major arterial roadway along the northern boundary that would continue Val Vista Road east of SR347. The ADOT Interstate 11 Final Tier 1 Environmental Impact Statement shows that the I-11 corridor will be located less than three (3) miles south of Sunset Canyon, which will provide east-west connectivity throughout the region. When the Val Vista Road alignment was proposed in the Regionally Significant Routes for Safety and Mobility (RSRSM), it was classified as a Parkway. Val Vista Road has since been downgraded to a principal arterial as shown in the 2003 PAD. Therefore, consideration should be given to allowing Val Vista Road to tie into SR347 at its current alignment that was approved in the 2003 PAD and has been shown as such in this PAD.

3. Relationship to Surrounding Properties within One Mile

Table 4: Surrounding Context Table			
Direction	**Comprehensive Plan Land Use**	**Existing Zoning**	**Existing Use**
Site	Moderate Low Density Residential (1 – 3.5 du/ac)	CR-3 Single Family Residence, CB-2 General Business	Agricultural Land
North	Moderate Low Density Residential (1 – 3.5 du/ac)	General Rural	Agricultural Land
South	Moderate Low Density Residential (1 – 3.5 du/ac)	CR-3 Single Family Residence, CB-2 General Business Zone	Agricultural Land
East	Employment	MR – Multiple Residence Zone, Undesignated	Agricultural Land
West	Moderate Low Density Residential (1 – 3.5 du/ac)	CR-3 Single Family Residence, CB-1 Local Business Zone	Agricultural Land

For more information on the surrounding properties, see **Exhibit 4: Existing and Proposed Zoning Map** which illustrates the surrounding zoning to the Site and see **Exhibit 5: Existing Comprehensive Plan Map** for the surrounding land uses.

4. Schools

The Site is within the Maricopa Unified School District and specifically is within the boundaries of Maricopa Unified High School, Maricopa Wells Middle School, and Saddleback Elementary School. The layout of the Site includes a centrally located elementary school which will serve the residents of this community and the surrounding area.

5. Public Services/ Community Services, and how will the need for these services be addressed

The following outlines the community service providers:

Table 5: Service Providers	
Service	**Provider**
School	Maricopa Unified School District or charter school
Library	Maricopa Public Library
Police	Pinal County Sheriff's Department
Fire	South Maricopa Fire Association

See **Table 7: Utility Service Provider Contacts** for more information on the service providers. The layout of the Site includes a centrally located elementary school which will serve the residents of this Amendment and the surrounding area.

6. Location and Accessibility

The Site will be accessed from Val Vista Road, Green Road, and John Wayne Parkway. Val Vista Road, which runs along the northwest boundary and crosses diagonally throughout the Site to the southeast corner, is classified as a Principal Arterial Regionally Significant Route (RSR) according to Pinal County's Regionally Significant Routes for Safety and Mobility (RSRSM). Amarillo Valley Road, approximately one (1) mile to the west, and Louis Johnson Drive, located approximately one and a half (1.5) miles to the south, are both nearby roads designated as Principal Arterial RSR roads. Along the eastern boundary of the Site is John Wayne Parkway which is classified as a RSR Parkway. No other RSR category roads border the Site. See **Exhibit 7: Pinal County Trails, Roadways, and Access Context Map** for nearby RSR category road locations.

Regionally, the following provide access to surrounding communities:

- John Wayne Parkway: Adjacent to the east of the Site
- State Route 84: approximately six (6) miles to the south
- State Route 238: approximately six (6) miles to the north
- Interstate 8: approximately nine (9) miles to the south

A preliminary analysis was completed of the Arizona Geological Survey (AGS) maps of natural hazards and no earth fissures were found to be within the Site.

7. Compliance with RSRSM, Access Management Manual, October 2008

The Site will be accessed from Val Vista Road, Green Road, and John Wayne Parkway. Val Vista Road, which runs along the northwest boundary and crosses diagonally throughout the Site to the southeast corner, is classified as a Principal Arterial Regionally Significant Route (RSR) according to Pinal County's Regionally Significant Routes for Safety and Mobility (RSRSM). Amarillo Valley Road, approximately one (1) mile to the west, and Louis Johnson Drive, located approximately one and a half (1.5) miles to the south, are both nearby roads designated as Principal Arterial RSR roads. Along the eastern boundary of the Site is John Wayne Parkway which is classified as a RSR Parkway. No other RSR category roads border the Site. See **Exhibit 7: Pinal County Trails, Roadways, and Access Context Map** for nearby RSR category road locations.

8. Utilities and Services

The sections below describe how the key utilities will be provided. See **Section 17.1: Utilities and Service Table** for more information.

- Water – Global Water Resources, Inc.
- Wastewater – Global Water Resources, Inc.
- Electric – ED3
- Natural Gas – Southwest Gas
- Phone and Internet – Century Link/Cox Communications
- Fire – South Maricopa Fire Association
- Police – Pinal County Sheriff Department
- School – Maricopa Unified School District or charter school
- Solid Waste – Private hauler

8.1 Water

The developers of the Site will utilize the services of Global Water Resources, Inc. to provide water service. Global Water Resources, Inc. is a water resource management company that owns, operates, and manages water, wastewater, and recycled water utilities. They have a designation of assured water to prove a 100-year assured water supply for their service area and a CC & N approved by the Arizona Corporate Commission. Prior to preliminary platting approval, a Master Water Study will be completed by an Arizona registered professional engineer and submitted to the Arizona Department of Water Resources (ADWR) for review and approval.

8.2 Wastewater

The developers of the Site will utilize the services of Global Water Resources, Inc. to provide wastewater services. Prior to preliminary platting approval, a Master Wastewater Study will be completed by an Arizona registered professional engineer and submitted to the ADWR for review and approval.

8.3 Drainage

The Site has been used for agricultural purposes and has an overall drainage slope of less than five (5) percent, see **Exhibit 3: Slope and Site Analysis Map**. For more detailed information refer to the technical reports submitted with this Amendment.

This site is located within Zone "X" on the Floodplain Insurance Rate Map (FIRM); FIRM Map 04021C1125E, revised to reflect letter map revision (LOMR), December 4, 2007.

The drainage flows impacting the project boundary are regional in nature. While it is typical for a property to be impacted by offsite drainage flows, these typically range in size from a few cubic feet per second (CFS) to slightly less than one hundred (100) CFS. A regional solution should be considered for this Site and the surrounding area due to the offsite drainage flows exceeding normal flow amounts as the flows that impact the Site exceed a range of a few hundred CFS and can reach several thousand CFS. Refer to the technical reports submitted with this narrative for more information.

9. Ownership and Control (see Section 2.176.240 (B)11)

The ownership, control, and maintenance of landscaping, open space, and recreation facilities will be conveyed to and held in common by homeowners' association(s) (HOA) for areas of single-family development.

10. Timing of Development (Phasing Schedule)

Final phasing will be determined by several factors including the findings in the engineering reports and market conditions. Final phasing will be demonstrated within the tentative plat. The proposed Amendment includes a series of conceptual phases as illustrated in **Exhibit 17: Conceptual Phasing Plan** and in **Table 6: Conceptual Phasing**.

Table 6: Conceptual Phasing

	Zoning	Acres	Numbers of DUs	Density	Build-out year range
Phase 1	R-7	136.57 AC	502 DU	3.7 DU/AC	2030-2034
Phase 2	R-7	115.68 AC	508 DU	4.4 DU/AC	2035-2039
Phase 3	R-7	121.77 AC	522 DU	4.3 DU/AC	2040-2044

11. Conformance with the Comprehensive Plan

11.1 Comprehensive Plan Vision Elements

The proposed Amendment is in compliance with the "Vision" of the Pinal County Comprehensive Plan, specifically with the following Comprehensive Plan vision elements.

A. Sense of Community
    1. Response: The Site will cultivate a sense of connected community through the network of pedestrian paths that connect residents to amenity areas.

B. Mobility and Connectivity
    1. Response: The Site will provide adequate transportation for vehicular and pedestrian circulation throughout the community.

C. Economic Sustainability
    1. Response: The Site is located to the west of an employment area identified on Pinal County's Economic Development Plan within the Comprehensive Plan. The proposed increase in density residential will help support future employment as residents work and shop in the area.

D. Open Spaces and Places
    1. Response: The Site provides a connected network of pedestrian paths that link residents with open space and amenity areas. Common open space comprises eighteen (18) percent of the Site.

E. Environmental Stewardship
    1. Response: Facilities developed within the Site will be of the most current building code, material and design which will be best practices in energy, water, and material usage. Waste management will be provided. Environmental Stewardship Vision Component Goals, Objectives and Policies will be met, particularly those related to solid and hazardous waste management.

F. Healthy, Happy Residents
    1. Response: The design of the Site adheres to the vision specified in the Comprehensive Plan by providing compatible land use relationships with the surrounding area; protecting residential neighborhoods from intrusion of more intensive land uses through appropriate buffering; incorporating transition of land uses to ensure compatibility; and providing a range of housing opportunities. The Site connects residents with open space areas through a network of paseos. Residents will be able to enjoy quality time outdoors enjoying interaction with Pinal County's clean, natural environment.

G. Quality Educational Opportunities

1. Response: The Site will encourage educational opportunities and programs for residents. The layout of the Site includes an elementary school which will serve the residents of this Amendment and the surrounding area.

11.2 Comprehensive Plan Key Concept Elements

The Comprehensive Plan includes "Key Concepts" that are illustrative in nature and are shown on the Land Use, Economics, and Circulation graphics.

A. Consistency with the Land Use Designations shown on the graphics.

1. Response: The Land Use Designation is consistent with the adjacent land uses and consistent with the vision provided for in both the Land Use and Economic Development graphics.

B. Consistency with the Mixed-Use Activity Center Concept.

1. Response: The Land Use Designation is not within a Mixed-Use Activity Center.

C. Consistency with the Planning Guidelines Described in the Land Use Element. The Site will meet the planning guidelines for Residential Development.

1. *Guideline:* Future suburban residential areas are intended to consider compatibility and relationship to existing and proposed neighborhoods.
   a. *Response:* The increased density of the Site is a natural transition from the area to the east across John Wayne Parkway designated in the Comprehensive Plan as employment. Units do not abut any existing single-family residences.
2. *Guideline:* Projects must be able to provide adequate water and infrastructure to support the proposed densities.
   a. *Response:* The developers of the Site will utilize the services of Global Water Resources to provide water and wastewater to the project.
3. *Guideline:* Development impact on the transportation system should be addressed.
   a. *Response:* The development of the Site will provide for roadway improvements associated with the project. A traffic impact analysis will be provided to describe the proposed improvements as well as the timing of the improvements.
4. Accessibility to schools and availability of community facilities/services will be evaluated.
   a. *Response:* As a residential development, providing services that residents will need is a top priority.

5. *Guideline:* Integration of open space, parks, trails, and recreational amenities to support the neighborhood should be addressed.
    a. Response: Residents of the Site will be able to engage with the community open spaces and amenity areas through the network of pedestrian paths. The Amendment will not impact the trails plans for Pinal County.
6. *Guideline:* Access to employment opportunities (to reduce vehicle miles traveled) is a consideration.
    a. Response: The Site is located outside of Employment and commercial areas identified on Pinal County's Economic Development Plan within the Comprehensive Plan. The Site is located to the west across John Wayne Parkway from an area designated as Employment providing a nearby opportunity for reduced vehicle miles traveled and access to employment opportunities. The proposed increased density for the Site supports future employment as residents work and shop in the area.
7. *Guideline:* Neighborhood design should encourage pedestrian orientation and connections.
    a. Response: Residents of the Site will be able to engage with the community open spaces and amenity areas through the network of pedestrian paths. The Amendment will not impact the trails plans for Pinal County.

D. Quality Employment Opportunities County-wide
    a. Response: The Site is located outside of Employment and commercial areas identified on Pinal County's Economic Development Plan within the Comprehensive Plan. The Site is located to the west across John Wayne Parkway from an area designated as Employment providing a nearby opportunity for reduced vehicle miles traveled and access to employment opportunities. The proposed increased density for the Site supports future employment as residents work and shop in the area.

E. Viable Agriculture, Equestrian, and Rural Lifestyle
    a. Response: The Site will reflect the influence of the agrarian character of the area.

F. System of Connected Trails and Preservation of Open Space
    a. Response: The Site includes a Pinal County multi-use trail corridor along John Wayne Parkway that will be constructed and included as part of the Site development, see **Exhibit 11: Circulation and Trails Plan** and **Exhibit 18: Sections** for more information. As the Site develops, the project will be required to comply with Pinal County's trail system and open space preservation standards.

G. Natural and Cultural Resource Conservation
    a. Response: The area of the Site has been reviewed for cultural resources and none have been identified as to date. There are no known special natural resources or extraordinary features.

H. Water Resources, Public Facilities/Services, and Infrastructure Support

a. Response: The developers of the Site will utilize Global Water Resources to provide water and wastewater services to the project.

12. Recreational Amenities

The residents will enjoy access to dedicated recreational open space centrally located in the community per county requirements for resident's equitable proximity. All amenity areas shall meet the appropriate level of recreation designated by Pinal County. See **Exhibit 12: Open Space and Amenities Plan** for more information as well as the accompanying **Open Space and Recreation Plan (OSRP)** document.

13. Fences, Walls, and Screening

Fences and walls create a visually cohesive sense of community character across parcels through use of interesting patterning, wall color, and texture. Theme walls will be used primarily along the collector roads to create visual interest that are accented by trees, shrubs, and groundcovers which soften the visual of the walls. Secondary walls comprised of a simpler material palette will be located throughout the Site where theme walls and view walls are not appropriate. Partial view walls combine splitface masonry with metal fencing and may be located on lots adjacent or backing to open space or common areas.

Project signage will be located at entries for wayfinding. A thematic monument with ground signage will be located where Val Vista Road and the major collector intersect on the Site. See **Exhibit 8: Site Plan** for location. More detailed information regarding the design and materials of walls, fences, and entry monuments shall be included with site plan or subdivision platting.

14. Total Number of Dwelling Units

The site will include a total of one thousand five hundred thirty-two (1,532) dwelling units.

15. Maximum Residential Density

Maximum residential density 4.10 du/ac

16. Type of Landscaping

Drawing on the property's agrarian heritage, the Amendment will utilize an appropriate landscape palette that meets AWDR low water use criteria. The overall planting style will complement the architectural features of the community and be used to create shaded walkways for pedestrians. Aesthetic walls and landscaping throughout the community will be provided as well as along the perimeter of the development.

17. Tables

17.1 Utilities and Services Table of Type and Source

Table 7: Utility Service Provider Contacts

Service	Provider	Contact Number	Website
Sewer	Global Water	866-940-1102	https://www.gwresources.com
Water	Global Water	866-940-1102	https://www.gwresources.com
Electric	ED3	520-424-9201	https://www.ed3online.org/
Telephone	Century Link/ Cox	602-630-5480/ 623-328-3807	https://www.centurylink.com https://www.cox.com
Fire	South Maricopa Fire Association	520-723-4680	N/A
Police	Pinal County Sheriff's Office	520-509-3555	https://www.pinalcountyaz.gov/sherif
Schools	Maricopa Unified School District	520-568-5100	https://www.musd20.org/
Solid Waste Disposal	Private Hauler		
Natural Gas	Southwest Gas	877-860-6020	https://www.swgas.com/

Table 8: Single-Family Residence Development Standards - R-7 PAD							
	County Code	**Proposed - Category A**	**Proposed - Category B**	**Proposed - Category C**	**Proposed - Category D**	**Proposed - Category E**	**Proposed - Category F**
Minimum Lot Area [1]	7,000 SF	1,800 SF	2,700 SF	4,600 SF	5,175 SF	5,750 SF	6,600 SF
Minimum Lot Width	50′	20′	30′	40′	45′	50′	55′
Minimum Front Yard Setback	20′	20′ to garage with parking on driveway, 10′ to architecture, 5′ max [2] to front facing garage without driveway parking	20′ to garage with parking on driveway, 10′ to architecture, 5′ max [2] to front facing garage without driveway parking	20′ to garage, 10′ to architecture	20′ to garage, 10′ to architecture	20′ to garage, 10′ to architecture	20′ to garage, 10′ to architecture
Minimum Side Yard Setback	10′ each	5′ 0′ where attached	5′	5′	5′	5′	5′
Minimum primary structure separation	NA	10′	10′	10′	10′	10′	10′
Minimum Rear Yard Setback	25′	10′ (front loaded), 5′ (rear loaded)	10′ (front loaded), 5′ (rear loaded)	10′ single-story, 15′ two-story	15′ single-story, 20′ two-story	15′ single-story, 20′ two-story	20′ single-story, 25′ two-story
Maximum Building Height	30′	30′	30′	30′	30′	30′	30′
Maximum Lot Coverage	-	86%	75%	60%	60%	60%	60%
Detached Accessory Buildings							
Permitted Coverage	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks	33% of the total area of rear and side setbacks
Maximum Height	20′	20′	20′	20′	20′	20′	20′
Minimum Distance to main building	7′	7′	7′	7′	7′	7′	7′
Minimum distance to front lot line	60′	60′	60′	60′	60′	60′	60′
Minimum distance to side and rear lot lines	4′	4′	4′	4′	4′	4′	4′
Product Restriction	NA	Attached homes in configurations such as, but not limited to duplex, triplex, cluster, hammerhead, and townhome are permitted. No detached homes are permitted. May be front loaded or rear loaded	Detached homes in configurations such as, but not limited to alley, cluster, and hammerhead are permitted. May be front loaded or rear loaded	None	None	None	None

1. Minimum lot size may be decreased by up to 200 SF for corner lots which are impacted by the roadway chamfer/radius.

2. The 5′ max may be increased to 8′ for a portion of the building where curved roads occur.

Table 9: Residential Permitted Uses R-7	
Permitted Uses	**Proposed PAD Amendment**
One dwelling, conventional construction.	Permitted
Child care (no more than five children for whom compensation is received).	Permitted
Church, subject to the requirements set forth in PCDSC 2.150.220.	Permitted
Government structures, fire district stations, sheriff's facilities and their accessory uses.	Permitted
Guest house/casita, subject to the requirements set forth in PCDSC 2.150.240.	Permitted
Home occupation, subject to the requirements set forth in PCDSC 2.150.260.	Permitted
Horticulture, flower and vegetable gardening, nursery or greenhouse used only for propagation and culture and not for retail sales. (Carried from previous CR-3 PAD)	Permitted
Parks.	Permitted
Public schools.	Permitted
Solar energy device, subject to the requirements set forth in chapter 2.210 PCDSC.	Permitted
Some uses are allowed in all zoning districts based on statutory exemptions (see PCDSC 2.05.050) or because a governmental entity or governmental agency is performing a governmental function.	Permitted
A travel trailer or recreational vehicle (RV) for not more than 90 days during construction of a residence on the same premises, which period may be extended for an additional period of 90 days upon application to the zoning inspector. (Carried from previous CR-3 PAD)	Permitted
Accessory building or use (Carried from previous CR-3 PAD)	Permitted
Permitted Special Uses	
Beauty salon or barbershop.	Permitted
Private school.	Permitted

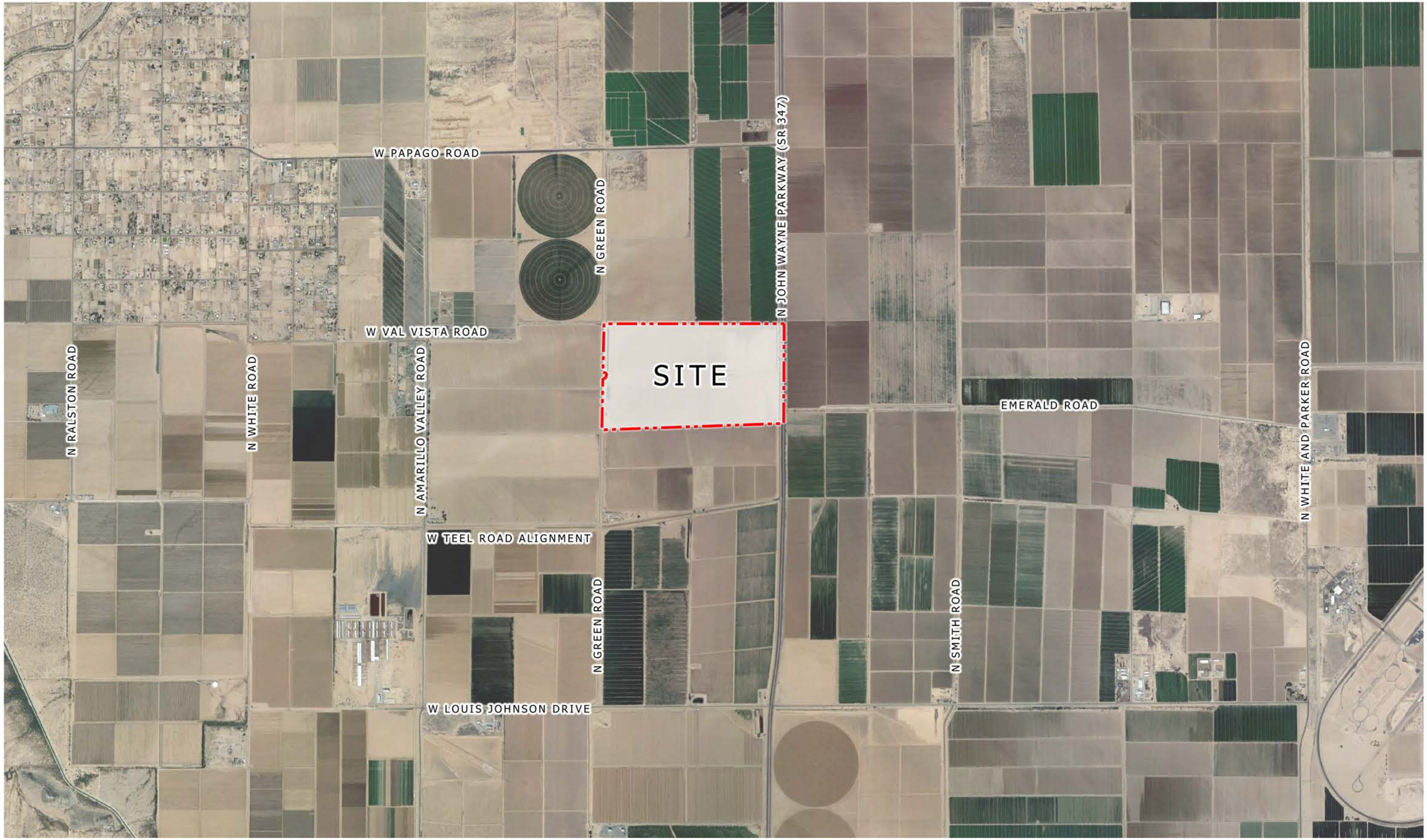


Exhibit 1: Vicinity Map



Exhibit 2: Aerial Map